

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Thursday, 11th March, 2010**

**Present:** Councillor Miss J Sergison (Chairman), Councillor J R H Clements and Councillor L Withey.

**PART 1 - PUBLIC**

**LA  
10/001**      **DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**LA  
10/002**      **TO DETERMINE AN APPLICATION FOR A PREMISES LICENCE IN  
RESPECT OF THE HOP FARM COUNTRY PARK, BELTRING**

The Panel gave consideration to an application for a premises licence made by The Hop Farm Trading Ltd for the Hop Farm Country Park, Beltring, Paddock Wood, Kent, TN12 6PY.

The application sought to license activities, outlined in paragraph 1.1 of the report of the Central Services Director, for Category A events (30,001 to 53,000 persons) to be limited to one being held in any given year; Category B events (8,001 to 30,000 persons) to be limited to no more than five being held in any given year and Category C events (less than 8,001 persons) for any day of the year.

The Hop Farm submitted thirty two conditions, outlined in the Management Plan attached with the application, for consideration to form part of their premises licence and had been meeting with representatives from the different responsible authorities to formulate meaningful conditions for consideration within the premises application.

It had been agreed that a Safety Advisory Group (SAG) would meet regularly from January to October chaired by Tonbridge and Malling Borough Council. The Group would be made up from representatives of the responsible authorities and would liaise with the Hop Farm over all events to ensure compliance with legislation and the premises licence.

The notice of the application had been displayed on the premises for twenty eight days ending on 23 February 2010 and in the 'Kent on Sunday' newspaper on 31 January 2010. The Licensing Partnership Manager reported that valid representations had been received from Kent Fire and Rescue Service, Kent Police, the Environmental and Protection Manager at Tunbridge Wells Borough Council and the Directors of Health & Housing and Planning, Transport & Leisure (the

'Responsible Authorities'). Representations had been received from other interested parties on the grounds of public nuisance, public safety, the prevention of public nuisance and the protection of children from harm.

Revised conditions were circulated to all parties at the meeting and were referred to by the applicant and the responsible authorities in their submissions.

Mr S Thomas presented the case on behalf of the applicant setting out the business and financial context behind the application, indicating that a successful business could benefit the local community by attracting significant economic income and employment to the area. The aim of the conditions within the application was to achieve a commercially viable licence whilst reducing problems and concerns for residents.

The Panel heard from Mr A Stanfield, on behalf of the local Planning Authority and the Environmental Health Authority for Tonbridge and Malling Borough Council who drew attention to the significant discussions between all parties to alleviate concerns of residents related to noise disturbance and its cumulative effect. This was reflected in the reduction of the number of events and longer intervals between events.

Kent Police confirmed satisfaction with the final conditions as recently negotiated.

Kent Fire and Rescue Services requested that fire risk assessments be applied where appropriate.

Local residents expressed concern on a variety of issues ranging from the lack of communication and consultation with the community, particularly East Peckham Parish Council; noise disturbance and its prolonged and cumulative effect; the ability of the local infrastructure and road network to cope with increased volume for the larger events; perception of fear of crime and the increased risk of crime and disorder; maintenance and clearing of the highway following an event; the frequency and flight path of helicopter flights; the increased visitor numbers; difficulties with the complaints hotline operated by the applicant and the importance of the licence holder taking responsibility for the site as opposed to event organisers.

The applicant and responsible authorities were confident that the noise concerns raised would be addressed by the conditions and particularly the Noise Management Plan.

**RESOLVED:** The Panel after giving full and careful consideration to the representations made by all parties were satisfied that the concerns raised had been addressed through the proposed large number of conditions and decided to grant the application, subject to those conditions as well as the mandatory conditions set out in the Licensing Act in connection with the supply of alcohol.

The Panel believed that the granting of this licence was made in accordance with the objectives contained in the Licensing Act 2003 and the Licensing Policy of Tonbridge and Malling Borough Council.

The Panel noted the concerns raised by East Peckham Parish Council and residents and encouraged the Premises Licence Holder to communicate regularly with the Parish Council.

### **MATTERS FOR CONSIDERATION IN PRIVATE**

**LA  
10/003**

#### **EXCLUSION OF PRESS AND PUBLIC**

No items were considered in private.

The meeting ended at 1520 hours  
after commencing at 1045 hours