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TONBRIDGE & MALLING
BOROUGH COUNCIL

EXECUTIVE SERVICES

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5 April 2023

Dear Councillor

LICENSING AND APPEALS PANEL - WEDNESDAY, 12TH APRIL, 2023

I am now able to enclose, for consideration at the Wednesday, 12th April, 2023 meeting of the Licensing and Appeals Panel, the following reports that were unavailable when the agenda was printed.

Agenda No Item

3. **Application for a new Premises Licence - Kentfield Estate, Ashtree Farm, Teston Road, Offham (Pages 3 - 152)**

The Panel is asked to consider an application for a new premises licence under Section 17 of the Licensing Act 2003.

The report and annexes previously unavailable at the time the agenda was published, are attached.

Yours sincerely

J E BEILBY
Chief Executive

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TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING & APPEALS COMMITTEE

12 April 2023

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Delegated

1 APPLICATION FOR A NEW PREMISES LICENCE FOR KENTFIELD ESTATE, ASHTREE FARM, TESTON ROAD, OFFHAM, KENT, ME19 5RL

1.1 Executive Summary

1.1.1 The Licensing & Appeals Committee sitting as a Panel is asked to consider an application for a Premises Licence under section 17 of the Licensing Act 2003 for the premises called the Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent, ME19 5RL.

1.1.2 This is a new application for providing live music (Inside/outside), recorded music (Inside/outside), late night refreshment (Inside/outside) and sale of alcohol (on and off the premises).

1.1.3 This application has resulted in a number of Representations being received by the Licensing Authority from Responsible Authorities and Residents.

1.2 Background and Introduction

1.2.1 The application was validated on the 6 March 2023, with the 28-day consultation period running from the 3 March 2023 until the 31 March 2023.

1.2.2 At any stage, during the 28-day public consultation period, a responsible authority, or an interested party, may make representations in connection with any of the four licensing objectives namely: -

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

Provided that the grounds for the request are relevant to the promotion of the licensing objectives and, in the case of requests by interested parties, are not vexatious, frivolous or repetitive, a hearing must be held to consider the application.

- 1.2.3 The Licensing Act 2003 requires the Council to publish a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act. The Council's current Statement of Licensing Policy was published in 2019 and will remain in force until 2024. The Policy will be available at the hearing, for reference purposes.
- 1.2.4 Under the 2003 Act, it is the duty of all licensing authorities that, in carrying out their functions, they must have regard to Guidance issued by the Secretary of State under section 182. The Guidance cannot anticipate every possible scenario or set of circumstances that may arise. Provided that the licensing authority has properly understood and considered the guidance, it may depart from it when it has reason to do so. However, as the licensing authority is under a duty to have regard to the Guidance, it will need to give full reasons for its departure from it. The Guidance will also be made available at the hearing for reference purposes.

1.3 The Application

1.3.1 The applicant is Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent, ME19 5RL.

1.3.2 A copy of the application form can be seen at **Annex 1**

1.3.3 The following documents have been made available to support the premises licence application:

Plan 1 showing the premises at **Annex 2**

Plan 2 showing the premises at **Annex 3**

Marquee plan is show at **Annex 4**

Map showing a snapshot of the wider area at **Annex 5**

Copy of existing premises licence issued on the 5 February 2018 is shown at **Annex 6**

1.3.4 The application details are as follows:

Section E	Performance of live music - (indoors and outdoors) Monday – Sunday from 12: hours until 00:00 hours (Midnight)
Section F	Playing of recorded music - (indoors and outdoors) Monday – Sunday from 12: hours until 00:00 hours (Midnight)
Section I	Provision of late-night refreshment - (indoors and outdoors) Monday – Sunday 23:00 hours until 00:00 hours (Midnight).
Section J	Supply of alcohol (for consumption both on and off the premises) Monday – Sunday 12:00 hours until 00:00 hours (Midnight).

1.3.5 The Designated Premises Supervisor will be Mr Ian Barwick.

1.4 Reasons for referral

1.4.1 The Licensing Authority must under the Act refer any application for hearing to the Licensing & Appeals Committee if relevant representations are made by a responsible authority or an “other” party.

1.4.2 The Licensing Authority has, during the representation period, received 42 Representations from other persons objecting to the application.

1.4.3 A full set of redacted representations are shown at **Annex 7**

1.4.4 Representations received from statutory consultees:

Fire Safety	
Trading Standards	
Social Service	
Police	
Environmental Health TMBC	Noise Concerns – Recommended conditions
Health & Safety	

Planning	Public Safety concerns
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1.4.5 The applicant and other persons that have made representations have been invited to attend the hearing.

1.5 Policy Considerations

1.5.1 The following provisions of the Secretary of State's Guidance apply to this application:

Chapter 2 – The licensing objectives

Chapter 8 – Applications for premises licences

Chapter 9 – Determining applications.

Chapter 10 – Conditions attached to Premises Licences

1.5.2 The following paragraphs of the Councils' Statement of Licensing Policy apply to this application:

Section 3 – Licensing Authority general policy considerations

Section 4 – Responsible Authorities and other persons

Sections 8 – In making decisions in respect to new premises licences.

Sections 17 – Licence conditions - appropriate and proportionate in order to promote the licensing objectives at that premises.

1.6 Legal Implications - Determining the application

1.6.1 Section 4 of the Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the following Licensing Objectives -

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

Having regard to the relevant representations, the Panel must take such of the steps set out at paragraph 1.7.1 below, as it considers appropriate, for the promotion of the licensing objectives.

1.6.2 Section 18(10) of the Licensing Act permits the authority to grant a premises licence so that it has effect subject to different conditions in respect of: -

- Different parts of the premises concerned.
- Different licensable activities covered.

1.6.3 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

1.6.4 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant and those making representations, against decisions of the Licensing Authority to the Magistrates Court.

1.7 Options Open to the Panel

1.7.1 The steps an authority may take are –

1. Grant the licence subject to
 - i. such conditions as are consistent with the operating schedule accompanying the application modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and
 - ii. any conditions which must under section 19, 20 or 21 of the Licensing Act 2003 be included in the licence (the mandatory conditions).
2. Exclude from the scope of the licence any of the licensable activities to which the application relates.
3. Reject the application.

1.8 Financial and Value for Money Considerations

1.8.1 None unless there is a successful appeal against the Panel decision to the Magistrates' Court. This could result in costs being awarded against the Council.

1.9 Risk Assessment

1.9.1 Departure from the Guidance and Policy could lead to an increased risk on an appeal. Similar risks arise if any decision made is not evidence based and proportionate.

1.10 Equality Impact Assessment

1.10.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.11 Recommendations

1.11.1 That members determine the application carefully, considering the application along with any representations made and take such steps as the Panel consider appropriate for the promotion of the Licensing Objectives.

1.12

Background papers:

Licensing Act 2003

Licensing Act Guidance

Tonbridge & Malling Statement of Licensing Policy

I

contact:

Geoffrey Stevens

Licensing Officer

Adrian Stanfield

Director of Central Services and Deputy Chief Executive

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We [REDACTED]
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
KENTFIELD ESTATE ASHTREE FARM TESTON ROAD OFFHAM, KENT			
Post town		Postcode	ME19 5RL
Telephone number at premises (if any) [REDACTED]			
Non-domestic rateable value of premises		£ 10,000	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	KENTFIELD ESTATE
Address	ASHTREE FARM TESTON ROAD OFFHAM KENT ME19 5RL
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	OWNER OF FARM/ESTATE BUSINESS
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
01 05 2023

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

WE ARE A FARM THAT HAS DIVERSIFIED AND NOW RUNS WEDDINGS AND EVENTS. WE ARE APPLYING FOR A SECOND LICENCE TO ALLOW US TO HOST A LIMITED NUMBER OF LARGER CORPORATE JOBS AND ASIAN WEDDINGS PER YEAR.

OUR EXISTING LICENCE NUMBER IS 17/018791/PREM.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	12PM	12AM	<u>Please give further details here</u> (please read guidance note 4) MUSIC WILL BE PLAYED IN THE THATCHED LAPA AND MARQUEE WITH SPEAKERS FACING SOUTH AND A WALL ERRECTED TO MITIGATE NOISE. LIMIT 95 DB.		
Tue	12PM	12AM			
Wed	12PM	12AM	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) ONLY OPERATIONAL 1ST MAY TO 31ST OCTOBER.		
Thur	12PM	12AM			
Fri	12PM	12AM	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	12PM	12AM			
Sun	12PM	12AM			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	12PM	12AM	MUSIC WILL BE PLAYED IN THE THATCHED LAPA AND MARQUEE, WITH SPEAKERS FACING SOUTH AWAY FROM VILLAGE, SOUND PROOFING WALL ERRECTED		
Tue	12PM	12AM			
Wed	12 PM	12 AM	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	12 PM	12 AM	ONLY OPERATIONAL 1ST MAY - 31ST OCTOBER		
Fri	12PM	12AM	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	12AM	12AM			
Sun	12AM	12AM			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	10PM	12AM	Please give further details here (please read guidance note 4) WE WILL OFFER NON ALCOHOLIC DRINKS 1 TEA / COFFEE FROM 10PM AS PART OF OUR OFFERING .		
Tue	10PM	12AM			
Wed	10PM	12AM	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) 1ST MAY - 31ST OCTOBER		
Thur	10PM	12AM			
Fri	10PM	12AM	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10PM	12AM			
Sun	10PM	12AM			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) WE OPERATE FROM 1ST MAY - 31ST OCTOBER.		
Mon	12PM	12AM			
Tue	12PM	12AM			
Wed	12PM	12AM			
Thur	12PM	12AM			
Fri	12PM	12AM			
Sat	12PM	12AM			
Sun	12PM	12AM			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	[REDACTED]
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	8:30 AM	12 AM	
Tue	8:30 AM	12 AM	
Wed	8:30 AM	12 AM	
Thur	8:30 AM	12 AM	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Fri	8:30 AM	12 AM	
Sat	8:30 AM	12 AM	
Sun	8:30 AM	12 AM	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

OUR STAFF WILL BE TRAINED BY THE PERSONAL LICENCE HOLDER TO SPOT THE SIGNS OF UNDER AGE DRINKING ETC, DRUGS AND ANTISOCIAL BEHAVIOR. THIS WOULD THEN BE ESCALATED TO THE EVENT MANAGER AND APPROPRIATE ACTION TAKEN.
CCTV OPERATES ON SITE.

b) The prevention of crime and disorder

WE OPERATE A SLOW DOWN PERIOD AT THE END OF THE NIGHT SERVING WATER AND NON ALCOHOLIC DRINKS, THE VOLUME OF THE MUSIC GETS TUNED DOWN TO 80DB AND GUESTS LEAVE THE ENTRANCE 1 MILE OUTSIDE THE VILLAGE.
WE INFORM WEST MALLING TAXIS OF ANY LARGE EVENTS.

c) Public safety

WE HAVE EXTENSIVE CCTV FROM THE ENTRANCE TO MOST AREAS OF THE ESTATE, ESPECIALLY THE LICENCED AREA AS SHOWN LIGHTING INSIDE THE MARQUEE AND CARPARK AREAS.
THE LAKE AREA HAS CCTV AND LIFEBOYS AND SIGNS WARNING DO NOT ENTER THE LAKE.
LARGE EVENTS ARE SUPERVISED BY THE EVENT MANAGER.

d) The prevention of public nuisance

ALL MUSIC WILL BE RESTRICTED TO 95dB(A) AND MEASURED BY A DECIBEL SOUND LEVEL MONITOR. THE EVENT MUSIC WILL BE RECORDED TO SHOW CONFORMANCE. COMPLAINTS CAN BE DIRECTED TO THE SITE OWNER IAN BARWICK WHO WILL INVESTIGATE THE LIGHTENESS OF THE COMPLAINT.
A SOUND WALL WILL BE ERRECTED BEHIND ANY SPEAKERS AND SPEAKERS WILL FACE SOUTH AWAY FROM THE VILLAGE.

e) The protection of children from harm

* NOTE

WE ARE ONLY APPLYING FOR TEN DAYS PER YEAR WITH A MAXIMUM CAPACITY OF 950 PEOPLE, TO ALLOW US TO SERVE THE GROWING ASIAN WEDDING MARKET AND LARGE CORPORATE EVENTS.

THE FARM IS 250 ACRES SO SPACE IS NOT AN ISSUE.

ALL CHILDREN ARE TO BE SUPERVISED BY PARENTS, HOWEVER THE EVENT MANAGER AND STAFF WILL BE AROUND TO ASSIST IN MONITORING THE EVENT.
 AGAIN EXTENSIVE CCTV OPERATES IN THE KEY AREAS OF THE SITE LAVA, MARQUEE, ENTRANCE ETC.

Checklist:

Please tick to indicate agreement

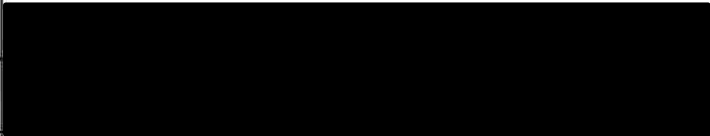
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	2/3/2023
Capacity	OWNER AND LISENCEE .

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.



Part B

Premises Licence Tonbridge & Malling Borough Council

Premises Licence Number

17/01899/PREM issued 5th February 2018

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

African Lodge And Marquee
Kentfield Farm
Tower Hill
Offham
West Malling
Kent
ME19 5NH

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Sale of Alcohol
Live Music
Recorded Music
Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol

Every Day 11:00 - 00:00 (Midnight)

Live Music (Indoors Only)

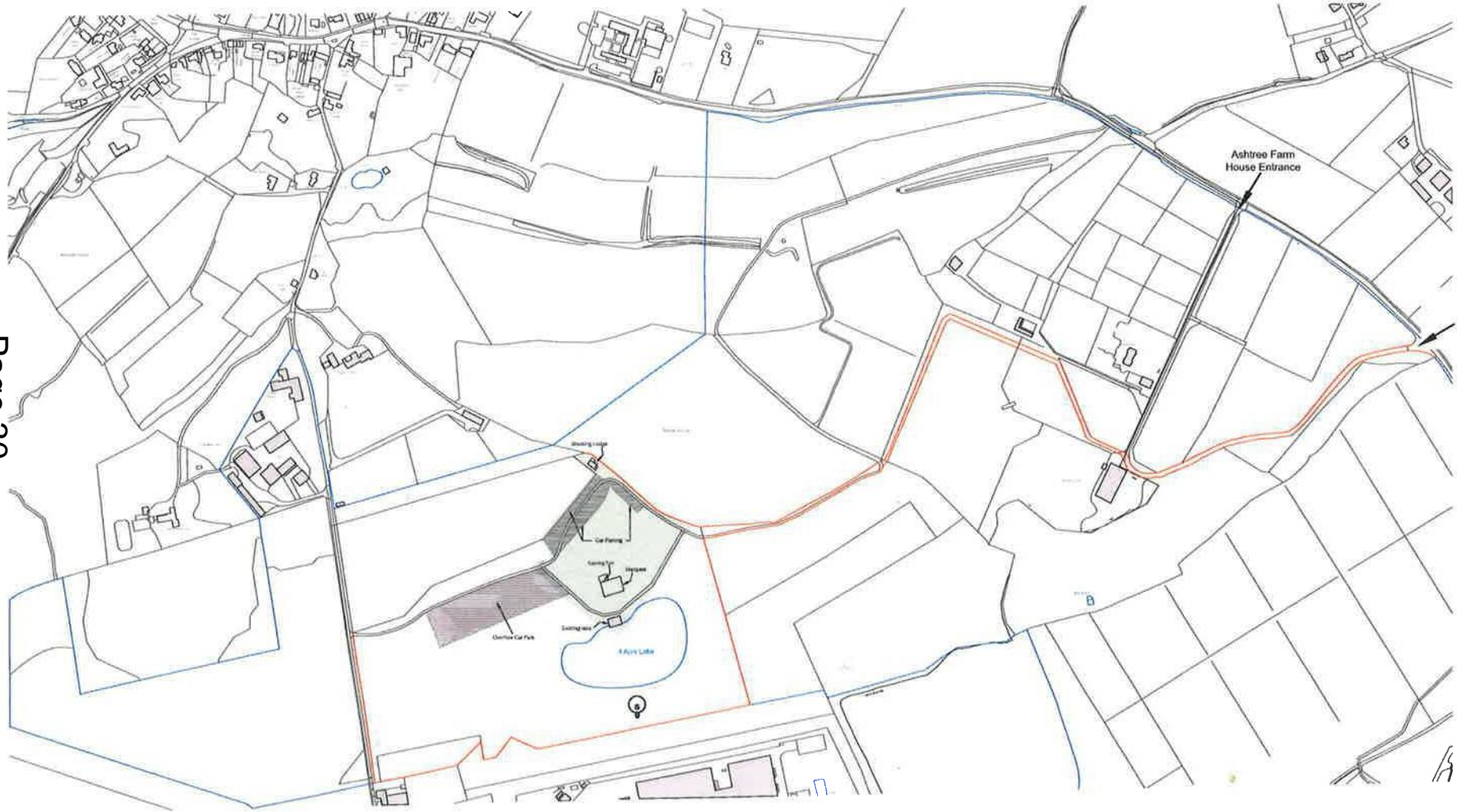
Every Day 23:00 - 00:00 (Midnight)

Recorded Music (Indoors Only)

Every Day 23:00 - 00:00 (Midnight)

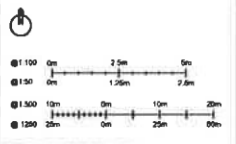
Page 1 of 2

Part B of the Premises Licence for African Lodge And Marquee issued by
The Licensing Authority of Tonbridge and Malling Borough Council
Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ
Telephone Number 01732 876368



Notes

Lake Area	
Landed Area	
Car Park Area	
Footways	
Farm Boundary	



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ALL BUILDING MATERIALS COMPONENTS AND WORKMANSHIP TO COMPLY WITH THE CURRENT BUILDING REGULATIONS. THE BUILDING MUST BE CONSTRUCTED IN ACCORDANCE WITH THE APPROPRIATE MANUFACTURERS RECOMMENDATIONS THAT APPLY TO THE SPECIFIC PRODUCTS.

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Rev.	Date	Description
A		
B		

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creative architecture

11 - 13 High Street
Lynnhope Works
Kings Hill, U.K.
Tel: 01800 525732
Email: enquiries@johnbullockdesign.com
Website: www.johnbullockdesign.com

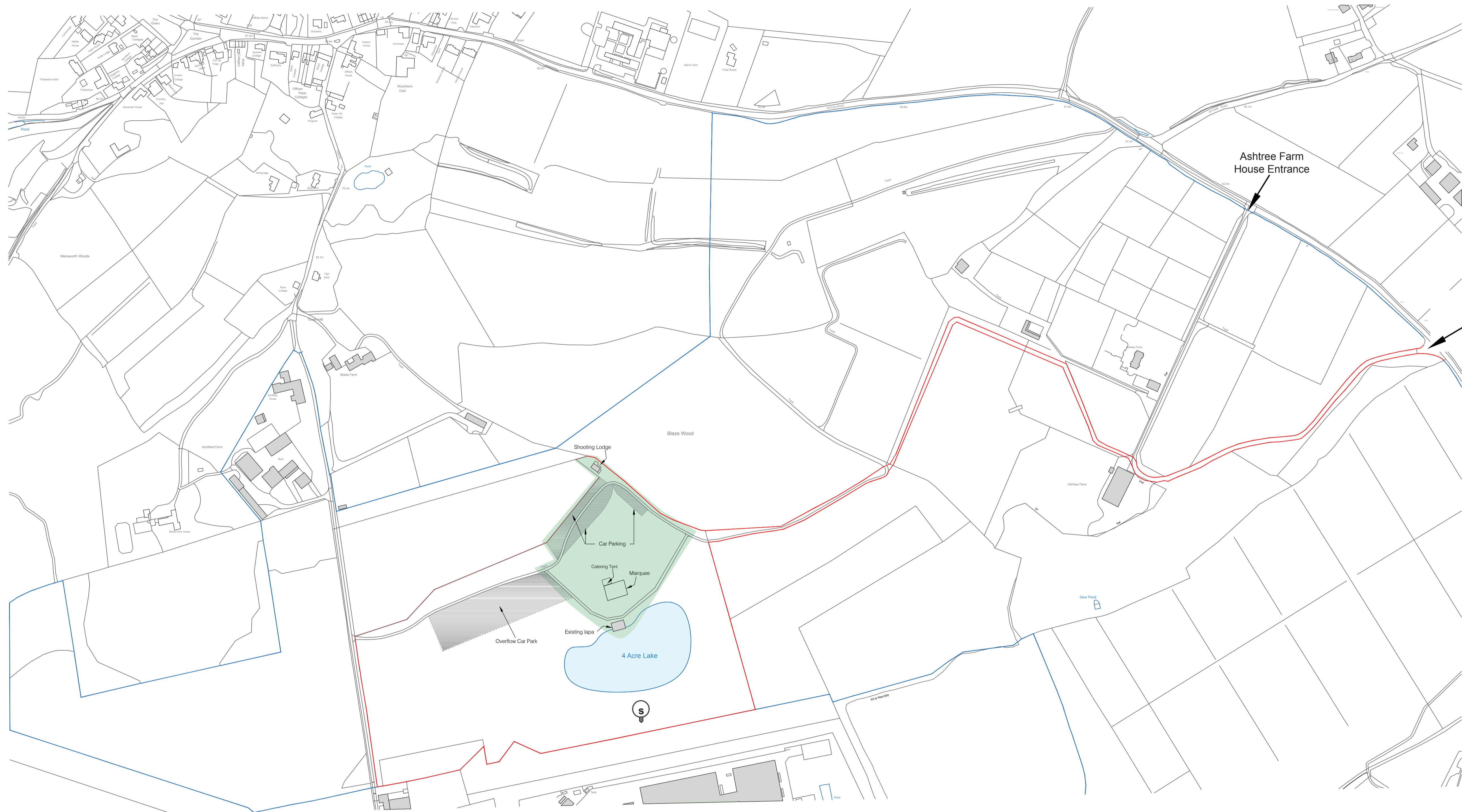
CLIENT: Mr Barwick

PROJECT: Kentfield Estate.

DRAWING TITLE:
Site Location Plan

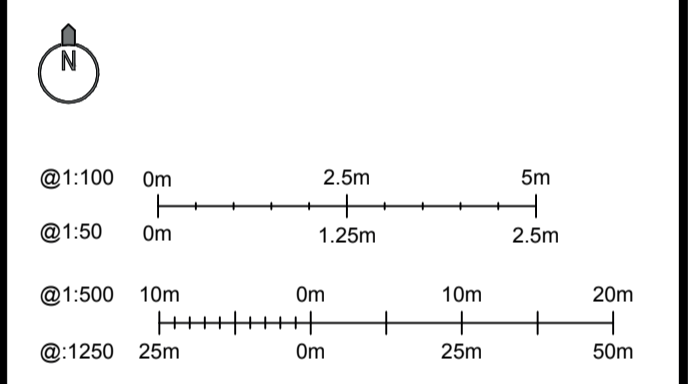
DRAWN BY: A.J. DATE: 26 July 2018

SCALE: DRAWING NO:



Notes

Lake Area	
Licensed Area	
Car Park Areas	
Roadways	
Farm Boundary	



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Revisions		
Rev.	Date	Description
A.	-	-
B.	-	-

John Bullock Design
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11 - 13 High Street
 Tunbridge Wells
 Kent, TN1 1UL
 tel: 01892 525732 email: enquiries@johnbullockdesign.com
 website: www.johnbullockdesign.com

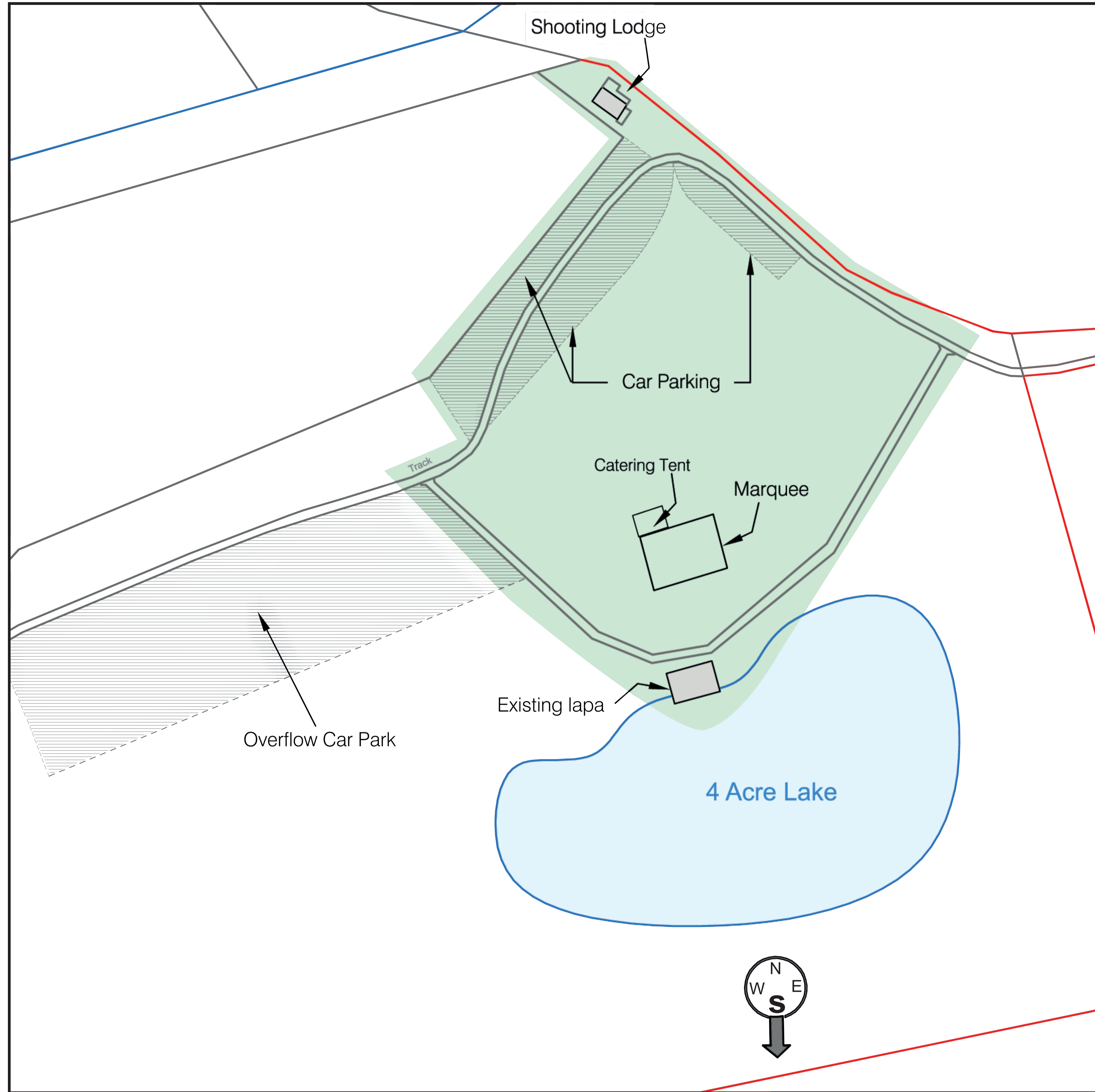
CLIENT: *Mr Barwick*

PROJECT: Kentfield Estate.

DRAWING TITLE:
 Site Location Plan

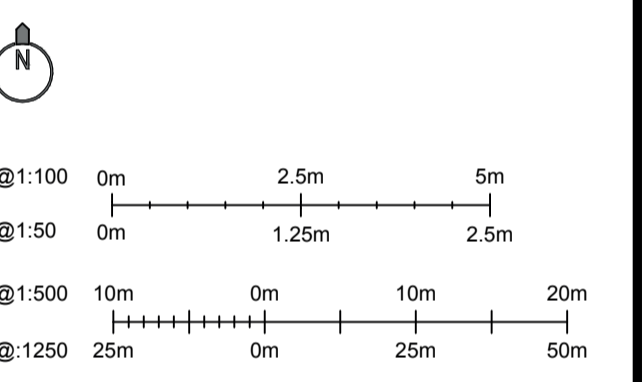
DRAWN BY:	A.J.	DATE:	25 July 2018
SCALE:	As shown @A1	DRAWING N ^o :	18003-S-01-B

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Notes

Lake Area	
Licensed Area	
Car Park Areas	
Roadways	
Farm Boundary	



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Revisions		
Rev.	Date	Description
A.	-	-
B.	-	-

John Bullock Design
 creative architecture

11 - 13 High Street
 Tunbridge Wells
 Kent, TN1 1UL
 tel: 01892 525732
 email: enquiries@johnbullockdesign.com
 website: www.johnbullockdesign.com

CLIENT: *Mr Barwick*

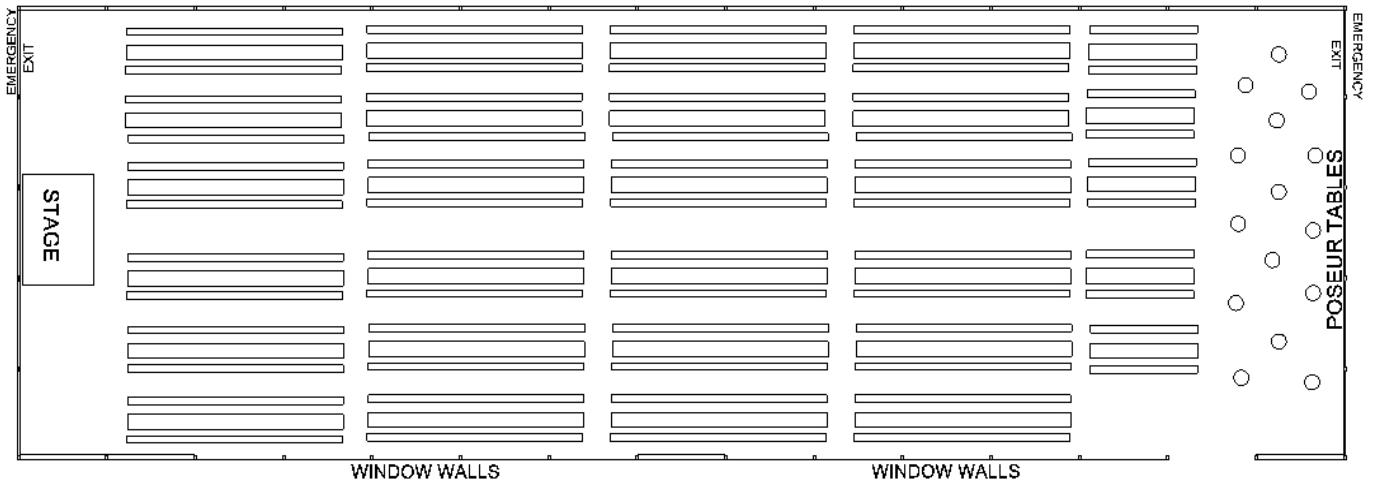
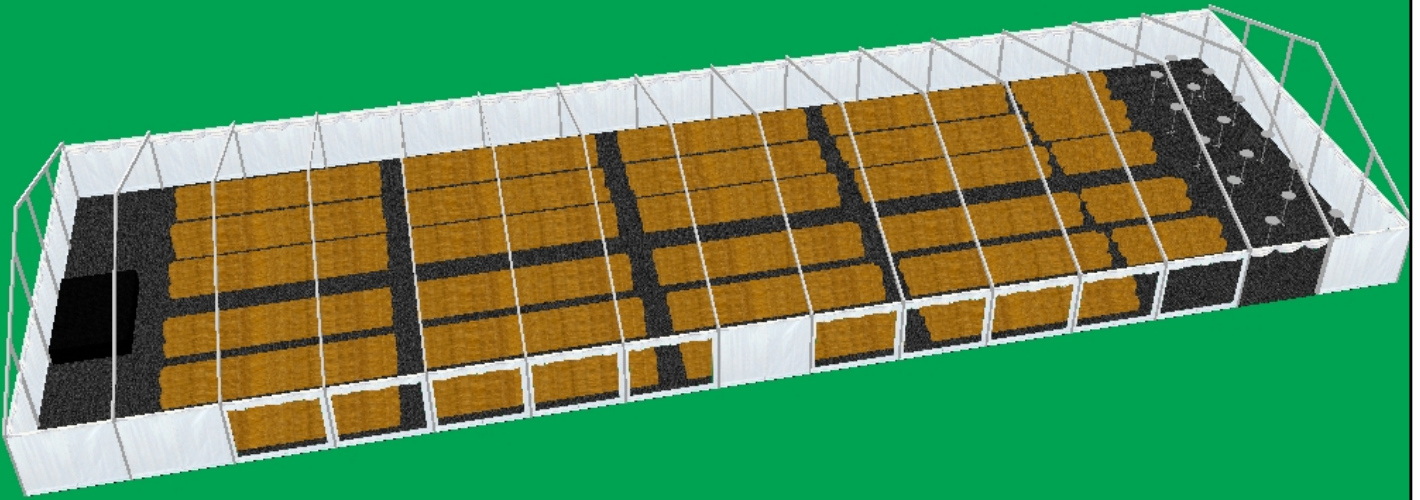
PROJECT: Kentfield Estate.

DRAWING TITLE:
 Site Location Plan

DRAWN BY:	A.J.	DATE:	25 July 2018
SCALE:	As shown @A1	DRAWING NO.:	18003-S-01-B

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Cavendish Marquees

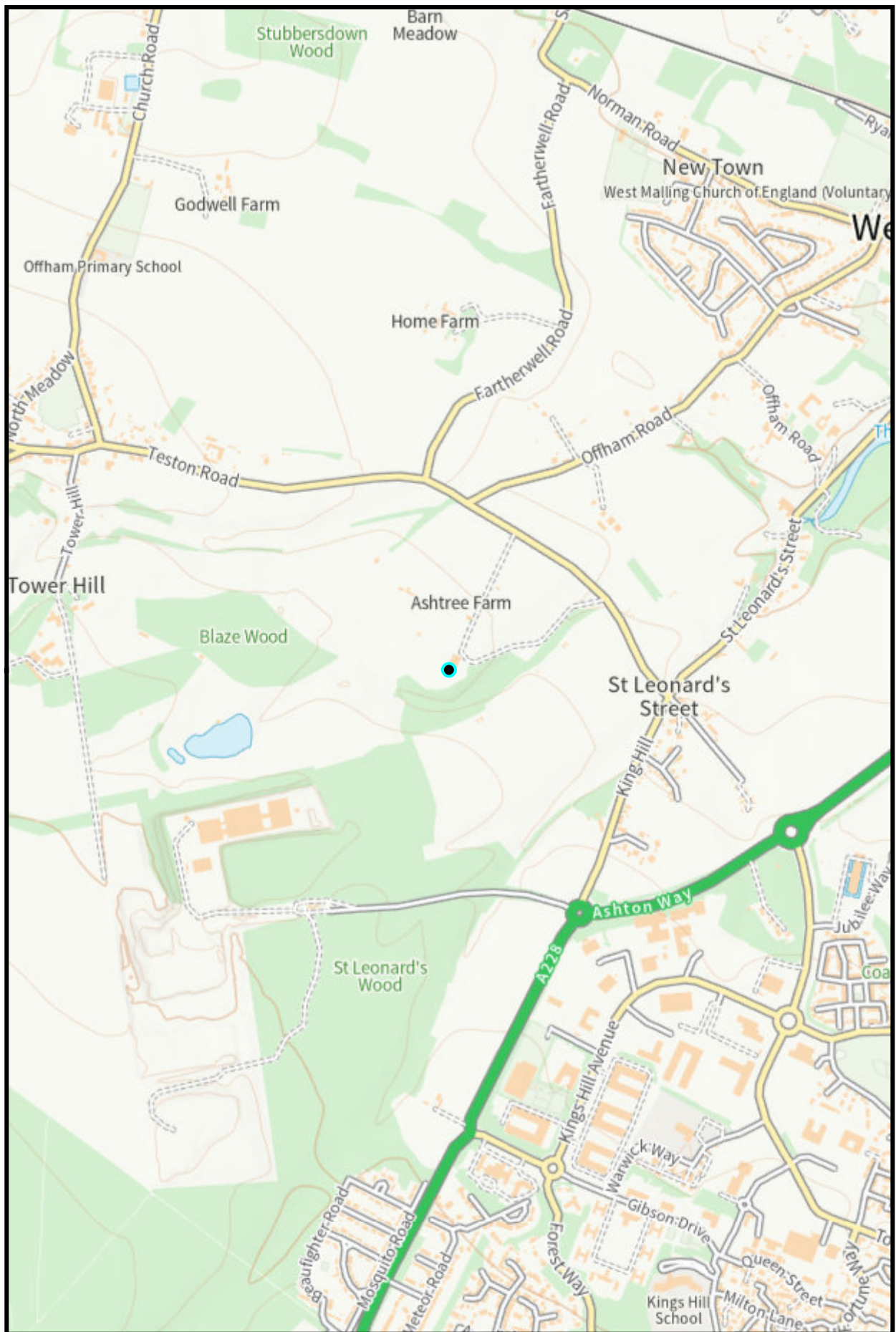


Client	Commercial Sevices - trestles	Event ref	1001/1		
Event title		Drawing number		Drawn By	Cavendish Marquees
Venue	Kentfield Estate	Event date (s)	16th June 2023	Structure size	15m x 45m White Marquee
				Date	19/01/2023

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Annex 5 Snapshot of wider area

Notes: Notes



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www.tmbc.gov.uk

Schedule 12 Part A

Premises Licence Tonbridge & Malling Borough Council

Regulation 33,34

Premises Licence Number

17/01899/PREM issued 5th February 2018

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

African Lodge And Marquee
Kentfield Farm
Tower Hill
Offham
West Malling
Kent
ME19 5NH

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Sale of Alcohol
Live Music
Recorded Music
Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol

Every Day 11:00 - 00:00 (Midnight)

Live Music (Indoors Only)

Every Day 23:00 - 00:00 (Midnight)

Recorded Music (Indoors Only)

Every Day 23:00 - 00:00 (Midnight)

Late Night Refreshment (Indoors Only)

Every Day 23:00 - 00:00 (Midnight)

The opening hours of the premises

Not applicable

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premises

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Ian Barwick
Kentfield Farm
Tower Hill
Offham
West Malling
Kent
ME19 5NH

Electronic Mail [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: [REDACTED]

Licensing Authority: Tonbridge & Malling Borough Council

Annex 1 – Mandatory conditions

Sale of Alcohol

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.

6. The responsible person shall ensure that –
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

Door supervision (except theatres, cinemas, bingo halls and casinos)

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.
 - a. ph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule

1. Licensable activities will only be provided in respect of pre-booked functions.
2. Food will be available throughout the trading period

Annex 3 – Conditions attached after a hearing by the licensing authority

Conditions added at the Licensing Hearing held on 5th February 2018

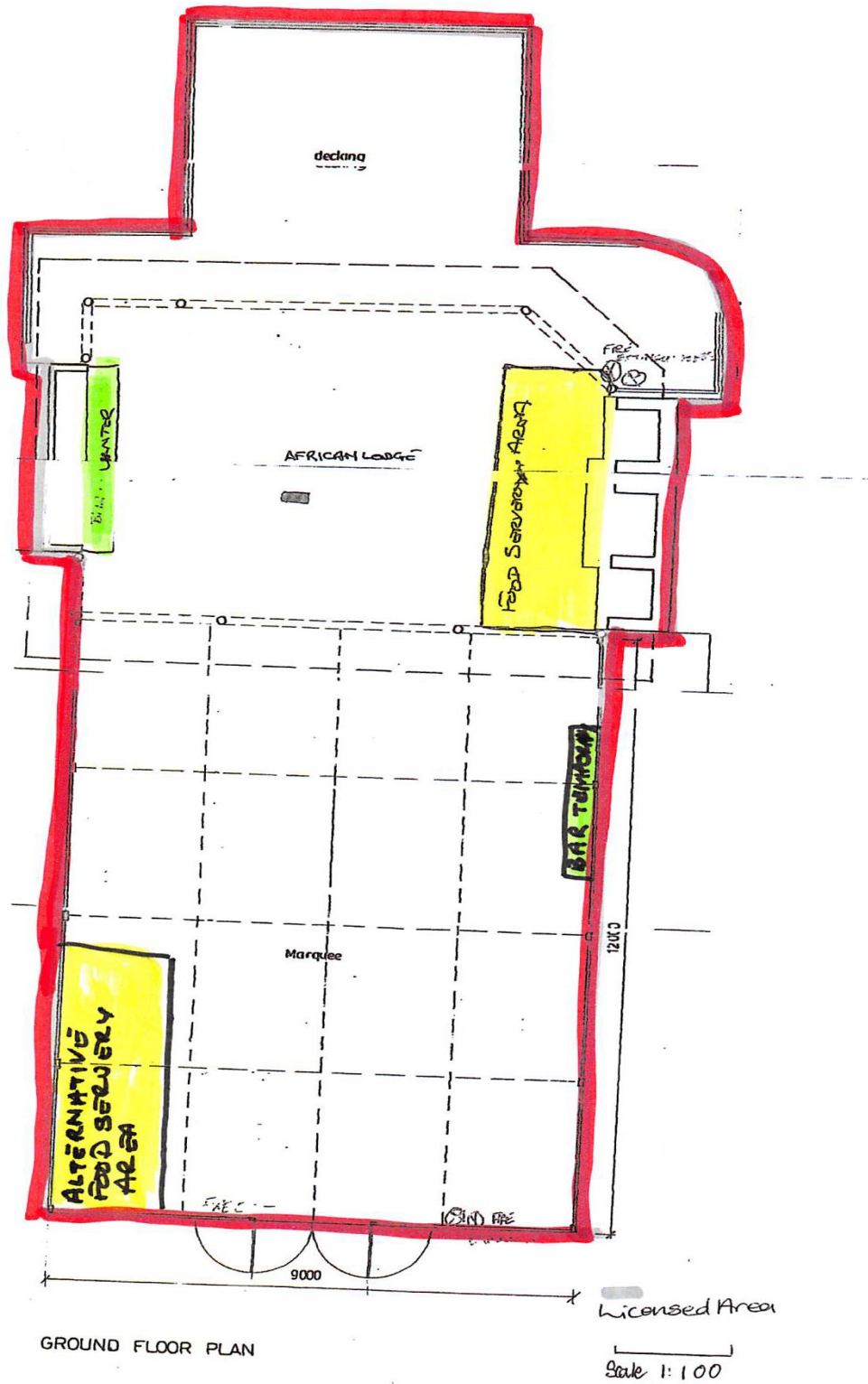
1. There will be no more than 28 functions held at the location in any calendar year.
2. All functions will be pre-booked with number of persons attending and emergency contact details for the person booking recorded.
3. There will be no access to the venue from Tower Hill except in emergency situations.
4. Access routes to the venue will be clearly marked at any time that the venue is operating under this Premises Licence to ensure swift access and egress for all vehicles including private vehicles, taxis and emergency vehicles.
5. Clear instructions on gaining access to the venue will be provided to all persons holding events at the location.
6. Challenge 25 will be in operation and adhered to by all staff. This will be communicated to all persons holding events at the location at the time of booking.
7. Staff training will be provided for the sale of alcohol and safe operation of the venue, training will be recorded and signed by each member of staff. All staff training will be carried out by an accredited body.
8. CCTV will be in operation at the location at any time that the premises are being used for licensable activities.
9. Images from any CCTV in operation at the premises will be retained for a minimum of one month from the date of recording.
10. The maximum number of customers will be 200 for any given event.
11. No fireworks will be let off during any pre-booked event where licensable activities occur.
12. Performance loud speaker systems that have any bass component are only to be located in the African Lodge and not in the Marquee.
13. Performance loud speakers and the related performances are directed to the south across the lake towards the Quarry and not into the Marquee.
14. Whenever entertainment is provided bass baffles are fitted to the north open aspect of the African Lodge and behind any loudspeaker installation.
15. A noise limiter is used to ensure that noise levels in the Lodge do not exceed 95dB(A)eq(15) as recommended by the Code of Practice.
16. Performances in the Marquee must be restricted to acoustic instruments. Use of amplified equipment is acceptable but must be limited to background music or only spoken word.

Annex 3 – Conditions attached after a hearing by the licensing authority continued

17. The type of Performance loud speaker system is to be ascertained and approved by Mr Beale of SPL Track Environmental, on behalf of the applicant, and by a representative of Tonbridge and Malling Borough Council's Environmental Protection Team.

18. All events to be publicised in advance on Kentfield Farm's website. This to include the name and mobile 'phone number to contact in the event of any complaint. This person should be available to contact during the event. This information should also be provided to Offham Parish Council at least fourteen days in advance of an event.

Annex 4 – Plans





LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	N/A
Postal address	[REDACTED] [REDACTED] [REDACTED] ME19 6RG
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Kentfield Farm Estate (23/00221/PREM)
Address of the premises you are making a representation about	Kentfield House, Tower Hill, Offham, West Malling, Kent, ME19 5NH

Your representation must relate to one of the four Licensing Objectives (see note 4)

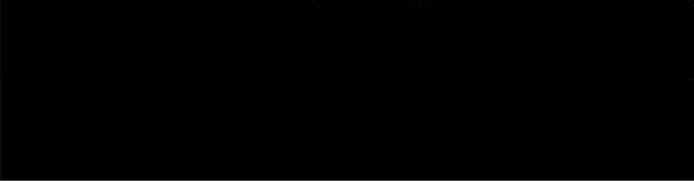
LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	No	
Public safety	Yes	ACCESS: The access is inadequate for the amount of vehicles that will inevitably use it if the application is approved. I live very close to the entrance and the approach. On event days there is quite often cars queuing on the road. As you approach from the Kings Hill end of Teston Road the Ashtree Farm Event Entrance is a corner with the road being a 60mph limit.

	<p>The second entrance to Ashtree Farm is often confused with motorists slowing to look, stopping, and even turning around. The proposal will increase the number of vehicles exponentially. Despite the measures already in place from the successful 2018 licence application, significant traffic is generated on event days which comes through the village of Offham. Again, this leads to cars looking for the entrance, slowing, stopping and turning around, or simply waiting in the road to turn right. The premises is located in a rural area that is popular with cyclists, horse riders and ramblers. Teston Road and surrounding roads are national speed limit zones and do not have street lights. I therefore have serious concerns regarding the access and egress to the venue.</p> <p>PUBLIC SAFETY: With any venue offering alcohol to guests, there is always a concern for people to become drunk. This makes them less aware of their surroundings and their own safety. Such an increase in the numbers of guests will make any procedures in any management plan significantly more difficult to manage and enforce.</p>
<p>Prevention of public nuisance</p>	<p>I did not object to the 2018 application. I believe there is a balance to be struck between the interests of local businesses and local residents as they both form part of the local community. Ideally they should work in harmony and the business benefit the community.</p> <p>The current license is already a limited public nuisance, but that is obviously balanced against other interests which is reasonable. The noise generated on event days can be heard very clearly though. If the wind is blowing towards us, it carries the noise and echo's around ours and our neighbours houses. You can clearly hear white noise of people partying, but can also hear the music quite clearly. Sometimes it's so clear, you can sing along, which if you have heard my signing voice, also increases the level of public nuisance!</p> <p>On warm summer nights the music can become irritating after a while. Although the license is for the music to play from 23:00 to Midnight, you will appreciate that the music has been playing all evening, as this does not require a licence. It does become more problematic at bed time, as it requires ear plugs or the closing of windows to dampen the noise.</p> <p>It can also be a nuisance at times when you are trying to relax in your garden and you can hear the thud of music and revellers understandably enjoying themselves. With the current restrictions in place on the existing licence, I believe the balance is probably about right. One cannot have peace and quiet all the time as Mr Barwick has a business to run. On the other hand, we are entitled to a reasonable level of peace and tranquillity are we not?</p> <p>Further traffic generation also has the potential to become problematic. I have laid out the health and safety aspects in respect of the access and traffic</p>

		<p>generation, however this would also qualify as a public nuisance. Regardless of the signage or the dedicated sat nav postcode, many more cars will travel through Offham Village and up and down Teston Road and Offham Road.</p> <p>Any increase in the number of events, or the amount of guests and/or any relaxing of the conditions originally imposed would in my view be unacceptable. It would tip the balance from a local neighbouring business doing what it needs to do proportionately, to becoming a public nuisance to its immediate neighbours and the wider local community.</p> <p>Mr Barwick himself seems to acknowledge the issue of balance in his letter to Licensing Services dated 24th January 2018. Indeed he stated in that letter that he <i>had looked at various options for use of his land to make his business viable</i> and concluded <i>he needed a capacity of 200 customers which would also have the least impact on the local community</i>. He went on to propose to have conditions placed upon the licence. These included a maximum number of events and a maximum number of guests 28 and 200 respectively. What materially has changed since the 2018 application, whereby Mr Barwick was so strident in the restrictions that should be self-imposed, but now warrant changing via this fresh application?</p> <p>The licensing authority [LA] Statement of Licensing Policy 2019-2024 states that it encourages the development of premisses that are not alcohol-led. If the main function and revenue of the farm becomes weddings and party events then this would be in conflict with these objectives.</p> <p>I appreciate that this is a working farm that has diversified its operations. With that comes the potential for limited disturbance which is not unreasonable. Currently I have limited disturbance from the clay shooting activities and the 28 wedding events per year with a maximum capacity of 200 guests.</p> <p>If this application is approved then it increases the disturbance levels which I believe conflict with the aims of the LA's policy and Mr Barwick's stated intentions of January 2018.</p>
Protection of children from harm	Yes	<p>There is the potential for young people attending events at this location to obtain alcohol. I accept that the risks from this could most likely be dealt with via a robust management properly adhered too. That said, it is always more difficult to manage these risk when the scale is increased. In the case of this application up to 5 times more guests would need to be incorporated into any plan.</p>
Please suggest any conditions that you think		

<p>could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account</p>		<p>I believe there would need to be S278 works to the proposed access and the local highways authority should be consulted for any proposed intensification.</p>
--	--	--

SIGNED:



DATED:28.03.23

NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing sub Committee for a Licensing Hearing and any subsequent appeal proceeding. If you do **not** attend, the Committee will still consider any representations that you have made.
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 1. Prevention of crime and disorder
 2. Public safety.
 3. Prevention of public nuisance
 4. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will REDACTED (personal information taken out) and published in the report available to the Licensing Committee, which will be publicly available.
5. Please return this form when completed to:

Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:

Email: licensing.services@tmbc.gov.uk

From: [REDACTED]
To: [Licensing Services](#)
Subject: Licensing Application 23/0022/PREM
Date: 22 March 2023 17:22:38

To whom it may concern,

I write to express my concern regarding the recent application 23/0022/PREM by Kentfield Farm, Offham.

As a resident of the village, I am very concerned about the application for a licence for up to 950 people to attend events at Kentfield Farm on ten occasions each year, in addition to the 250 people on 28 days per year under the terms of the current licence.

This number of visitors dwarfs the current number of residents of the village. With events inevitably taking place during the summer months, noise from music and hugely increased traffic will, without doubt, affect the lives of those living in the village adversely.

I object to this application under the terms of the prevention of public nuisance, specifically noise.

Best wishes

[REDACTED]

Sent from my iPad

[REDACTED]
[REDACTED]
[REDACTED]
ME19 5NE

31st March 2023

To : Licensing Services
TMBC

**Re : License Application Kentfield Estate/Ashtree Farm, Teston Rd, Offham,
ME19 5RL**

I raise the following objections to the above license application :

First Premises Licence 17/01899/PREM

This application is additional to an existing licence, First Premises Licence 17/01899/PREM which allows for 28 events/year for a maximum of 200 people. In essence this application is requesting an ADDITIONAL 10 events/year for a maximum of 950 people. As such this licence should be considered in addition to the existing licence and the impact that the 2 licences, running simultaneously, will have on the local residents and environment of Offham.

It should also be noted that the initial licence states a maximum of 200 people for any given event. The Kentfield Estate website kentfieldcountryestate.co.uk states 250 people. This clearly contravenes the current licence conditions.

Furthermore, although this application states that access will be via Ashtree Farm, Teston Rd, sat navs (including Google) direct traffic down Tower Hill. This contravenes the current licence conditions.

Lastly, the condition exists that all events must be published in advance on Kentfield Farm's website, including a contact number and name to call in the case of a complaint. There are no events posted on the site.

Planning

TM/18/1930/FL

Erection of a temporary marquee to be used to host events.

This application ceased to exist on 31st March 2020 , presumably superseded with TM/21/02186/FL.

TM/21/02186/FL

Erection of a permanent marquee to be used for events. This application is still 'waiting decision' from TMBC and as such planning permission has NOT been granted for the buildings which are used to host the events contained within the First Premises Licence.

TM/12/01146/FL

TM/15/03939

The lapa building nor lake do NOT have planning permission for commercial use.

As such, if planning permission has not been granted for the premises how can license applications be granted?

Noise - music

The First Premises Licence states that noise levels are not to exceed 95db. This is for an event of 200 people. Surely noise levels from an event with an additional 950 people will greatly increase? Please confirm that the noise limiter is in existence as per the Code of Practice. Furthermore, as I hear music and noise from my own house in the months May – October please confirm that this is being adhered to and what steps are in place to ensure that noise levels are not being exceeded.

Traffic

As previously stated sat navs still direct traffic down Tower Hill rather than the access at Ashtree Farm suggested by the applicant. This is currently for a maximum of 200 people. An increase to 950 people will increase traffic not only along Teston Rd and through the village but also down the single track road of Tower Hill. This volume of traffic will also cause queues and bottlenecks through the village causing distress and inconvenience to local residents. In addition, the increase in traffic will undoubtedly cause higher levels of pollution in Offham, a residential area, causing stress and a negative impact on the wellbeing of the Offham residents.

General Purpose of the Premises

Lastly it should be noted that this premises has not existed as a farm business at any time since Mr Barwick purchased the dwelling. Indeed it was a residential dwelling. The farm ceased trading many years before the purchase.

██████████

27th March 2023

Dear Sir / Madam,

Premise Licence – Ian Barwick Kentfield Estate, Ashtree Farm Teston Road ME19 5RL

I would like to formally object to the above premise licence application.

Given the location of Ashtree Farm, the granting of a premise licence enabling the sale of alcohol and the playing of both live and recorded music on any day between the hours of 12:00 and midnight would be in direct conflict with the licensing objectives.

Specifically:

Prevention of public nuisance – Ashtree Farm is in a remote rural setting outside the village envelope of West Malling, it shares this location with a small hamlet of residences that run along-side Fartherwell Road and Offham Road. Given the topology of the area, sound amplification is significant. Historically outside music from previous Ashtree Farm events can be heard over a large distance, as far down as 157 Offham Road and beyond. The granting of such a wide-reaching licence would destroy the current rural environment for those that live there, with loud music being played any day and potentially every day between midday and midnight.

Public Safety – The entry and exit from Ashtree Farm onto Teston road, is a narrow county lane with no street lighting nor any pavements to enable people to walk to the location safely. Offham and Fartherwell Roads are both single lanes that feed off Teston Road, again neither have street lighting and both require give way passing at points. None of these roads are suitable for large volumes of traffic entering and leaving Ashtree Farm safely and the risk of Offham Road becoming a “Rat Run” into West Malling and out to the A20 is high.

Prevention of Crime and Disorder – The licence will encourage large numbers of people to gather at Ashtree Farm and the surrounding area. The remoteness of the location, lack of street lighting and pavements, coupled with the sale of alcohol until midnight will increase the risk of anti-social behaviour both at Ashtree itself and in the country lanes and residences that share the immediate area.

I look forward to hearing from you in due course. If you require anything further, please do not hesitate to contact me.



ME19 6RF

From: [REDACTED]
To: [Licensing Services](#)
Subject: Kentfield Estate licence application
Date: 29 March 2023 22:09:48
Attachments: [image001.png](#)

Dear licensing team

As a resident of Offham I would like to submit the following response to the above application. In relation to the relevant criteria I make following points:

The Prevention of Crime and disorder:

The applicant says....“Staff will look out for underage drinking, drugs and anti-social behaviour”. It is difficult to see how this can be undertaken with any degree of ensuring appropriate behaviour when the licence is being applied for up to 950 guests and the site covers 250 acres. There is no indication of an y minimum event staff to guest ratio to ensure that appropriate control of behaviour is maintained or indeed of any actions that will be taken in the event of any problem behaviours developing. Anyone leaving the venue – particularly later at night, either under the influence of alcohol, or drugs or high spirits can commit a crime or anti-social behaviour in Offham under cover of darkness – and will pose a significant danger to villagers e.g. through inevitable instances of driving under the influence of alcohol or drugs.

Public Safety:

The applicant puts much emphasis on “the entrance is a mile from the village” and “guests will leave from the entrance” but the traffic will come through the village, to and from, to access the motorways in Wrotham Heath and other exit routes. In excess of 600 vehicles driving through within a short period of time during the day will have a great impact on noise and pollution as well as posing a danger to pedestrians. Offham has children of all ages, dog walkers, elderly residents etc., whose safety would be compromised.

Approx. 600 vehicles will come through then come through village between the hours of 10.00pm and 2.00am as events end. There are no street lights in the village so the issues identified above will only be exacerbated by drivers under the influence of alcohol or drugs.

The Prevention of Public Nuisance:

Offham is a small village, totally unsuitable for the scale and number of events envisaged by the applicant and will be subjected to approx. 10,000 people coming through the village over the summertime – which will amount to around 10 events of 950 people over the summer or 20 of half that number of guests, i.e. .potentially every summer weekend on both days – creating intolerable nuisance to residents for the whole summer.

Its not clear how an additional 600 vehicles through the village sits with the KCC objectives to reduce carbon emissions. In addition, the high level of particulate pollution from such a high number of vehicles which will be passing through the village in a very concentrated period is extremely worrying for the health of residents – particularly the young and elderly.

The protection of children from harm:

The lake is adjacent and to have notices saying “do not enter the water” offers no protection to children who become easily bored and can wander off from such a large gathering. In addition, as highlighted above the massive increase in vehicles and potential nuisance behaviour is hardly consistent with protecting the children of Offham from harm.

I object most strongly to this application.





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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	██████████
Organisation name/name of body you represent	Personal
Postal address	██ ██████████
Email address	████████████████████
Daytime contact telephone number	██████████

██████████ of the premises you are making a representation about	Kentfield Farm Estate
Address of the premises you are making a representation about	Kentfield Estate, Ashtree Farm, Teston Road, Offham ME19 5RL

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	No	
Public safety	Yes	This application states 950 visitors, which actually means well over 1,000 attendees including staff. This is a massive number of people and cars arriving at the same time and leaving late at night. It will cause huge traffic issues and add to the noise we already have from people driving way too fast along both roads. I see that previous events have been just under 200 people,

		<p>excluding the Scout event which cannot be used as a comparison because it was a weekend event. This application could mean in excess of 500 cars arriving and leaving the premises all at once. Offham village and West Malling town have a total population of around 3,200, a 1,000 people is about 30% of the population. It is also worth mentioning that sat navs will bring traffic through Offham Village and West Malling town when people are arriving, and when they are leaving the event. The Farm may say that they will try and get people to use the bypass but that isn't realistic, drivers will be relying on sat navs unless they know the area. Teston Road is a fast road, as is Offham Road – there are no pavements. Horses, cyclists and people frequently use both roads. There are also no streetlights. All of the above makes this application a danger to public safety in my opinion.</p>
<p>Prevention of public nuisance</p>	<p>Yes</p>	<p>This application requests that music be played until midnight! It may 'only' be 95db from the chart but because of the prevailing winds this noise already gets blown straight into our back gardens from the events already held at this site. We can hear it in our bedroom at night when there is an event at the farm. To add more events would be unacceptable. We want to enjoy our gardens just like everyone else and on summer evenings we are already subjected to loud music, to the point where we can clearly hear the DJ's voice and exactly what songs are being played. This could mean we have to listen to this every/every other weekend throughout the summer. This is totally unfair and makes the application unacceptable because of public nuisance.</p>
<p>Protection of children from harm</p>		
<p>Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account</p>		<p>I'm afraid I have none. The level of noise we already endure is enough and it is unfair to add more so we cannot use our gardens to their full potential. The traffic noise here is already awful because of the current speed limit and both roads are already dangerous. Adding in another 500 plus cars on a regular basis is unacceptable.</p> <p>There are so many planning applications but as far as I can see in terms of planning, more numbers and a later time was refused because of public nuisance in the past.</p>

DATED: 28th March 2023

NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing sub Committee for a Licensing Hearing and any subsequent appeal proceeding. If you do **not** attend, the Committee will still consider any representations that you have made.
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 3. Prevention of public nuisance
 4. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will REDACTED (personal information taken out) and published in the report available to the Licensing Committee, which will be publicly available.
5. Please return this form when completed to:
Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:

Email: licensing.services@tmbc.gov.uk

From: [REDACTED]
To: [Licensing Services](#)
Subject: Proposed licence at Kent field farm
Date: 26 March 2023 09:18:59

I strongly Object due to the reasons of
Public safety due to the additional traffic flow through Offham village along Teston road from the seven Mile lane and M26 junction for people attending .

Late night traffic in an unlit village . Coaches and large vehicles totally unsuited to offham village road causing danger to pedestrians in the village will be used to transport people to corporate events .

Traffic speeds along Teston road at a speed well above 30 mph at present.

Noise and disturbance to local residents due to late night noise and the huge numbers of people attending .

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Licensing Services](#)
Subject: Objection - Ian Barwick - Ashtree Farm
Date: 31 March 2023 17:31:09

We object to the below application on the grounds of hugely increased traffic, increased noise and disruptive behaviour.

We live close by and already many a summer evening is tarnished by the loud music and cars. Ian Barwick of Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent ME19 5RL has applied to Tonbridge & Malling Borough Council for the GRANT of: Sale of Alcohol (On & Off the premises) Every Day 12:00 - 00:00, Live Music Every Day 12:00 - 00:00, Recorded Every Day 12:00 - 00:00, Late Night Refreshment Every Day 23:00 - 00:00 for the premises situated at: Kentfield Estate Ashtree Farm Teston Road Offham Kent ME19 5RL

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]

ME19 6RG

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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

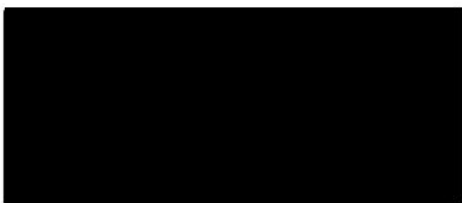
Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	Resident of Offham
Postal address	[REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Kentfield Farm
Address of the premises you are making a representation about	Tower Hill, Offham, Kent

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	No	
Public safety	Yes	Please see attached schedule

Prevention of public nuisance	Yes	Please see attached schedule
Protection of children from harm	No	
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account		Maximum attendees 200 Latest closure time 2300hrs



NOTES

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Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:
 Email: licensing.services@tmbs.gov.uk

As a resident of Offham, I wish to object to this license application in relation to two permitted grounds, the potential harm to public safety and the level of public nuisance inherent in the application.

1. Public Safety.

The stated maximum attendees are 950, which together with necessary staff will mean somewhat over 1,000 site attendees. Never before has such a huge number of site attendees been present at an evening function; it is believed that the largest number previously present at such an event was 170. A few years ago, about 800 guests were present at a weekend Scout event, but the nature of a weekend event (with guests coming and going throughout the whole weekend period) is so significantly different for an evening event that it is invalid as a comparison.

The public safety issue concerns the level of traffic which will inevitably result from such a huge event. With one thousand or more site attendees, the planners must anticipate at least 500 vehicles all arriving and departing within very narrow time bands. The single entry point to Kentfield Farm is (proposed to be) the Ashtree Farm entrance which is accessible from an unclassified minor road which goes through Offham village. The road is quite narrow and unlit, has an unrestricted 60 mph speed limit and has no footpaths. Furthermore, the Ashtree Farm entrance is on the inside of a bend in that road which significantly restricts visibility when leaving the premises. When one considers that the drivers are likely to have consumed alcohol (although hopefully not to an illegal level), this further heightens the dangers inherent in the road system not being designed to safely accommodate this level of peak loading.

For these reasons, I believe that the application presents a significant danger to public safety.

2. Public Nuisance.

The public nuisance objection revolves principally around noise intrusion. There is no doubt that there will be a level of sound intrusion from these proposed events so far as the villagers are concerned and, whilst that is accepted, what has to be assessed is at what point that sound intrusion becomes an unacceptable public nuisance. As I understand it, no representative sound level reading have been taken to demonstrate an acceptable level of noise to the Offham villagers based upon the 95db-at-source sound proposals, which of course would have to be undertaken in a variety of different atmospheric conditions (wind speed and direction, for example) to be valid. What work has been done a number of years ago assumes that loudspeakers were **only situated in the (fixed wall) lapa building and not in the marquee(s)**, which is now specifically included in this application.

When this was previously addressed by the TMBC in the context of a planning application, they independently considered this matter most carefully and with experience in the context of a maximum of 200 guests with no loudspeakers outside the lapa and determined that an 11pm event end time would be appropriate to reduce the public nuisance level to an acceptable level (albeit only on a provisional basis) and in fact subsequently refused to extend this to midnight upon application by the applicant (who also had refused an application to increase the maximum guest number from 200 to 400).

From these evidences, I believe that the present application presents a high likelihood of unacceptable public nuisance





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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	██████████
Organisation name/name of body you represent	
Postal address	██████████ ██████████ ██████████ ██████████
Email address	████████████████████
Daytime contact telephone number	██████████

Name of the premises you are making a representation about	Premise Licence – Ian Barwick Ashtree Farm
Address of the premises you are making a representation about	Teston Road West Malling ME19 5RL

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder		If granted, a licence will bring large numbers of people to gather until late hours in the area surrounding Ashtree Farm. The sale of alcohol until midnight will encourage anti-social behaviour which will affect the residents living in the immediate area.
Public safety		The access and exit to Ashtree Farm has poor sightlines on the narrow bending road. There are no street lights or pavements. All surrounding roads leading into West Malling, and Offham are narrow, unlit and suffer frequent flooding in parts.

Prevention of public nuisance		<p>Significant noise from music at Ashtree Farm has already been experienced by residents in Offham Road and Fartherwell Road. The topology of the area allows sound to funnel through the area. The application for this wide-reaching licence is outrageous in a rural environment. Residents would be further subjected to music played any day throughout the summer period when they want to be in their own gardens and leave open doors and windows to their dwellings. Children and people wishing to go to bed earlier would be disturbed by music during the evening and noise when the venue closes and visitors disperse.</p>
Protection of children from harm		
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account		

██████████
DATED:29/003/2023

NOTES

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5. Please return this form when completed to:

Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:

Email: licensing.services@tmbc.gov.uk

From: [REDACTED]
To: [Licensing Services](#)
Subject: RE: Kentfield Estate Premises Licence Application
Date: 24 March 2023 17:58:48
Attachments: [image001.png](#)

Thanks you for this, I am afraid I don't feel any sense of relief from the reply. My concerns about traffic and safety and noise levels are not in the least diminished by the response I am afraid. I think you should bear in mind the new homes being built between St Leonards St and the roundabout to the 228, all of whom will be similarly affected as I would be. Increased housing in this vicinity means the suitability of such an expanded outside venue facility seems increasingly unworkable on the grounds I have raised.

[REDACTED]

From: Licensing Services <Licensing.Services@tmhc.gov.uk>
Sent: Friday, March 24, 2023 5:36 PM

[REDACTED]
Subject: RE: Kentfield Estate Premises Licence Application
Evening [REDACTED]

Thanks for your email regarding this application. I will log your email as a representation against this application.

I've received a few comments from interested parties with similar concerns to yourself & passed these (anonymously) on to the applicant. I received an email response and am in the process of emailing it out to all interested parties. I have copied it below for you.

Good Afternoon Geoffrey,

Thank you for your email,

"I would just like to emphasise to local residents that we are not looking to host ten events of 950 people per year from 12pm to 12am, these are guidelines only, but we need flexibility to work with, for example this year, we only have one job for seven hundred guests which is for a company called CSL who are owned by Kent County Council and based at Kings Hill, and they are looking to host their summer staff awards here, and to get all their remote working from home staff together to say thank you and to present awards and have a fun fair themed celebration for the staff. But the problem is that our current license does not allow this, yet this is a local company employing local staff and wanting to help the local rural economy, and we in turn will be employing lots of local companies for this event.

We have also received enquiries from local Muslim families asking us to host weddings here, like we have managed very successfully for many local families, however Asian weddings and celebrations are generally larger than conventional weddings, these are beautiful celebrations and generally do not include any alcohol, yet again we are currently not allowed to host these events here at Kentfield Estate due to our limited number of 200 guests. We will employ all the same sound proofing measures, traffic management and safety measures that we currently have, to ensure we do not adversely disturb the local villagers.

All traffic will not enter the village, as we insist on guests using the A228 bypass and entering the estate via the Ashtree Farm Event entrance which is one mile outside the village and close to the Kings Hill roundabout.

So in summary, we have applied for up to ten events per year, but we may not need ten events, we have applied for up to 950 people but again we may not need that number of guests, but to avoid this situation going forward, we cannot apply for a new licence for each and every event every year, so we think these numbers give us a workable solution.


WE ARE NOT TRYING TO HOST FESTIVALS OR ANYTHING OF THE LIKE, we are simply trying to operate a wedding and event venue, in a beautiful location within 230 acres of our working farm, without causing a nuisance to the village.

Regards
Ian Barwick"

I am in training on Monday and Tuesday but will endeavour to reply to emails asap.
Hope you have a good weekend.

Regards
Geoffrey Stevens
Licensing Officer
Tonbridge and Malling Borough Council
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From: [REDACTED]
Sent: 22 March 2023 16:04
To: Licensing Services <Licensing.Services@tmbc.gov.uk>
Subject: RE: Kentfield Estate Premises Licence Application

Dear Licensing Services.
Please find attached by objections to the application from Kentfield Estate application 23/00221/PREM. This is a rural area and I do not wish to be living next to a frequent live music event. At least Glastonbury is only once a year!

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Licensing Services <Licensing.Services@tmbc.gov.uk>
Sent: Wednesday, March 22, 2023 2:55 PM
To: [REDACTED]
Subject: RE: Kentfield Estate Premises Licence Application

Afternoon [REDACTED]
Thank you for emailing in your concern regarding this application.
Objections to the application must relate to one of the four licensing objectives (below) & be specifically linked to the premises in question.

- the prevention of crime and disorder.
- public safety.
- the prevention of public nuisance.
- the protection of children from harm.

Regarding the 95db noise limit – This is not deemed to be an excessive noise level & a very common setting for live music events.

You'll see from the attached comparison chart that 95dB is equivalent to listening to music on a Walkman at 50% volume level or listening up close to an unamplified Oboe or Flute.

Where possible I always like to try and mediate between all interested parties to see if a reasonable compromise and or solution can be reached.

I am more than happy to pass on your concerns – anonymously, to the applicant and then get back to you once they have responded.

If you wish to make this a formal representation can I ask you to complete and return the attached form.

Hope this is of help.

Regards

Geoffrey Stevens



Licensing Officer

Tonbridge and Malling Borough Council

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From: [REDACTED]
To: [Licensing Services](#)
Subject: Kentfield application for up to 950 guests
Date: 29 March 2023 18:34:15

Dear Sirs

As a resident of West Malling, I am concerned that the licensing application from Kentfield would cover up to 950 guests at a wedding or large corporate event, and that these could be held twice a month. The noise from these events would inevitably carry and the traffic implications are horrendous, given the narrow country roads and residential areas.

Please add my objection to the licensing application.

Yours sincerely

[REDACTED]

Sent from [Mail](#) for Windows

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From: [REDACTED]
To: [Licensing Services](#)
Subject: Premises license– Ian Barwick, Kentfield Estate, Teston Road, ME19 5RL
Date: 30 March 2023 11:04:07

FAO: Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Dear Sir/Madam,

I am writing to express my strong objection to the above application for permission to sell alcohol and play music between midday and midnight every day of the week. I am a resident of Offham Road, West Malling, living close to the premises in question. I believe that granting a license for the sale of alcohol and music at this location would have a negative impact on the local community for several reasons.

Firstly, I am concerned about the prevention of public nuisance. As someone who lives close to the premises, I am aware of the potential for increased noise levels and disturbance if the license is granted. This could cause significant disruption to the peaceful enjoyment of my home and that of my fellow residents. The potential for rowdy behavior, littering, and general disorder associated with alcohol consumption would also have a negative impact on the community.

Secondly, I am concerned about public safety. Allowing the sale of alcohol at this location could lead to an increase in drink-driving incidents not least, because the premises are located on a road with no pavements, just soft verges, often frequented by pedestrians and cyclists during the day and late in the evening. This would not only put the driver's life at risk but also other road users and pedestrians. There is also a potential for violence and antisocial behavior associated with alcohol consumption, which could put the safety of residents and visitors to the area at risk.

Thirdly, I am concerned about the protection of children from harm. The premises in question are located in close proximity to a school and public spaces, which are frequently used by children. Allowing the sale of alcohol at this location could expose children to the harmful effects of alcohol consumption, as well as increase the potential for antisocial behavior and violence.

Lastly, I am concerned about the prevention of crime and disorder. Allowing the sale of alcohol and the playing of music at this location could lead to an increase in crime, including theft and disorderly conduct. This would have a negative impact on the local community and could lead to a decline in property values and quality of life.

The premises are located in a rural idyll free from the negative environmental impacts of busy business premises and their associated issues. The playing of music all day every day will greatly disturb the quality of life for those close by the premises at all times during each day, allowing for no respite. Given the location and nature of the area, I submit that this application is excessive and unmerited.

In light of these concerns, I strongly urge Tonbridge and Malling Borough Council to reject the application for a license to sell alcohol and play music at these premises. I believe that the negative impact on the local community far outweighs any potential benefits, and that the protection of public safety and quality of life should be given the highest priority.

Yours faithfully



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From: [REDACTED]
To: [Licensing Services](#)
Subject: Kentfield Licence Application, Tower Hill, Offham
Date: 29 March 2023 09:11:06

Dear Sirs,

We object most strongly to the above application for a new licence to allow corporate events and weddings with up to 950 guests.

The proposed Teston Road entrance is totally unsuitable for the volume of traffic which would be generated. Teston Road is not a wide road; the proposed entrance is far too close to the junction with St. Leonards Street/King Hill where there have been a number of accidents and near misses. It is also opposite an entrance to our own property which is in everyday use.

The noise levels plus the extensive lighting required for such a venue would greatly disturb the residents in this peaceful area. Noise carries a great distance especially at night and no-one wants their summer evenings blighted by loud music and a large volume of traffic.

This project would also have the propensity to cause the de-valuing of property in West Malling and Offham.

We hope the Council will take our views and those of other residents into serious consideration when making their decision.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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From: [REDACTED]
To: licencing.services@tmbc.gov.uk
Cc: [REDACTED]
Subject: Application for Grant of Premises Licence by Ian Barwick Kentfield Estate, Ashtree Farm, Teston Road. ME195RL
Date: 27 March 2023 19:40:52

Dear Sir,

As a residents of Offham Road we wish to formally object to the above Licencing Application by Mr Ian Barwick at Ashtree Farm, Teston Road, Offham ME195RL.

On the application it states that alcohol will be sold both on and off the premises. Where will the 'off the premises' sites be?

Our Objections are as follows:

On the 2 or 3 occasions in the year that there have been music festivals at Kings Hill/Ashtree Farm it is possible to hear the music in Offham Road. The prospect of music being played at this location which is less than half a mile away from Offham Road and the Town Centre from 12noon to Midnight would represent a significant nuisance and an unacceptable level of noise and light pollution. The Malling Jug and The Farmhouse in the Town both have licencing restrictions imposed on them in order to protect local residents from noise and disturbance. The prospect of 1,000 drinkers outside on a Summer's evening with music blaring until Midnight is far worse and will affect almost all of the residents of West Malling, Kings Hill and those at the new development behind the former Startled Saint.

Teston Road: Since transport links are few and far between from West Malling after 6pm and walking along Teston Road at night would be extremely dangerous the vast majority of customers to the farm would arrive by car. The entrance to Ashtree Farm onto Teston Road is unfit to cope with the amount of traffic that will be generated by nearly 1000 drinkers plus the necessary deliveries and staff. It is initially a tiny, unlit road with no pavements which narrows to one lane as it goes through Offham Village due to heavy parking. Futhermore, it is liable to flooding at the corner of Offham Road and is already in poor condition with many potholes.

Offham Road: Ofham Road is unlit at the Teston Road end with no pavements a blind corner and is already heavily used and parked. From there the only routes would be through West Street or Norman Road which both narrow to one lane and are also extensively parked. Heavy traffic along this route would erode road surfaces and be dangerous to other road users and pedestrians.

St Leonards Street and King Hill: St Leonards Street and King Hill both have new building sites and several further areas along these routes are under threat more further development. Both are already overstretched in term of traffic use and again heavily parked. St Leonards's Street also has a dangerous blind corner near St Leonard's Tower

which was the scene of a fatal accident some years ago.

Will extra police be requires to oversee these events? A thousand people arriving, drinking alcohol and then leaving the venue some hours later will surely need strict supervision? Offences such as drink/driving, causing a public nuisance, anti social behaviour or vandalism will surely take up valuable police resources on a regular basis? How will this be managed?

We strongly oppose this licence application.

Yours faithfully

[Redacted signature block]

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From: [REDACTED]
To: [Licensing Services](#)
Cc: clerk@offham-pc.gov.uk
Subject: Kentfield / Ashtree Farm new licensing application 23/00221/PREM
Date: 25 March 2023 09:00:11

We are writing in regard to the above licensing application. Our comments are as follows:

1. The site is currently licensed to host 28 events a year (up to 200 people). If approved, this licence would enable the applicant to host an additional 10 events (up to 950 people). It is highly likely that most of these additional events will be held during the summer as the applicant is targeting the wedding market. This means that there could be an event every weekend during the summer months – a period when local residents are more likely to be enjoying long evenings outside.
2. There are no public transport links to the site. These large events will generate a lot of traffic movements, putting pressure on the local road network. Even if invitations suggest guests use the Kings Hill A228 bypass, it is highly likely that many will use SatNav to find the location which may well direct them via Offham or West Malling.
3. The village of Offham is located on a hill which is connected to the application site via a valley. Noise travels very easily along this valley. If large events are held in Kings Hill which is further away, they can be heard in Offham.

These factors combined would cause severe public nuisance to local residents and, on this basis, we urge the Licensing Committee to reject the application.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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From: [REDACTED]
To: [Licensing Services](#)
Subject: Objection to Kentfield / Ashtree Farm new licensing application 23/00221/PREM
Date: 30 March 2023 10:28:44

To whom it may concern,

As a family who have lived in Offham for 10 years, we have watched and supported the village grow on many fronts. Kentfield / Ashtree Farm like many rural businesses is trying to diversify to keep itself sustainable and we applaud Mr. Barwick's ingenuity.

This latest application concerns us on many fronts. The application would allow for up to 10 events each year (very likely all in summer) at a noise level of an electric drill (95db) and of a size which is greater than the population of Offham. The noise will be a public nuisance to most on the east side of the village, not just the noise of any music but the noise of a cheering 950 strong crowd.

While Mr. Barwick has been excellent with keeping his wedding events from entering and existing Kentfield Farm from the furthest entrance to the village, controlling a crowd of 950 people will be extremely difficult, thus creating a public nuisance in the village.

In addition if and when these become evening events where alcohol is involved, there are limited taxi's nearby and the revellers will automatically leave looking for the nearest town/village or signs of life to get them home, which is Offham. 950 inebriated people in a sleepy village will eventually lead to crime and disorder when they realise there are no taxis or transportation in the village.

My third point of objection is the increase in traffic this will cause. These events are likely to be on the weekends and given the size of the events, they will attract many people who are not local to the area. Offham is a small 30mph village with limited pavements and 60mph road at either end. The increase in traffic from those that don't know the village will be an additional threat to public safety, especially children who will be around the village during the weekends.

While we don't object to Mr.Barwick diversifying his property, we object to the application of 10 events of up to 950 people on the grounds stipulated above.

Yours sincerely

[REDACTED]

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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	Neighbours
Postal address	[REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	KENTFIELD/ ASHTREE FARM
Address of the premises you are making a representation about	Kentfield Farm, Tower Hill / Ashtree Farm, Teston Road Offham

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	Yes	Applicant has been running events for the last few years with no planning permission. Planning Enforcement are aware of this and I understood the site is the subject of ongoing enforcement investigations into alleged unauthorised uses.

Public safety	No	
Prevention of public nuisance	Yes	<p>Public Nuisance will be caused by the volume of noise from events on the site, generated with by music and crowds of people. The outdoor nature of the Lodge and the Marquee mean that noise travels to our house causing a nuisance.</p> <p>The applicant states that there have been no noise complaints from local residents since 2019 - this is untrue. Last summer (2022) my husband and I made 7 complaints to the applicant.</p> <ol style="list-style-type: none"> 1. 4th June 2022 2. 16th July 2022 3. 29th July 2022 4. 30th July 2022 5. 28th August 2022 6. 2nd September 2022 7. 10th September 2022 <p>The applicant was responsive, but it is clear that the noise management in place is not sufficient to prevent noise from the site being a nuisance.</p> <p>A noise survey should be carried out in the summer to determine how effective management can be achieved. The only noise report carried previously was in November 2017 under very different weather conditions.</p> <p>In the applicant's various planning applications there have been several hundred objections from local residents, since 2019, mostly public nuisance points - these are all recorded on the TMBC planning website.</p> <p>The times applied for mean that if music is switched off at midnight, there will be the potential for hundreds of cars starting their engines and the associated noise until far later.</p>
Protection of children from harm	No	

<p>Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account</p>	<p>Yes</p>	<p>Conditions on the license to mitigate noise nuisance have been applied to other event venues in the TMBC area, such as Bradbourne House, that hold outdoor music events (which in effect this site is, as the “African Lodge” has only two sides). I would like to see similar conditions applied to this license relative to background noise levels, rather than just a set level.</p> <p>The existing license has a condition that the parish clerk is informed of events 14 days in advance and events also be listed on the licensee’s website. The applicant has not adhered to this condition, but it should be a condition of any new license to allow for effective noise and traffic monitoring.</p>
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SIGNED:

DATED:

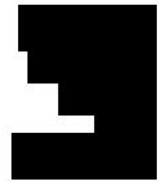
NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing sub Committee for a Licensing Hearing and any subsequent appeal proceeding. If you do **not** attend, the Committee will still consider any representations that you have made.
2. This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper.
3. They can only relate to the four licensing objectives:
 1. Prevention of crime and disorder
 2. Public safety.
 3. Prevention of public nuisance
 4. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will REDACTED (personal information taken out) and published in the report available to the Licensing Committee, which will be publicly available.
5. Please return this form when completed to:

Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:

Email: licensing.services@tmbc.gov.uk



Wednesday, 29 March 2023

Dear Geoffrey Stevens,

We are writing to express our strong objection to licensing application number 23/00221/PREM at Kentfield Estate. This application seeks to obtain a new license for up to 950 people for 10 events per year, and my objection is based on the grounds of '**prevention of public nuisance.**'

We would like to stress that the license should be considered alongside planning permission, and a thorough assessment of the entire application and its impact on the community should be carried out.

We have personally reported noise nuisance to the applicant on seven different occasions over the course of summer 2022, the dates are listed below.

1. 4th June 2022
2. 16th July 2022
3. 29th July 2022
4. 30th July 2022
5. 28th August 2022
6. 2nd September 2022
7. 10th September 2022

The applicant was responsive in each case, so we were surprised to see a misrepresentation on the application saying that 'no complaints had been received', particularly as there are financial penalties for misrepresentation.

It is worth noting that Planning has received well over 100 objections from village residents to events on the site.

Additionally, the applicant has been holding unauthorised events without planning consent for the past year, resulting in significant **public nuisance and noise disturbance** to the community.

The noise management measures in place have proven to be insufficient, and we are concerned that the licensing authority is considering a license for events with up to 950 people, given the inability to manage the noise levels generated by 200 people in what is a very quiet village location.

It is our understanding that a condition of the current licence is that the applicant must inform the parish council with two weeks notice each time an event is to take place. This current condition has not been adhered to.

Furthermore, the proposed hours and numbers are moving into festival territory, and it is imperative that the licensing authority takes into account the **public nuisance** impact that the proposed activities would have on the surrounding community.

We are surprised that KCC are considering holding an unauthorised event for hundreds of staff together with talk of a funfair, at a site where there is no planning permission in place. The granting of a licence or planning permission for the event would seem to be a conflict of interest on the part of KCC.

We strongly urge the licensing authority to reject the applicant's request for a new license for up to 950 people for 10 events per year.

Thank you for your attention to this matter.

Yours sincerely,

[REDACTED]

PS. We note that our representation may be passed to the applicant and would ask that in return, correspondence the applicant has had with licensing be passed to us so that we may stay informed about the situation.

Submitted by: [REDACTED]
[REDACTED]
[REDACTED]

To: Licensing Section, Legal Services, Gibson Building, Gibson Drive, West Malling, Kent ME19 4LZ

Ref: Objection to application for licence by

Ian Barwick, Kentfield Farm, Tower Hill, Offham. ME195NH

The grounds for this objection are the potential harm to **public safety** and the prevention of **public nuisance**.

Public safety

950 guests will almost certainly mean at least 500 cars directly entering and leaving the village in the early evening and after 12.00 midnight. The village already has a huge problem with rat run traffic, articulated lorries and speeding.

The beautiful and historic Offham village has no streetlights and despite the application stating they will dictate the route to enter the site from King Hill virtually **all sat navs** will direct traffic, particularly that coming from the east, (London, M20, M26, M25) to use Teston road, westbound entering, eastbound leaving...straight through the village.

The entry roads into the village are narrow with no footpaths. Access to the site is on the inside of a blind bend, with very limited visibility yet a 60 mph speed limit! To have so many cars entering and exiting the site will cause a public health AND safety issue (pollution, traffic volume, noise)

The road and access point is in no way suitable for such a high volume of traffic unfamiliar with the road and village.

Public nuisance

In 2018, TMBC granted planning permission in respect of site usage for up to 200 guests and a subsequent application in 2019 to increase this to **400 guests was refused** for the reasons stated above amongst others.

In the temporary 2018 planning permission granted by TMBC, a time deadline of 11pm was set to ensure that the nuisance to local residents was restricted. Again, this permission was sought to be extended in **2019 to midnight but refused by TMBC out of consideration of the public nuisance** to neighbours.

The last big unannounced party drew over 90 objections from villagers who were directly affected by

- Noise from the party from the afternoon until midnight. The words to songs could clearly be heard in the centre of the village and by many homes backing onto the venue area
- Taxis stacking up and blocking the road.
- High volume of noisy traffic throughout the village from midnight to 1.00am

Intrusive noise from amplified music will definitely be heard by many houses in the village as it was before. 1000 people (950 guests and staff) talking and laughing will also add to the noise.

Considerations

The debate about this farms events and its plethora of applications have concerned and affected villagers for years

My only suggestion to assist you in seeing why the village and the planning departments have so far objected to the many plans are by discussing it with your colleagues in the planning department.

Whilst I am aware they are a different department that act individually they will be able to tell you why this case is important to the preservation of the village and its inhabitants and why hopefully they will not support its approval

.

From: [REDACTED]
To: [Licensing Services](#)
Subject: Kentfield farm application
Date: 30 March 2023 06:42:18

Good morning Geoff, hope the training days were productive!

I thought it may be useful to substantiate my claim regarding all sat navs directing traffic coming from anywhere east through the village to Kentfield farm.

This includes traffic from London, Essex, the M20, M25, M26 and as a consequence the M1, M40 etc

I asked family and friends to input Kentfield Farm as their destination point coming from Borough green, Sevenoaks, Platt, Ightham, Kemsing, Bromley and Caterham as well as from the Midlands, Newcastle, central London and Essex. Without exception they all directed traffic onto Teston road joining it at the (Borough Green end) junction with 7 mile lane.

I also asked five family members to input their exit destinations from Kentfield farm eastbound and again without exception they all directed traffic back through the village

I think this reiterates the fact that even allowing for 500 cars (though for an event hosting 1000 it would likely be many, many more) the risk to safety and a cause of great nuisance is very evident Again, please bear in mind the road is unmarked, unlit and with many on-road parked cars. On either side of the village gates a speed limit of 60mph exists

Knowing the road as you do I am sure you agree that the 60mph limit on Teston road is ludicrously high and very dangerous particularly when dark and in adverse weather conditions.

Living On Teston Road I know that speeding in the village is a major problem and our Parish council is in continuous talks with the Highways agency to solve the problem.

I would therefore urge you to consider these points whilst making your decision. On top of the danger and disturbance is the undoubted pollution this volume of traffic would create.

Kind regards

[REDACTED]

Excuse brevity as this is sent from my iPad

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From: [REDACTED]
To: [Licensing Services](#)
Cc: offham.pc@hotmail.co.uk
Subject: Kentfield Estate Licence Application 23/00221/PREM
Date: 29 March 2023 15:52:28

We are writing to express our objection to the application by Kentfield Estate (#23/00221/PREM) for a further premises licence to host new large capacity events on this site.

As residents of Offham, we value greatly the ambience and tranquility of the village. There is a strong community spirit, which is reinforced by the great level of consideration that neighbours show each other. There is no doubt that the proposed licence will create a public nuisance particularly to people living in Offham.

We are aware of, and affected by, the current existing licence which is held by the Kentfield Estate. During summer evenings when events are on, you can clearly hear the "thud thud thud" of the music system despite all the sound mitigation actions that have been taken. To effectively increase the capacity allowed at a similar event by nearly a factor of 4 to 950 persons will for sure cause a public nuisance, just by the presence of so many people in this particular locality at one time who will unavoidably create much more noise than is currently tolerated.

We would therefore ask for the licence application to be rejected.

Kind Regards

[REDACTED]

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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	
Postal address	[REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	<u>Ian Barwick Kentfield Estate,</u>
Address of the premises you are making a representation about	<u>Ian Barwick Kentfield Estate, Ashtree Farm Teston Road ME19 5RL</u>

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	Yes	The licence will encourage large numbers of people to gather at Ashtree Farm and the surrounding area. The remoteness of the location, lack of street lighting and pavements, coupled with the sale of alcohol until midnight will increase the risk of anti-social behaviour both at Ashtree itself and in the country lanes and residences that share the immediate area.
Public safety	Yes	<ul style="list-style-type: none"> The entry and exit from Ashtree Farm onto Teston road, is a narrow county lane with no street lighting nor any pavements to enable people to walk to the location safely. We

		<p>consider arriving on foot to Ashtree Farm very dangerous given the nature of the road.</p> <ul style="list-style-type: none"> • You may already be aware of the concerns local residents in Offham and Offham road have about the speed in which people travel down Teston Road and Offham road, and this additional footfall and risk of pedestrians increase the risk of a serious accident. • Offham and Fartherwell Roads are both single lanes that feed off Teston Road, again neither have street lighting and both require give-way passing at points. None of these roads are suitable for large volumes of traffic entering and leaving Ashtree Farm safely and the risk of Offham Road, Farthwell Road or Teston Road becoming a “Rat Run” into West Malling and out to the A20 is high. Furthermore Norman Road, at the West Malling end of Offham road is already incredibly difficult for passing and noticeably worse in the evenings /weekends with many residents relying on on street parking when at home. • Fartherwell Road remains muddy and can be flooded throughout the summer months due to run off from the irrigation systems from the farmland on both sides which is intensively farmed for salad crop. This is neither suitable for pedestrians walking to the A20 nor for cars cutting through to get to Sandy lane and onwards to A20. • In addition, there is no noticeable place for taxis to drop off or pickup.
<p>Prevention of public nuisance</p>	<p>Yes</p>	<ul style="list-style-type: none"> • Ashtree Farm is in a remote rural setting outside the village envelope of West Malling, it shares this location with a small hamlet of residences that run along-side Teston Road, Fatherwell Road and Offham Road. The landscape is large open farm land growing low crop like salad, with low hedges. Therefore sound amplification is significant. The existing license is already a public nuisance; music (loud enough to distinguish the actual songs!) as well as people cheering and shouting can be heard over a significant distance. The granting of such a wide-reaching licence would destroy the current rural environment for those that live there, with loud music being played any day and potentially every day between midday and midnight. • Furthermore, the local houses which comprise of original Kentish oasts, farm cottages and farmhouses, dating back to the 18th century are in part historic buildings and the fabric of them old by nature. Many still have single glazing and almost certainly in and low insulated walls - as is the

		<p>nature of old properties. The noise easily penetrates and such properties are poorly insulated and last summer we had to sleep with the windows open most nights due to the heat making the sound playing until midnight more obtrusive.</p>
<p>Protection of children from harm</p>		<ul style="list-style-type: none"> • In addition to the points above, there are several young children who live in the local vicinity, for which loud music into the evening is already an issue, hence our objection to increasing the frequency.
<p>Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account</p>		<p>We would like to note prior to the objection of the new application, that the existing licence is already a significant public nuisance;</p> <ul style="list-style-type: none"> • last summer it caused noticeable disturbance to the surrounding tranquillity of the area with loud music being played until late at night on many summer evenings during the warm weather when most neighbours would choose to be enjoying their gardens. • Secondly, we found the clay pigeon shooting on weekdays and weekend relentless and noticeable to the local birds and wildlife. <p>I trust you will consider our objection carefully and use the the opportunity to review the existing licence as well, as this is already significantly disruptive, with the points raised above acutely relevant.</p>

SIGNED: 

DATED: 28/03/23

NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing sub Committee for a Licensing Hearing and any subsequent appeal proceeding. If you do **not** attend, the Committee will still consider any representations that you have made.

2. This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper.
3. They can only relate to the four licensing objectives:
 1. Prevention of crime and disorder
 2. Public safety.
 3. Prevention of public nuisance
 4. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will REDACTED (personal information taken out) and published in the report available to the Licensing Committee, which will be publicly available.
5. Please return this form when completed to:
Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:

Email: licensing.services@tmhc.gov.uk

From: [REDACTED]
To: [Licensing Services](#)
Cc: clerk@offham-pc.gov.uk
Subject: Kentfield Estate application March 2023
Date: 28 March 2023 20:40:58

We understand that Kentfield Estate have applied for a licence to hold a number of large corporate functions and weddings

Whilst we have no objection in to the events we are hugely concerned about the increased traffic. As can be seen on page 22 of their application the entrance/exit to Ashtree Events is on a narrow country lane about 1 mile from the village of Offham. What is less clear from the map shown is that the entrance/exit is on a sharp bend, as the entrance/exit is on the south side of the road this makes it blind to anyone coming round the bend in a westerly direction. The road is a national speed limit and so it is common for traffic to be travelling up to 60 miles per hour along this stretch of road.

Clearly the danger has been previously identified as a 'no right turn' sign has been installed for people leaving the site. However we drive along this road and have found the no right turn is frequently ignored by vehicles leaving the site and we have seen a number of near misses.

If the site is to be used by up to 950 guests plus a large number of staff, then this would mean that a large number of vehicles will be leaving the site late at night. If the current refusal to comply with the no right turn sign continues then this will create an unacceptable significant danger.

Those guests and staff who do choose to turn left out of the entrance will have little or no opportunity to 'U' turn and so there will be a large number of vehicles using Teston Road. Their options are to turn into Offham Road, turn into the single track Fartherwell Road or continue on Teston Road through the village of Offham. Given that the application is for events going on until midnight it is wholly unacceptable to have so many additional vehicles driving through the quiet village.

In the circumstances we should be grateful if you would turn down the application of the grounds of road safety and public nuisance

With kind regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	NEIGHBOUR
Postal address	[REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	<u>Ian Barwick Kentfield Estate,</u>
Address of the premises you are making a representation about	<u>Ashtree Farm Teston Road ME19 5RL</u>

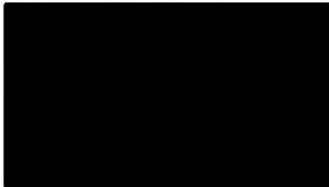
Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder		The licence will encourage large numbers of people to gather at Ashtree Farm and the surrounding area. The remoteness of the location, lack of street lighting and pavements, coupled with the sale of alcohol until midnight will increase the risk of anti-social behaviour both at Ashtree itself and in the country lanes and residences that share the immediate area.
Public safety		The entry and exit from Ashtree Farm onto Teston road, is a narrow county lane with no street lighting nor any pavements to enable people to walk to the location safely. Offham and Fartherwell Roads are both single lanes that feed off Teston Road, again

	<p>neither have street lighting and both require give way passing at points. None of these roads are suitable for large volumes of traffic entering and leaving Ashtree Farm safely and the risk of Offham Road becoming a "Rat Run" into West Malling and out to the A20 is high.</p> <p>Fartherwell Road remains muddy and can be flooded throughout the summer months due to run off from the irrigation systems from the farmland on both sides which is intensively farmed for salad crop. This is neither suitable for pedestrians walking to the A20 nor for cars cutting through to get to Sandy lane and onwards to A20.</p> <p>In addition, there is no safe place for taxis to drop off or pickup. You may already be aware of the concerns local residents in Offham and Offham road have about the speed in which cars travel down Teston Road and Offham road. This additional footfall and risk of pedestrians increase the risk of a serious accident.</p>
<p>Prevention of public nuisance</p>	<p>Ashtree Farm is in a remote rural setting just outside West Malling, it shares this location with a small number residences that run alongside Fartherwell Road and Offham Road. Sound amplification is significant, given the closeness of West Malling to the Farm area. Outside music from previous Ashtree Farm events is heard over a large distance, including Offham Road and beyond. The granting of such a wide-reaching licence would destroy the current rural environment for those that live there, with loud music being played any day and potentially every day between midday and midnight.</p>
<p>Protection of children from harm</p>	<p>Increased noise at night time may cause problems with children and infants being unable to sleep.</p>
<p>Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account</p>	

SIGNED:

DATED:





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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	Neighbour
Postal address	[REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	<u>Ian Barwick Kentfield Estate,</u>
Address of the premises you are making a representation about	<u>Ashtree Farm Teston Road ME19 5RL</u>

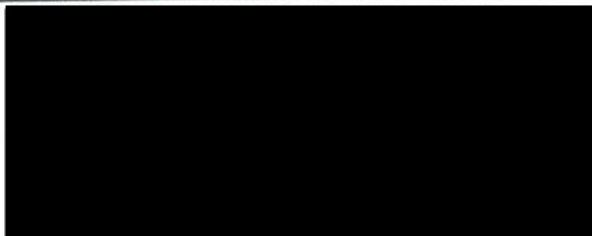
Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder		The licence will encourage large numbers of people to gather at Ashtree Farm and the surrounding area. The remoteness of the location, lack of street lighting and pavements, coupled with the sale of alcohol until midnight will increase the risk of anti-social behaviour both at Ashtree itself and in the country lanes and residences that share the immediate area.
Public safety		The entry and exit from Ashtree Farm onto Teston road, is a narrow county lane with no street lighting nor any pavements to enable people to walk to the location safely. Offham and Fartherwell Roads are both single lanes that feed off Teston Road, again

	<p>neither have street lighting and both require give way passing at points. None of these roads are suitable for large volumes of traffic entering and leaving Ashtree Farm safely and the risk of Offham Road becoming a "Rat Run" into West Malling and out to the A20 is high.</p> <p>Fartherwell Road remains muddy and can be flooded throughout the summer months due to run off from the irrigation systems from the farmland on both sides which is intensively farmed for salad crop. This is neither suitable for pedestrians walking to the A20 nor for cars cutting through to get to Sandy lane and onwards to A20.</p> <p>In addition, there is no safe place for taxis to drop off or pickup. You may already be aware of the concerns local residents in Offham and Offham road have about the speed in which cars travel down Teston Road and Offham road. This additional footfall and risk of pedestrians increase the risk of a serious accident.</p>
<p>Prevention of public nuisance</p>	<p>Ashtree Farm is in a remote rural setting just outside West Malling, it shares this location with a small number residences that run alongside Fartherwell Road and Offham Road. Sound amplification is significant, given the closeness of West Malling to the Farm area. Outside music from previous Ashtree Farm events is heard over a large distance, including Offham Road and beyond. The granting of such a wide-reaching licence would destroy the current rural environment for those that live there, with loud music being played any day and potentially every day between midday and midnight.</p>
<p>Protection of children from harm</p>	<p>Increased noise at night time may cause problems with children and infants being unable to sleep.</p>
<p>Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account</p>	

SIGNED:

DATED:



From: [REDACTED]
To: [Licensing Services](#)
Subject: Licensing Act 2003 regarding Kentfield Estate, Ashtree Farm, Offham
Date: 29 March 2023 20:10:14

Re: Application for the Grant of Premise Licence at Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent ME19 5RL

We submit the following objections to the above application:

Public Safety

Our concerns are that such a venue will attract large numbers of vehicles using the country lanes and roads through the villages of Offham and West Malling, in particular Offham Road, West Malling High Street and St Leonards Street plus Teston Road travelling through Offham to and from Seven Mile Lane. Offham Road is currently very busy and many children live along there. Offham village is currently overused as a 'rat run'!

The proposed entrance to the venue has restricted visibility in either direction. Any traffic turning into the entrance from either direction could potentially cause major queueing along Teston Road either towards the junction with King Hill or towards the junction with Offham Road.

On exit, will traffic be directed to the A228, West Malling By-pass? By what method will they be directed? Signage or Police/Security?

Public Nuisance

Noise and light pollution, especially during the summer months when local residents want to use their gardens or sleep at night.

[REDACTED]
[REDACTED]
[REDACTED]

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From: [REDACTED]
 To: [Licensing Services](#)
 Subject: Representations about Kentfield Estates Application for Premises Licence
 Date: 27 March 2023 12:54:26

My name is [REDACTED]. I am a resident of Offham Village and my address is [REDACTED]
 [REDACTED]
 email [REDACTED] Phone [REDACTED]

Application by Kentfield Estate of Teston Road, Offham ,Kent. ME195RL.

My representations relate to the following licensing objectives:-

Public Safety.

The application seeks a licence for 10 events with up to 950 attendees. If granted and the event has the maximum number of attendees with staff there will be well over 1000 persons on the site. There is no public transport that could be used to get to the site so even with lift sharing there would be a minimum of about 250 cars travelling to and from the site but more likely about 500.

Kentfield Estate is on a relatively narrow road with no speed limit and is notorious for the speed motorists drive along it and the egress from the driveway is awkward. I am concerned that there is a considerable risk of motor accidents on Teston Road that would arise as vehicles exited from the Kentfield Estate after events and as they drove along Teston Road in either direction and through Offham Village because regrettably late in the evening motorists seem less likely to comply with speed restrictions.

Prevention of Public Nuisance.

I refer to the representations I have made about traffic. If permission is granted there will be increased traffic on Teston Road.

The applicant may well encourage attendees to approach and leave the site from the direction of the by pass but it is likely that attendees will chose to take the shortest route or follow sat nav and if their route is to or from Seven Mile Lane or A20 they will drive through Offham Village.

Increased traffic will be a nuisance and disturbance to residents . I would also point that facing the exit from Kentfield Estate/Ashtree Farm under a mirror to assist spotting traffic from an easterly direction [confirmation of the awkward exit] there is a privately positioned road sign that appears to forbid a right turn and thus suggesting that exit should be to the left and through Offham Village.

The greatest concern is however noise nuisance from events. The past history of noise from events on the Kentfield Estate cannot be ignored.

Numerous complaints have been made in the past about noise from events and objections have been made to planning applications resulting in some of them being refused , partly granted or not being determined. I am unsure as to whether the site currently has the planning consent for the events the applicant hopes to hold.

On 21 December 2017 a Premises Licence 17/01899/Prem was granted for 28 events pa for up to 200 guests . The licence had numerous conditions imposed upon it, is Licensing Services aware as to whether those conditions have been complied with?

One of the conditions was that loud speakers should be in The African Lodge only and not

in the Marquee and that speakers should face the quarry.

The restriction was presumably because sound would "leak" from the marquee.

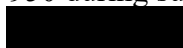
The current application is for music in both the Lodge and the Marquee.

The application is for events in the summer months, time when subject to weather, local residents might be in their gardens during the day and in the evenings.

There has been problems with noise from events in the past restricted to 200 attendees , if the application is allowed there is potential of the problems being five times worse. It is not only the sound from bands or discos carrying on a summer night but also shouts and singing from attendees.

The applicant states that the entrance to the site is one mile from the centre of Offham Village . This might be the case but many houses in Offham are far less than a mile away from the premises where the events would be held and sound carries.

28 events pa of up to 200 people under current permission and a further 10 events of up to 950 during summer months is unreasonable.



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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	Individual
Postal address	[REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Kentfield Estate
Address of the premises you are making a representation about	Ashtree Farm, Teston Road Offham Kent ME19 5RL

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	YES	Please see commentary below
Public safety	YES	Page 103

		Please see commentary below
Prevention of public nuisance	YES	Please see commentary below
Protection of children from harm	No	
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account		Please see commentary below

SIGNED: DATED: 

Commentary

Background

Kentfield Estate (the "**Applicant**") has a licence (17/01899/PREM) issued on 5th February 2018 entitling them to hold 28 events for up to 200 people in any given calendar year (the "**2018 Licence**").

The Applicant is now applying for an additional licence (the "**2023 Application**") which will entitle them to hold a further 10 events for up to 950 people in any given calendar year.

Below it is argued that the 2023 Application should, on the balance of probabilities, be rejected as it is clear that the proposed licensed activities would not meet the four licensing objectives as set out in the Licensing Act 2003 (the "**LA 2003**").

Furthermore it is argued that the 2023 Application cannot be looked at without reference to the 2018 Licence, as examining the 2023 Application solely on its own merit, would lead to

a failure to fully appreciate the cumulative effect of the Applicant's activities; their impact on the local community; on the environment; and how singularly and collectively they all contribute to a failure to meet the four licensing objectives under the LA 2003.

Furthermore, not examining both licences in the round, risks a challenge to any decision reached for reasons of illegality, procedural unfairness, and/or irrationality.

We also note that the Applicant is in breach of at least one of its conditions under the 2018 Licence. Whilst it is not for us to comment on issues of whether the Applicant is a "fit and proper person" under the LA 2003, guidance to licensing authorities such as Tonbridge & Malling Borough Council ("**TMBC**") states that factors to be considered when considering an application include the ability of a person to comply with licence conditions. Whilst we are not at this time suggesting that the 2018 Licence should be revoked, we nevertheless believe that this breach cannot be overlooked and by any objective evaluation, it should be taken into account when considering the Applicant's suitability for the 2013 Application.

We will now set out the following areas which we believe are relevant to TMBC as the licensing authority, and which we believe lead to the only possible conclusion when assessing this on the balance of probabilities, that the 2013 Application should not be granted:

1. Breach of 2018 Licence
2. Fit & Proper Person Test
3. TMBC & KCC Conflict of Interest
4. Matters Considered Elsewhere
5. Applicable Licensing Objectives:
 - a. Prevention of Crime & Disorder
 - b. Public Safety
 - c. Prevention of Public Nuisance
6. Why Conditions Should Not Be the Route to Approval
7. In Conclusion

Breach of 2018 Licence

The 2018 Licence issued to the Applicant contained eighteen (18) conditions set out in **Annex 2 - Conditions consistent with the Operating Schedule**. The eighteenth (18th) condition required the Applicant to provide Offham Parish Council with Event Information at least fourteen (14) days in advance of any event. The "**Event Information**" was to comprise the date of each event, along with the name and mobile phone number of someone who might be contacted in case of complaint.

The intent of the condition was that Offham Parish Council would then be able to provide Event Information to members of the local community, so to the extent that there was a public nuisance this could be logged, and that members of the community would have a contact at the event who would be able to handle their complaint.

It is understood that the Applicant has provided Offham Parish Council with any Event Information for any event taking place under its 2018 Licence.

It is further argued that breach of condition 18 is not a minor or technical breach of the 2018 Licence, but goes to the very heart of the licensing objectives, and in particular the prevention of public nuisance.

By breaching its obligations under licensing condition 18 it would be difficult for members of the local community to lodge complaints with either the Applicant, Offham Parish Council, or any applicable authority. Accordingly to the extent that the Applicant, in pursuance of its 2023 Application, seeks to argue there have been no complaints about its activities under its 2018 Licence, we would argue that this evidence should be dismissed as being unreliable.

We conclude that whether or not the Applicant did, or did not, seek to deliberately breach licensing condition 18 is immaterial for the purposes of its 2023 Application. If the breach was not deliberate it simply reinforces, as we note below, that the Applicant is not a “fit and proper person” for the purposes of the 2023 Application. We would have serious concerns that if they are unable to properly administer and run, in accordance with legal and regulatory requirements, an event for 200 people, then granting them a licence which increases the number of people at their events by 350%, significantly increases the risk of far more serious breaches of any new licence, and the repercussions that arise from that.

Fit & Proper Person Test

As noted above, the LA 2003 provides that TMBC, as the licensing authority, must be satisfied that the applicant is a “fit and proper person”. We referenced guidance which states that the ability to comply with licence conditions is a factor which may impact on the suitability of that individual to hold a licence.

Non-compliance with licensing conditions is a serious matter, and licensing authorities such as TMBC must bear in mind that breach of any licence condition can potentially amount to a criminal offence, punishable by an unlimited fine and/or up to six month’s imprisonment.

Whilst we are not suggesting that the individual should lose their 2018 Licence, the failure to comply with existing conditions for an event of far smaller scale than that currently being applied for, indicates that the applicant may not be able to manage licensed activities responsibly and in accordance with legal requirements. There is also a concern that the Applicant does not take the four licensing objectives seriously.

We believe that the severity of the breach and/or the failure to realise that a breach had taken place and then rectify that breach promptly, indicates that the Applicant is not suitable to hold a licence for events on the scale as set out in the 2023 Application.

TMBC & KCC Conflict of Interest

The applicant has publicly announced that it already has an event booked for 700 people with CSL, a company owned by Kent County Council ("**KCC**").

Whilst accepting a booking prior to obtaining a licence does not necessarily mean that the 2023 Application should be denied, it does raise concerns about the Applicant's suitability to hold a licence.

There are also valid concerns being raised as to why the Applicant feels "confident" to take bookings with a local government authority, when it has not been granted a licence and/or does not know what conditions might be attached to such licence.

We will, by way of separate application, make a Freedom of Information Act request to better understand the relationship that the Applicant has with KCC and/or TMBC which has led the applicant to have the confidence to believe that its 2023 application, which is not trivial in nature, will be granted.

It is important for TMBC, KCC, and the local community to satisfy itself that there are no conflicts of interest.

Matters Considered Elsewhere

It is assumed that TMBC have already satisfied themselves that any and all other consents, permissions, and licences as may be required by the Applicant, including but not limited to planning consents, change of use and/or mixed use, and/or any change in rateable value from such change of use has been obtained by the Applicant.

It is also assumed, that as part of the TMBC's decision making process, that reports from other competent authorities have been procured, including but not limited to: (i) food safety;

(ii) healthy and safety at work; (iii) planning; (iv) police; (v) fire and rescue; (vi) environmental health; (vii) highways; and (viii) the ambulance service.

We believe it is important for these reports, as well as those of the local community and parish council, to be considered in full before granting or refusing the 2023 Application to ensure that the decision is not made on the basis of illegality, procedural unfairness, and/or irrationality.

Applicable Licensing Objectives

It should be noted that many of the areas of concern raised below relate to one or more of the licensing objectives. In the interests of brevity we provide a summary of the issues, and would ask TMBC follow-up with any additional questions that they may have.

Prevention of Crime & Disorder

Noise

Whilst some may focus on prevention of public nuisance as being the licensing objective under which excessive noise should sit, it should be noted that excessive noise is considered under both statutory and case law, a type of noise pollution. As such it is regulated both under environmental law and criminal law.

As TMBC will be aware the framework for statutory nuisance is set out in the Environmental Protection Act 1990, Part III (the “**EPA 1990**”). We believe that granting the 2023 Licence will lead to breaches of the EPA 1990. In such circumstances, and having put TMBC on notice of its obligations under the EPA 1990, in the event that the procedures for dealing with complaints and enforcement were not met, we would consider instructing lawyers to ensure that TMBC meets its statutory obligations under S. 79 of the EPA 1990.

Furthermore under the EPA, excessive noise, this being noise that is either excessive in volume and/or quantity over a period of time, may in itself become a criminal offence. Such noise if caused intentionally or recklessly (we have noted above the recklessness with which the Applicant has failed to comply with conditions attached to the 2018 Licence), or if it is causing alarm, distress, or harassment, is most likely an offence under the Public Order Act 1986, the Anti-Social Behaviour, Crime and Policing Act 2014, and/or other relevant legislation.

Anti-Social Behaviour

Whilst we question, given the breach of the 2018 Licence, the ability of the Applicant to put in place the organisational processes required to manage events of this nature and size, and to comply with all applicable laws and regulations, we defer to those reports which we assume TMBC has procured and as set out under "Matters Considered Elsewhere."

Overcrowding

Whilst we question, given the breach of the 2018 Licence, the ability of the Applicant to put in place the organisational processes required to manage events of this nature and size, and to comply with all applicable laws and regulations, we defer to those reports which: (a) we assume TMBC has procured as set out under "Matters Considered Elsewhere" and; (b) is using to ensure that the Applicant is meeting all of its statutory obligations which include criminal offence elements including but not limited to: (i) Health & Safety at Work Act 1974; (ii) Public Order Act 1986; and (iii) LA 2003.

Drink & Drug Driving

We are concerned that given the location of the licensed premises, and the lack of readily available public transport, it is likely that most guests at events under the 2023 Application will arrive by car. It is estimated that each event of 900 people will lead to 350 - 400 cars.

The Applicant has attempted to dismiss concerns regarding drink and drug driving by claiming that: (i) they will be catering for "Asian weddings"; and (ii) they offer non-alcoholic drinks from 10pm onwards.

Rather than providing comfort to members of the local community, this rather looks like an attempt to "tick box" its licensing application.

It should be noted that it is not the case that all Asian weddings are alcohol free; this is far from the norm and plays to racial stereotyping. Furthermore, offering non-alcoholic drinks of "teas / coffees from 10pm onwards as part of the bar offering", appears more of an after dinner attempt to "sober-up" guests before they drive home.

We are therefore concerned that in practice there is no proactive and documented process for stopping people from drinking and drug driving. Any non-alcoholic offering is purely cosmetic.

In the absence of such process we are concerned that the Applicant may well be allowing, or encouraging offences to occur under the following regulations:

The Road Traffic Act 1988 - it being an offence to drive a motor vehicle whilst under the influence of alcohol or drugs;

LA 2003 - it being an offence for event organisers to allow people to drink or drive, in contravention of their breach of duty under the licensing objectives to prevent crime and disorder; and/or

Health & Safety at Work Act 1974 - it being an offence for event organisers to allow people to drive under the influence of alcohol or drugs, and where as a result they may be putting the health and safety of their employees or others at risk.

Further Road Traffic Offences

As noted below, it is likely that the majority of the 350-400 cars attending each event will exit the locality via the village of Offham.

There is already concern within the local community at the speed in which vehicles pass through Offham. The speed of vehicles has been observed to be significantly higher from late evening, through to the early hours of the morning.

It therefore follows that each event being held under the 2023 Application will lead to a material increase in the number of vehicles speeding through Offham. This will not only lead to a material increase in offence being committed under the Road Traffic Regulation Act 1984 and the Road Traffic Act 1988, but combined with blood alcohol concentration above the legal limit; a driver's speed and/or actions may be so excessive that it amounts to dangerous driving.

Public Safety

Fire Safety

As noted above, we assume that as part of TMBC's decision making process, reports have been procured from fire and rescue services.

Health & Safety

As noted above, we assume that as part of TMBC's decision making process, reports have been procured from bodies responsible for health and safety at work.

Security

As noted above, we assume that as part of TMBC's decision making process, reports have been procured from bodies responsible for security, including the police and other relevant agencies.

We would expect TMBC to have reviewed, as a minimum: (a) a fully comprehensive risk assessment to identify potential security threats and hazards; (b) those access control measures proposed to be implemented by the Applicant; (c) details of the CCTV in place through the venue, including the monitoring of all points of access and egress; (d) a fully detailed plan of the number of personnel required to manage the crowds and to respond to potential security threats, and a wide range of scenarios, including crowd management, conflict resolution, and emergency response; (e) clear and effective emergency procedures, including fully documented plans for evacuation procedures, first aid provision, and communication protocols. As well as logs detailing training that has been given, and will be given, to all staff and contractors.

Traffic Management

The venue is located on a fast country road, with the point of access and egress being on a bend in the road where cars coming from both directions do not have a clear line of sight. This public safety risk is already known to the Applicant, and accordingly, traffic leaving the venue from the point of egress onto Teston Road, are required to turn left to avoid cutting across traffic.

The Applicant has indicated in representations to the community that it is intended that traffic leaving the venue will turn right, away from Offham. It is submitted that the local community have been told this in an attempt to stifle objections to the Applicant's 2023 Application. In practice however there is clearly a safety concern about traffic turning right onto Teston Road, therefore forcing large volumes of traffic through Offham village.

For reasons set out elsewhere in this response, it is apparent that the Applicant does not have the requisite experience to put in place effective traffic management which would be absolutely essential for ensuring the safety of those entering and leaving the venue, other road users, and the local community.

Notwithstanding the foregoing, it is submitted that given the scale of the events proposed under the 2023 Application, by virtue of the location of the venue and the surrounding roads, there is regardless of any mitigation plans, a real and material risk of accidents and congestion.

Prevention of Public Nuisance

Noise Pollution

We are concerned that various activities arising from the holding of events will give rise to a public nuisance of noise pollution.

Noise pollution is a common concern associated with licensed events, particularly those that involve loud music or large crowds.

We are concerned that 2013 Applicant seeks to diverge from best practices ordinarily followed by outdoor event organisers, not only in seeking for music to be permitted beyond 11pm, but also in the levels of noise that it claims to require.

We note from advice taken, and reviewing the practices of other licensing authorities, that the maximum permitted noise level for outdoor events is typically around 65-75 decibels during the day, and 55-65 decibels during the night. The Applicant under the 2023 Application is seeking a limit of 95 decibels up until midnight.

We also note that, looking at comparable events to those proposed under the 2023 Application, typically other licensing authorities would allow no more no more than five (5) events in any given year, and that as the number of events increases, the level of noise permitted would at the same time decrease, to ensure that the local community are not impacted unduly, and that any health issues can be mitigated.

We note that the number of events that the Applicant could hold, under the 2018 Licence and the 2023 Application is thirty-eight (38), which given the events are held outside, are likely to all take place within the period of June to September each calendar year. This would mean that two (2) events, and even more depending on bookings, could be held each week during this period.

During the summer months when the local community will want to enjoy their gardens; and at night have windows open for comfort, having regular events which go on beyond normal licensing hours, and which are at noise levels beyond codes of practice, is unacceptable.

The noise pollution will be made worse by sound travelling further and more clearly in warmer weather conditions, as well as the prevailing wind patterns tending to move in a direction from the event location to the village of Offham.

Having two (2) events a week will cause a public nuisance to many, and in some cases cause distress. Excessive noise pollution can have a negative impact on health, both physically and mentally.

Given that the Applicant does not appear to follow best industry practice, we do not believe that the steps to minimise noise levels and prevent excessive disturbance, will be effective.

We note elsewhere that the Applicant has failed to adhere to conditions of its 2018 Licence and do not believe that conditions around noise management would be effective or enforceable.

Traffic Pollution

We are concerned that increased traffic from the events would lead to congestion, increased air pollution, and a greater risk of accidents. We do not believe, for reasons set out elsewhere, that the Applicant would be able to put in place satisfactory traffic management measures to manage traffic flow and/or minimise disruption. We do not believe that conditions around traffic pollution and management would be effective or enforceable.

Why Conditions Should Not Be the Route to Approval

We saw in the case of the Applicant's 2018 Licence that TMBC felt it appropriate to put in place a set of 18 conditions when granting the 2018 Licence.

It is submitted that a similar approach in this case would not be appropriate. The issue for TMBC is to determine, on the face of it, whether the 2023 Application meets the four licensing objectives.

Following licensing guidelines, conditions should be: (i) proportionate, (ii) reasonable; and (iii) necessary. That is to say, conditions should be applied to address specific areas of concern, but they should not be used as a means of approving a licence which, but for those conditions, would not have otherwise met the licensing objectives.

As such conditions are supplemental to the approval, not the means by which approval is granted. This is set out in more detail in the licensing guidelines which state that conditions

should be: (a) clear and unambiguous; and (b) capable of being effectively monitored and enforced.

It therefore follows that the more conditions that a licensing authority feels it needs to add when approving a licence, the more unlikely it is that the application meets the licensing objectives in the first place.

Furthermore, the greater the number of conditions that are put in place, the more likely it is that the conditions, as a whole, are going to cause confusion and not be implemented correctly. And the greater the number of conditions that are in place, the more difficult it becomes for the competent licensing authority to monitor and enforce any breaches of conditions.

We note that the Application had 18 conditions attached to their 2018 Licence; one of which (as a minimum) we understand to have been breached. We also believe that TMBC has not been monitoring the conditions attached to the 2018 Licence so is both unaware of the breach, and therefore has failed to enforce.

We do not seek to apportion blame on TMBC, but use this to illustrate that conditions that are overly complex or difficult to understand may be difficult for event organisers to comply with, or for the licensing authority to enforce.

Notwithstanding our argument that the 2023 Application breaches the licensing objectives, we would argue that the level and complexity of conditions which would need to be attached to events of this scale, would simply be too complex for the Applicant to comply with. And that if the Applicant was unable to comply with simple, unambiguous conditions under the 2018 Licence, then breaches of any licence granted in relation to the 2023 Application is inevitable.

Accordingly we strongly argue that this is a situation, as anticipated by the licensing guidelines, where conditions on a licence are not appropriate:

Unenforceability - We have seen with the breach of the 2018 Licence that conditions which are difficult to enforce, will never address the concerns they are meant to address. The licensing guidelines in particular, note that conditions which rely on voluntary compliance by event organisers, or attendees at events, are in practice rarely enforceable.

Ineffectiveness - It has been shown that conditions may be ineffective at achieving their intended purpose. For example, a condition that restricts noise may not be effective if the

venue is in any event located too close to a local community, or again if that condition is not going to be enforced.

As such on the balance of probabilities it is more appropriate to refuse a licence, than impose conditions that are unlikely to be effective or enforceable.

In Conclusion

We have given careful consideration to the Applicant's 2013 Application, as well as noted the statements they have made publicly.

We are concerned by the scale of the events, and how the proposed events depart from industry codes of practice as to the number of events, the time at which the music should finish, and the noise levels that the Applicant deems appropriate.

Looking at the 2013 Application, alongside the four licensing objectives, and taking into account the licensing guidelines, we do not believe that the standard of proof necessary to grant a licence has been met.

We are concerned that the Applicant is in breach of its 2018 Licence, and that such breach has not been enforced. Notwithstanding our position that the 2023 Application does not meet the licensing objectives, we do not believe that a licence, with conditions attached, is appropriate either.

We argue above that conditions should not be used as a way of approving the licence. And further that in any event, the number, as well as complexity of conditions which would need to be attached to any licence, would almost certainly make them ineffective, and likely to be breached. We appreciate that TMBC has finite resources and funding, and that it would not be practicable for TMBC to monitor and enforce this licence.

Accordingly we believe the 2023 Licence Application should be rejected.

From: [REDACTED]
To: [Licensing Services](#)
Subject: Re: Kentfield Farm Teston Road
Date: 22 March 2023 12:54:48

Thank you for your reply.

It would seem that my concerns: frequency of the events, noise and road traffic all come under “public nuisance”.

Please do pass on my comments to the applicant so long as they are sent without my name or address attached,

Regards,

[REDACTED]

On 22 Mar 2023, at 12:47, Licensing Services
<licensing.services@tmbe.gov.uk> wrote:

Afternoon [REDACTED]

Thank your for emailing in your concern regarding this application.

Objections to the application must relate to one of the four licensing objectives (below) & be specifically linked to the premises in question.

- the prevention of crime and disorder.
- public safety.
- the prevention of public nuisance.
- the protection of children from harm.

Regarding the 95db noise limit – This is not deemed to be an excessive noise level & a very common setting for live music events.

You’ll see from the attached comparison chart that 95dB is equivalent to listening to music on a walkman at 50% volume level, or listening up close to an unamplified Obo or Flute.

Where possible I always like to try and mediate between all interested parties to see if a reasonable compromise and or solution can be reached.

I am more than happy to pass on your concerns to the applicant and then get back to you once they have responded.

Regards

Hope this is of help.

Geoffrey Stevens

Licensing Officer
Tonbridge and Malling Borough Council

Open an account to pay bills, report an issue or make an application
Download the My TMBC app for updates on key services
Follow us on Twitter, Facebook and Instagram for the latest news

-----Original Message-----

From: [REDACTED]
Sent: 22 March 2023 12:18
To: Licensing Services <licensing.services@tmbc.gov.uk>
Cc: [REDACTED]
Subject: Kentfield Farm Teston Road

I am writing to you regarding the licensing application made by Kentfield Farm. While I recognise that outdoor events have to occur somewhere, and have no objection to that being close to where I live, in the case of Kentfield Farm the activity is too great in every respect.

The roads cannot cope with 950 people arriving by car. The noise level of 95 dB is offensive and can be from 12pm-12am. 10 events in the 6 months that they operate appears to be one every 2 1/2 weeks but as most of the activity is concentrated in the summer the actual rate at the peak of the season is much higher.

In moderation this business would be acceptable but the applicant is exceeding what is reasonable for residents to tolerate,

Yours sincerely,

[REDACTED]

[REDACTED]

This message has been scanned for malware by Forcepoint. www.forcepoint.com

<decibel-comparison-chart-fourth-01.jpg>

From: [REDACTED]
To: [Licensing Services](#)
Subject: Objection to Application for the Grant of Premise Licence - Teston Road
Date: 30 March 2023 12:04:51

Premise Licence – Ian Barwick Kentfield Estate, Ashtree Farm Teston Road ME19 5RL

I would like to formally object to the above premise licence application.

Given the location of Ashtree Farm, the granting of a premise licence enabling the sale of alcohol and the playing of both live and recorded music on anyday between the hours of 12:00 and midnight would be in direct conflict with the licensing objectives.

Specifically:

Prevention of public nuisance – Ashtree Farm is in a remote rural setting outside the village envelope of West Malling, it shares this location with a small hamlet of residences that run along-side Fatherwell Road and Offham Road. Given the topology of the area, sound amplification is significant. Historically outside music from previous Ashtree Farm events can be heard over a large distance, as far down as the village of West Malling. The granting of such a wide-reaching licence would destroy the current rural environment for those that live there, with loud music being played any day and potentially every day between midday and midnight.

Public Safety – The entry and exit from Ashtree Farm onto Teston road, is a narrow country lane with no street lighting nor any pavements to enable people to walk to the location safely. Offham and Fartherwell Roads are both single lanes that feed off Teston Road, again neither have street lighting and both require give way passing at points. None of these roads are suitable for large volumes of traffic entering and leaving Ashtree Farm safely and the risk of Offham Road becoming a “Rat Run” into West Malling and out to the A20 is high.

Prevention of Crime and Disorder – The licence will encourage large numbers of people to gather at Ashtree Farm and the surrounding area. The remoteness of the location, lack of street lighting and pavements, coupled with the sale of alcohol until midnight will increase the risk of anti-social behaviour both at Ashtree itself and in the country lanes and residences that share the immediate area.

[REDACTED]

This email has been scanned by TMBC before delivery to your mailbox. Please click [here](#) to report this email as spam and help train the filter.

From: [REDACTED]
To: [Licensing Services](#)
Subject: Fw: Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent. 23/00221/PREM
Date: 31 March 2023 14:40:54

Dear Sir/Madam

The applicant appears to have held one or more events at his establishment in the recent past but it is not clear whether any planning or licensing permissions were required or were in force.

Contrary to the applicant's statement that recent events have been held without any issues arising I am aware that several complaints have been made by residents regarding nuisance from traffic, unsociable behaviour and noise from amplified music. In a previous application the associated Management Plan stated that numbers of attendees would be limited to 200 but this application is now for 950 which if agreed would only exacerbate these issues creating even greater public nuisance.

Public nuisance/safety

Traffic

The Speed Indicator Device operated by the Parish Council has recorded an average of 10,000 traffic movements through the village each week. This has been a constant concern of residents as the volume and speed of vehicles represents an ever-increasing noise level and danger to pedestrians and property. The proposed increase in the numbers of attendees will only add to these problems both in terms of those arriving during the day as well as those leaving late at night/early morning. Virtually nothing can be done to prevent guests from arriving at the venue via the village and it will be difficult to ensure that everyone leaves in the direction of King Hill late at night.

Unsociable behaviour

On a previous occasion shouting and singing by guests standing outside the Lapa/marquee could be heard very clearly by residents especially on warm, still summer days/evenings and managing this with large numbers attending especially when they have consumed alcohol will impossible to manage effectively.

Noise from amplified music

The sound report in a previous application made it clear that music from loudspeakers would only be located in the Lapa whereas this application states that they would be used in the marquee as well. The sound proofing measures proposed would be totally inadequate in this environment due to the construction materials used for marquees and the potential for additional openings to be made to reduce excessive heat. Self-monitoring of noise is not sufficient and it would be far better to use, for example, noise limiters on the sound equipment which would cut out any excesses.

Yours sincerely

[REDACTED]

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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	Local resident of Offham Village
Postal address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Kentfield Estate/Ashtree Farm
Address of the premises you are making a representation about	Teston Road Offham Kent ME19 5RL

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	Yes	
Public safety		

Prevention of public nuisance	Yes	Please see attached supporting statement
Protection of children from harm		
<p>Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account</p>		<ul style="list-style-type: none"> • This Licence application needs to take into account the existing licence which allows up to 28 events per annum and a maximum of 200 guests as if not taken into account there is no consideration to the cumulative effect of concurrent licences and their consequential impact on the locality and the escalation in public nuisance • The applicant does not have planning permission to facilitate any events over and above those allowed through Permitted Development rights, therefore unless the Licence application runs alongside a planning application a Licence would be granted for an unlawful activity of an additional 10 events to the 28 permitted under PD rights • In applying for planning permission, the applicant would have to submit significantly more information and undertake due diligence to justify the proposal and to demonstrate that the intended uses do not have a negative impact on either the local environment or local residents. This is not something that appears to be necessary and/or has to be done for this Licence application and these important considerations are consequently not given sufficient weight in particular with reference to both noise and traffic • When the original Licence was granted we were told that all our concerns relating to noise and public nuisance would be addressed by a planning application and that would be the time and place to determine the advantages and disadvantages of the proposed uses. However, the applicant has not applied for planning, the temporary consent having now expired, for all the uses proposed and whilst there is an undetermined application from 2021 this only relates to the erection of a permanent marquee on the site to replace, presumably, the temporary marquee for which planning permission expired in December 2020 • Prior to a decision being taken regarding the granting of this additional Licence the applicant should submit a comprehensive traffic management plan and noise abatement strategy both of which should be sufficiently robust and capable of being independently verified to prevent the proposed uses being the cause of public nuisance to the residents of Offham village

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SIGNED: [REDACTED]

DATED: 30th March 2023

NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing sub Committee for a Licensing Hearing and any subsequent appeal proceeding. If you do **not** attend, the Committee will still consider any representations that you have made.
2. This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper.
3. They can only relate to the four licensing objectives:
 1. Prevention of crime and disorder
 2. Public safety.
 3. Prevention of public nuisance
 4. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will REDACTED (personal information taken out) and published in the report available to the Licensing Committee, which will be publicly available.
5. Please return this form when completed to:
Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:

Email: licensing.services@tmhc.gov.uk

SUPPORTING STATEMENT TO ACCOMPANY OBJECTIONS TO LICENCE APPLICATION FOR

KENTFIELD ESTATE/ASHTREE FARM, TESTON ROAD, OFFHAM

30th March 2023

Farm Diversification

In the Background Information for a second Premises Licence the applicant states that

“Kentfield Country Estate is a combination of three adjoining farms, namely Kentfield Farm, Ashtree Farm and King Hill farm merged together as one small estate, which totals 223 acres in Offham.

The farms needed to diversify to become economically and sustainably viable, hence we now operate as a corporate event business, wedding and private party venue”

This has been a consistent claim by the applicant in relation to the first Premises Licence application and various planning applications. Whilst we acknowledge that the applicant has every right to make a living it is important to note that it is in fact many years since any of the three farms mentioned ever operated as agricultural businesses.

When Mr Barwick purchased Kentifeld Farm in 2008 it was not trading as a commercial entity and had not been since the 1980's when the original farm, Blaise Farm, ceased trading as an agricultural entity and the majority of the land was sold to Hanson's who quarry ragstone on site with Gallagers.

Kentfield Farm was created out of two farm cottages and some of the retained land and occupied as a domestic dwelling until purchased by Mr Barwick in 2008

Planning Status

Whilst we acknowledge that this is a Premises Licence application, it is relevant to note that the land and buildings included in the application do not have planning permission for any of the propose uses

TM/18-1930/FL – approved 13th March 2019

Erection of a temporary marquee on the site to be used in conjunction with the existing lapa for weddings/events; the erection of 3 holiday let units (timber pods); and utilisation of existing access from Teston Road

Condition 7 - The events/functions shall be restricted to no more than 28 in any calendar year and the number of guests/customers for any given event shall not exceed 200.

Reason: To adequately protect the amenities of residents in the local area.

Condition 8 - The events/functions shall not be operational outside of the hours of 11am to 11pm and all persons, other than persons using the holiday lets, shall vacate the site by 11pm.

Reason: To adequately protect the amenities of residents in the local area.

Condition 9 - The events/functions shall be conducted in strict accordance with Section 14 'Mitigation and Management' of the submitted Environmental Impact Assessment (Noise)

Report (Prepared by SPL track Limited Updated 17 January 2019). This shall include loudspeakers being positioned only in the lapa facing south and the installation of two solid partitions behind the loudspeakers to act as baffles. A noise limiter shall be used to ensure that noise levels in the Lodge do not exceed 95dBAeq(15) as recommended by the Code of Practice.

Reason: To adequately protect the aural amenity of residents in the local area.

Condition 16 - Any live music or performances in the marquee shall be restricted to non-amplified acoustic instruments only with the use of amplified equipment restricted to background music or spoken words only. No music or amplified sound shall be played outside of the lapa or marquee.

Reason: To adequately protect the amenities of residents in the local area.

Condition 17 - The development hereby permitted shall **cease on or before 31 March 2020**. On or before this date, the development carried out in pursuance to this permission shall be demolished/removed from the site in totality and the land restored to its former condition and used in accordance with a scheme which shall have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the development will not harm residential amenities in the locality

TM/19/01573/FL - Variation of Conditions – approved 23rd January 2020

In 2019 the applicant sought to vary some of the conditions including doubling the number of guests from 200 to 400 and extending the operational hours to midnight, but both conditions remained unaltered, and numbers remained restricted to 200 and hours from 11am to 11pm. However, the temporary permission was extended to **20th December 2020**

Planning permission has never been granted for the commercial use of either the lake or the lapa building:

- TM/12/01146/FL - The lake was approved in 2012 – for ‘domestic purposes only
- TM/15/03939 - The lapa building was approved, retrospectively in 2016, for ‘hobby purposes by family only and for non-commercial activities
- Subsequent applications to vary the use of the lapa building and lake for commercial uses have been withdrawn before decisions were made

TM/21/02186/FL - validated 9th August 2021 – waiting decision

Erection of a permanent marquee on the site to be used for weddings and other events together with the existing lapa building

Total number of guests – 200 and maximum of 28 events/function per year to run alongside the Premises Licence 17/01899/PREM

Significant number of objections have been registered from local residents with letters of support coming from business connected with the events, attendees of the events and very few from Offham village itself

Nothing posted on TMBC website since 8th March 2022 and the application status is “awaiting decision”

First Premises Licence 17/01899/PREM issued 5th February 2018

We are concerned that the inference seems to be that in considering this second Premises Licence consideration will not be given to the existing Licence and therefore the cumulative impact of both will not be taken into account – this surely cannot be good practice?

Conditions attached to existing Licence:

- Maximum number of customers 200 for any given event
- Performance loudspeaker systems that have any bass component are only to be located in the African Lodge and not in the Marquee.
- Performance loud speakers and the related performances are directed to the south across the lake towards the Quarry and not into the Marquee.
- Whenever entertainment is provided bass baffles are fitted to the north open aspect of the African Lodge and behind any loudspeaker installation.
- A noise limiter is used to ensure that noise levels in the Lodge do not exceed 95dBLAeq(15) as recommended by the Code of Practice.
- Performances in the Marquee must be restricted to acoustic instruments. Use of amplified equipment is acceptable but must be limited to background music or only spoken word.
- The type of Performance loud speaker system is to be ascertained and approved by Mr Beale of SPL Track Environmental, on behalf of the applicant, and by a representative of Tonbridge and Malling Borough Council's Environmental Protection Team.
- All events to be publicised in advance on Kentfield Farm's website. This to include the name and mobile 'phone number to contact in the event of any complaint. This person should be available to contact during the event. This information should also be provided to Offham Parish Council at least fourteen days in advance of an event.

OBJECTIONS TO THE SECOND PREMISES APPLICATION - 23/00221/PREM NEW

- Even though the application does not have planning permission he has run multiple events over the last two/three years or more that have been the source of considerable nuisance to local residents due primarily to the noise that can be heard both inside and outside properties at some distance from the site
- This noise comes in various forms including both amplified and non-amplified music, amplified speech, vibration, crowd noise and traffic etc
- Complaints have been made direct to the applicant who simply dismisses them all by saying he is operating within the permitted decibel range
- Repeated complaints have been made to Tonbridge and Malling Environmental Health but there has been no action taken
- Repeated complaints have been made to Tonbridge and Malling Planning Enforcement but also no action taken to date
- Given that these are complaints about current noise levels from events restricted to 200 guests, note not 250 as stated by the applicant, and everyone associated with an event

has to leave the premises by 11pm a second Licensee to add to number of guests, frequency/numbers of events and an extension to permitted hours of use is only going to exacerbate an already unacceptable situation

- Total number of permitted guests will increase from 200 to 1,150 or 1,200 by the applicants' figures
- Total number of events will increase from 28 to 38 in any one calendar year
- The applicant states that the site will only operate between May and October, but this is only a period of 26 weeks so even if the events were spaced out evenly over the whole period that would still result in the possibility of more than one event per week
- It is blatantly untrue that the applicant has operated since 2019 without any noise complaints from local residents
- The Event Management Plan states that the 2nd dance floor and live music will be in a "second marquee" yet in the temporary planning application that was granted there were specific noise conditions that included all music had to be contained within the lapa building to help mitigate noise pollution
- Furthermore, this Plan also states that all music will be below 90 decibels yet the Licence application is for up to 95 decibels
- The proposed hours of operation will be extended from all persons being required to leave the site by 11pm to guests departing at 12 midnight which will extend the time all persons leaving the site to at least 1am
- The existing conditions imposed with the original Licence have not been sufficient to mitigate against the noise pollution emanating from the site during the course of events over the past two to three years
- The applicant has not submitted any form of noise report but deals with the whole issue in a few short paragraphs in the Event Management Plan for the one event on the 16th June, with no technical detail backing up the claims that the minimalistic measures will address all issues with noise. Given that the events held to date have repeatedly caused problems with noise, the applicant needs to provide significantly more information in relation to the effectiveness of the proposed measures, how they are different to current practice as such measures implemented to date are clearly not working at resolving the problem, and how noise is to effectively be monitored and controlled and independently verified
- Whilst the Traffic Plan for the proposed event on the 16th June suggests that all traffic will use the Ashtree Event Entrance and avoid Offham Village, unfortunately it is physically impossible to guarantee that guests/visitors will not access the farm via Teston Road and through Offham village, and events hosting up to 950 guests plus the 200 already allowed will generate a significant number of vehicles, many of whom if travelling from the direction of the M25 or Sevenoaks/Tunbridge Wells direction are going to travel through the Village and not via the A228 bypass

From: [REDACTED]
To: [Licensing Services](#)
Cc: clerk@offham-pc.gov.uk
Subject: Kentfield Farm - New License - Local Resident Objection
Date: 30 March 2023 00:14:25

To whom it may concern at TMBC,

I have been notified by our local parish council that Kentfield are seeking an additional 10 licenses to host large format parties/festivals of 950 people.

The first point of concern is that this is in addition to their 2018 licence which would total over 30 events over the summer months. As a local resident are we not entitled to the quiet enjoyment of our gardens and to have windows open at night?

Are Kentfield proper individuals to hold a licence when their 2018 licence states they are to provide details, in advance of each event of how to make contact if there are any concerns for the event. I have enquired and Kentfield have never provided these details to the parish council, there has never been a clear path to raise concerns. This is a breach of their licence and demonstrates no interest in local feedback.

I have concerns about propriety as Kentfield have stated via facebook the following 'For example, this year we only have one job over our 200 guest limit, which is for 700 guests for a company called CSL who are owned by Kent County Council and based at Kings Hill. They are looking to host their Summer staff awards here, and to get all their remote working from home staff together to say thank you and to present awards and have a fun fair themed celebration for the staff.'

If the above is to be understood as written Kentfield have already taken a booking from KCC for a licence they don't hold but assume they will hold as they have 'friends' linked to KCC. Can you see how this reads? There is an assumption of award, surely that is not the starting position if genuine consultation with the local parish is intended.

Kentfield also state they insist on a route into the estate but they don't state they manage the exit process, which is when there is more of a safety issue with Drink and Drug driving and speeding through Offham village. Surely this is an issue of public safety?

What is the classification of Kentfield as a commercial premise, have they sought a change of use?

Noise control – again via facebook Kentfield state they check noise control by recording on their phones. Is that an authorised measurement tool recognised by the council? I have looked into the some guidelines on noise and some councils state that one to three events in a rural area per month should not exceed 65dB, so why are Kentfield looking at permissions for 95dB? The research I have looked up state 75dB is the maximum during the event. Has any noise modelling been undertaken and can we see the report? If it hasn't been undertaken how does the council know the noise is not drifting or too noisy?

This is from a council document I have read to understand noise management for events 'To be able to carry out your own noise monitoring using measurements, you need to be competent in using a sound level meter. These can be complex, and the more sophisticated instruments will require training before they can be used correctly. Some basic meters can be purchased cheaply from high street electronics stores or are available as free 'apps' for certain smartphone and tablet devices, however these are not adequate for monitoring noise from outdoor events. Noise levels should be measured using an integrating-averaging sound level meter complying with type 2 or better (British Standard 6698). The background noise level (LA90), where necessary, should be measured using a sound level meter complying with type 2 or better (British Standard 5969). The Time weighting F (fast response) should be used.' Can TMBC please advise they

have inspected and checked the sound level meter equipment of Kentfield? And they are satisfied it is in use and reported back?

Other councils seem to request noise management plans to be submitted two months in advance of an event of up to 999 people, is this what TMBC are also requesting? Is there a noise management plan to share with local residents?

Nuisance – what studies have been undertaken to consider how local features dampen or elevate noise concerns? Such as wind, water, trees, hills and nearby buildings. Also in relation to nuisance what consideration is given to the cumulative affect of events, especially as this new licence can permit over 30 over the warmer months, which could be 8 events per month. Anything over three per year seems to be frowned upon by some councils.

Can TMBC advise when they have spot checked Kentfield events to measure noise levels and their findings, would be good to know that they have always found Kentfield to be in compliance with their licence terms before making any extensions. Can the methodology be advised for measuring noise propagation, how do Kentfield report back after each event that they have met the terms of their licence?

What pressure does such large events place on the emergency services?

I look forward to seeing how TMBC reply in full to these concerns. Many thanks for your time.

Kind regards,

[Redacted signature]

[Redacted content]

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www.tmbc.gov.uk

LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	Parish Council Clerk
Organisation name/name of body you represent	Offham Parish Council
Postal address	██████████ ██████████ ██████████ ██████████
Email address	clerk@offham-pc.gov.uk
Daytime contact telephone number	██████████

Name of the premises you are making a representation about	Kentfield Estate
Address of the premises you are making a representation about	Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent ME19 5RL

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	Yes	Please see attached document
Public safety	Yes	Please see attached document

Prevention of public nuisance	Yes	Please see attached document
Protection of children from harm		
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account		Please see attached document

SIGNED: [REDACTED]

DATED: 30.03.23

NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing sub Committee for a Licensing Hearing and any subsequent appeal proceeding. If you do **not** attend, the Committee will still consider any representations that you have made.
2. This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper.
3. They can only relate to the four licensing objectives:
 1. Prevention of crime and disorder
 2. Public safety.
 3. Prevention of public nuisance
 4. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will REDACTED (personal information taken out) and published in the report available to the Licensing Committee, which will be publicly available.
5. Please return this form when completed to:

Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:

Email: licensing.services@tmbc.gov.uk



30th March 2023

T0: TMBC Licensing Section
Legal Services

**Re: Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent
23/00221/PREM**

Councillors would like to support local business and understand how difficult the situation is in the current climate. However, Councillors must carefully balance the support for business with the needs of local residents, their entitlement to peaceful enjoyment of their homes, and reflect the views they have expressed.

The situation is confused by the separate licensing and planning applications, the number of planning applications and documents, and it is a complex task to ascertain what is valid and what the conditions are.

There is currently no planning permission for a permanent marquee on the site to be used for weddings and other events (TM/21/02186/FL).

We understand that permission TM/19/01573/FL lapsed in December 2020, but also believe that events have continued, as the applicant acknowledges in this application. In correspondence with TMBC Licensing on 22 March, the applicant has indicated that he has one job for 700 guests for a company called CSL. You will be aware that there is no Planning Permission and no Licencing Permission that would allow such an event.

Kentfield Farm is advertising for events using banners on approach roads and on their website.

The application states that "*We have operated as a corporate event business, wedding and private party venue since 2019 without any issues of traffic, unsociable behaviour or noise complaints from the local residents*".

The Parish Council has received complaints about issues of traffic, unsociable behaviour and noise complaints from local residents. In August 2021 we understand that residents complained to TMBC Planning Enforcement. We also understand that in October 2022 residents made contact with the applicant, TMBC Environmental Health and TMBC Planning Enforcement with complaints about amplified music being a nuisance. We have been told that residents have also complained direct to the applicant on more than one occasion.

The current conditions and management plan do not appear to protect residents from noise and nuisance, so allowing a licence for larger events will cause more distress and disturbance.

The Parish Council refers to its email of 10 January 2018 to Licensing about application 17/01899/PREM. Villagers expressed serious concern at that time about a variation of the condition relating to Lake Usage and to allow the African Lodge to be used for commercial activities. There were concerns about public nuisance from noise and traffic - "the personal experience of villagers is that the noise is much louder in the village and upsetting to home life". That remained the case more recently.

Prevention of Public Nuisance

Planning Permission TM/18/01930/FL sets out the requirement for an event Management Plan, and specifies events: "shall not exceed 200" - to adequately protect the amenities of residents in the local area. If the amenities of local residents need to be protected by setting a limit at 200, then increasing that limit to 950 will severely damage the amenity of local residents.

It would be helpful to have a condition that the Parish Council is notified in advance of an event. This will allow us to notify residents in advance, so that they can make any necessary plans, and to monitor if the terms of the Licence in terms of adherence to the number of events.

The signed Notice of Determination dated February 2018 states that Offham Parish Council should be notified 14 days prior to an event taking place. The Parish Council has not been notified of any events taking place in advance.

It would appear likely that to grant such an increase in size in the number of people would need further planning applications for structures to accommodate those people. This would concern the Parish Council, particularly given the planning applications, permissions and lapsed permissions already in place.

A robust traffic management plan is essential to prevent public nuisance and potential crime and disorder. There will be a large amount of traffic for 950 attendees, staff, supplier deliveries etc. There is a great potential for public nuisance due to the volume and times of traffic of vehicles accessing the property. Access must not be via Tower Hill, as accepted in the application, but the danger is that this is where sat nav may direct vehicles. It appears that the 'Ashtree Farm Event Venue' entrance is to be used. Although the most distant entrance from Offham, there is significantly restricted vision for approaching drivers from St Leonards Street, for which KCC Highways must take a view.

Traffic on Teston Road already presents a problem in terms of volume of traffic and speed of vehicles. The Parish Council is working with Kent Highways to protect the safety of drivers and residents. The increase in the number of vehicles to and from events of this size will inevitably cause safety issues. We understand that most sat navs will direct traffic through the village using Teston Road, so it will be extremely difficult whatever conditions are imposed in the management plan to ensure vehicles access from King Hill. The more people at each event, the greater the number of vehicles and the more vehicles that will drive through the centre of the village.

It has been pointed out that the sound report in the original planning application was on the basis of no loudspeakers outside the lapa, whereas this licensing application specifically states loudspeakers also in the marquees. This will create considerably more noise nuisance for residents.

Any permission would require much more active noise monitoring from the applicant at every event, rather than just responding to complaints afterwards.

The prevention of crime and disorder and Public Safety

There is the potential for Crime and Disorder problems caused by too many vehicles using the small village roads to access and leave the property and late night drinking on the site which may then result in people causing disruption.

The Parish Council believes that the police should be consulted about this application.

If permission were to be granted, a very robust management plan must be put in place suitable for events of this size, and the Parish Council and residents should be consulted about the contents of that plan. An easy way of making complaints on the evening of an event should be required of and established by the applicant, with monitoring and enforcement of any breaches dealt with swiftly by TMBC.

Yours sincerely

██████████
██████████

Offham Parish Council Clerk

From: [REDACTED]
To: [Licensing Services](#)
Subject: Objection to extension of license Kentfield Estate, ME19 5RL
Date: 29 March 2023 15:26:44

Dear Sirs

Please find below my objections to the above proposal.

Yours faithfully

[REDACTED]

LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	[REDACTED]
Postal address	[REDACTED] [REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

[REDACTED]

Name of the premises you are making a representation about

(Ian Barwick, Kentfield Estate)

Address of the premises you are making a representation about

Teston Road, West Malling, ME19 5RL

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder		With the substantial increase in visitor numbers and the sale of alcohol it is unfortunately likely that there will be an increase in anti-social behaviour on the site and in the adjacent area.
Public safety		<p>The entrance/exit onto the Teston Road (which is derestricted) is on the apex of a bend and extremely dangerous in both directions . It cannot be approached on foot as there are no pavements. The alternative i.e. the entrance opposite Offham Road is also dangerous as it is hidden when approached from the Offham direction and not being tarmac is likely to spread debris onto the Teston Road. The Tower Hill approach is a single track and also has no pavement.</p> <p>Although the attendees will be directed in the King Hill direction it is likely that a percentage will take other routes sending additional traffic through Offham Road (most of which is derestricted at present), Fartherwell Road which is a Quiet Lane and Offham Village which already has its own traffic problems.</p>
Prevention of public nuisance		Music from this venue (whether recorded or live) can be heard in Offham, Offham Road and the Fartherwell Road areas at present depending on the wind direction. It should also be borne in mind that a large proportion of the proposed period is during the summer most likely to be at weekends , when windows are frequently left open.
Protection of children from harm		Additional traffic through Offham Village and Offham Road late at night will disturb the residents, especially children.

Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account

SIGNED: 

DATED: 29.03.2023

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LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	Offham resident
Postal address	[REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

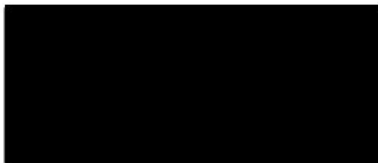
Name of the premises you are making a representation about	Kentfield Farm
Address of the premises you are making a representation about	Tower Hill, Offham, Kent

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	No	
Public safety	Yes	Please see attached email sheet

Prevention of public nuisance	Yes	Please see attached email sheet
Protection of children from harm	No	
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account		Maximum attendees 200. Latest closure time 2300hrs

SIGNED:



DATED:

NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing sub Committee for a Licensing Hearing and any subsequent appeal proceeding. If you do **not** attend, the Committee will still consider any representations that you have made.
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5. Please return this form when completed to:

Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ

Or email your Representation including your name and address to:
 Email: licensing.services@tmhc.gov.uk

As a resident of Offham, may I please be permitted to object to this license application in relation to two specific matters,

1. The maximum capacity of up to 950 guests, and
2. The closure deadline of midnight.

The grounds for this objection are the potential harm to public safety and the level of public nuisance.

1. Public Safety.

The stated capacity of 950 guests implies that the site will have to anticipate the accommodation of over 500 cars to each event. Access to the site would be from the Teston Road, which is an unclassified road passing through the historic village of Offham. The road itself is narrow and unlit with no footpaths and access to the site is on the inside of a bend, and thus having restricted visibility, in that road, which has the unrestricted 60 mph speed limit associated with it. To have so many cars entering and exiting the site (particularly after guests having consumed alcohol during the evening, although hopefully within the legal limit) will cause a public safety issue since the road and the access point is simply not designed for such heavy usage. It is noted here that in 2018, the TMBC granted planning permission in respect of site usage for up to 200 guests and a subsequent application in 2019 to increase this to 400 guests was refused. It is stated that a past event has been held with the applicant claiming variously 800 and 1000 guests (the Scout event held over a weekend), and it is to be noted that this event was held during the whole weekend with people coming and going over the whole of that time and was not subject to the peak entry/exit stresses which are inevitably associated with wedding events and the like and thus cannot be helpfully compared with what is being planned with this licensing application.

2. Public Nuisance.

Secondly, in the 2018 planning permission granted by TMBC, a time deadline of 11pm was set to ensure that the nuisance to local residents was restricted. Again, this permission was sought to be extended in 2019 to midnight but refused by TMBC out of consideration of the public nuisance to neighbours. I believe that no such event has been held to date with more than 200 guests or, indeed more than 80 guests apart from one event with 130 guests and another with 170 guests. There is no doubt that intrusive noise from amplified music will be heard by neighbours and especially so with such significant events being anticipated with over 1,000 people present, including staff, at the events; the question is to what extent that represents an acceptable intrusion and, beyond that, becomes a public nuisance. I understand that no tests have been made at this time and therefore the level of sound intrusion (which is dependent upon many factors, eg wind strength and direction) can only be speculated upon. I would observe that TMBC imposed these planning restrictions (in anticipation of only 200 guests), and refused upon application to vary them, after careful and considered thought and imposed those restrictions to protect the local community from public nuisance and believe that the Licensing authorities should take note of their independent ruling.

Yours etc



29th^h March 2023

Dear Sir / Madam,

Premise Licence – Ian Barwick Kentfield Estate, Ashtree Farm Teston Road ME19 5RL

Please accept this notice as my formal objection to the above premise licence application.

The granting of a premise licence enabling the sale of alcohol and the playing of both live and recorded music on any or every day between the hours of 12:00 and midnight would be in direct conflict with the licensing objectives.

For the following reasons; -

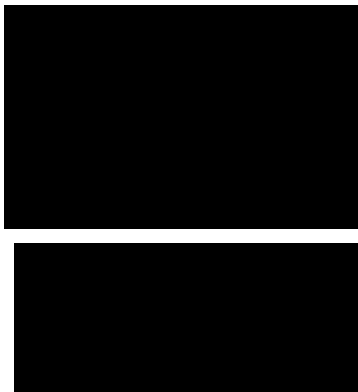
Prevention of public nuisance –Ashtree Farm is located in a rural setting just outside the village of West Malling, sharing its location with a number of residences that run along-side Fartherwell Road and Offham Road. Noise levels from previous events have been significant but infrequent and should not be underestimated by the granting of such a far reaching licence which would potentially allow loud music to be played any/every day between midday and midnight.

Public Safety – Entry and Exit from Ashtree Farm onto Teston road is into a narrow county lane with a 60 mile an hour speed limit there is no street lighting nor any pavements to enable people to walk to the location safely. These roads are unsuitable for large volumes of traffic entering and leaving Ashtree Farm safely.

Prevention of Crime and Disorder – If the events are successful then large numbers of people are likely to gather at Ashtree Farm and the surrounding area. The remoteness of the location, lack of street lighting and pavements, coupled with the sale of alcohol until midnight will increase the risk of anti-social behaviour both at Ashtree itself and in the country lanes and residences that share the immediate area.

Thank you for your attention.

Kind Regards



From: [REDACTED]
To: [Licensing Services](#)
Subject: [SUSPICIOUS MESSAGE] Kentfield / Ashtree Farm new licensing application 23/00221/PREM
Date: 28 March 2023 18:51:01

Good morning,

With reference to the above application, I wish to object to the application, as follows;

The Prevention of Crime and disorder:

“Staff will look out for underage drinking, drugs and anti-social behaviour”.

The applicant has said that there are 250 acres available! There is no mention of what “appropriate action would be taken by the event Manager”. Surely this is of vital importance.

Anyone leaving in the early hours, either under the influence of alcohol, drugs or high spirits can commit a crime or anti-social behaviour in Offham under cover of darkness.

Public Safety:

The applicant puts much emphasis on “the entrance is a mile from the village” and “guests will leave from the entrance” but the traffic will come through the village, to and from, to access the motorways in Wrotham Heath and other exit routes. In excess of 600 vehicles driving through within a short period of time during the day will have a great impact. Offham has children of all ages, dog walkers, elderly residents etc., whose safety would be compromised.

Approx. 600 vehicles will come through the village between the hours of 10.00pm and 2.00am. There are no lights, a danger to anyone walking in the village.

The Prevention of Public Nuisance.

This is being encouraged, not prevented judging by the number of complaints on noise and traffic generated since the continual commercialisation of this site

over the years. Offham is a small village, totally unsuitable for this and will be subjected to approx. 10,000 people coming through the village over the summertime. Noise, massive pollution – KCC is proud to announce a Net Zero Plan to Reduce Emissions – how does this sit with allowing Offham to be polluted on a weekly basis? We should an entire population have to suffer for the financial gain of one individual. The application states all

complaints to be taken to the applicant – surely a case of closing the door after the horse has bolted judging by past experiences – who will be both judge and jury on any Public Nuisance that has been caused. Is it not a Public Nuisance to have vehicles, not needing to be driven in the village, causing noise to be heard and lights to be seen across bedroom ceilings between 10.00pm and 2.00am?

Sleep deprivation is a well-known cause of mental illness.

The protection of children from harm.

The lake is adjacent and to have notices saying “do not enter the water” offers no protection to children who become easily bored and can wander off from such a large gathering.

Kentfield is not a farm it is a corporate entity - Kentfield Country Estate, Ashfield Farm was open to the public for commercial activities prior to purchase so neither was a farm seeking to diversify to keep a traditional farm. The applicant makes great use of “only” “Only looking to hold 10 events”. “Only six months of the year” several times, which is the six months we enjoy the fresh air and tranquillity of our lovely village, with windows open and walking and talking at leisure.

Alcohol will be served for 12 hours; the applicant assures that non-alcoholic beverages will be available from 10.00pm but alcohol will still be too.

Each new commercial activity puts a further blight on our lives, desperately for those living adjacent to the site, now nearly 1,000 people having alcohol available for 12 hours and then coming through Offham is a fear that we should not have to face.

I object most strongly to this application.

Kind regards,



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WEST MALLING PARISH COUNCIL

9 High Street, West Malling, Kent ME19 6QH

Telephone: 01732 870872

email: clerk@westmallingpc.org

website: www.westmallingpc.org



Clerk to the Parish Council: Claire Christmas

31 March 2023

Geoffrey Stevens
Licensing Officer
Tonbridge and Malling Borough Council

Kentfield Estate, Ashtree Farm, Teston Road, Offham

WMPC OBJECTS to the licensing application for the Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent (REF 23/00221/PREM). This objection is based on allegations of non-compliance with the existing licensing agreement and concerns about the new licensing application. There are also a number of material planning concerns which should also be noted.

Licensing

Residents have raised concerns about the compliance with the current licensing agreement, including the conditions placed on the timing and volume of music, which should be limited to 95dbs at source and within the operating hours of the licence. Residents regularly complain of loud music outside of hours, which is often exacerbated by meteorological conditions. Care should also be taken to ensure that speakers are only projecting sound away from the closest residents, as set out in the license agreement conditions. These complaints appear to demonstrate that the licensee may not currently be meeting the licensing objective requiring the prevention of public nuisance and this should be investigated promptly.

WMPC objects to this new application on the grounds that it will not meet at least two of the licensing objectives, namely the prevention of public nuisance and the need to maintain public safety.

Public nuisance

The large increase in attendee numbers is likely to generate higher levels of noise, including but not limited to the use of amplification systems, chiller units and beer pumps, handling of barrels kegs, cylinders and bottles outside. Any approved application should include strict conditions to limit the level of noise.

Larger events like those proposed in the application are also likely to contribute significantly to light pollution levels. Outdoor artificial lighting is a particular cause for concern, and may spill over onto neighbouring properties causing annoyance, distraction and discomfort.

Similarly, the current mix of events at the Kentfield Estate site already cause significant noise, pollution and congestion from large numbers of vehicles entering and exiting the village of Offham and using nearby access roads, including Teston Road in particular. Access to the site is also confined to certain routes because of the height restrictions of railway bridges on access route to the north.

Public safety

Large levels of existing traffic accessing the site would be exacerbated by these proposals, which would significant increase the number of vehicles attempting to access the site. This would include increased

number of attendee vehicles and an increase in the number of delivery vehicles. An increase in the level of traffic on narrow, rural roads, including Teston Road in particular, and through the village of Offham is a direct risk to public safety.

Similarly, the proposed access via the Ashtree Farm entrance will not only have an impact on the already stretched road system, but is also located on a blind bend, posing significant risk to drivers, as well as the large numbers of pedestrians and equestrian users who use this area.

Planning

There are a number of material planning concerns linked to this site, detailed comprehensively in the submission from Offham Parish Council. In particular, the permanent marquees on the site do not have approved planning permission and advertising banners on approach roads have also not been subject to any form of planning scrutiny.

Yours sincerely



Mrs Claire Christmas
Clerk to West Malling Parish Council

MEMO

Planning, Housing and
Environmental Health

To: Licensing Services

From: Environmental Health

Applicant: Kentfield Estate

Address: Ashtree Farm Teston Road Offham Kent ME195RL

Description: New Premises Licence Application

Thank you for requesting my comments on this Licensing Application, which was received by me on 08 March 2023

My comments are as follows:

Environmental Protection Team:

I understand that in addition to increasing the number of attendees to 950 (from 200) on up to 10 days per year, the Applicant is also proposing to have live and/or amplified music in both the Lapa/African Lodge and a marquee.

Although music in the Lapa/African Lodge was permitted in the earlier Premises Licence (17/01899/PREM), it was only allowed there and not in any other location, such as a marquee. This was in part due to the very poor acoustic performance of such structures and the possibility that Offham residents could be unduly impacted by music if held there. In the absence of any information indicating that recorded and/or live music in a marquee would not unduly affect residents in Offham, I would object to this aspect. I envisage that a new noise assessment will be required to evaluate the impact of any permitted music in a marquee at the site.

I would also seek clarity on whether the proposed 10-days will be included within the 28 functions allowed for under Premises Licence 17/01899/PREM, or whether these will be an additional 10-days.

If granted, I would ask that Conditions 11-18 (inclusive) of Premises Licence 17/01899/PREM (also for Kentfield Farm) be brought forward into this Licence. In relation to Condition 15, specific information should be sought about the noise limiter installed and its calibration, and this will need to be provided and approved before any such functions are held. For clarity, I would add that the new noise assessment referred to above should be received and approved before the grant of the Premises Licence.

I am also aware that there is a Planning Permission for this site (TM/18/01930/FL), the Conditions for which mirror those within the Premises Licence. I would recommend that the Applicant consult with the Council's Planning team to ascertain what changes (if any) would be needed to the Planning Permission.

Peter Thomason

Food & Safety team:

E N D



LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party of the premises to be licensed as detailed below:

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	
Postal address	[REDACTED]
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Ian Barwick,
Address of the premises you are making a representation about	Kentfield Estate. Ashtree Farm, Teston Road, ME19 5RL

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder		
Public safety		Ashtree Farm is situated on a very busy road which has no pavements presenting a high risk for any pedestrian access, the proposed entrance/exit is on a junction of Teston Road/St Leonards Road Parking the risk of traffic jams for the volume

		of attendees proposed is very high. Teston Road runs through Offham affording an alternative route avoiding West Malling which carries a huge amount of heavy traffic that cannot go through the town due to weight restrictions.
Prevention of public nuisance		The venue attracting the volume of attendees with access to alcohol and the sound of loud music which carries considerably will increase the risk of anti social behaviour causing extreme inconvenience to the houses within the vicinity vehicles exiting en mass could very well cause accidents.
Protection of children from harm		
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account		

SIGNED:



DATED:

NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing sub Committee for a Licensing Hearing and any subsequent appeal proceeding. If you do not attend, the Committee will still consider any representations that you have made.
2. This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper.
3. They can only relate to the four licensing objectives:
 1. Prevention of crime and disorder
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 3. Prevention of public nuisance
 4. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will REDACTED (personal information taken out) and published in the report available to the Licensing Committee, which will be publicly available.
5. Please return this form when completed to:

Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ



31st March 2023

To : Licensing Services
TMBC

Re : License Application Kentfield Estate/Ashtree Farm, Teston Rd, Offham, ME19
5RL

I raise the following objections to the above license application :

First Premises Licence 17/01899/PREM

This application is additional to an existing licence, First Premises Licence 17/01899/PREM which allows for 28 events/year for a maximum of 200 people. In essence this application is requesting an ADDITIONAL 10 events/year for a maximum of 950 people. As such this licence should be considered in addition to the existing licence and the impact that the 2 licences, running simultaneously, will have on the local residents and environment of Offham.

It should also be noted that the initial licence states a maximum of 200 people for any given event. The Kentfield Estate website kentfieldcountryestate.co.uk states 250 people. This clearly contravenes the current licence conditions.

Furthermore, although this application states that access will be via Ashtree Farm, Teston Rd, sat navs (including Google) direct traffic down Tower Hill. This contravenes the current licence conditions.

Lastly, the condition exists that all events must be published in advance on Kentfield Farm's website, including a contact number and name to call in the case of a complaint. There are no events posted on the site.

Planning

TM/18/1930/FL

Erection of a temporary marquee to be used to host events.

This application ceased to exist on 31st March 2020 , presumably superseded with TM/21/02186/FL.

TM/21/02186/FL

Erection of a permanent marquee to be used for events. This application is still 'waiting decision' from TMBC and as such planning permission has NOT been granted for the buildings which are used to host the events contained within the First Premises Licence.

TM/12/01146/FL

TM/15/03939

The lapa building nor lake do NOT have planning permission for commercial use.

As such, if planning permission has not been granted for the premises how can license applications be granted?

Noise - music

The First Premises Licence states that noise levels are not to exceed 95db. This is for an event of 200 people. Surely noise levels from an event with an additional 950 people will greatly increase? Please confirm that the noise limiter is in existence as per the Code of Practice. Furthermore, as I hear music and noise from my own house in the months May – October please confirm that this is being adhered to and what steps are in place to ensure that noise levels are not being exceeded.

Traffic

As previously stated sat navs still direct traffic down Tower Hill rather than the access at Ashtree Farm suggested by the applicant. This is currently for a maximum of 200 people. An increase to 950 people will increase traffic not only along Teston Rd and through the village but also down the single track road of Tower Hill. This volume of traffic will also cause queues and bottlenecks through the village causing distress and inconvenience to local residents. In addition, the increase in traffic will undoubtedly cause higher levels of pollution in Offham, a residential area, causing stress and a negative impact on the wellbeing of the Offham residents.

General Purpose of the Premises

Lastly it should be noted that this premises has not existed as a farm business at any time since Mr Barwick purchased the dwelling. Indeed it was a residential dwelling. The farm ceased trading many years before the purchase.

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From: [REDACTED]
Sent: 29 March 2023 15:18
To: Licensing Services <Licensing.Services@tmbc.gov.uk>
Cc: Planning Applications <planning.applications@tmbc.gov.uk>; Planning Enforcement <planning.enforcement@tmbc.gov.uk>
Subject: 23/00496/LINF - Ashtree Hall, Ashtree Farm, Teston Road, Offham, West Malling, ME19 5RL

Good afternoon,

I am emailing in relation to the above license application which was submitted on 6th March 2023.

Having assessed the planning history in connection with the site (as outlined in the site plan submitted as part of 23/00469/LINF), the planning department issue a **holding objection** to this license application.

Planning permission was granted under TM/19/01573/FL (Variation of conditions 3 (archaeology), 8 (hours of events) and 17 (cease of development) of planning permission TM/18/01930/FL (Erection of a temporary marquee on the site to be used in conjunction with the existing lapa for weddings/events; the erection of 3 holiday let units (timber pods); and utilisation of existing access from Teston Road)) on 24th January 2020 with a number of conditions imposed including condition 16 which stated that: *'The development hereby permitted shall cease on or before 20 December 2020. On or before this date, the development carried out in pursuance to this permission shall be demolished/removed from the site in totality and the land restored to its former condition and used in accordance with a scheme which shall have been previously submitted to and approved in writing by the Local Planning Authority'*

It is acknowledged that a planning application was submitted to the council under TM/21/02186/FL (Erection of a permanent marquee on the site to be used for weddings and other events) on 9th August 2021 however at present this application has yet to be determined therefore from a planning perspective there are no extant planning permissions in place and no planning conditions imposed to control the use of the site.

Regards,

[REDACTED]
Planning Enforcement Officer
[REDACTED]

[Open an account](#) to nav hills, report an issue or make an application