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LICENSING SUB COMMITTEE - 15 DECEMBER 2010

APPLICATION FOR GRANT OF A PREMISES LICENCE (S17)

Name(s) and address(es) of applicants(s)
Heathgate Land & Property Limited Slade Farm Church Lane Boldre Lymington Hampshire

Name and address of premises to be licensed
The New Forest Activity Centre Rhinefield Road Brockenhurst Hampshire SO42 7QE

Resume of application	Location on report
To permit the following activities: Regulated entertainment by way of: Plays Indoor Sporting Events Live Music Recorded Music Performance of Dance Anything of a Similar Description to Live/Recorded Music/Performance of Dance Facilities for Making Music Facilities for Dancing Anything Similar to Facilities for Making Music/Facilities for Dancing) Hours and Days requested: Monday to Sunday 09:00hrs to 22:30hrs indoors only.	Appendix 1

Responsible Authority	Brief Details of Responsible Authority Representations	Location on report
Police	No representations	Appendix 2
Trading Standards	No representations	
Social Services	No representations	
Pollution	<p>Objection on grounds of the prevention of public nuisance. No further measures are outlined given the consideration in the course of the previous application regarding poor sound insulation qualities of the building and the wide ranging use applied for in the application.</p> <p>There are no clear proposals or practical measures in place to prevent public nuisance in the vicinity.</p>	
Health and Safety	No representations	
Planning	<p>Objection on grounds of public safety and the prevention of public nuisance.</p> <p>Unsuitable access to the site via a private drive which is narrow and an unclassified country lane. The issuing of the licence could cause harm to the character and appearance of the area from additional vehicular traffic and human pressures placed on the area and neighbouring amenities.</p>	
Fire Service	Letters from Hampshire Fire and Rescue are included in the papers.	

Licensing Objective	Brief Details of Interested Parties Representations	Location on report
Prevention of Crime and Disorder	<p>There are over 80 letters and e-mails making relevant representations, many of which cover several areas of the Licensing Objectives.</p> <p>Increased risk of public disorder, vandalism, litter and theft.</p>	Appendix 3
Public Nuisance	The application does not provide adequate information or consideration in providing adequate sound insulation for the building. The applicant therefore needs to propose suitable practical measures to prevent noise nuisance in the vicinity.	

<p>Public Safety</p>	<p>The premises themselves are very acoustically leaky which would require a lot of money to soundproof it adequately.</p> <p>The noise would affect residents.</p> <p>It is felt that the civil re-enactments and active audience participation are both likely to breach the noise limits.</p> <p>There has been a history of other previous application which demonstrates consistent public safety and public nuisance concerns over time.</p> <p>The current application addresses none of the reasons clearly set out for refusing the application. The background to this application and the physical details of the location remain unchanged.</p> <p>None of the concerns expressed previously at hearing appear to have been addressed hence the continued concerns regarding noise and disturbance affecting residents south of Rhinefield Road and beyond.</p> <p>Access to the site is via a single unlit driveway off Rhinefield Road. The increase in traffic is bound to cause acute congestion and risk of life. Access by Emergency Vehicles would be near impossible.</p> <p>The current application does nothing to meet any of the problems raised, but merely states that a risk assessment will be carried out and put in place for the various events to take place. Elsewhere the application vaguely refers to strict supervision of the events taking place with regard to number of participants. It is clear that the applicant expects to attract more than the handful of people that could arrive in vehicles parked on the restricted site. In any event if the large capacity barn is to be lighted and heated for the winter, and/or evening events, it is clear that to be commercially viable more than a scattering of members of the public would have to be present.</p> <p>Allowing these events to take place would set up a dangerous precedent for commercial operations to set up similar events.</p>	
<p>Protection Of Children</p>	<p>N/A</p>	

Additional Information	Location on report
<p>A letter covering outline details of the objections has been sent to the applicant's solicitor, Paris Smith Solicitors asking if they intend to make any adjustment to their application in the light of the objections received during the consultation process.</p>	<p>Appendix 4</p>
<p>The Licensing Objectives - considerations:</p> <p>Representations have been made on the following objectives:</p> <p>Crime and Disorder, Public Safety and Public Nuisance.</p> <p>The Guidance issued under section 182 of the 2003 Act, which may be relevant in this matter, states:</p> <p>Crime and Disorder: Paragraph 2.4 The essential purpose of the licence is to regulate behaviour on premises and access to them where this relates to licensable activities and the licensing objectives. Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of, the premises as they seek to enter or leave.</p> <p>Public Safety: Paragraphs 2.19; 2.28 Licensing authorities and responsible authorities should note that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health. A capacity limit should not be imposed as a condition of the licence on fire safety grounds since, under article 43 of the Fire Safety Order, it would have no effect and so would not be enforceable.</p> <p>Public Nuisance: Paragraphs 2.32; 2.33 The 2003 Act requires licensing authorities and responsible authorities, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working in the vicinity that are disproportionate and unreasonable. Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low level nuisance perhaps affecting a few people living locally as well as major disturbances affecting the whole community.</p>	

Conclusion

The Licensing Sub-Committee must, having regard to the representations, take such measures as it considers necessary to promote the licensing objectives. These being:

- The Prevention of Crime and Disorder;
- Public Safety;
- The Prevention of Public Nuisance;
- The Protection of Children from Harm

Recommendations

The licensing objectives are the only matters to be taken into account when determining applications.

The **options** available to the Licensing Sub-Committee are:

- Grant the licence – with the conditions consistent with the operating schedule and the mandatory conditions of the LA2003 Act;
- Grant the licence – but modify the conditions, restrict certain licensable activities or operating hours;
- Reject the whole or part of the application.

Further information:

Paul Weston
Licensing Officer
Tel: 023 8028 5505
Fax: 023 8028 5596
Email: paul.weston@nfdc.gov.uk

Background Papers:

Licensing Act 2003
Section 182 Guidance
NFDC Statement of Licensing Policy

chq: 625669 Paris Smith LLP

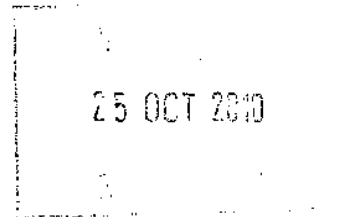
New Forest District Council
Licensing Services
Appletree Court
Lyndhurst
Hampshire
SO43 7PA

Our ref CGM/mcm/34248/22
Your ref
Date 22 October 2010
Direct line 023 8048 2289
Direct fax 023 8048 2368
Email cliff.morris@parissmith.co.uk

BY RECORDED DELIVERY

Dear Sirs

**Our Client: Heathgate Land & Property Limited
Application for a Premises Licence
New Forest Activity Centre**



We refer to the above matter and now enclose herewith, Application for a Premises Licence, together with Plan and our cheque in the sum of £100.00 in respect of the application fee.

We confirm that this application is submitted on behalf of our client on a without prejudice basis to any other discussions concerning the use, future use or planning applications for the site.

Yours faithfully



Paris Smith LLP

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Number 1 London Road Southampton Hampshire SO15 2AE

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Registered in England number OC308962

Insert name and address
of relevant licensing
authority and its
reference number
(optional)

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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.

25 Oct 2009

XWe Heathgate Land & Property Limited
(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 **Xwe** 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	
New Forest Activity Centre Black Knoll Rhinefield Road	
Post town Brockenhurst	Post code SO42 7QE

Telephone number at premises (if any)

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Non-domestic rateable value of premises

£	100.00
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Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick Yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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 | <input type="checkbox"/> | 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 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:

Please tick Yes

- 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 Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick Yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick Yes

I am 18 years old or over

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 Heathgate Land & Property Limited
Address Slade Farm Church Lane Boldre Lymington Hampshire
Registered number (where applicable) 03214470
Description of applicant (for example partnership, company, unincorporated association etc) Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	1	1	1	2	0	1	0

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

Day		Month		Year			

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

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

The premises consist of an equestrian centre with outbuildings and car parking area, accessed by a shared driveway.

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

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick Yes

Provision of regulated entertainment

- 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 entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	0900	2230	Please give further details here (please read guidance note 3)	Both	
Tue	0900	2230			
Wed	0900	2230	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	0900	2230			
Fri	0900	2230	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 (please read guidance note 5)		
Sat	0900	2230			
Sun	0900	2230			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	0900	2230	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	0900	2230	
Wed	0900	2230	
Thur	0900	2230	
Fri	0900	2230	
Sat	0900	2230	
Sun	0900	2230	
			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 (please read guidance note 5)

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur						
Fri						
Sat				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 (please read guidance note 5)		
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2230	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	0900	2230			
Wed	0900	2230		State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur	0900	2230			
Fri	0900	2230			
Sat	0900	2230		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 (please read guidance note 5)	
Sun	0900	2230			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2230	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	0900	2230			
Wed	0900	2230		State any seasonal variations for playing recorded music (please read guidance note 4)	
Thur	0900	2230			
Fri	0900	2230			
Sat	0900	2230		Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun	0900	2230			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2230	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	0900	2230			
Wed	0900	2230	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	0900	2230			
Fri	0900	2230	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2230			
Sun	0900	2230			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	0900	2230			Outdoors
Tue	0900	2230	Please give further details here (please read guidance note 3)		Both
Wed	0900	2230			
Thur	0900	2230	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	0900	2230			
Sat	0900	2230	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	0900	2230			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing					
			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)		<table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors
Indoors	<input checked="" type="checkbox"/>							
Outdoors	<input type="checkbox"/>							
Both	<input type="checkbox"/>							
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon	0900	2230						
Tue	0900	2230						
Wed	0900	2230						
Thur	0900	2230						
Fri	0900	2230						
Sat	0900	2230						
Sun	0900	2230						
State any seasonal variations for the provision of facilities for making music (please read guidance note 4)			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick ✓ (see guidance note 2)		<table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
			Indoors	<input checked="" type="checkbox"/>							
Outdoors	<input type="checkbox"/>										
Both	<input type="checkbox"/>										
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing								
Mon	0900	2230	Please give further details here (please read guidance note 3)								
Tue	0900	2230									
Wed	0900	2230									
Thur	0900	2230									
Fri	0900	2230									
Sat	0900	2230									
Sun	0900	2230									
State any seasonal variations for providing dancing facilities (please read guidance note 4)					Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)						

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	0900	2230		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0900	2230	Please give further details here (please read guidance note 3)		
Wed	0900	2230			
Thur	0900	2230	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)		
Fri	0900	2230			
Sat	0900	2230	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	0900	2230			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)		On the premises	
					Off the premises	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)			
Mon						
Tue			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 5)			
Wed						
Thur						
Fri						
Sat						
Sun						

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name
Address	
Postcode
Personal Licence number (if known)
Issuing licensing authority (if known)

N

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 8)

The premises will be open to members of the public to attend and participate in events either as audience or active participants using the premises. There are no activities that should give rise to concern in respect of children.

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	0900	2230	Non standard timings. Where you intend to use 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 5)
Tue	0900	2230	
Wed	0900	2230	
Thur	0900	2230	
Fri	0900	2230	
Sat	0900	2230	
Sun	0900	2230	

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

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

It is not intended to sell intoxicating liquor on the premises or provide heated food for consumption under late night refreshment. The premises are to be open between 0900 hours and 2230 hours in order for various licensable activities to take place, in accordance with the Planning Permission available on the site for permitted equestrian activities, events predicted to take place will include but are not limited to Archery, wall climbing, horse related activities which may include jousting tournaments, civil re-enactment, and other events and potentially opening up for barn dancing and/or live music. There will be strict supervision of the events taking place with regard to numbers of participants.

b) The prevention of crime and disorder

The premises are set back from the road, and strict attention will be made to the amount of noise emanating from the building to prevent disturbance to neighbours. It is not envisaged that the events taking place at the site will generate significant disorder, or indeed will facilitate any criminal activity or events.

c) Public safety

Risk assessments will be carried out and put in place for the various events to take place, with the approval if necessary of the Local Authority and the parties undertaking the events.

d) The prevention of public nuisance

Strict adherence will be made to the possibility of noise disruption and traffic disruption to the residents of the local area, there is sufficient parking for vehicles on site to take account of the planned events, and to ensure that vehicle access does not cause difficulties to neighbours. Noise monitoring will be in situ to ensure that the noise generated by the events does not exceed the limit provided for by the Environmental Health officers of the Local Authority.

e) The protection of children from harm

As stated above, risk assessments will be carried out to ensure that children are not put at risk of any harm through any of the activities taking place, where children are required to watch events, appropriate seating will be in place. Alcohol is not available to be sold and it is not intended that alcohol be sold on the site.

Please tick Yes

- 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 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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 - Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date 22/10/10

Capacity Solicitor

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **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 13) Paris Smith LLP 1 London Road Southampton Hampshire	
Post town	Post code SO15 2AE
Telephone number (if any) 02380 482482	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

20

Female WC

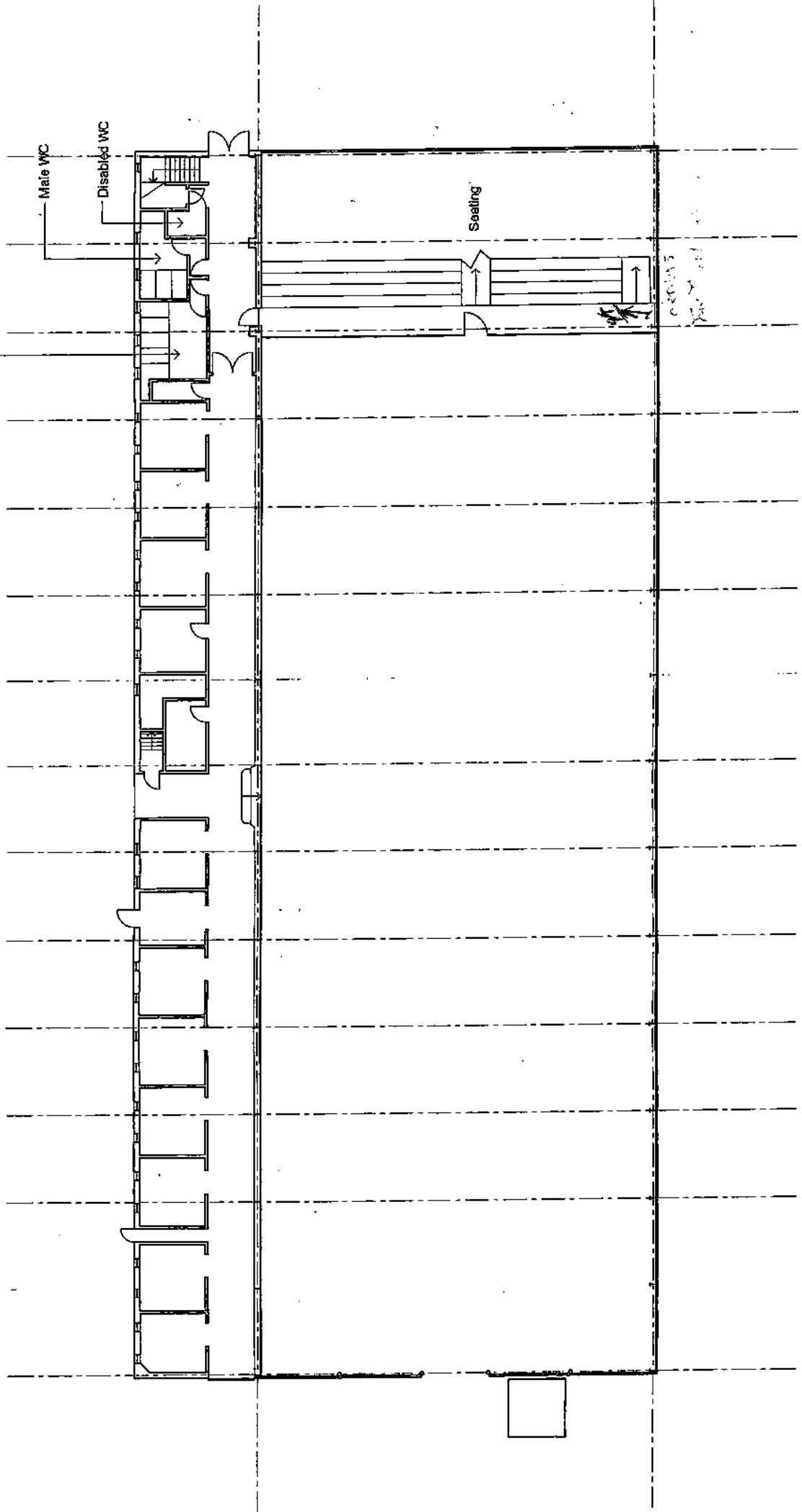
Male WC

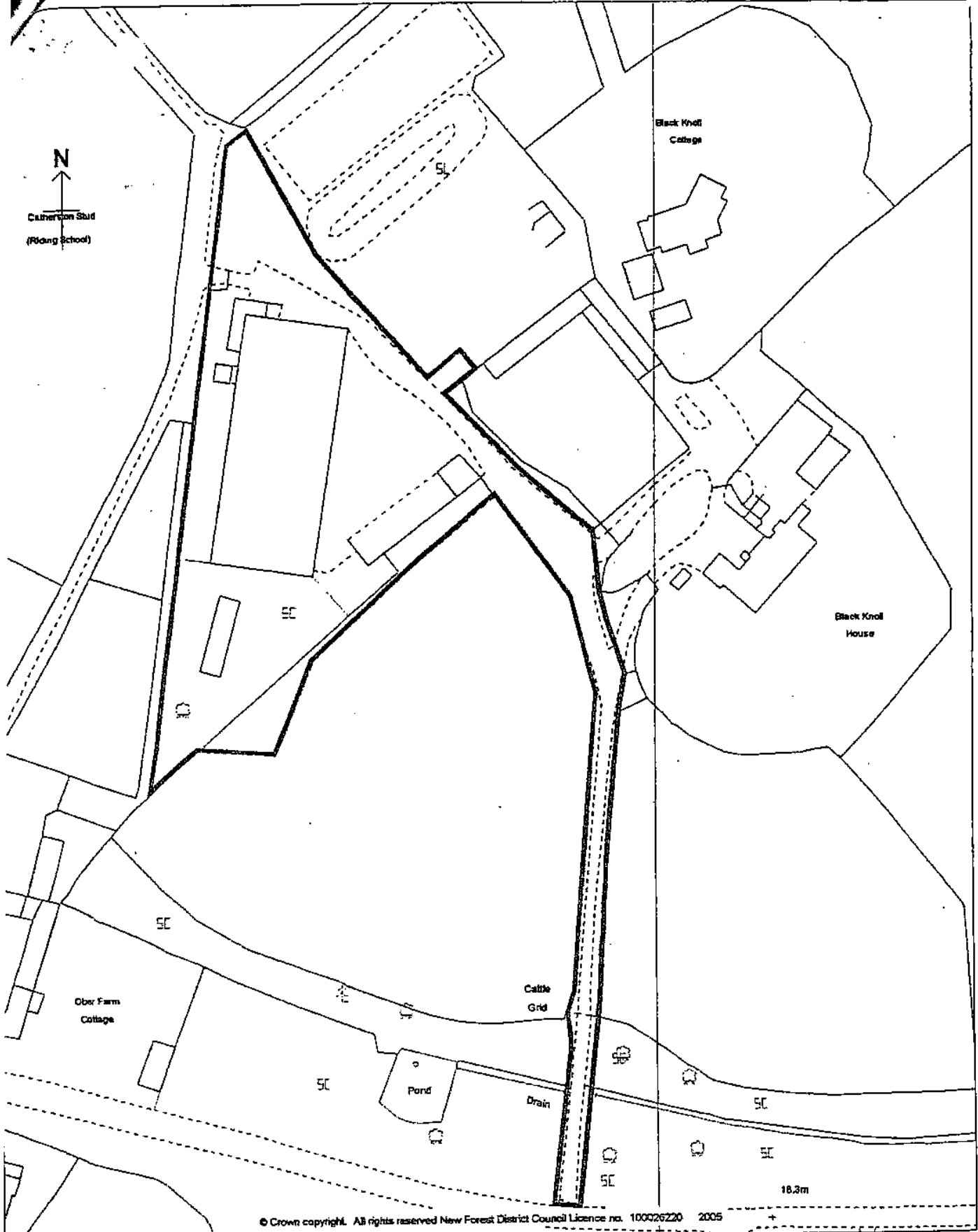
Disabled WC

Seating

ceiling
light

Ground Floor plan 1: 200
Black Knoll, Rhinefield Road, Brockenhurst





Community Services
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA
 Tel: (023) 80285000

LDCE
 Black Knoll
 Riding School
 Rhinefield Road
 Brockenhurst
 App No 83395
 SU2802 Scale 1:1250



Public Health & Community Safety

Head of Service: Annie Righton

The Licensing Officer
NFDC Licensing
Appletree Court
Lyndhurst, Hampshire, SO43 7PA

Our Ref: EPCST/10/07918

Your Ref:

28 October 2010

Dear Sir,

The New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE
Application for Premises License: 25/10/10

It is noted that the activities applied for are limited to the times of 09:00 to 22:30hrs daily. Further that, towards the prevention of public nuisance, the applicant states:-

'Strict adherence will be made to the possibility of noise disruption...'

and

'Noise monitoring will be in situ to ensure that the noise generated by the events does not exceed the limit provided for by the Environmental Health officers of the Local Authority'

No further measures are outlined. Given:

- the consideration, in the course of the previous application, of the poor sound insulation qualities of the application building;
- the wide-ranging use applied for in this instance,

there is a clear need for the applicant to propose suitable, practical measures to prevent likely public nuisance to the vicinity.

This Department must therefore object to the application. This letter is being copied to the applicant. Should further information be submitted by the applicant, we will advise you accordingly.

Yours faithfully

Edward Vandyck
Senior Environmental Health Officer
Environmental Protection

Tel: 023 8028 5160

Fax: 023 8028 5127

Email: edward.vandyck@nfdc.gov.uk

cc.

Paris Smith, DX 38534, Southampton 3



Disability Helpline
01425 656096

Minicom/Text: 023 8028 5416

Appletree Court, Beaulieu Road,
Lyndhurst, Hampshire SO43 7PA

T: 023 8028 5000

DX 123010 Lyndhurst 2

PARIS SMITH
DX 38534
SOUTHAMPTON 3

Our Ref: EPCST/10/07918
Your Ref:

11 November 2010

Dear Sir/Madam

The New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE
Application for Premises License: 25/10/10

Thank you for your letter of 5th November.

I note that reference is made to your clients willingness to adhere to any noise limit provided by Environmental Health at NFDC.

If this approach to managing noise impact is to succeed, the application must demonstrate that this approach is realistic, given the characteristics of the venue and the surrounding area. A suitable and sufficient method statement needs to be submitted with the application. As we discussed today, I can strongly recommend the following, as a minimum, is included:-

- ° a study to establish the background noise levels at the location, at the times applied for;
- ° a method statement to demonstrate how noise limits will be achieved (e.g. specific improvements to the building structure, use of noise limiters, management controls etc);
- ° a proposal to monitor ongoing compliance.

In the circumstances of the current application, the Local Authority would be looking for the applicant to achieve no increase in noise levels at noise sensitive property.

Please do not hesitate to contact me should you require further information.

Yours faithfully

Edward Vandyck
Senior Environmental Health Officer
Environmental Protection

Tel: 023 8028 5160
Fax: 023 8028 5127
Email: edward.vandyck@nfdc.gov.uk

cc. Licensing Officer, NFDC



NEW FOREST
NATIONAL PARK

Mr P Weston
Head of Licensing
New Forest District Council
Appletree Court
Lyndhurst
Hampshire
SO43 7PA

18 November 2010

Dear Mr Weston

Proposal **Application for a Premises Licence**

Site **The New Forest Activity Centre, Rhinefield Road,
Brockenhurst, SO42 7QE**

I write to advise that the New Forest National Park Authority, as a statutory consultee, objects to this second application for a Premises Licence on the grounds of public safety and public nuisance as it has not overcome the previously identified objections.

As previously noted, the site is located within the New Forest National Park, just north-west of Brockenhurst, and comprises a triangular area of land in partly wooded countryside. It lies outside the defined settlement boundary of Brockenhurst and transport would be heavily dependent on the private car. Access to the site is via a private drive from Rhinefield Road, itself a narrow and unclassified country road. Two residential properties lie within close proximity of the site and share the same private drive.

The site has agricultural origins as might reasonably be expected in this location and the largest building was constructed some 40 years ago. Although in 1992 retrospective planning permission was granted for the change of use of this building from agriculture to livery stable/riding tuition, the permission was subject to a section 106 agreement which limited the number of horses stabled on the site to 21. It also required activities related to riding tuition to take place only on the site. The level and nature of activities taking place on the site were therefore strictly controlled in the interests of protecting the amenity of the site and wider area from noise and nuisance.

It should be noted that in September 1995 New Forest District Council issued an Enforcement Notice in respect of an unauthorised change of use of the site *"from a mixed use of livery stable/riding tuition to a mixed use of livery stable/riding tuition and that for public entertainment."* The Enforcement Notice applied to the whole of the site and required the cessation of the use of the land *"for public entertainment including equine shows."* The Enforcement Notice took effect in early 1996.

New Forest National Park Authority
SOUTH EFFORD HOUSE MILFORD ROAD EVERTON LYMINGTON SO41 0JD
Telephone 01590 646615 Fax 01590 646686

www.newforestnpa.gov.uk
CHAIRMAN JULIAN JOHNSON CHIEF EXECUTIVE ALISON BARNES

The buildings and site had been unused for a period in excess of 10 years. In May 2002 planning permission was refused for the change of use of the largest building for light industrial purposes. The grounds for the reasons for refusal included harm to the character and appearance of the New Forest (by virtue of increased traffic and on site activity), an unsustainable location that would rely on the private car for access and the inadequacy of the existing roads to cater for the additional traffic movements. The subsequent appeal was dismissed in January 2003 where the Inspector noted in his decision that *"the site is in a quiet, country area with low levels of noise and activity, reached by an inconspicuous, single drive track. Even along Rhinefield Road, traffic flows are not high."*

The Inspector concluded that the additional traffic generated by the proposed development *"would be unacceptably harmful in respect of the areas character and appearance"* and that the harm arising from the increased traffic movements was *"sufficiently serious that it is not outweighed by the absence of such harm to highway safety."*

It is recognised that a lawful development certificate was issued in 2006 detailing the use of the site as a *"riding school and equine competition venue falling within Class D2 was lawful"*. However, a further application for B1 (Business) use of the building was refused and the subsequent appeal was heard at a Public Inquiry in October 2007. In dismissing this appeal the Inspector concluded that the additional traffic generated by the proposed development *"would have a harmful effect on the rural ambience of the area...and would have a harmful effect on the character and amenities of the surrounding area and in particular the NFNP"*.

It is therefore recognised that the site is located in a sensitive and rural part of the National Park and efforts to facilitate the re-use of the site have always been held as unacceptable. This is because of harm to the character and appearance of the area and harm to amenity arising from traffic movements. Such harm would be equally applicable on the grounds of public safety and public nuisance arising from additional vehicular traffic and human pressures placed on the area and neighbouring amenity.

The application for a Premises Licence could facilitate the re-use of the site to a level that there is no evidence of it or the wider area having accommodated previously. The issuing of a licence could begin to introduce the type of harm that has been identified and documented during the course of numerous planning applications and appeals. The issuing of a licence would therefore be harmful on the grounds of public safety and public nuisance and the statutory purposes of the New Forest National Park Authority would be contravened as a result.

Yours sincerely

Steve Avery
Director of Strategy and Planning

New Forest National Park Authority
SOUTH EFFORD HOUSE MILFORD ROAD EVERTON LYMINGTON SO41 0JD
Telephone 01590 646615 Fax 01590 646666
www.newforestnpa.gov.uk
CHAIRMAN JULIAN JOHNSON CHIEF EXECUTIVE ALISON BARNES



**HAMPSHIRE
FIRE AND
RESCUE
SERVICE**

Licensing Services
New Forest District Council
Appletree Court
LYNDHURST
Hampshire
SO43 7PA

Hampshire Fire and Rescue Service
Service Delivery (Community Safety Delivery)
Protection Department
Southsea Fire Station
Somers Road
Southsea
Hampshire
PO5 4LU

Tel: 02392 855180
Fax: 02392 855175

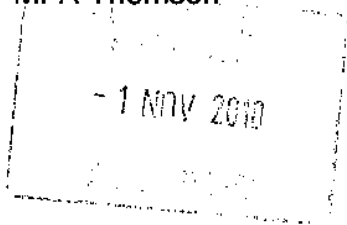
Date: 29 October 2010

Enquiries To: Mr A Thomson

Extension:

My Reference: F6/AT/GW/00817408

Your Reference: CGM/mcm/34248/22



Dear Sirs

Licensing Act 2003

New Forest Activity Centre, Black Knoll, Rhinefield Road, Brockenhurst

I refer to the application dated 22 October 2010 in respect of a Premises Licence for the above premises.

Having examined the documents I would notify you that Hampshire Fire and Rescue Service (the Fire and Rescue Authority) does not wish to make representations to the Licensing Authority.

Accordingly, I have no further comments to make on this application.

Any queries concerning these matters may be directed to the inspector named above.

Yours faithfully

for Chief Officer

cc: Paris Smith, 1 London Road, Southampton, Hampshire SO15 2AE



**HAMPSHIRE
FIRE AND
RESCUE
SERVICE**

Paris Smith
1 London Road
Southampton
Hampshire
SO15 2AE



Hampshire Fire and Rescue Service
Service Delivery (Community Safety Delivery)
Protection Department
Southsea Fire Station
Somers Road
Southsea
Hampshire
PO5 4LU

Tel: 02392 855180
Fax: 02392 855175

Date: 29 October 2010

Enquiries To: Mr Thomson

My Reference: F6/AT/GH/00817408

Extension:

Your Reference: CGM/mcm/34248/22

Dear Sirs

**Regulatory Reform (Fire Safety) Order 2005
New Forest Activity Centre, Black Knoll, Rhinefield Road, Brockenhurst.**

I confirm that I have received a copy of an application for a Premises Licence dated 22 October 2010 in respect of the above premises.

I would notify you that Hampshire Fire and Rescue Service (the Fire and Rescue Authority) has not made representations to the Licensing Authority. However, this should not be interpreted as meaning that fire precautions in the abovementioned premises is necessarily satisfactory. The Regulatory Reform (Fire Safety) Order 2005 requires the responsible person to make a suitable and sufficient assessment of the risks to which relevant persons are exposed and to remedy any findings of the assessment. The risk assessment should be conducted by a suitably competent person.

An assessment of the plans submitted with the above application has been made and it is suggested that the maximum number of persons permitted within the premises at any one time, based on the information provided, is 60, this is in respect of the seating area shown on the far right of the plan. This number given is due to the single means of escape shown on the plan for this area. It is recommended that this is recorded within the fire risk assessment for the premises. It has been unable to give a figure for the rest of the premises due to insufficient detail given for its use.

The premises will be inspected in due course in accordance with Hampshire Fire and Rescue Service risk-based inspection programme.

Continued/....

Any queries concerning these matters may be directed to the inspector named above but correspondence should be addressed to me.

Yours faithfully

A handwritten signature in black ink, consisting of stylized initials and a long horizontal flourish extending to the right.

for Chief Officer

cc Licensing Services, New Forest District Council, Appletree Court, Lyndhurst, Hampshire,
SO43 7PA

* Objector *

Sarah Wilson

From: Brockenhurst PC [pc@brockpc.freemove.co.uk]
Sent: 16 November 2010 20:59
To: Paul Weston; Licensing e-mail address
Subject: Premises Licence LICPR/10/07911 NF Activity Centre, Black Knoll, Rhinefield Road, Brockenhurst
Dear Mr. Weston

We are writing to object to the granting of the above numbered Premises Licence for the New Forest Activity Centre at Black Knoll.

1. Crime and Disorder implications

We are very concerned at the potential compromise in security for the residents at Black Knoll in view of the large number of people who will be attracted to the site. These could be in terms of litter, damage to property and disturbance of privately kept animals in the fields adjoining the track and in other fields on the site.

2. Public safety

The anticipated levels of traffic will be excessive given that one single track gives access to the site for the jousting and for the residential properties. Motor vehicles and pedestrians cannot be separated and two-way traffic is impossible. A bottle neck will be caused and access for emergency vehicles will be impossible. There is insufficient parking on site for the anticipated number of vehicles and overspill parking on the surrounding residential roads will be caused, further exacerbating emergency access. Evacuation procedures for the expected thousand people will be compromised by the poor access.

Overspill parking on neighbouring roads will create a public nuisance both to the residents and to the passing traffic which already uses Rhinefield Road, particularly in the summer months. The excessive traffic will be a hazard to the depastured animals and potentially will damage the area of SSSI in the immediate vicinity. The activity itself will generate excessive and intrusive noise which will be a nuisance to all surrounding residents over a large area. The sewage system may be overwhelmed with the resulting public health implications. The litter caused will also be a hazard to both the resident animals and those depastured on the forest. There is a duty to consider the implications for the peace and tranquillity of the National Park and this will be severely compromised by this proposal. Access by private residents to and from their own homes will be severely curtailed.

3. Public nuisance

The rejection of the Premises Licence no. LICPR/10/02286 earlier this summer highlighted the many reasons why activities such as music, dancing, civil re-enactments and jousting would be detrimental to the immediate neighbours and to the residents in the surrounding roads, along with road users on Rhinefield Road. All the same issues would apply to this application. In fact they could potentially be worse as the operating hours covered by this application are longer and cover every day of the week.

Any improvements to make the building less acoustically "leaky" would require planning permission, which has been refused on previous occasions. Activities such as music and dancing, civil re-enactments and jousting would generate a significant level of noise, which could not be contained within the building as it currently exists.

We trust these comments will be taken into account fully when the licence application is considered.

Mary Pattison
Brockenhurst Parish Council.

Sarah Wilson

From: Fred Batty
Sent: 16 November 2010 21:34
To: Licensing e-mail address
Subject: Black Knoll Premises Licence

Dear Mr Weston

Licensing Act 2003 - Grant of Premises Licence (S17)
Premises New Forest Activity Centre, Rhinefield Rd. Brockenhurst SO32 7QE
Ref: LICPR/10/07911

I would like to lodge my objection to the above application. I have a number of concerns but will list just two of them

1. **Public Nuisance especially noise.** This is a quiet and beautiful area of the forest very popular with local residents and holiday makers who enjoy the peace and tranquility of the area. All of this would be ruined by loud music, singing, shouting and other noise that this proposal would bring
2. The site is served by one narrow road. Often there are forest animals, horses, foals, and cows wandering in Rhinefield Road the one route to the site. This can be quite a safety hazard to unsuspecting motorists. Frequently local traffic is held up at the best of times, what it would be like with the added traffic with which this proposal would bring is difficult to imagine. Quite nearby there is a riding school which caters for horse riders many of whom are learners or new to riding horses. This will cause further havoc on Rhinefield Road with the additional traffic that this proposal would bring. Then there would be the problem for car parking. The proposals are very unclear on the provision of car parking facilities within the site undoubtedly some cars would find it more convenient to park illegally on Rhinefield Rd and in the surrounding side roads which would create a safety hazard to local residents not to mention the public nuisance caused to those residents

I would therefore be grateful if you would take into account my concerns when considering the above application,

Yours sincerely

Fred T. Batty, 26 Latchmoor Court, Brookley Rd, Brockenhurst, Hampshire. SO42 7PY

~~*~~ **Objection** ~~*~~

Sarah Wilson

From: DEREK ALLAN [mailto:
Sent: 20 November 2010 14:35
To: Licensing e-mail address
Cc: info@friendsofbrockenhurst.org.uk; Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: OBJECTION TO APPLICATION REFERENCE LICPR/10/07911

OBJECTION TO APPLICATION REFERENCE LICPR/10/07911
NEW FOREST ACTIVITY CENTRE RHINEFIELD ROAD BROCKENHURST SO42 7QE

I am writing to make my objections known in respect of the above application. The grounds of my objection are:-

1. PUBLIC SAFETY- Rhinefield Road is already used by a lot of cyclists all year round and I am of the opinion that the additional traffic that this would create would be a danger to all users. The road is a narrow and twisty one and I have already seen a few near misses. People would be coming from all directions including the Burley Road and I wonder whether the recently installed pinch points would not cause more problems that they are likely to solve. Traffic coming through Brookley Road and The Rise would be significantly increased on event dates and I have no doubt that this would be dangerous and cause significant traffic jams. There is also the issue of access for emergency vehicles.

2. PROTECTION OF CHILDREN FROM HARM A number of children are out in the forest around that area often on horses and again I can foresee significant traffic dangers to them if this were to proceed.

3. INCREASE IN CRIME LEVELS. I am of the opinion that there could be significant likelihood of crime resulting from the expected high level of people coming to the events.

2. NOISE AND GENERAL DISTURBANCE. The site is very close to a fairly densely populated area and there can be no doubt that the residents will be significantly affected by the noise. We live in Armstrong Road and we can hear the occasional outside events at Forest Park Hotel very clearly. This would be even worse.

My details are

DEREK ALLAN
DARROCH PLACE
ARMSTRONG ROAD
BROCKENHURST
SO42 7TA

22/11/2010

~~*~~ Objection ~~*~~

Sarah Wilson

From: Tim Angel
Sent: 16 November 2010 12:16
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Dave Yates; Cllr Maureen Holding
Subject: New Forest Activity Centre - Premises Licence - Reference LICPR/10/07911
Attachments: New Forest Activity Centre - Licence Application Ref LICPR.10.07911.doc

Dear Mr Weston,

Reference LICPR/10/07911
Licensing Act 2003 - Grant of Premises Licence (S17).
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SOP 42 7QE

Please find attached our letter of objection to the granting of the above licence.

Yours sincerely

Timothy and Geraldine Angel

**STONEY LODGE
FOREST PARK ROAD
BROCKENHURST
SO42 7SW**

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA

16th November 2010

By Email

Dear Mr Weston,

**Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE**

We are writing to object to the granting of the above Licence under Application Reference **LICPR/10/07911** on the grounds that it is imperative for the New Forest District Council as the Licensing Authority to promote the licensing objectives relating to public safety and public nuisance in relation to the site. We live on the south side of Rhinefield Road in the vicinity of the New Forest Activity Centre and we would be directly and adversely affected under both the foregoing headings if the Licence were to be granted.

On 6th July this year your Committee considered and refused an Application (**LICPR/10/02286**) for a licence under Section 17 of the Licensing Act 2003 in relation to the above venue on the grounds that the licensing objectives relating to public safety and public nuisance would be prejudiced by the granting of that Application.

The current application (**LICPR/10/07911**) repeats large elements of the previous application (**LICPR/10/02286**), which was refused, but new elements have been added which make the current application even more unsuitable – e.g. longer hours with year long activity and in addition to the jousting tournaments included in the previous application, the applicant has indicated that events predicted to take place will include, but will not be limited to, “Archery, wall climbing, horse related activities which may include jousting tournaments, civil re-enactment and other events, potentially opening up for barn dancing and/or live music”. The permission requested is for “Regulated Entertainment (plays, indoor sporting events, live music, recorded music, performance of dance, facilities for making music, facilities for dancing) and equivalent entertainment – indoors only.”

The applicant has also stated that “The premises will be open to members of the public to attend and participate in events either as audience or active participants using the premises.”

It is therefore quite clear that the application is designed to cover many more uses than those actually detailed and further the applicant intends to use the premises for a number of activities which are likely to generate equal or even more noise and nuisance than would have been the case with the jousting tournaments, for which a licence has already been refused!

The current application is set in very general terms and *No* specific proposals are included to address the reasons for refusal, which were very clearly set out by your Committee in their decision to refuse the previous application in July and which equally apply to the current application.

Whilst the scale of the proposed activities has not been specified, the indications given for the jousting tournaments, which were the subject of the previous application, were that up to 1,000 members of the public in addition to staff were expected to attend the performances on the site. In the absence of any information to the contrary it can be assumed that to achieve commercial viability for the venue, crowds of the same magnitude could be expected for some of the events. This would give rise to the same issues in relation to on site parking and traffic congestion on Rhinefield Road and the narrow access track as were highlighted in July by your Committee in their refusal of the previous application.

As previously stated the applicant has applied for the venue to be open Monday to Sunday 0900hrs – 22.30 hrs seven days of the week throughout the whole year; this means that activities could be taking place during the hours of darkness during the majority of the year and especially in the late afternoons in winter. Your Committee stated in their reasons for refusing the previous application, that the access track from Rhinefield Road to the site was unsuitable for access to the venue, for an activity which would have taken place during daylight hours; it must therefore follow that the problem would be further compounded during the hours of darkness, as the track is unlit and would therefore pose additional unacceptable risks to public safety arising from the mix of vehicular and pedestrian traffic!

We would therefore request that a Licensing Panel Hearing be arranged to consider the application and the objections raised above, which we believe clearly show that to grant the application (LICPR/10/07911) would be prejudicial to the licensing objectives relating to public safety and public nuisance as set out in the Licensing Act 2003.

Yours sincerely

Timothy Angel

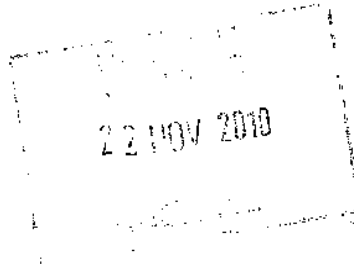
Geraldine Angel

Cc Cllr Barry Rickman
Cc Cllr Maureen Holding
Cc Dave Yates

* Objection *

Carling
38 Rhinefield Close
Brockenhurst
Hampshire
SO42 7SU

P Weston Esq
Licensing Officer
NFDC
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA



19 November 2010

Dear Mr Weston

Re: New Forest Activity Centre, Rhinefield Road, Brockenhurst
Ref: L1CPR/10/07911
Grant of Premises Licence (S17) under The Licensing Act 2003

We write to object to the application for the grant of the above licence. The grounds of our objection are public safety, both of local residents and the many visitors to the area.

We are not familiar with the detail of the previous application, which we understand was refused earlier this year, but a mixture of annoyance and disappointment that a further application has been made on what appears to be such spurious grounds has prompted us to write and register our objection.

We are extremely concerned that access to the premises via the Rhinefield Road is completely unsuitable in the light of the number of visitors to the premises that the applicant is clearly contemplating through the terms of the application.

Rhinefield Road is quite narrow and dark at what we understand to be the point of access to the premises and is already quite busy with both local residents and tourists as a means of getting access from Brockenhurst to the Rhinefield Ornamental Drive, the Bolderwood Ornamental Drive and the large number of footpaths, picnic areas and enclosures to the west of the village.

We, like many others in the local area, are keen cyclists. Rhinefield Road is used by many cyclists all year round but in particular between April and September where numbers are swelled by the many tourists either hiring bikes from the village centre or bringing them with them. Consequently, on an average weekend, hundreds of cyclists can be found negotiating Rhinefield Road, many of whom are clearly inexperienced and many others with young children. The important point to note is that pretty much every cycle route map of the New Forest shows the Rhinefield Road as a key means of access to the network of cycle paths to the west of Brockenhurst which is such a draw for tourists. For example, it is not possible for cyclists to use the long, narrow path from Meerut Road across the open forest to Highland Water at Bolderford Bridge – cycling is expressed to be prohibited which forces inexperienced or families of cyclists along the Rhinefield Road.

We have two children, aged 9 and 7. They are very diligent cyclists for their ages and we take great care with them when we travel along the Rhinefield Road, a regular journey at weekends. With the increase in traffic along the Rhinefield Road caused by visitors to the premises, this is not something that we will carry on doing; in short, it will be far too dangerous. Many other parents with small children will doubtless take the same approach.

What is also clear is that the car parking at the premises will be insufficient which means that visitors to the premises will inevitably end up parking either on the Rhinefield Road or along some of the side

roads, posing an even more significant danger to cyclists and pedestrians. All in all, we anticipate that the area around the access point to the premises will be a dangerous shambles.

The situation can be contrasted with New Park on the A337 north of Brockenhurst. The A337 at that point is straight, wide, well lit and the site is used to dealing with large numbers of vehicles for events like the New Forest Show. That would be a far better venue for the activities set out in the application for the New Forest Activities Centre and one which would make a lot of sense from a health and safety perspective.

Finally and as a general observation on the application, we are not fooled by the rather general "boilerplate" assurances that the applicant gives to the legitimate health and safety and other concerns relating to the premises/application and trust that after close scrutiny by you, you won't be either.

For these reasons, please reject this application.

Yours sincerely

Roger and Clare Bailey

cc B Rickman Esq
Ms M Holding
D Yeats Esq

* Objection *

Sarah Wilson

From: Judy Baker [mailto:
Sent: 21 November 2010 12:47
To: Licensing e-mail address
Cc: info@friendsofbrockenhurst.org.uk; Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: OBJECTION to application reference LICPR/10/07911

OBJECTION to application reference LICPR/10/07911 New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

We are very concerned to find that a further application for a premises licence is being made to cover jousting at the New Forest Activity Centre, Black Knoll. We wish to register our strongest objections to a license being granted for jousting on that site. The reasons for this are twofold:

- a. **Public Safety.** Access to the site is either via Brockenhurst village along Rhinefield Road, or from the opposite direction along the Ornamental Drive. All the routes through Brockenhurst village are narrow and have numerous pinch points and awkward turnings. Rhinefield Road itself is little more than a narrow lane with unprotected ditches close to the edge of the road and the stretch along the Ornamental Drive is particularly narrow. Activity of this nature at Black Knoll must result in a significant increase in traffic which will increase the risk of accidents to vehicles, to the increasing number of cyclists using these lanes many of whom are inexperienced riders in large family groups, and to the Forest wildlife.
- b. **Public Nuisance.** Activities such as jousting must inevitably result in significantly increased noise levels. The Black Knoll area is surrounded by tranquil Forest land or quiet residential housing. It is just not realistic to presume that measures to reduce the excitement of participants and spectators can be curbed so that noise levels are kept to an acceptable level and inevitably this peace and tranquility will be destroyed when events are taking place.

On both grounds we believe most strongly that the price we will all be expected to pay, should this licence for jousting at Black Knoll be granted, is simply too high and unacceptable. We object to the application and urge most strongly that it be refused.

John & Judith Baker
 Woodchester
 88 New Forest Drive
 Brockenhurst
 Hampshire
 SO42 7QW

22/11/2010

* Objection *

Sarah Wilson

From: Peter Ball
Sent: 16 November 2010 12:03
To: Licensing e-mail address
Subject: Black Knoll Premises Licence

Dear Mr Weston,

Licensing Act 2003 - Grant of Premises Licence (S17).
 Premises: New Forest Activity Centre, Rhinefield Road,
 Brockenhurst, SO42 7QE,
 Ref: LICPR/10/07911.

Please reject this application, as it would as it would violate two of the 4 licensing objectives, i.e. public nuisance and public safety.

I have many concerns, but for the sake of brevity, would like to outline 2 in particular. These are noise over a large part of the day, most days of the week and the chaos and danger caused by inadequate on-site parking.

Firstly, public nuisance, in particular noise. Brockenhurst is a peaceful area and many people, including myself and my wife, like the area because of the peace and tranquility. When we moved here 4 years ago, this was one of our main considerations. Our guests and other visitors to the area appreciate these factors and everyone would be upset and angry if this is spoilt by loud music, singing, shouting and other noises caused by the proposed activities. Before we moved to the area we regularly used to park our caravan on Black Knoll camp site. The ambiance of this site would be ruined by the proposals.

Secondly, public nuisance and public safety, specifically inadequate on-site parking. The proposals are very vague about the number of vehicle that it would be possible to park on the site, but simple calculations indicate that this would be totally inadequate for the numbers of people that could attend. Take an example, and assume the same parking density as at the New Forest Show, it would require *all* the buildings to be removed and the complete site levelled to provide space for number of cars need for the 600 to 1000 visitors expected! Inadequate on-site parking leads to many issues including on road parking on this narrow road and side roads; illegal parking on the road verges which are SSSIs; danger to pedestrians, animals and cyclists and potential traffic accidents. This is not to mention the public nuisance caused to residents and visitors trying to drive, walk or cycle through the area.

Please note my concerns when considering this application

Yours sincerely,

Peter G Ball
 22 Oberfield Road
 Brockenhurst
 Hampshire
 SO42 7QF

1 /
The Cottage
Sway Road
Brookhurst
SO42 7SH

* Objection *

11th November, 2010

Dear Sir,

Reference LICPR /10/07911.

New Forest Activity Centre. SO42 7PE

We write to object to the granting of the above licence on the grounds of public nuisance and public safety; particularly with regard to traffic congestion within the village.

We believe that the public highway would be obstructed, as there is limited parking on the site. Vehicles would be directed along Brookley Road, Sway Road and the Rise as well as Sheffield Road and these are already congested, particularly in the holiday season.

We believe that the rural setting and road access are unsuitable for the proposed events.

Yours faithfully,

CAROLINE BRACE (MRS)

CHVE BRACE

15 NOV 2010

* Objection *

Received
57 New Forest Drive,
Brockenhurst,
Hampshire, SO42 7QT.

20 November 2010.

Mr. P. Weston,
Licensing Officer, N.F.D.C.,
Appletree Court,
Beaulieu Road, Lyndhurst,
Hants. SO43 7PA.

Dear Mr Weston,

Ref: Licensing Act 2003 – Grant of Premises License (S17)

Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

Reference LICPR/10/07911

Applicant : Heathgate Land & Property Ltd. **Permission requested**: Regulated Entertainment (plays, indoor sporting events, live music, recorded music, performance of dance, facilities for making music, facilities for dancing) and equivalent entertainment – indoors only.

Hours: Monday to Sunday 0900 hrs – 22.30 hrs.

I was appalled to learn of the above request for a Licence at the property so soon after the previous one was refused. Albeit in a different name, the last application was greatly contested; caused serious outcry and objections by local residents; clearly involved undue expense of the various Local Council departments and its officials as matters became so protracted and diverted attention from more pressing needs.

The latest Application is likely to have similar impact and underlines the avarice of those connected with the possible development and use of a rural area in the New Forest National Park for what can only be described as a commercial development leading to public nuisance, public safety issues and destruction of a tranquil rural setting that benefits (a) local inhabitants, (b) holidaying users of the forest who enjoy camping, walking, bicycling and not least, (c) the habitat of a variety of animals that make the New Forest what it is.

To avoid misunderstanding, I **strongly object to the grant of the License now requested**, the reference as above. Although my objections are listed below, some points apply equally under the other sub-headings, however have only been mentioned once for the sake of brevity:-

Crime & disorder: The size of the site, the seating potential of the main building, requested days and time of use, etc., indicate significant footfall to make the venture commercially viable. Currently, an increase in crime related incidents is experienced during the periods when larger numbers of people are using the New Forest. It is safe to assume that the proposed development will exasperate this problem through an absence of additional Policing proving affordable relative to budget constraints imposed by Central Government.

Protection of Children from Harm: The roads linking with Rhinefield Road, that provides access to the proposed site, to "A" Class Roads, are very narrow. In many places they are bounded by deep ditches and generally lack pavement facilities. Accordingly pedestrians, young children and those on bicycles are already at risk without the related issues of significantly increased traffic. Additionally, the lack of adequate parking at the proposed venue, its narrow entrance/exit road, the possible attraction of the likely events for families from local campsites etc., would undoubtedly result in an increase of pedestrians in the Rhinefield Road vicinity without adequate infrastructure to ensure their safety. Since the areas giving access to the proposed site entrance are unlit and outside the control of the site owners, the pedestrians attending/ leaving evening events at dusk or in bad visibility would be put at unnecessary risk through natural hazards and vehicular movements.

Public Safety: The possibility of events being staged of a combative nature, including jousting, within a relatively confined space raises huge safety fears for contestants and the general public, let alone possible damage following the rampage of animals frightened whilst taking part. In addition, allowing for the additional vehicles and pedestrians likely to be attracted to events, there is not adequate road facilities for emergency vehicles to be able to serve the site as would be expected. Frankly, the movement of large numbers of pedestrians and vehicles on 'Forest roads' not designed for such purpose, lacking pavements and street lighting, could be a disaster waiting to happen!

Despite remedial works in many Forest areas including Rhinefield, road edges have been destroyed by vehicles running along the gravel verges. This can leave sharp edges many inches deep ready to cut tyre walls, throw a cyclist or trip the unwary walker. Clearly the proposed application increases daily traffic for the narrow Rhinefield Road, resulting in additional wear and related safety issues for all road users.

Public Nuisance: Issues arise relative to,

1. access to/from the site – i.e. congestion and safety issues through the movement of (a) heavy goods vehicles in servicing the needs of the proposed venture, (b) the significant numbers of vehicles that will be attending the venue if it is to be commercially successful, (c) hindrance to vehicles requiring ease of access to the immediate properties around the Forest Park Hotel/ Horse Riding Centre, including those houses in the adjoining New Forest Drive, Oberfield Road areas etc., and not overlooking the daily school busses and emergency vehicles that also use those road systems.

The significant numbers of properties accessed via the narrow Rhinefield Road - for the heavier vehicle, only from the Brockenhurst village end. It should be noted that this road is subject to width and weight restrictions which effectively means that it is a 'dead end' road. Accordingly a traffic incident at present could prove a major problem, without extra vehicles and related risk from the proposed New Forest Activity Centre complex adding to the issue.

2. additional traffic congestion and hindrance that will be added to existing problem areas – e.g., (a) railway crossing at Brockenhurst; (b) heavier volume of traffic around Brockenhurst village, its school and Churches and where roadside parking outside the Catholic Church, Rhinefield Road, is often a problem; (c) worsening of seasonal and peak time congestion at Lyndhurst; (d) total chaos likely to be experienced at the time of the New Forest show when the Rhinefield road, that also serves the proposed venue, is used to take part of the show traffic as well as the normal movement of cars with caravans to/from the Caravan site at Black Knoll which already presents problems for pedestrians, cyclists, local traffic, horse riders and the Forest animals!

3. the adverse impact for a large number of residents in the surrounding area of the proposed venue relative to (a) noise and fumes from the additional vehicles, (b) noise pollution from P.A. systems likely to be used at the event where the repeat of announcements, music etc., will be heard at every performance, (c) noise from public participation at events, day after day, will prove an irritating nuisance likely to lead to local protest. In the current era the emotional welfare of inhabitants and ratepayers requires suitable consideration in Planning Decisions!

(c) destruction of a rural environment where residents currently enjoy peaceful garden surroundings or participate in quiet pursuits in the immediate New Forest areas, as do tourists, in walking, cycling, running, bird and deer watching, pony trekking, horse riding, carriage riding, dog walking, picnicking etc.

The New Forest environment deserves greater consideration!

Yours sincerely,

John H. Brewer,
A.C.I.B.

* Objection *

Sarah Wilson

From: Peta & Eric Brown
Sent: 13 November 2010 12:30
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: Objection to New Forest Activity Centre. Ref: LICPR/10/07911

FOR THE ATTENTION OF MR. PAUL WESTON, LICENSING OFFICER, NFDC.

Dear Mr Weston,

Licensing Act 2003 - Grant of Premises Licence (S17)
Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE
Reference: LICPR/10/07911

We wish to record our vigorous objection to this application on the following grounds:-

Safety

It would be ridiculous to think there would not be a massive increase in traffic, with consequent road blockages resulting in a potentially hazardous situation. Rhinefield Road is continuously used by cars, horses, cycles, families and pedestrians. Any further obstructions can only cause a danger to the safety of all concerned. Should any of the houses served by Rhinefield, including the New Forest Drive estate, be in need of an ambulance or fire engine, blockages on the road could result in fatalities.

Distinctive Rural Character of Brockenhurst.

This application could only detract from the rustic and rural character of the village.

Noise

Unless the proposed activities are confined to a sound-proof building the resulting noise would be heard for a considerable distance - not to mention that those living within half a mile would be particularly badly affected.

Yours sincerely,

N.E. Brown
7 Forest Glade Close, Brockenhurst, SO42 7QY

43

* Objection *

Dr Derek Browne FRCGP FRSPH MRCP
PASTURES NEW
SWAY ROAD
BROCKENHURST
HAMPSHIRE SO42 7RX

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst SO42 7PA

10 November 2010

Dear Mr Weston

Reference LICPR/10/07911

Licensing Act 2003 - Grant of Premises Licence (S17)

New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

We object to this application for a premises licence on issues relating to public nuisance and public safety.

We understand that a D2 License has already been issued for the New Forest Activity Centre. The current application is for a premises licence. The advertisement for this application includes **jousting**, but the **summary of this application does not mention jousting**. In July 2010 the NFDC Subcommittee rejected the application for an entertainment license for jousting, LICPR/10/02286. The reason for rejection included:-

'the centre was very acoustically leaky'. During the appeal at the New Forest District Council Office said that to soundproof the building would cost a substantial amount of money.

The noise ' would affect residents south of Rhinefield Road and beyond'

'the public highway would likely be obstructed when events took place'. I.e. the public arriving and leaving an event could create congestion along the Rhinefield Road, and more so with turning into the single track to the activity centre.

The Subcommittee at the hearing expressed 'serious concerns for the 'safety of the public' and concerns 'regarding the single track access road from the Rhinefield Road to the proposed Activity Centre' which is only 11 feet wide and 200 yards long. This single track would cause difficulties for emergency vehicles, especially if there were walking pedestrians and general vehicular traffic using this track at a similar time. Note that there is not a separate track for pedestrians.

The Subcommittee noted that 'parking on the site is limited'.

The summary for the current application LICPR/10/07911 using The Licensing Act 2003 includes :-

Plays

Indoor sporting events

Live music, recorded music

Performance of dance

Anything of a similar description to live/recorded music/performance of dance

Facilities for making music

Facilities for dancing

Anything similar for making music/ facilities for dancing

The hours of opening requested are from Monday – Sunday 9.00am – 22.30pm.

The applicant hopes for up to 600 persons to attend the centre for each performance. The attendees are expected to take part in the music and dance which will increase the emission of sound /noise and create a 'public nuisance' and with the numbers arriving to the centre and taking part will create 'public safety' issues.

Section 17 of the Licensing Act paragraph 4 subsections (a-j) mentions the need for the operating schedules for relevant licensable activities and for a 'premises supervisor' if alcohol is to be consumed on or off the site. I understand that an alcohol licence is not being requested in this application. Music /dance/live or recorded music will undoubtedly create noise. There are no outdoor activities requested in the summary, but many of the events in the summary application will create noise. The building where the indoor activities will be performed has been shown to be 'leaky' to noise.

- **The applicant mentions jousting as a possible event in the current application LICPR/10/07911. This is not mentioned in the summary. The entertainment license for jousting has already been rejected by your the NFDC subcommittee in July 2010.**

The applicant is short on detail on how he will make assurances on noise, and the number of attendees/participants for these events. There are issues of traffic, parking and safety to the site which have not been addressed. Many of these issues were considered by your committee in July 2010 when you refused the application LICPR/10/02286 for an entertainment licence for jousting.

We used to live opposite Black Knoll for 33 years in Merrival Lodge and remember the jousting event in 1995 which created a lot of noise and nuisance and was served with an Enforcement Order by the NFDC to close down.

The current New Forest Activity centre is inappropriate for the activities proposed, and would incur a public nuisance and a problem with public safety for reasons outlined above. We therefore reject the application.

Yours sincerely

Derek and Esther Browne

Clr Barry Rickman (Leader)
Clr Maureen Holding (Local Councillor)
Dave Yates (Chief Executive)
Dr Julian Lewis MP
Brockenhurst Parish Council

* Objector

Paul Weston Esq
Licensing Officer
New Forest District Council
Appletree Court
Lyndhurst
Hampshire
SO43 7PA



Letter with

Half Acre
Marden
Rhinefield Road
Brockenhurst
Hampshire
SO42 7SQ

e-mail address

November 11th 2010

BY HAND

Dear Mr Weston

Reference LICPR/10/07911

Licensing Act 2003 – Grant of premises Licence (S17)

New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

Please record this letter as our objection to the above application and our request that it should be refused.

You will be well aware of the recent history of this site and in particular licence application LICPR/10/02286 refused last July. It concerns us greatly that this fresh application is much wider than just jousting tournaments (though may include them) and lacks any detail as to how the worries of the licensing sub-committee which led to the July refusal will be satisfactorily covered.

Our specific grounds for objection to the application are:-

Public Nuisance

Parking facilities on site are insufficient to accommodate the sort of numbers of vehicles carrying enough people to make for a commercially viable operation. The only result of this will be a very significant number of cars, possibly even coaches parking on the verges of the narrow Rhinefield Road and the cul de sacs off it, to the annoyance and inconvenience of a large number of house owners.

Noise. The "Centre" is not soundproof and could not be made so without considerable financial outlay. Active audience participation is to be encouraged under the proposals. The July sub-committee were seriously concerned that noise nuisance would affect properties in a wide area of the west of the village. The broadbrush nature of the current application together with the lengthy opening hours sought change nothing in this respect.

Public Safety

It remains the case that this is the wrong location for the sort of activities envisaged, which are aimed to draw in significant numbers of members of the public, the majority arriving by private car. The access way from Rhinefield Road to the site is narrow and only one cars width. Vehicles arriving on site to find they cannot park will have to return down the track. The volume of traffic will cause back up on the Rhinefield Road leading to the risk of

accidents and in among all of this there will be people trying to reach the site on foot. There is no separate footpath on the access way track nor on that side of the Rhinefield Road. There will be severe congestion shortly before and shortly after each event. Emergency vehicles will be seriously delayed in attempting to reach the site in the event of a problem. It is also noted that the access track is unlit which presents further dangers as the permission sought includes running activities until 9.30 p.m. the whole year – meaning well after dark for a significant part of the year.

We ask therefore that this application be refused.

Yours sincerely

Adrian M.B. Butterworth & Mrs K.L. Butterworth

Copied by e-mail to
D. Yates Esq –Chief Executive NFDC
Councillor Barry Rickman
Councillor Maureen Holding

Copied by post to
Dr Julian Lewis MP

*# Objection *#

Sarah Wilson

From: Jan Campbell
Sent: 21 November 2010 17:37
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: OBJECTION to application reference LICPR/10/07911 .

We are writing to object to application reference LICPR/10/07911, which relates to New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE . We wish to object under two headings:

1. PUBLIC NUISANCE

The present application envisages even more events over longer periods of time during the year than were previously applied for. Considerable volumes of noise will affect both people living nearby to the proposed site and further afield in the relatively densely populated areas to the west of Rhinefield Road. This high level of noise will be produced by the events themselves, by music, public announcements and by attending crowds.

2. PUBLIC SAFETY

The numbers forecast to attend the proposed events will put impossible pressure on the approach roads to the site, including Rhinefield Road. There will be the risk of vehicles running into ditches and soft verges. There will be considerable risk of accidents and injury to members of the public. It would be extremely difficult for public service vehicles to gain swift access to the site, should the need arise.

We ask you to reject this application.

Colin Campbell
Jan Campbell

33, New Forest Drive,
Brockenhurst,
Hants.,
SO42 7QT

Telephone

*** Objection ***

7, Oberfield Road,
Brockenhurst,
Hampshire, SO42 7QF.
11th November 2010.

Mr Paul Weston,
Licensing Officer,
New Forest District Council,
Appletree Court,
Beaulieu Road,
Lyndhurst,
SO43 7PA.

16/11/2010

Dear Mr Weston,

Reference LICPR/10/07911

Licensing Act 2003 - Grant of Premises Licence (S17)

New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE.

We are writing to object to the granting of the above licence on the grounds of public safety and public nuisance. We live just off the Rhinefield Road in Oberfield Road, approximately 500 metres from the Activity Centre as the crow flies.

The objection on public safety grounds is that the Rhinefield Road is our only access to the Village. In the event of an accident, access by the Fire or Ambulance services will be severely hampered by the level of traffic which must inevitably build up on Rhinefield Road due to the large number of cars that will be necessary for any performances to be profitable. There were also serious doubts at the time of the previous application as to whether there was sufficient parking on the site; if this is still the case, the likely parking on Rhinefield Road will only compound the traffic problem and therefore the potential danger to the public.

The objection on the grounds of public nuisance relates to the noise that must inevitably be produced from activities which "may include jousting, civil re-enactments and other events" in which members of the public may be able to join as "active participants". The previous application was turned down on the grounds that the Centre was "very acoustically leaky" and that it would cost a large amount of money to make it sound proof. Nothing, it would appear, has changed. To have the potential levels of noise from 09.00 to 22.30 for 7 days a week throughout the year has to be unacceptable.

On these grounds, we would ask you to reject this application.

Yours sincerely,

49

John & Elaine Chester

*** Objection ***

Stuart Wilson

From: Bob and Gill Coombs
Sent: 21 November 2010 18:07
To: Licensing e-mail address
Subject: Objection - licence reference LICPR/10/07911

For the attention of Mr Paul Weston, Licensing Officer

Dear Mr Weston
Licensing Act 2003 - Grant of Premises Licence (S17)
Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE
Reference LICPR/10/07911

We object to the above application on the following grounds:-

1. Public Safety. Rhinefield Road is a minor road with no pavements in the area concerned. The road is used by vehicles, walkers, cyclists and New Forest ponies, cattle, donkeys etc. There would be a significant risk of accidents on this road with the increase in traffic volume that activities at the centre would generate. There would also be a risk of obstruction of the highway due to the increase in traffic and the inadequate access to the site. Access to the site is a single carriageway and any reasonable volume of traffic would back up on to and along Rhinefield Road. Consequently there would be traffic congestion and there would be a risk of emergency vehicles not being able to gain access to the site or to the dwellings around it. We object that these are unacceptable risks.

2. Public nuisance. The building is not completely enclosed and there would be noise leakage into the surrounding area. We object on the grounds that the proposed activities and crowd numbers would generate unacceptable noise disturbance and pollution.

Yours sincerely

Mr Robert Coombs
Mrs Gillian Coombs
Dogwood
12 Forest Glade Close
Brockenhurst
Hants SO42 7QY

50

* Objection *

S: h Wilson

From:**Sent:** 20 November 2010 17:04**To:** Licensing e-mail address**Subject:** OBJECTION- Ref LICPR/10/67911 - New Forest Activity Centre, Rhinefield Road, Brockenhurst SO42 7QE

I wish to object to the above planning application on the grounds of public safety and public nuisance.

The access to this site is extremely narrow and Rhinefield road is in a terrible state making driving very difficult, and walking almost impossible. The surface of the road is breaking down on both sides and in the middle. In the summer the amount of traffic is a hazard with numerous caravans and tourists as well as the animals. The number of cycle hire outlets also make more traffic all heading for the open forest. Is the Activity centre willing to pay for road widening and resurfacing??

You cannot have such activities without noise and you will find that most of the residents in this area moved here for peace and quiet not piped music and noisy cars. I am sure we in Brockenhurst do enough for holiday makers and visitors without adding more. A site nearer the motorway would be more suitable.

Brenda Danby 8 Moorlands Close, Brockenhurst, SO42 7QS.

51

* Objection

11/11/10

The Willows
Whitmoor Road
BROCKENHURST
Hampshire
SO42 7QG

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

14th November 2010

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

I am writing to object to the granting of the above licence on the grounds of public nuisance and public safety.

The new application does nothing to resolve the issues raised by your committee relating to application number **LICPR/10/02286**. The extended opening hours detailed in the new application raise further concerns relating to public safety after dark.

I feel that this licence application bears too close a resemblance to the last one relating to this site (application number **LICPR/10/02286**) which was rejected for several important reasons:-

- That the Centre is "very acoustically leaky"
- That the noise would "affect residents south of Rhinefield Road and beyond".
- That it was "highly likely" that when events took place the public highway would be obstructed
- That there were "serious concerns for the safety of the public" with "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"
- That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- That the Sub-Committee also noted that "parking on the site is limited".

The location and nature of the activities proposed are not appropriate for a quiet area of the New Forest National Park and for the above reason I feel that this application should be rejected.

Yours Sincerely

FREDA DOBSON

ROBERT DOBSON

* Objection *

Sarah Wilson

From: Anne Dow

Sent: 22 November 2010 17:08

To: Licensing e-mail address

Subject: OBJECTION LICPR/10/07911

**OBJECTION – LICPR/10/07911 NEW FOREST ACTIVITY CENTRE, Rhinefield Road,
BROCKENHURST, Hampshire, SO42 7QE**

PUBLIC SAFETY

We have serious concerns for the safety of the public with the considerable increase in the volume of traffic generated by the events. There would be a significant risk of accidents when events were taking place as the public highway would be obstructed. The access to the site is a single track road and there would be considerable danger to pedestrians walking along the track and to cyclists cycling along the road where ponies congregate on a regular basis. Traffic could back up to the village with cars waiting to turn right. The narrowness of the track means that access for emergency vehicles would be extremely difficult, if not impossible. Another danger will be generated by cars leaving the site, impatiently pulling out onto the road from the track and possibly not seeing approaching cars and cyclists in their hurry to get away.

PUBLIC NUISANCE

There will be a significant noise problem from the public address system and amplified music together with horses and weapons and crowd participation – shouting and cheering, which would affect residents and other people wishing to enjoy peace and quiet, often the reason for them visiting the forest. Such noise has occurred in the past from similar events and has had to be prohibited by the Council.

In conclusion we strongly object to such unsuitable use of a rural site.

Mike and Anne Dow
16 Forest Glade Close
BROCKENHURST
Hampshire
SO42 7QY

54

Sarah Wilson

* Objection *

From: Margaret Egleton
Sent: 20 November 2010 19:17
To: Licensing e-mail address
Cc: info@friendsofbrockenhurst.org.uk; barryrickman@newforest.gov.uk; Cllr Maureen Holding; Dave Yates
Subject: OBJECTION TO APPLICATION REFERENCE LICPR/10/07911

OBJECTION TO APPLICATION REFERENCE LICPR/10/07911 - NEW FOREST ACTIVITY CENTRE, RHINEFIELD ROAD, BROCKENHURST, SO42 7QE

Reasons for objection :

Public Safety.

1. Rhinefield Road is a narrow, winding country road, with ditches on each side, which is reduced to single lane in a number of places between the proposed venue and the A35.
 - a. Existing traffic already causes damage to the edges of the road further narrowing the highway.
 - b. Vehicles frequently encroach on to the driveway into my property damaging the driveway surface and often colliding with 'dragons teeth'.
 - c. Caravans negotiating the turn opposite my house to reach the Aldridge Hill Camp Site already cause obstruction on the highway.
2. An increase in traffic volume will exacerbate these problems and will be a serious impairment to local residents and emergency services.
3. Rhinefield Road is part of a very popular public recreation amenity and the build up of traffic on the narrow, winding road will create a serious risk of accidents involving pedestrians, horse riders, cyclists (a large proportion of whom are children), and the many animals that roam on and close to the road.

Public Nuisance.

4. As a nearby resident my comfort and convenience, and the enjoyment of visiting public, will be adversely affected by noise emanating from the proposed venue -
 - a. Noises of horses and weapons involved in the events,
 - b. Crowd noises,
 - c. The public address system
 - d. Amplified music.

Submitted by:

Mrs. P.M. Egleton
 Ober Lodge
 Rhinefield Road
 Brockenhurst
 SO42 7QE

22/11/2010

* Objection *

~~Sarah Wilson~~

From: David & Jackie Eley
Sent: 20 November 2010 18:05
To: Licensing e-mail address
Subject: OBJECTION to Application Reference LICPR/10/07911

OBJECTION to application Reference LICPR/10/07911
New Forest Activity Centre. Rhinefield Road. Brockenhurst SO42 7QE

We the undersigned strongly object to the granting of a premises licence as requested under the above reference for the following reasons:

1. Public Nuisance

Intolerable noise will be created from the proposed activities to surrounding residents and we consider that no arrangements can be made to confine the noise within the proposed building. The proposed usage for plays, sporting events, live and recorded music, dance and other forms of entertainment over seven days per week, throughout the year will generate noise whether from the participants, public address system or the audience and be a nuisance to not only to nearby residents but also visitors to the area who visit the New Forest to enjoy its tranquility and peace. Noise from similar events has been experienced in the past and has had to be curtailed by a Prohibition Order.

2. Public Safety

The New Forest Activity Centre only has one entrance/exit via a single track road onto Rhinefield Road, which in turn is a narrow single track in each direction. Rhinefield Road abuts directly onto the forest allowing no additional parking or passing places. Rhinefield Road is the main access to the Ornamental Drive, two caravan sites and large housing estate formed around New Forest Drive and Oberfield Road. Also in keeping with the Forest this road is popular with the forest animals and therefore the increased traffic would cause a serious danger to them. Congestion would be caused by the additional traffic which will increase the risk of accidents to human and animal users and seriously interfere with the speedy access of emergency vehicles when required. After dark the road is poorly lit as would be expected for a forest road and therefore the risk to public safety would increase.

For the above reasons we urge the Licensing Panel under their powers to decline the applicant's request for permission to stage such activities at the New Forest Activity Centre.

Mr David and Mrs Jacqueline Eley
 29 New Forest Drive
 Brockenhurst,
 Hampshire
 SO42 7QT

20th November 2010

56

* Objection *

Sarah Wilson

From: Charles & Merry Fay
Sent: 21 November 2010 17:27
To: Licensing e-mail address
Subject: Objection to application Ref. LICPR/10/07911

Dear Sir /Madam

I wish to object to the application of New Forest Activity Centre, Rhinefield Rd., Brockenhurst SO42 7QE for jousting and other activities.

I object on the following grounds:-

Public Nuisance

Brockenhurst is a small rural community set in the heart of the New Forest National Park, and the level of noise would be intolerable from this centre. The noise would be from the loud speakers, as well as from music and audience participation. I understand that on certain evenings in the week this noise would be until quite late. Some of the Brockenhurst residents already have to put up with noise from New Park especially if the wind is from that direction.

Public Safety

As you well know the traffic in Brockenhurst can already be at a standstill on a busy day during the holidays. This can be on the main road because of the railway crossing, or in the centre of the village especially when the animals are wandering around the roads. We regularly have ambulances having to negotiate traffic through Brockenhurst on their way to and from Southampton.

There are stables along the Rhinefield Rd just near to the access to the centre, and horse riders are already at risk with cars driving along that road. They would be at further risk with all the additional traffic to and from the Activity Centre.

The Rhinefield Rd. is a popular one for cyclists, and it is a narrow twisting road which is already a hazard for them, without all the additional traffic that is proposed.

My full postal address is 'Mayfield', Sway Rd. Brockenhurst, SO42 7RX

Yours sincerely
Merry Fay

--
Charles & Merry Fay
Tel:

~~*~~ **Objection** ~~*~~

28 New Forest Drive
Brockenhurst
Hampshire
SO42 7QT

Tel: ()

Email: ()

Mr Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

17/10/10

Dear Mr Weston,

Ref: LICPR/10/07911

Licensing Act 2003 – Grant of Premises Licence (S17)

New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

We write to object to the granting of the above licence which we feel should be rejected because of public nuisance and public safety issues. We also feel that this is inappropriate activity in a village environment which attracts locals and visitors alike to enjoy the peace and quiet, the countryside, and the wildlife fauna and flora.

We live in an estate from which the only access to the village and surrounding roads is via Rhinefield Road. This narrow road is also the only access to the proposed venue from all directions and we feel that the nuisance and safety issues here are unacceptable. In particular, congestion on the road and in surrounding streets would pose a nuisance and danger to local residents, their children and animals, to the numerous cyclists who use it particularly in the summer months and to the New Forest ponies which walk and graze there all time. The level of risk would be greatly increased during the dark winter months. It is possible that access for emergency vehicles would be severely compromised.

If the project is to be financially viable, it must envisage filling the arena at all times – a capacity of up to 600 people, 7 days a week and from 9 am to 10.30 pm, winter and summer. This means the filling and emptying of the car park and seating areas several times a day. The entrance to the venue from Rhinefield Road is a narrow track which surely could not safely accommodate pedestrian and vehicular traffic at the same time safely, let alone access for disabled users. Would the access road and car park also be able to cater for coaches – if not, where would they park? We also feel there would be an increased level of pollution as a result of the increase in traffic movement.

All of this 'traffic' and the activities in the arena would also raise another area of concern, namely that of noise. We understand that the public are to be encouraged to 'participate in events'. Events include indoor sporting events, live music, recorded music, facilities for making music, performance of dance, facilities for dancing. No doubt the music would be

amplified and loudspeakers involved. These are likely to breach noise limits which was one of the reasons the previous application was rejected.

In the light of the decision to reject the previous licence application in July 2010, we find it extraordinary that this similar application, which appears to be couched in broader terms, has been made at all. It was demonstrated at that hearing that the local people voiced very strong opinions and objections against this inappropriate activity in this area, that the public nuisance would be great, and that safety and noise issues could not be tolerated.

For all the above reasons, and to protect a quiet and beautiful environment for the good of all, please reject this application.

Yours sincerely,

Mr & Mrs D P Gaffikin

Cc Cllr Barry Rickman
Cllr Maureen Holding
Chief Executive - Dave Yates
Dr Julian Lewis MP

* Objection *

Diane Sim

From: Paul Weston
Sent: 08 November 2010 11:51
To: Licensing e-mail address
Subject: FW: New forest activity Centre Licence Application LICPR/10/07911
Attachments: Black Knoll - Application Again.doc

Paul Weston
Licensing Officer
Licensing Services
Tel: 023 8028 5505 / HSPN: 8 777 5449
paul.weston@nfdc.gov.uk / www.newforest.gov.uk

From: Peter Griffiths
Sent: 08 November 2010 10:48
To: Paul Weston
Cc: Cllr Maureen Holding; Cllr Barry Rickman; Dave Yates
Subject: New forest activity Centre Licence Application LICPR/10/07911

Att. Paul weston,

Please find attached Letter of objection to this application

Regards

Peter Griffiths

60

09/11/2010

**Bracklinn House
Broadlands Road
Brockenhurst
Hants SO42 7PB**

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

8 November 2010
BY EMAIL

Dear Mr Weston

**Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE**

We are writing to object to the granting of the above licence, which we feel should be rejected under the headings of public nuisance and public safety. We live in one of the properties just across Rhinefield Rd and will be greatly affected if this application is granted.

The application provides for a very wide range of potential activities, including that (jousting) for which a licence has already been denied, with very broad assertions that any concerns about noise, number of visitors or participants, traffic, parking, safety etc will be addressed. However it fails to explain how the significant concerns raised by your Committee in refusing the previous application **LICPR/10/02286** for a narrower range of activities will be dealt with in practice. Thus it is difficult to see how this application could be granted, given that it fails to resolve any of your clearly expressed concerns when refusing the earlier application.

These were:

- That the Centre is "very acoustically leaky" and to make the structure soundproof would cost tens of thousands of pounds
- That the noise would "affect residents south of Rhinefield Road and beyond". It is not merely the two immediate neighbouring properties that will suffer
- That it was "highly likely" that when events took place the public highway would be obstructed"

- That the Sub-Committee expressed "serious concerns for the safety of the public" with "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"
- That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- That the Sub-Committee also noted that "parking on the site is limited".

There appears to be nothing in this application to suggest that any of the above will no longer apply. The opening hours requested go far beyond what was previously envisaged, now being 09.00 to 22.30 every day instead of 13.00 to 22.00 one day a week and 13.00 to 17.00 for the other days. Thus it is clear that all the above appear to be even more likely than before.

The decision to reject the license application in July demonstrated the scale of the problems, the numbers of residents affected and the strength of feeling generated by an application to run large-scale events & activities on this site. In 1995, when such events were allowed briefly to take place the NFDC had to issue an Enforcement Order thus proving that the site is inappropriate for the activities proposed and is incapable of being adapted to meet the concerns which have already been raised, given the rural setting and road access.

For these reasons, please reject this application. Furthermore you should consider taking action to recover the costs to council taxpayers for what appears to be a clearly vexatious application.

Yours sincerely,

Janet and Peter Griffiths

cc
Cllr Barry Rickman (Leader)
Cllr Maureen Holding (Local Councillor).
Dave Yates (Chief Executive)
Dr Julian Lewis MP

* Objection *

Sarah Wilson

From: GRAHAM HARVEY
Sent: 19 November 2010 09:53
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: Planning Application Reference LICPR/10/07911

53 New Forest Drive
Brockenhurst
SO42 7QT

Tel:

My wife and myself object to the proposed planning application for the New Forest Activity Centre, Rhinefield Road, Brockenhurst SO42 7QE.

Apart from the noise that such an activity centre would generate, we are concerned as to the traffic problem especially as the narrow Rhinefield Road would create a safety problem with an already busy road. During the summer months this is aggravated by the nearby busy caravan site and the Forest Park stables. There could be a significant risk of accidents and access for emergency vehicles would present a problem.

Given the size of the proposed site, large scale activities will be required to make the application commercially viable and we both object on the grounds of public nuisance and public safety as outlined above.

Yours sincerely
Graham & Frances Harvey

63

* Objection *

Sarah Wilson

F 1: alan hendry

Sent: 22 November 2010 14:24

To: Licensing e-mail address; info@friendsofbrockenhurst.org.uk; Cllr Maureen Holding; Dave Yates

Subject: OBJECTION TO APPLICATION REFERENCE LICPR/10/07911

OBJECTION TO APPLICATION REFERENCE LICPR/10/07911 - "NEW FOREST ACTIVITY CENTRE, RHINEFIELD ROAD, BROCKENHURST SO42 7QE"

1. PUBLIC NUISANCE - There would be significant noise from the proposed jousting as well as crowd noises and from the public address system and music and, as a nearby resident, this would adversely affect residents and those of the public using the surrounding forest area. When similar events had occurred in the past the level of noise disturbance experienced by myself personally was very significant so it is likely that this would be repeated if the application was successful. Public tannoys can be heard from over a mile away.

2. PUBLIC SAFETY - It is highly likely that when proposed events take place the public highway would be obstructed. The road is not very wide and already cyclists are in considerable danger due to volume of traffic. As a regular cyclist on Rhinefield Road I have seen for myself the risk to the large number of cyclists who use this road all year round. There would be significant risk of accidents on the Rhinefield Road and access for emergency vehicles as well as pedestrians using the drive.

Also, as there is no pavement on the roadside at the entrance to the "New Forest Activity Centre", pedestrians attending the Centre would have to cross the road from the footpath on the opposite side of the road, some 20 metres before/after the Centre entrance to avoid the drainage ditch.

Yours faithfully from:

ALAN SHAW HENDRY
39 MOORLANDS CLOSE
BROCKENHURST
HAMPSHIRE
SO42 7QS

64

* Objection *

Sarah Wilson

From: jane hendry "

Sent: 22 November 2010 14:01

To: Licensing e-mail address; info@friendsofbrockenhurst.org.uk; Cllr Maureen Holding

Subject: OBJECTION to application reference LICPR/10/07911

OBJECTION TO APPLICATION REFERENCE LICPR/10/07911 - "NEW FOREST ACTIVITY CENTRE,
RHINEFIELD ROAD, BROCKENHURST SO42 7QE"

1. PUBLIC NUISANCE - There would be significant noise from the proposed jousting as well as crowd noises and from the public address system and music and, as a nearby resident, this would adversely affect residents and those of the public using the surrounding forest area. When similar events had occurred in the past the level of noise disturbance experienced by myself personally was very significant so it is likely that this would be repeated if the application was successful. Public tannoys can be heard from over a mile away.

2. PUBLIC SAFETY - It is highly likely that when proposed events take place the public highway would be obstructed. The road is not very wide and already cyclists are in considerable danger due to volume of traffic. There would be significant risk of accidents on the Rhinefield Road and access for emergency vehicles as well as pedestrians using the drive.

Yours faithfully from:

MRS JANE HENDRY
39 MOORLANDS CLOSE
BROCKENHURST
HAMPSHIRE
SO42 7QS

65

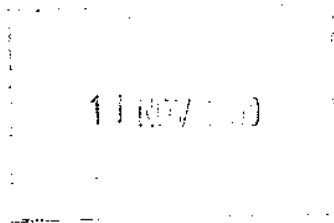
* Objection

Prestolee
Rhinefield Road,
Brockenhurst,
Hampshire SO42 7QE

Tel: _____

Email: _____

Paul Westin Esq.,
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA



8 November 2010

Dear Mr Westin

Reference LICPR/10/07911 - Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

I am writing to object to the granting of the above licence. I do so in the belief it should be rejected on the grounds of public nuisance and public safety. As you will note I live on Rhinefield Road and although we are situated some distance from the site, I fear that the disruption to traffic will be such that we will be directly affected

Your committee rejected the a previous application relating to Medieval Jousting and I note that the current application appears to seek a licence for the original activity plus a host of other activities which, rather than diminishing the general concerns, exacerbates them.

The activity centre is set on a rise which means noise from it will be heard across a wide range of the village; the site is situated off a narrow country road/lane and access to it is very restricted - traffic will have to be controlled in a single flow arrangement - and once on site parking is restricted; in addition any arrangement will have to cater for pedestrians entering/exiting the site. Given these facts, the notion that high volumes of vehicles, arriving within a relatively narrow time slot, will not create traffic problems leading to traffic congestion along Rhinefield Road and the roads leading onto it, is unsustainable.

The issues of public safety are very apparent! Given the physical restriction of the site, the risks associated with the arrival/departure of high volumes of mixed vehicle & passenger traffic, particularly in the dark, are real; the prospect of an emergency evacuation of the site is inconceivable.

I gather from Press Reports that the applicant believes the steps they have taken will resolve these matters. I can only comment that the proposals are very short on detail and I cannot see how they can affect what are in reality unalterable physical elements: the narrowness of the road and the single track access road.

On the issue of noise and public nuisance, bringing together some 600 people to engage in interactive activities, encouraging people (Cheering on their Champion etc) must, by its very nature, create high levels of noise. I understand that a similar event, on this site, possibly on a smaller scale, created such a nuisance that the NFDC had to issued an Enforcement Order closing it down.

May I say that I am not opposed to the introduction of new visitor attractions to increase tourism - our village economy depends greatly on its visitors. However, the serious Public safety issues and the public nuisance issues, listed above, lead one to the view that this is a totally inappropriate development and must be opposed.

In conclusion; the decision to reject the license application in July demonstrated the strength of feeling aroused by the proposal to run large-scale events & activities on this site. Further, given the rural setting and road access, this site is inappropriate for the activities proposed and is incapable of being adapted to meet the concerns which have already been raised. For these reasons, I would ask that you please reject this application.

Yours sincerely

Signature on hard copy

David T Heslop OBE

cc: Cllr Barry Rickman (Leader NFDC)
Cllr Maureen Holding (District Councillor NFDC).
Dave Yates (Chief Executive NFDC)
Dr Julian Lewis MP

* Objection *

Sarah Wilson

From: Patrick Hill [mailto:patrick.hill@nps.gov]
Sent: 17 November 2010 12:31
To: Licensing e-mail address
Subject: Black Knoll Premises Licence

Dear Mr. Weston,

Licensing Act 2003- Grant of Premises Licence(S17)
Premises: New Forest Activity Centre, Rhinefield Road,
Brockenhurst SO42 7QE
Ref: LICPR/10/07911

I write to ask you to reject this application. It seems that I have had to communicate with the Authorities for over a year now on the same subject.

I am aware that others have been objecting on the grounds of noise, traffic, public safety and public nuisance, etc., etc., all of which I agree with and do not need to restate, especially when it appears that the applicant has made no specific proposals to address these issues anyway.

Surely the basic issue remains, that;

The granting of such an operation would drastically change the peaceful and rural character of this area, and would question severely the objectives of the National Park Authority that have resulted in it being given the name of a National Park in the first place.

Please register my strongest objections to the application, advising me if I need to follow this up with hard copies to conform with your procedures.

Sincerely,

Dr P J Hill
4 Rhinefield Close,
Brockenhurst,
SO42 7SU

* Objection *

ah Wilson

From: Paul Weston
Sent: 22 November 2010 07:57
To: Sarah Wilson
Subject: FW: Black knoll Activity Centre, Rhinefield Road, Brockenhurst

Paul Weston
 Licensing Officer
 Licensing Services
 Tel: 023 8028 5505 / HSPN: 8 777 5449
paul.weston@nfdc.gov.uk / www.newforest.gov.uk

From: Cllr Maureen Holding
Sent: 22 November 2010 00:04
To: Paul Weston
Cc: Cllr Maureen Holding; Cllr Barry Rickman; Dave Yates
Subject: Black knoll Activity Centre, Rhinefield Road, Brockenhurst

Dear Paul

Licensing Act 2003 – Grant of Premises License (S17)
 New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE
 Referenced LICPR/10/07911

I am writing to object strongly to the above application. An application for Jousting at the above premises was rejected on very strong grounds on 6th June last. This application is not only for jousting but also plays, indoor sporting events, live music, recorded music, performance of dance, facilities for making music and facilities for dancing for longer hours from Monday to Sunday from 0900 hours until 22.30 hours on this site.

I cannot see any justification for another more intensive application wasting tax payers money when a lesser application was turned down only just over 5 months ago.

I live in the area, I am the District Councillor for Brockenhurst and am a member of the Parish Council and the National Park Authority.

The issues are the same as the last application but carrying even more weight because of the more significant application.

1. Noise would be a real problem especially as the building is considered to be acoustically leaky. At least 500 people are expected and crowd noise cannot be controlled. There are no measures mentioned for noise abatement. The loudspeakers and music will also add to the noise. This would cause a public nuisance.
2. The entry to the site is on a single track from Rhinefield Road which is not wide enough for 2 cars to pass, let alone emergency vehicles if required and this would be a health and safety risk.
3. On Rhinefield Road – which is a country lane – animals wander freely. There are numerous bicycles, especially at weekends and lots of other through traffic. The amount of traffic increase would be both dangerous and unacceptable. It would be a safety hazard.
4. It would spoil the quiet enjoyment both for residents and visitors to the National Park.

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22/11/2010

5. At the entrance to the track to the Centre there are SSSIs on both sides of the track and these would be damaged.
6. There are not enough car parking spaces on site for the numbers expected.
7. Safety of livestock and animals in the area would be compromised by the numbers of people on foot.
8. The health and wellbeing of residents would be compromised because the whole area would be changed for the worse.
9. I query whether the facilities on site are adequate for the numbers expected.

This application is totally unsuitable and would completely ruin a beautiful part of the New Forest. I hope it will be refused.

Yours sincerely

Maureen

Clr Mrs Maureen Holding

* Objection *

Sarah Wilson

From: Richard/Rosemary Hood
Sent: 21 November 2010 10:26
To: Licensing e-mail address;
Subject: Objection to Application LICPR/10/07911

Dear Mr Weston,

Licensing Act 2003 - Grant of Premises Licence (S17).
 Premises: New Forest Activity Centre, Rhinefield Road,
 Brockenhurst, SO42 7QE,
 Ref: LICPR/10/07911.

We would ask you to please reject this application, on the grounds that it would violate at least two of the 4 licensing objectives, *i.e.* public nuisance and public safety.

My wife and I have many concerns including the noise element over a large part of the day and possibly up to as late as 10.30 pm at night. However it is the chaos and potential danger to both public safety and that of the animals that regularly roam up and down Rhinefield Road which is our greatest concern. I understand that the venue could hold up to 600 people or more and at the least could regularly attract at least 500 people to each event. Rhinefield Road is not a suitable road for taking the large amounts of concentrated traffic (at the start and the end of each event) that will be generated by this number of visitors each time an event is held and indeed the unsuitable access to the site and the lack of easy on-site parking can only add to and exacerbate the chaos and potential danger to public safety. Inadequate on-site parking leads to many issues including on road parking on this narrow road and side roads; illegal parking on the road verges which are SSSIs; danger to pedestrians, animals and cyclists and potential traffic accidents. This is not to mention the public nuisance caused to residents and visitors trying to drive, walk or cycle through the area.

I have nothing against entrepreneurship and indeed it should be welcomed in these difficult times, but not to the detriment of an existing and thriving tourist attraction. I would ask you to please consider what we have here already in Brockenhurst and the potential effect this proposal could have. The applicant has stated that his events will attract more tourism to the area and he has used these arguments in favour of his proposal on a number of occasions. I would argue that if this application was granted it would have the opposite effect. Brockenhurst is a peaceful and attractive village in a beautiful setting within the New Forest and as tourists ourselves before settling here three years ago I know that Brockenhurst encourages and welcomes tourists of all ages. However, most tourists come here to get away from the noise and bustle of their everyday life and come here for the peace and quiet. They are largely people who enjoy cycling, walking, and watching the wonderful diverse nature that we have in the Forest. Events such as this application proposes will drive tourism away from the area not encourage it. Hotels and B&Bs local to the venue will surely suffer. I fail to see how the visitors to this venue will benefit Brockenhurst. They will come to the event in their cars or in coaches take part in the event then go home again in their cars and coaches.

It is so disappointing when a businessman cannot see beyond the pound signs in front of his eyes and fails to see the peace and beauty of an area to the point he is prepared to destroy an element of it with loud music, singing, shouting and other noises caused by the proposed activities. The ambience of the area for residents and visitors especially at the nearby camp sites hotels and B&Bs would be ruined.

With the above in mind, may I ask you to please note my concerns when considering this application.

Yours sincerely,

Richard & Rosemary Hood

10 Oberfield Road
 Brockenhurst
 Hampshire
 SO42 7QF

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22/11/2010

* Objection *

From: Christine Hooper
Sent: 22 November 2010 09:53
To: Licensing e-mail address
Cc: info@friendsofbrockenhurst.org.uk
Subject: OBJECTION to application reference LLICPR/10/07911

OBJECTION to application: reference LICPR/10/07911
New Forest Activity Centre Rhinefield Road Brockenhurst SO42 7QE

I wish to object to the application for a license to hold jousting events at this site.

My objection is on the following grounds:

- a. The increased traffic will cause a significant hazard and nuisance along the narrow and bendy Rhinefield Road, not only to other drivers and emergency vehicles, but to walkers, cyclists and the animals that share this environment with us
- b. Whilst the events might bring some tourists to the village, that benefit would be off-set by the loss of tourism from the noise pollution, traffic jams and perceived commercialisation of the forest setting. There are other pretty villages in the Forest for tourists to choose if they are seeking peace and tranquility and the true experience of 'being away from all that'.
- c. If this application is agreed, a dangerous precedent could be set for other commercial operations to set up similar events e.g. pop concerts, Glastonbury-style music festivals and so on.

It is my strongly-held view that Brockenhurst does not lend itself to this kind of exploitation of its environment. However, I would not like to be seen as someone who objects to change, whatever its nature. There are real and significant reasons why agreeing to this particular application would be most unwise.

Christine Hooper
4 Tattenham Road
Brockenhurst SO42 7SA

* Objection *

JEFF & SUE HOOPER
15 New Forest Drive
Brockenhurst
Hampshire, SO42 7QT

T: 01753 833333

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA



5 November 2010

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 - Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

We are writing to object to the granting of the above licence, which we feel should be rejected under the headings of public nuisance and public safety. We live in one of the roads in the immediate neighbourhood.

The application is set in very general terms, with very broad assurances that any concerns about noise, number of attendees/participants, traffic, parking, safety etc will be addressed; however the application is short on detail as to how the significant concerns raised by your Committee in refusing Application number LICPR/10/02286 will be dealt with in practice. We trust that you will consider this area in detail in reviewing this application.

You will be aware that this is a substantial site, which would require large-scale and/or high frequency events to take place to be commercially viable. Although the scale of the proposed activity has not been specified, the building in which the activity is to take place contains seating for more than 600 people (albeit that the new seating constructed last summer does not appear on the plan submitted with the application). We believe the application needs to be evaluated in the expectation that the objective is to use the facilities to their fullest extent to achieve commercial viability.

The Applicant states that the activities "*may include jousting tournaments*". Application number LICPR/10/02286, requesting a license for this activity on this site, aroused widespread local concern and was rejected in July for numerous reasons. Reasons for rejection, under the headings of both public safety and public nuisance, included:

- That the Centre is "very acoustically leaky" and to make the structure soundproof would cost tens of thousands of pounds

- That the noise would "affect residents south of Rhinefield Road and beyond". This would include New Forest Drive.
- That it was "highly likely" that when events took place the public highway would be obstructed"
- That the Sub-Committee expressed "serious concerns for the safety of the public" with "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"
- That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- That the Sub-Committee also noted that "parking on the site is limited".

The July decision, and the reasons for it, should be respected and any new application which seeks permission for jousting tournaments or similar activities on a potentially similar scale should be rejected for the same reasons.

Another activity requested by the Applicant is "*civil re-enactments*". The Applicant also states that "*the premises will be open to members of the public to attend and participate in events either as audience or active participants using the premises*" (our underlining). We consider that civil re-enactments and active audience participation are both likely to breach the noise limits which were a reason for turning down the application for this site in July, unless the Applicant will commit to undertaking substantial works to rectify the acoustic leakiness of the building.

The application requests permission to run activities until 22.30, seven days a week, throughout the year. This implies activities taking place in darkness, in the evening and in late afternoons in winter. The access road, which is over 200 yards long, is unlit and would be an unacceptable risk to public safety for mixed vehicle & passenger traffic in the dark.

The decision to reject the license application in July demonstrated the scale of the problems, the numbers affected and the strength of feeling aroused by proposals to run large-scale events and activities on this site. This is entirely consistent with the practical experience in 1995, when such events were allowed briefly to take place until NFDC issued an Enforcement Order. This site is inappropriate for the activities proposed and is incapable of being adapted to meet the concerns which have already been raised, given the rural setting and road access.

For these reasons, please reject this application.

Yours sincerely

Jeff & Susan Hooper

cc

Cllr Barry Rickman (Leader)

Cllr Maureen Holding (Local Councillor).

Dave Yates (Chief Executive)

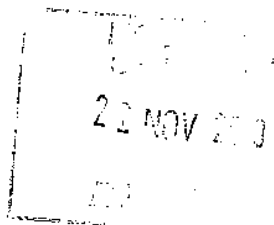
Dr Julian Lewis MP

74

* Objection *

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

Colin Horner
Annerley
Waters Green
Brockenhurst
Hants
SO42 7RG



18/11/2010

Dear Mr Weston

Reference No LICPR/10/07911

Licensing Act 2003-Grant of Premises Licence (S17)

New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

I am writing to object most strongly to the application of a licence to hold outside activities in the centre of a residential area of Brockenhurst.

- 1) This application makes a direct application for Jousting. (Already refused)
- 2) The site would have to be utilized to its maximum size to return the invested outlay.
- 3) The noise that these activities would create will be heard across large areas of the forest disturbing all animals and humans.
- 4) The light pollution would be enormous creating in autumn and winter huge disturbances with car and vans headlights in continuous streams leading to and from the venue.
- 5) Traffic would be generated at all times of the day and night as traders would have to utilize the forest track to service this site.
- 6) All main services may be compromised on size, leading to roadworks on Rhinefield road and some forest tracks to upgrade and increase effluent, water, gas and electric sizes.
- 7) Unfortunately venues with hundreds of visitors like this will result in litter being blown around the forest. We all know how inquisitive the animals are, it will be only a matter of time before one ingests the contents of or even the container with dire results.

- 8) The council would need to look at the rateable values of properties within Brockenhurst boundaries as there will be a vast reduction in their values especially in the immediate area of this operation.

- 9) Any vehicles that cannot be accommodated within the precincts of the venue would be parked on Rhinefield Road causing a traffic blackspot.

Yours Sincerely

Colin Horner

* Objection *

Sarah Wilson

F r: RICHARD JEANS

Sent: 22 November 2010 15:23

To: Licensing e-mail address

Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates

Subject: OBJECTION to Premises Licence Application reference LICPR/10/07911

We are writing to object to the Premises Licence Application ref LICPR/10/07911 re The New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE.

Our address is New Mead House, Broadlands Road, Brockenhurst, SO42 7SX, located to the south of Rhinefield Road approx. 300 metres from the application premises.

Our Objection is on the grounds that the application is unreasonable as it fails to address adequately the unappealed reasons for your committee's refusal of the previous application LICPR/10/02286 on 6th July 2010 and, furthermore, is seeking consents covering an even wider generalised range and longer duration of potential activities.

In particular we consider that the application should be refused on the grounds of:-

Public Safety

The potential volume of traffic generated by events would result in the risk of accidents to both humans and animals due to the build up of traffic trying to access and egress the narrow entrance to the premises at its junction with Rhinefield Road. The single track access drive leading to the premises is inadequate to accommodate safely the potential movement of vehicles and pedestrians and at the same time enabling access for emergency vehicles.

Public Nuisance

1. Unacceptable noise nuisance to residents in the locality and visitors seeking to enjoy the peaceful amenities of the National Park. The current application in no way addresses those grounds for refusal of the previous application.
2. The potential traffic congestion along Rhinefield Road due to the restricted access and on site parking, which will also result in uninvited use of Broadlands Road and neighbouring roads for access and casual parking. Being a private road the actions that can reasonably be taken to deter such uses are limited, particularly if wheel clamping on private property is to be banned.

We request that the Licensing Authority refuses this application on the grounds of failure to meet the licensing objectives of public safety and nuisance.

Mr and Mrs R Jeans

Sarah Wilson

* Objector *

From: Paul Jeffree
Sent: 15 November 2010 17:38
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding
Subject: Objection to License Reference LICPR/10/07911

Attachments: Objection.pdf; license objection.doc



Objection.pdf (93 KB)



license objection.doc (19 KB)

Dear Sir,

Please find attached our objections to granting of license Reference LICPR/10/07911.
(.doc or .pdf format).

Yours faithfully,

Paul & Ursula Jeffree.

cc: Barry Rickman
Maureen Holding

Phone:
email:

7 New Forest Drive
Brockenhurst
Hampshire
SO42 7QT

15th November 2010

Paul Weston, Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

Dear Sir,

Re: License Application, Licensing Act 2003 - Grant of Premises License (S17)
Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

Reference LICPR/10/07911

Please note our objection to granting this license for the following reasons:

The applicant seeks permission for a wide range of events to be held throughout the day including evening, every day of the year. They are generally of a rowdy nature with audience participation. They specifically include jousting, permission for which your subcommittee rightly refused earlier this year. That refusal was not appealed.

As nearby residents we would be particularly affected by the proven noise nuisance and probable disruption to traffic:

We experienced the noise when occasional similar events were held in the past, indeed the Council served an enforcement order to prevent it continuing. We do not believe that noise would be any more acceptable in future.

We understand that seating is in place for an audience of many hundreds. Such numbers must generate a sharp tidal flow of traffic at the start and finish of events, with consequent disruption and likely danger to pedestrians and Forest animals. Also, due to the restricted access to the site, it is very probable that many would park in nearby residential roads, to our immediate detriment.

We strongly feel that such activities on such a scale are completely out of place in this part of the Forest, adjoining this quiet residential area. In addition to residents, they would also spoil the pleasure of many visitors seeking peaceful enjoyment of the nearby Forest.

So please refuse this license.

Yours faithfully,

Paul and Ursula Jeffree.

* Objection *

Jones
THE OLD COACH HOUSE
FOREST PARK ROAD
BROCKENHURST
HANTS, SO42 7SW

16 NOV 2010

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lynhurst
SO43 7PA

12 November 2010

Dear Mr. Weston,

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises License (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst.

We wish to object strongly to the application for this License for the reasons given below. These fall under the headings Public Safety and Public Nuisance. You will be aware of the refusal in July last of License application LICPR/10/02286 which is pertinent to the present application. The applicant appears to ignore the grounds on which this latter application was refused.

Public Safety.

It is inconceivable that the applicant intends the activities covered by the License he seeks to be for the benefit of small numbers of local people; rather he would aim to attract people in numbers sufficient to make the enterprise commercially successful. Access to this site is via a narrow track, in poor repair and with only very uneven grass verges. It is unlit. In no way would this be a safe conduit for large numbers of people, both in vehicles and on foot. This access would be particularly dangerous in the dark. In our view the risks could not possibly be justified. This objection does not even take into account the needs of the disabled, or the fact that by day the track is frequently use by horses.

The applicant's assertion that "there is sufficient parking for vehicles on site" is highly questionable. It is noteworthy that the licensing committee in July observed that "parking on the site is limited".

The applicant's apparent dismissal of the obvious dangers of access to this site for the activities proposed is deeply disturbing. The applicant's view was certainly not shared by your sub-committee in July.

Public Nuisance.

The licensing sub-committee in July noted that the building involved was "very acoustically leaky". Nothing has been done to address this problem; indeed it would be very expensive to correct this deficiency. The noise likely to be generated by many of the activities covered by the license sought would not only be intolerable for the residents on the site but would affect at least 200 residential properties in the vicinity. The application seeks permission for the proposed activities every day from 0900 hrs to 22.30 hrs. If only 20% of this time was so used the intrusive effect on the lives of many would be inexcusable.

We therefore ask you and your Authority to refuse this application in the names of common sense and common decency.

Yours sincerely,

Dr. Norman Jones

Mrs Ann Jones

cc

Cllr Barry Rickman

Cllr Maureen Holding

David Yates, Esq.

** Objection **

Sarah Wilson

From: David Kirsch
Sent: 19 November 2010 13:15
To: Licensing e-mail address
Subject: Reference LICPR/10/07911

Mr. & Mrs D A Kirsch
Copperfield
Broadlads Road
Brockenhurst SO42 7SX

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

19th November BY EMAIL

Dear Mr Weston

Reference LICPR/10/07911

Licensing Act 2003 – Grant of Premises Licence (S17)

New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

We are writing to object to the granting of the above licence. This application is a repeat of the previously rejected one which included reasons for public safety, noise, obstruction of the highway, and intrusiveness to the lives of the local

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19/11/2010

residence.

We are also concerned that the continual applications for a licence has become a nuisance to everyone who has to spend a lot of time in writing letters to object, and must be costly to the council which in turn means an added bill to our rates.

There surely must be some way of putting an end to the persistence of this serial applicant.

Please reject this application.

Yours sincerely,

Joanna & David Kirsch

cc

Cllr Barry Rickman (Leader)

Cllr Maureen Holding (Local Councillor).

Dave Yates (Chief Executive)

Dr Julian Lewis MP

Graeme & Sally Ann Marshall

* Objection *

Sarah Wilson

From: John Luke
Sent: 21 November 2010 13:11
To: Licensing e-mail address
Cc: ken.thornber@hants.gov.uk; Cllr Barry Rickman; Dave Yates; Cllr Maureen Holding
Subject: Application: LICPR/10/07911 New Forest Activity Centre, Black Knoll, Rhinefield Road, Brockenhurst

Attachments: Letter NFDC4.doc

Dear Mr Weston

Licensing Act 2003 – Grant of Premises Licence (S17)

Application: LICPR/10/07911
New Forest Activity Centre, Black Knoll, Rhinefield Road, Brockenhurst

Please find attached our letter explaining why we feel this application for a premises licence must be rejected.

Yours sincerely

John & Valerie Luke

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22/11/2010

Walden House
Broadlands Road
Brockenhurst
Hampshire
SO42 7SX

20 November 2010

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

Dear Mr Weston

Licensing Act 2003 – Grant of Premises Licence (S17)

Application: LICPR/10/07911
New Forest Activity Centre, Black Knoll, Rhinefield Road, Brockenhurst

We refer to this revised application for a Premises Licence by the New Forest Activity Centre which proposes to run Regulated Entertainment - plays, indoor sporting events, live music, recorded music, performance of dance, facilities for making music, facilities for dancing – Monday to Sunday 0900 hrs – 22.30 hrs indoors only - on the Back Knoll site.

We live at the northern-most end of Broadlands Road directly opposite the access road to the Black Knoll estate. As very close neighbours of the New Forest Activity Centre [NFAC] we view Application: LICPR/10/07911 with trepidation and grave concern for the potential for devastating impacts (event noise, road safety, traffic management, emergency access, animal welfare, off-site parking, littering and other nuisances) that such events may inflict upon us, our neighbours, the residential population of the local area and on the local environment - it's tranquility, wildlife and environmental tourism - should such events ever be permitted.

The new application is written in the most general of terms, providing only a broad assurance of how known local concerns about event noise, number of attendees, participants, traffic management, parking, public and animal safety etc will be dealt with. Specifically, the new application does not provide any information on how the significant concerns raised by the NFDC Sub-Committee in refusing Application LICPR/10/02286 earlier this year will be addressed in detail. The issues raised remain essentially the same as those very thoroughly examined on 6 July 2010 at Appletree Court, Lyndhurst when Application LICPR/10/02286 was comprehensively rejected.

The new application disingenuously addresses none of the reasons cited by the sub-committee for refusing the earlier application adequately. Indeed not only are large elements of the new application simply repetitive of the previous one but new elements are added that make this application even more unsuitable for this quiet and unspoilt rural location – e.g. much longer operating hours, all year-round activity and additional categories of totally inappropriate activities for a rural community such as civil re-enactment, live and recorded music, plays and indoor events.

The reasons for rejection given by the Sub-Committee under the headings of both public safety and public nuisance are fully relevant in considering this new application and should be heeded including:

- The NFAC arena is acoustically very leaky. To make the structure soundproof would cost tens of thousands of pounds*.
- Event noise will affect residents south of Rhinefield Road and beyond
- It was "highly likely" that when events took place the public highway would be obstructed
- Serious concerns for the safety of the public with significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road
- Concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track and in the local area.
- Parking on the site is limited

* Specifically on the noise issue, as far as we are aware the applicant has made no provision to soundproof the arena building. In any case we consider it to be extremely unlikely that any conceivable structural modifications to the existing buildings could be expected to contain indoor music noise levels of up to 120dB(A) or greater to such an extent that through-wall and doorway noise leakage to the outside could be constrained to remain at all times within the Background Noise level of approx 35 dB(A) measured in this location earlier this summer. Any increase in noise level above background noise level is unacceptable, becoming *de facto* a "noise nuisance."

Apart from the noise containment issue, we are alarmed at the prospect of huge impacts from traffic likely to be attracted by the proposed events on the minor service roads of this relatively inaccessible backwater of Brockenhurst and the New Forest National Park. Predictably it would lead to immediate, significant and lasting damage within the area through the likelihood of accidents involving people, particularly children and animals, traffic chaos, road damage, disorderly parking and the possibility of public order offences arising from driver and resident frustration.

Such events as those proposed by the applicant has no relevance to the way of life, the culture or the recreational enjoyment of the New Forest National Park enjoyed by residents and its visitors and would inevitably act as a bellwether for ever greater exploitation of the lands of the New Forest National Park by socially and environmentally unsympathetic commercial adventurists.

For these and many other detailed reasons reiterated in the Addendum to this letter attached below we must ask you to reject the Application unconditionally.

Yours sincerely

Mr J.A. & Mrs V Luke

Copied to:
 Mr K Thornber, Leader, Hampshire County Council
 Cllr B Rickman (Leader)
 Mr D Yates, Chief Executive NFDC
 Mrs M Holding, Portfolio Holder, NFDC
 Dr J Lewis MP (New Forest East)

Addendum

Restatement of Luke household concerns over Potential Local Environmental & Health & Safety Impacts from Proposed Activities

Public Nuisance Noise

The Event organisers have applied to use a PA system and accompanying live or recorded music. All of these noises will no doubt be emitted at almost deafening loudness on-site and despite the applicant claims that the noises will be limited to indoors, it is inconceivable to us that any modified structure on site intended as the venue for these events will be even remotely adequate to suppress the noise levels to Background Noise Level of 35 dB(A) that exists normally in this quiet rural retreat. Leaking noise would carry easily to neighbouring properties creating a Statutory Nuisance under The Noise Act 1966 throughout the operational periods. We recall previous disturbing and disruptive uses of loud PA systems at this site during events a few years ago, which caused unacceptable and distressing intrusion into our lives.

Access to the Proposed Event

Access to the driveway to the site of the proposed Events is extremely narrow, of a poor standard suitable only as a service road to the limited number of on-site properties. It joins the passing Rhinefield Road abruptly at 90°; any vehicle entering this access road must slow almost to a halt to negotiate the entrance carefully to avoid trees, ditches and stone markers.

Traffic intending to use this access will be approaching from both directions of Rhinefield Road. The access is not easily spotted from passing vehicles in either direction, which could cause sudden breaking and un-signalled manoeuvres. It seems completely unsuited to many of the types of vehicle likely to want access to the site during proposed events such as coaches, mobile commercial food sellers or mobile or towed caravans.

Traffic turning into the driveway will quickly damage the verges of the driveway and Rhinefield Road and could easily be bogged down in the muddy verges and ditches

Congestion

Rhinefield Road and the lanes feeding into it are minor roads unsuitable for carrying anything other than small volumes of traffic accessing local properties and tourist traffic during the summer. Should the Event(s) be allowed, bearing in mind the difficulties with access to the NFAC site, severe traffic congestion in Rhinefield Road is inevitable. This will have an immediate knock-on effect on local traffic as queues formed from the driveway entrance can be expected to tailback in both directions - to Meerut Road and beyond North Weirs (see Map) - effectively shutting off from normal and Emergency Vehicle use ALL of the public and private cul-de-sac roads of the Forest Park Area of Brockenhurst that exit onto Rhinefield Road, including Broadlands Road.

Access and egress of Emergency Vehicles to the site of the proposed Events and to all the 200 or so properties of the Forest Park area will be at best inhibited, at worse prevented.

During proposed events normal village life will in all probability come to a standstill causing huge frustration for residents and environmental tourists alike who use Rhinefield Road as a main access to the New Forest National Park, especially Rhinefield Drive and it's environs - a favourite with cyclists and picnickers. Not every resident of the area is sufficiently able-bodied or mobile to walk to local amenities.

Off-site Parking

Because of limited parking on-site at the proposed event and the frustration that inevitably will arise from the difficulties of access as explained earlier, it is readily foreseeable that many people intending to visit the proposed event will simply abandon their cars on Rhinefield Road verges and in local cul-de-sacs, leading to access problems to those roads, kerb damage, driveway blocking and other concerns for local residents. Off-site parking in private roads will of course be illegal but will require enforcement.

Traffic Dangers; increased risk of accidents

Animals owned by Commoners (ponies, cattle, donkeys and pigs) and wild animals such as Deer roam at will in Rhinefield Road and the cul-de-sacs leading from it. In normal circumstances people familiar with the area and its nature drive with great care to avoid accidents with animals that can appear unexpectedly. Even in these circumstances, collisions occur resulting in human and animal casualties. The presence of greatly increased volumes of traffic, much of which would be unfamiliar with the local environment, together with the attendant frustrations can be expected to increase the dangers of collision and casualties to both people and animals.

Rhinefield Road is a prime route for cyclists who hire bicycles from village outlets and head for Rhinefield Drive and its environs. It is a common sight to see whole families including very young children using this Road in a relaxed and carefree manner that suggest that often they are unaware of the dangers of traffic using the road even in normal circumstances. Huge additional traffic congestion in Rhinefield Road arising from the proposed events will greatly exacerbate the dangers to cyclist, especially the very young and very unaware children. This enhanced risk of serious or even fatal accidents involving very young children is a foreseeable hazard and must be addressed.

* Objection

12 The Coppice
Brockenhurst
Hants
SO42 7QZ

Phone

Licensing Services,
New Forest District Council,
Appletree Court,
Lyndhurst,
SO43 7PA.

18th November 2010

Dear Sirs,

New Forest Activity Centre

We gather that the above-noted organisation in Rhinefield Road, Brockenhurst has again submitted application for Grant of Premises Licence for virtually continuous use of their premises for totally inappropriate activities in a quiet rural village of the New Forest.

We live across the Rhinefield Road, a very short distance from the "Centre", and herewith, we wish to register our strong objection to use of the premises for the described activities.

Specifically, under Prevention of Public Nuisance, we object to anticipated noise levels associated with the described use of the Centre. Under Public Safety, the undoubted increase in vehicular traffic along little more than a quiet country lane would undoubtedly cause chaos, traffic jams and the potential for serious accident.

Yours faithfully,

A J MacLeod and G MacLeod

* Objection *

Sarah Wilson

F n: Graeme Marshall
Sent: 05 November 2010 15:59
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates;
Subject: Reference LICPR/10/07911 New Forest Activity Centre/ Attention Paul Weston
Attachments: Microsoft Word - NFDC re Licensing Application Oct10.pdf

Dear Mr Weston

Please see attached letter objecting to the grant of the License.

Regards
Graeme Marshall

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**Black Knoll House,
Rhinefield Road,
Brockenhurst,
Hampshire SO42 7QE**

Tel: .

Fax:

Email:

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

5 November 2010
BY EMAIL

Dear Mr Weston

**Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE**

We are writing to object to the granting of the above licence, which we feel should be rejected under the headings of public nuisance and public safety. We live in one of the two immediate neighbouring properties to the site and share the access road.

The application is set in very general terms, with very broad assurances that any concerns about noise, number of attendees/participants, traffic, parking, safety etc will be addressed; however the application is short on detail as to how the significant concerns raised by your Committee in refusing Application number **LICPR/10/02286** will be dealt with in practice. We trust that you will consider this area in detail in reviewing this application.

You will be aware that this is a substantial site, which would require large-scale and/or high frequency events to take place to be commercially viable. Although the scale of the proposed activity has not been specified, the building in which the activity is to take place contains seating for more than 600 people (albeit that the new seating constructed last summer does not appear on the plan submitted with the application). We believe the application needs to be evaluated in the expectation that the objective is to use the facilities to their fullest extent to achieve commercial viability.

The Applicant states that the activities "*may include jousting tournaments*". Application number **LICPR/10/02286**, requesting a license for this activity on this site, aroused widespread local concern and was rejected in July for numerous reasons. Reasons for rejection, under the headings of both public safety and public nuisance, included:

- That the Centre is "very acoustically leaky" and to make the structure soundproof would cost tens of thousands of pounds

- That the noise would "affect residents south of Rhinefield Road and beyond". It is not merely the two immediate neighbouring properties that will suffer
- That it was "highly likely" that when events took place the public highway would be obstructed"
- That the Sub-Committee expressed "serious concerns for the safety of the public" with "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"
- That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- That the Sub-Committee also noted that "parking on the site is limited".

The July decision, and the reasons for it, should be respected and any new application which seeks permission for jousting tournaments or similar activities on a potentially similar scale should be rejected for the same reasons.

Another activity requested by the Applicant is "*civil re-enactments*". The Applicant also states that "*the premises will be open to members of the public to attend and participate in events either as audience or active participants using the premises*" (our underlining). We consider that civil re-enactments and active audience participation are both likely to breach the noise limits which were a reason for turning down the application for this site in July, unless the Applicant will commit to undertaking substantial works to rectify the acoustic leakiness of the building.

The application requests permission to run activities until 22.30 hrs, seven days a week, throughout the year. This implies activities taking place in darkness, in the evening and in late afternoons in winter. The access road, which is over 200 yards long, is unlit and would be an unacceptable risk to public safety for mixed vehicle & passenger traffic in the dark.

The decision to reject the license application in July demonstrated the scale of the problems, the numbers affected and the strength of feeling aroused by proposals to run large-scale events & activities on this site. This is entirely consistent with the practical experience in 1995, when such events were allowed briefly to take place until NFDC issued an Enforcement Order. This site is inappropriate for the activities proposed and is incapable of being adapted to meet the concerns which have already been raised, given the rural setting and road access.

For these reasons, please reject this application.

Yours sincerely
Graeme & Sally Ann Marshall

cc
Cllr Barry Rickman (Leader)
Cllr Maureen Holding (Local Councillor).
Dave Yates (Chief Executive)
Dr Julian Lewis MP

* Objection *

Sarah Wilson

From: J. Masefield
Sent: 13 November 2010 13:50
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Dave Yates; Cllr Maureen Holding
Subject: Black Knoll Premises Licence

Dear Mr Weston,

Licensing Act 2003 - Grant of Premises Licence (S17).
 Premises: New Forest Activity Centre, Rhinefield Road,
 Brockenhurst, SO42 7QE,
 Ref: LICPR/10/07911.

Please reject this application, which would violate at least two of the four licensing objectives, *i.e.* public nuisance and public safety. I write as the owner/occupier of the house nearest to the site at the heart of this application. My address is Black Knoll Cottage, Rhinefield Road, Brockenhurst, SO42 7QE. I would be directly affected under both headings, not least because we share a common drive / access, (now in a state of pot-holed disrepair).

The issues raised are essentially the same as those which were very thoroughly examined on 6 July at Appletree Court, Lyndhurst. That application was comprehensively rejected. The current application addresses none of the reasons clearly set out for refusing the application. Indeed not only are large elements of the new application repetitions of the previous one, but new elements are added that make this application even more unsuitable - *eg.* longer hours, all year-round activity, and additional categories of totally inappropriate activities such as civil re-enactment, live and recorded music, plays and indoor events.

The background to this application and the physical details of the location remain unchanged from the earlier application. On that occasion the Sub-Committee, chaired by Councillor Beck, established that "the structure within which the events would take place was very acoustically 'leaky' " and that "the only way of preventing a noise nuisance was to effect substantial works to sound proof the structure at a cost of tens of thousands of pounds". No such work has been undertaken, and the application makes no reference to plans for such work. Yet, in the absence of any appeal against the previous decision it must be presumed that these facts are accepted by all parties.

The applicant has submitted a sketch plan of the Barn in which the proposed activities might take place. Most unfortunately, to say the least, it is inaccurate and potentially mis-leading. First of all the sketch shows none of the 600 or so seats carefully constructed earlier this year with the knowledge and permission of the applicant. This seating was subject to inspection and modification following visits by the NFDC's own officers. Furthermore I do not believe that the sketch adequately represents the extent of the original seating constructed by the Lorrison-Clarks. The net effect is that it is not made clear that there is potential seating for over 1000 spectators, and at the same time the area of the "arena" in which performances might take place is depicted as much larger than it really is.

A second deficiency of the sketch is that it makes no distinction between those outer walls which are substantial and potentially might contain some sound, and those which are, apart from some netting, open-sided. To make such walls solid would require planning permission, which has been refused (and confirmed on appeal).

The state of the building needs to be clearly understood, for the summer hearing established beyond argument that crowd noise could not be controlled and that for events such as Jousting it was likely to amount to public nuisance. This had, of course, been the case in 1995 when a similar event produced such noise that the Council issued an Enforcement to require it to cease.

On the subject of noise the applicant states "strict adherence will be made to the possibility of noise disruption". It is not clear what this is supposed to mean in comprehensible English. What it certainly does not do is provide any specific, concrete action or measures to prevent noise. Yet as was the fact in 1995, and as made clear in July, "noise would affect residents south of Rhinefield Road and beyond". A map provided by NFDC in July showing the location of objectors indicates the likely outreach of such noise based on the 1995 experience, which is all too clearly remembered.

The applicant also states that "noise monitoring equipment will be in situ". It is not clear how this is relevant, since the problem that has been established is that everyone knows that there will be unacceptable and uncontrollable noise. Monitoring it will not prevent the problem, since as noted above, it is already established that the organiser of such events could not control the noise levels.

Incidentally it was accepted in 1995 and in July 2010 that it was not only residents of Brockenhurst that would be affected, but importantly visitors as well, and of course those in transit along the Rhinefield Road.

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15/11/2010

The applicant refers to the objective of "ensuring that the noise generated by the events does not exceed the limit provided for by the Environmental health officers of the Local Authority". Not only does he not mention how he might achieve this goal, but it was also established at the earlier hearing that he could not do so. The reasons are unequivocally set out in paragraph 7 and its subsections in the Sub-Committee's Report of 7 July.

Turning from noise to traffic, the Sub Committee noted in July that "parking on the site is limited". The current application has appended to it a map showing an even smaller area of available parking space. I shall provide by post a copy of a photograph in the possession of the NFDC which shows the very limited number of vehicles that could be parked even on the larger site considered in July. Certainly there is no space for remotely enough vehicles to transport upwards of 1000 members of the public to the events described in the application. It is therefore nonsense for the applicant to assert "there is sufficient parking for vehicles on site to take account of the planned events and to ensure that vehicle access does not cause difficulties to neighbours".

This assertion, relating to a smaller area than the one considered in July, does nothing to meet the Sub-Committee's unappealed findings that "it was inevitable that there would be significant traffic build up on Rhinefield Road" and that "it would be highly likely that, when events took place, the public highway would be obstructed". The Sub-Committee spelled out that "an obstruction of the public highway does constitute a public nuisance".

Furthermore the Sub-Committee determined that traffic issues necessitated a refusal of a licence in relation to the licensing objective of public safety. The Sub-Committee's concerns focused on "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"; risks to pedestrians walking along the single track access to the site (over 200 yards in length and only 11 feet wide with no passing points), and "concerns regarding the access for emergency vehicles in light of the narrowness of the track".

The current application does nothing to meet any of these problems, but merely states that "risk assessments will be carried out and put in place for the various events to take place". Again the wording of the second part of this sentence is meaningless. Elsewhere the application vaguely refers to "strict supervision of the events taking place with regard to numbers of participants". With seating available for over 1000, and some events supposed to involve further members of the public as "active participants": it is clear that the applicant expects to attract more than the handful of people that could arrive in vehicles parked on the restricted site. In any event if the large capacity Barn is to be lighted and heated for winter and/or evening events, it is clear that to be commercially viable more than a scattering of members of the public would have to be present.

I would urge the Authority to refuse this licence application as before on the grounds of failure to meet the licensing objectives of public safety and public nuisance.

I leave it to the Authority to determine whether there are also objections under the headings of the Prevention of Crime and Disorder and the Protection of Children. The applicant states in another piece of obscure English that "there are no activities that should give rise in respect of children", whatever that means. However the terms of the application could include Raves and "Adult Dancing".

The applicant also boldly asserts that "it is not intended that the events taking place at the site will generate significant disorder, or indeed will facilitate any criminal activity or events". This is extraordinary! Clearly no application could set out to intend to generate disorder or facilitate criminal activity! The applicant gives no application of how he would try to prevent either disorder or crime, and he appears to admit that he could be seeking to generate disorder - but not amounting to an intention to generate significant disorder.

All in all this is a totally unsuitable premises licence application and I urge you to reject it as incompatible with the licensing objectives set out in the Licensing Act 2003.

I am copying this letter to Julian Lewis MP and Brockenhurst Parish Council amongst others. A hard copy with enclosures will be sent to Appletree Court.

Yours sincerely,

J.T. Masfield.

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Paul Weston,
Licensing Officer,
New Forest District Council,
Beaulieu Road,
Lyndhurst,
Hants. SO43 7PA.

Black Knoll Cottage,
Rhinefield Road,
Brockenhurst,
Hampshire,
SO42 7QE.

13 NOV 2010

16th November 2010

Dear Mr Weston,

Licensing Act 2003 – Grant of Premises Licence (S17).
Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE.
Ref: LICPR/10/07911.

As foreseen in my email of 13th November, I am enclosing various documents relevant to this application and to the objections which I am putting forward.

a) A copy of an aerial photograph from (I believe) 1994 showing the relatively small number of vehicles that could be parked adjacent to the building now at the heart of this application. The original should be in the possession of the NFDC.

b) A copy of the NFDC Enforcement Notice of 22nd September 1995 issued by the NFDC in respect of similar activities at this location.

c) A copy of a map issued earlier this year by NFDC to show the location of objectors to the earlier application for a Premises Licence for the Activity Centre.

d) A copy of a letter dated 13 September 2010 from Mr. Girling (Heathgate Land and Property Ltd.) stating that in 1995 the facilities at the Centre included seating for some 500 people. This seating still exists.

e) A copy of a statement from Environmental Health (Commercial) relating to the July Hearing which records that work had been satisfactorily completed on the new stands to accommodate audiences, and that they could now be used. This seating is not shown on the sketch of the Centre submitted by the Applicant.

f) A copy of a communication from Mr. Edward Vandyck from Environmental Health Pollution at the NFDC showing the level of background noise at the site to be 33dB. It also suggests an MNL not exceeding 38dB(A) over any 15 minute period.

g) Please would you append to this letter a copy from your own records of the Licensing Sub-Committee's Decision of 7th July 2010 in respect of Application LICPR/10/02286.

Copies of this letter, without the enclosures, go as before to Mr. Barry Rickman, Mr. Dave Yates, Mrs. Maureen Holding, Mr. Julian Lewis MP and Brockenhurst Parish Council amongst others.

Yours sincerely,

J. T. Masefield.

NEW FOREST DISTRICT
COUNCIL

NEW FOREST DISTRICT
COUNCIL



IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: New Forest District Council

(1) **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171(A)(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

(2) **THE LAND AFFECTED**
The land at Black Knoll House, Rhinefield Road, Brockenhurst in Hampshire, shown edged red on the attached plan.

(3) **THE BREACH OF PLANNING CONTROL ALLEGED**
Without planning permission, changing the use of the land from a mixed use of livery stable/riding tuition to a mixed use of livery stable/riding tuition and that for public entertainment.

(4) **REASONS FOR ISSUING THIS NOTICE**
It appears to the Council that the above breach of planning control has occurred within the last ten years.

(i) The use of the land for public entertainment including equine shows attracts a concentration of visitors to the area beyond those which would otherwise be present leading to additional pressures on surrounding Forest roads representing a disturbance and danger to the welfare of animals in the area.

(ii) The use of the land for the purpose of public entertainment leads to noise and disturbance to residents and visitors to the area and detracts from the enjoyment of the amenities of this area of quiet countryside.

(iii) The fabric of the New Forest is threatened by extensive public use and the need to protect it is widely recognised within planning policies. This use represents a further tourist attraction which encourages people to use the Forest in close proximity to the land affected and such a use adds to existing pressures which have an adverse impact on the New Forest.

(iv) The land is situated within the New Forest and designated as Green Belt and New Forest Heritage Area in the adopted Forest and Downlands Villages Local Plan and the draft New Forest District Plan. The use of the land for public entertainment purposes is contrary to the policies of the plans which seek to protect and conserve the New Forest from inappropriate development.

The Council do not consider that planning permission should be given, because planning conditions could not overcome those problems.

Continued...

(5) WHAT YOU ARE REQUIRED TO DO

To cease the use of the land for public entertainment including equine shows.

Time for compliance: One month after this notice takes effect.

(6) WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 27 October 1995, unless an appeal is made against it beforehand.

Dated: 22 September 1995



Signed:
Acting Chief Solicitor

New Forest District Council
Appletree Court
Lyndhurst
Hampshire SO43 7PA

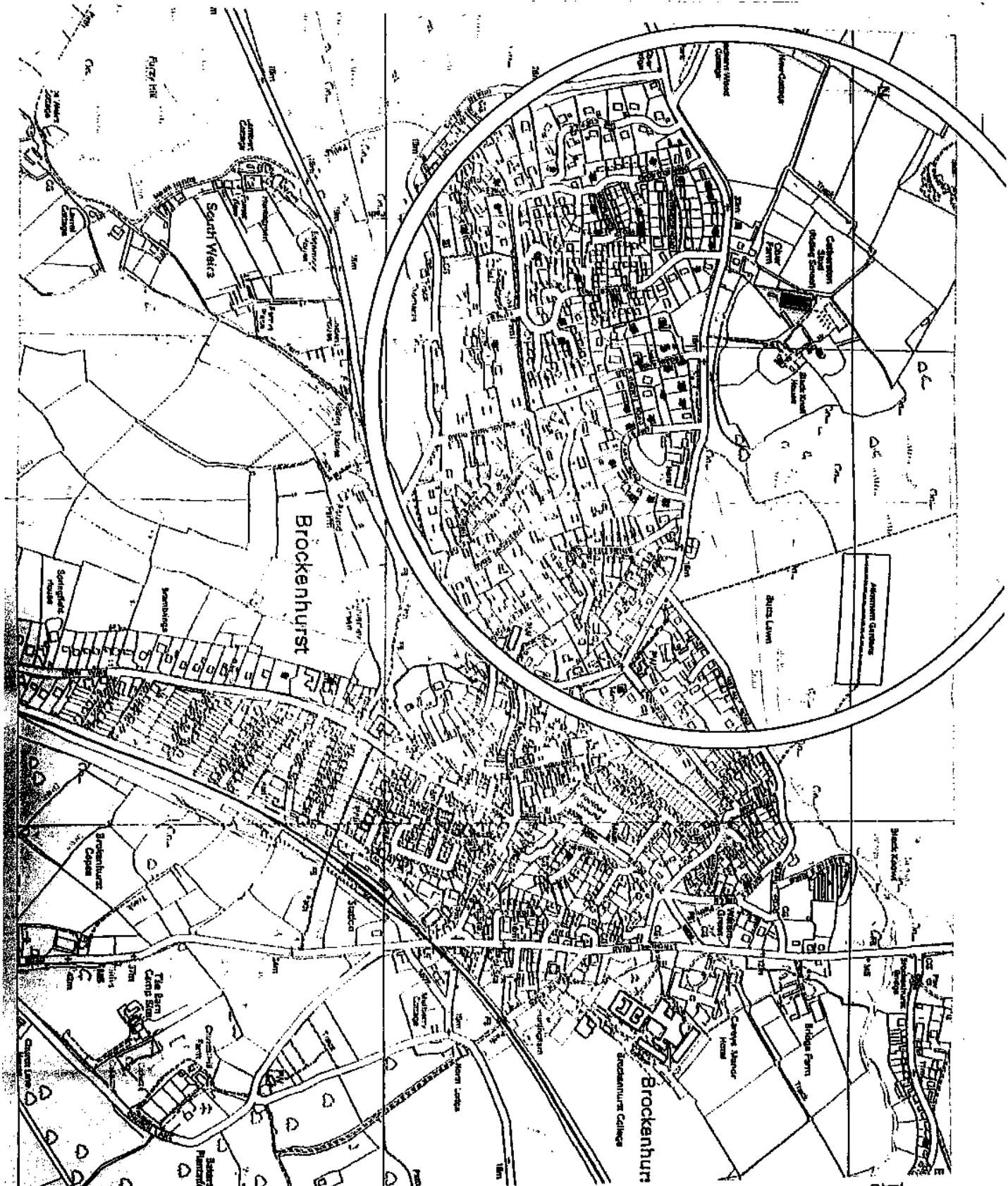
ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 27 October 1995. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this enforcement notice which is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on 27 October 1995 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in this notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.



Amey Street
 Amey Street
 Amey Street

New Forest
 DISTRICT COUNCIL



New Forest District Council
 Appointments Court
 Lyndhurst
 SO43 7PA

Tel: 023 8222 5000
 www.newforest.gov.uk

LICENSING
 SUB-COMMITTEE

New Forest
 Activities Centre
 Rutherford Road
 Brockenhurst
 SO42 7QE

Objectors

- New Forest National Park Authority
- New Forest District Council (Environmental Health (Commercial) & (Publican))
- Brockenhurst Parish Council
- Friends of Brockenhurst
- Medieval Jousting Ltd
- Sticks Farm Bodge
- Balke Lamphorn Solicitors

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HEATHGATE LAND AND PROPERTY LTD

**SLADE FARM,
CHURCH LANE,
BOLDRE, LYMINGTON,
HAMPSHIRE.
SO41 5QL**

Telephone _____

email; _____

Rob Ainslie Esq,
Head of Development Control.
New Forest National Park Authority,
Efford Park,
Milford Road,
Lymington,
Hampshire. SO41 OJD

13th September 2010

By email

Dear Mr Ainslie

The New Forest Activity Centre.

Thank you for your letter of 31st August.

To avoid any misunderstanding I would like to confirm that there is not currently any intention to go beyond the capacity of the building when it was last used.

In 1995, at the time identified within the CLU certificate, the building had permanent seating for some 500 people. It also had canteen/ restaurant and toilet facilities. The seating and facilities remain in place. If you wish to come and confirm their existence for yourself you are most welcome for their presence was part of the evidence provided at the time the CLU was applied for in 2005.

There has been much public comment about the status and manner of the issuing of the CLU. Much of it ill informed and some wilfully malicious, leading to the consequential pressure on the NPA and NFDC to frustrate or rescind the Certificate of Lawful Use. However the CLU was properly applied for and in my view properly issued. Clearly any attempt to frustrate the permitted use will lead to a call for compensation as is already the case with NFDC over the reversal of advice given to the Company over Licensing requirements, leading to the loss of revenue for the 2010 season.

As to Licensing for the future, preparations are underway for a new licensing application to be made. This time it will be professionally made to avoid the pressure on the operator that occurred on the last occasion.

Cont/d

2.

In approaching you as I did in my letter of 2nd August, The approach was made after discussions with the immediate neighbours. They favour a residential alternative to the present permitted use. Will you respond to that as a suggestion because agreement on that would address your concerns over traffic impact as well as the additional concern of the neighbours over having any commercial use whatsoever in the existing building and next to their respective properties. For my part I would be prepared to enter discussions to recommend to the Company residential use as the basis of a solution to this long running saga but I would emphasise that it would be impossible for Heathgate to surrender the present use of the site, generating the value that it does, unless a mutually acceptable alternative is found.

I hope I may hear from you shortly.

Regards,

Alan A. Girling.

Cc Mr and Mrs Masefield and Mr and Mrs Marshall

Statement from Environmental Health (Commercial) for Black Knoll Hearing

1. Environmental Health (Commercial) were concerned regarding the structural safety of the stand intended to accommodate the audience. A Prohibition notice was served under the Health and safety at work act preventing use of the stand until strengthening work had been undertaken to the satisfaction of a competent structural engineer. This notice has now been complied with. The stands are therefore able to be used.
2. Environmental Health (Commercial) requested from Mr. Girling a Management Plan for the asbestos on site. Details have now been received.
A minor outstanding item will be regulated under legislation specific to this matter.
3. Environmental Health (Commercial) required written confirmation from a competent person that the electrical system on site is safe. This has been provided.
4. Information regarding car parking and pedestrian safety was required. This has been provided.
5. A marquee will be used at the front of the building. Based upon information provided, we have no representation to make about this structure.
6. A valid certificate of Employers Liability for Medieval Jousting Ltd. has been produced.

Memorandum

FROM: Edward Vandyck TO: Licensing Cttee

Ext: 023 8028 5160
My Ref: EPCST/10/02298
Your Ref: Licensing Application
Date: 06 July 2010

Copies:

The New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

The background has been assessed in the early afternoon at 33dB

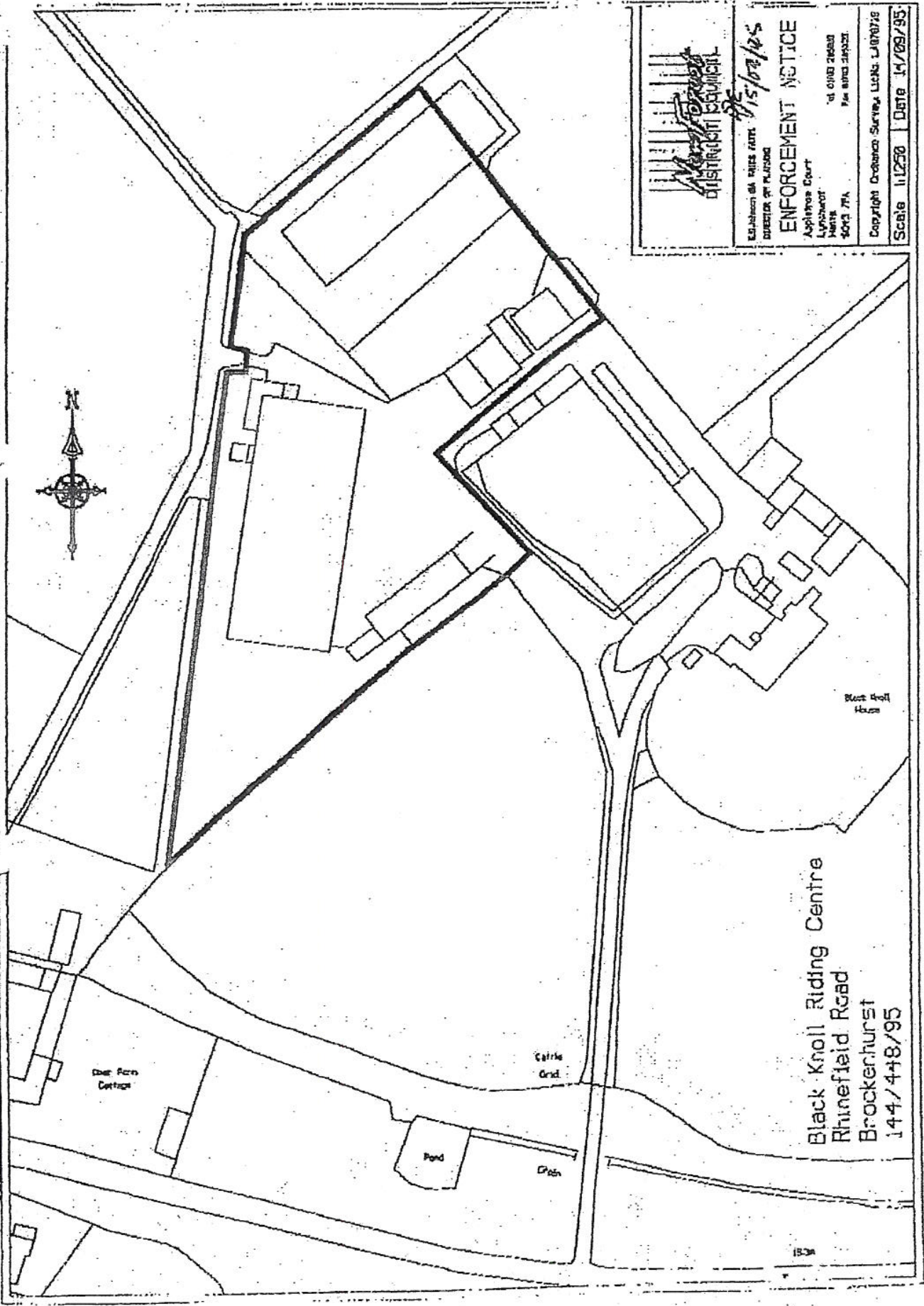
COP on Environmental Noise Control at Concerts

'For those indoor venues used for up to about 30 events per calendar year an MNL not exceeding the b/ground noise by more than 5dB(A) over a 15 minute period is recommended for events finishing no later than 2300hrs.'

The MNL from amplified sound including voice shall not exceed 38dB(A) over any 15 minute period .


For evening performances, the MNL from amplified sound including voice shall exceeding 5dB(A) above a representative background level over any 15 minute period.

In addition, standard conditions, 1.0, 2.0, 3.0, 4.0, 6.0 from the COP.



Black Knoll Riding Centre
 Rhinefield Road
 Brockenhurst
 144/4+8/95

Black Knoll
 Farm

	ESTABLISHED 1971 DIRECTOR OF PLANNING
	ENFORCEMENT NOTICE
Application made by LYNCHWOOD 50/23 77A	at 0100 21000 P/a 5100 31000
Copyright Ordnance Survey, Licence L1070718 Scale 1:1250 Date 14/09/95	



* Objection *

From: J. Masefield
Sent: 18 November 2010 12:16
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Dave Yates; Cllr Maureen Holding; Brockenhurst Parish Council
Subject: Black Knoll Premises Licence

Dear Mr Weston,

Licensing Act 2003 - Grant of Premises Licence (S17).
Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE.
Ref: LICPR/10/07911.

Please would you refuse this application. As you know it is very similar to application LICPR/10/02286 considered at a Hearing on 6 July 2010. This one is even worse: it proposes a wider range of noisy and unacceptable activities, over a much longer portion of each day, for the entire year instead of a summer season. I live at Black Knoll Cottage, Rhinefield Road, Brockenhurst, SO42 7QE. This is next door to the Activity Centre. I would be directly affected by the proposed activities, which would fail to comply with at least two of the four Licensing objectives - public nuisance and public safety.

My husband's email to you dated 13 November 2010 has my full support. I wish, however, to underline two points.

First, the previous hearing made clear the extent of the problem relating to noise at such a level, intensity and duration as to amount to public nuisance. It is established that the building is "very acoustically leaky" (please note the "very"), and could only be sound-proofed at great cost. Much of the noise generated by the proposed activities could not be controlled and would affect residents south of Rhinefield Road and beyond. The hearing also established that, as a result of the numbers coming to events at the Activity Centre, there were serious concerns for the safety of the public in a number of respects, both on Rhinefield Road and on the single track access road to the site.

Nothing in the new, wider-ranging application does anything to mitigate the problems previously identified.

Second, please note that the Sub-Committee considered in its decision of 7 July whether conditions might be imposed to ensure that the licensing objectives would not be prejudiced. It concluded, for several reasons, that a condition would not resolve the problem. Those reasons, set out in paragraph 7 of the Decision of 7 July, are still valid in respect of the present application. I ask you to uphold these carefully-examined considerations.

On the evidence, in the name of consistency, and in accordance with the provisions of the 2003 Act, please refuse this second application.

Yours sincerely,

Jennifer Masefield.

The information in this electronic mail (email) and any appendices to it is the property of New Forest District Council.
It may contain confidential information. It is intended for the addressee only.
Communications using this email system may be subject to recording and/or monitoring in accordance with relevant legislation.

* Objection *

'Michelmersh',
Broadlands Road,
Brockenhurst,
Hampshire.
SO42 7SX.

Tel :

Thursday, 18th November, 2010.

Mr Paul Weston.
Licensing Officer,
New Forest District Council,
Appletree Court,
Beaulieu Road,
Lyndhurst.
SO42 7PA.



Dear Sir,

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE.

My family and I wish to register our total objection to the above application & urge you to reject it in its entirety, it being a disaster waiting to happen if given permission.

We have no wish to reiterate all the objections & comments that you will have received from the owners of the two properties adjacent to the Black Knoll Barn, save to say that we agree 100% with their objections.

We live in one of the several houses on the Southern side of Rhinefield Road nearest to the beginning of the track to the barn & are already disturbed by the noise of traffic on what is a narrow & busy road.

If permission were ever to be granted for any activities on this site, the effect on Rhinefield Road & probably Brockenhurst as a whole would be unbearable & dangerous. We have not only motor vehicles of all descriptions using Rhinefield Road but also cyclists, walkers, ponies, cattle, donkeys & deer (plus pigs in the autumn) during daylight and darkness.

This would undoubtedly lead to "accidents" involving animals, children & adults, cause traffic chaos & hindrance to Ambulances, Fire service, Police, refuse collection vehicles & very significant use by local inhabitants & visitors.

Who is going to police all this ?

This application is much worse than that turned down earlier this year – **it must not be allowed to happen !**
Again please reject this application in its entirety.

Yours faithfully,

D.R.Moore.

** Objection **

my letter
Little Meadcrest
Broadlands Road
Brockenhurst
Hants
SO42 7SX

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

5 November 2010

RECEIVED
- 9 NOV 2010
LICENSING

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

We are writing to object to the granting of the above licence, which we feel should be rejected under the headings of public nuisance and public safety. We live in one of the two immediate neighbouring properties to the site and share the access road.

The application is set in very general terms, with very broad assurances that any concerns about noise, number of attendees/participants, traffic, parking, safety etc will be addressed; however the application is short on detail as to how the significant concerns raised by your Committee in refusing Application number LICPR/10/02286 will be dealt with in practice. We trust that you will consider this area in detail in reviewing this application.

You will be aware that this is a substantial site, which would require large-scale and/or high frequency events to take place to be commercially viable. Although the scale of the proposed activity has not been specified, the building in which the activity is to take place contains seating for more than 600 people (albeit that the new seating constructed last summer does not appear on the plan submitted with the application). We believe the application needs to be evaluated in the expectation that the objective is to use the facilities to their fullest extent to achieve commercial viability.

The Applicant states that the activities "*may include jousting tournaments*". Application number LICPR/10/02286, requesting a license for this activity on this site, aroused widespread local concern and was rejected in July for numerous reasons. Reasons for rejection, under the headings of both public safety and public nuisance, included:

- ♦ That the Centre is "very acoustically leaky" and to make the structure soundproof would cost tens of thousands of pounds
- ♦ That the noise would "affect residents south of Rhinefield Road and beyond". It is not merely the two immediate neighbouring properties that will suffer
- ♦ That it was "highly likely" that when events took place the public highway would be obstructed"
- ♦ That the Sub-Committee expressed "serious concerns for the safety of the public" with "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"
- ♦ That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- ♦ That the Sub-Committee also noted that "parking on the site is limited".

The July decision, and the reasons for it, should be respected and any new application which seeks permission for jousting tournaments or similar activities on a potentially similar scale should be rejected for the same reasons.

Another activity requested by the Applicant is "*civil re-enactments*". The Applicant also states that "*the premises will be open to members of the public to attend and participate in events either as audience or active participants using the premises*" (our underlining). We consider that civil re-enactments and active audience participation are both likely to breach the noise limits which were a reason for turning down the application for this site in July, unless the Applicant will commit to undertaking substantial works to rectify the acoustic leakiness of the building.

The application requests permission to run activities until 22.30 hrs, seven days a week, throughout the year. This implies activities taking place in darkness, in the evening and in late afternoons in winter. The access road, which is over 200 yards long, is unlit and would be an unacceptable risk to public safety for mixed vehicle & passenger traffic in the dark.

The decision to reject the license application in July demonstrated the scale of the problems, the numbers affected and the strength of feeling aroused by proposals to run large-scale events & activities on this site. This is entirely consistent with the practical experience in 1995, when such events were allowed briefly to take place until NFDC issued an Enforcement Order. This site is inappropriate for the activities proposed and is incapable of being adapted to meet the concerns which have already been raised, given the rural setting and road access.

For these reasons, please reject this application.

Yours sincerely

MRS. J. S. MYNCHAREST.

* Objection

Sarah Wilson

From: Roger Needell [
Sent: 04 November 2010 14:47
To: Licensing e-mail address
Cc: Cllr Barry Rickman
Subject: LICPR/10/07911

Re:

Licensing Act 2003 - Grant of Premises License (S17)

Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

Reference: LICPR/10/77911

I wish to register an objection to the above License Application on the following grounds:

1. Public Safety

Access to the site is by a single-track unlit drive-way off Rhinefield Road. The latter is a narrow country road, frequented by forest ponies and cattle and by increasing numbers of visitors on bicycles enjoying the tranquillity of the forest. Large numbers of vehicles converging daily upon the area, all trying to access the narrow drive-way to the site, is bound to cause acute congestion and risk to life and limb. Access by Emergency Vehicles at such a time would be near impossible. As a nearby resident, I object to the consequent disruption to our lives.

2. Public Nuisance

Black Knoll Barn cannot satisfactorily be sound-proofed and the inevitable noise pollution caused by the proposed activities, as well as vehicle noise, every day of the week until late at night, will be totally unacceptable to nearby residents such as myself.

On these grounds I object to the grant of a License.

R G Needell
7 Moorlands Close
Brockenhurst
SO42 7QS

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* Objection *

Sarah Wilson

From: DAVID NEWTON [mailto:...]
Sent: 11 November 2010 18:28
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: Objection to planning application for "New Forest Activity centre"

To Mr Paul Weston,
 Licensing Officer NFDC
 BY EMAIL

From Dr and Mrs David Newton
 15 Moorlands Close
 Brockenhurst
 SO42 7QS
 11 Nov 2010

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

Dear Mr Weston,

I am writing to object strongly to the above application.

As you are aware, permission for jousting activities on this site was refused in July 2010. The objections which led to the refusal of permission on that occasion are even more relevant to the wide-ranging activities for which licensing is being sought on this occasion.

Public Nuisance

The Environment Health Officer (Pollution) gave evidence that the building, an agricultural barn, was very acoustically leaky. The Licensing Sub-Committee decided that even if amplified sounds were controlled to an acceptable level, the noise emanating from cheers, shouts and other audible contributions from participating members of the audience would be impossible to control. Furthermore, noise from the audience would make it necessary to increase the volume of amplified sounds so that they could be heard above this noise. The intrinsic noise caused by the event, for instance, that due to jousting weapons clashing would also add to the overall noise levels.

In the present application, which **includes** jousting, as well as "civil re-enactments" (ie presumably the crash and thunder of medieval battles!), live and recorded music, dance, barn dancing, and unspecified indoor sporting events, the above objections from the Sub-Committee are even more pertinent, because, not only is jousting included in the proposals (which is perverse, since permission has already been refused for this), but a whole range of other diverse noise-creating events are added to it. Furthermore, I note that permission is being sought for even more extensive times and months of operation of the site.

I can personally confirm the views of the Environmental Health Officer that noise levels would be unacceptable at a distance from the site, having been aware of the noise from the previous Equestrian Centre which led to the Planning Enforcement Notice (1995) referred to in the judgement of the Sub-Committee after the Hearing in July.

Public Safety

As was stated in the document relating the refusal of the jousting proposal in July, granting permission would lead to a serious risk of obstruction of the Rhinefield Road and an associated increased risk of traffic accidents. However, the jousting application sought permission for activities occurring only up until 18:00 hours (21:00 hours on Thursdays), and, was intended to run from the end of May until early September, whereas the current application seeks permission for activities running up until 22:30 hours all through the year. Rhinefield Road is a dark, winding, narrow country lane, and there is no doubt that increased traffic congestion in the dark evenings would make the risk of accidents even higher.

12/11/2010

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The previously expressed concerns about emergency vehicular access to the site itself, including fire and ambulance access to the Activity Centre (to aid participants in the activities proposed and a large audience), and also to people in the two residential properties on the site are equally, if not more, valid.

Finally, I have concerns about the safety of pedestrians and cyclists on the single-track (11 foot wide) access road to the site, sharing the same space with motor vehicles, possibly including coaches. I understand that the applicant for the jousting activities proposed a length of rope separating pedestrians from traffic on this track (which has no footpath). This suggestion seems to me to be seriously inadequate, in that there would be no physical barrier to protect pedestrians, and a severe limitation of space.

In view of the overwhelming objections to the previous application and the refusal of permission then, one can only wonder whether this is a serious application, or one designed to waste the time and resources of the Authority and of the Community.

I hope that you will reject this application.

Yours sincerely,

Dr and Mrs D J Newton

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* Objection *

Diane Sim

From: malcolm nichol
Sent: 07 November 2010 16:04
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: Objection to Grant of Premises Licence (S17) Ref: LICPR/10/07911
Attachments: Black Knoll objection 2.doc

Dear Mr. Weston,

Please find attached our letter of objection in respect of reference LICPR/10/07911.

M.H. & E.J. NICHOL

This email has been scanned by Netintelligence
<http://www.netintelligence.com/email>

112

32 New Forest Drive, Brockenhurst, Hampshire, SO42 7QT

Telephone:

e-mail:

Mr. Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA
November 2010

7

Dear Mr. Weston,

Reference: LICPR/10/07911

Licensing Act 2003 – Grant of Premises Licence (S17)

New Forest Activity Centre, Black Knoll, Rhinefield Road, Brockenhurst, SO42 7QE

We are writing to object to the granting of the above application which appears to raise even more concerns than the application made previously for this site under reference LICPR/10/02286 which was refused on the grounds of public safety and public nuisance.

Public Safety

Road access to this site is inadequate, Rhinefield Road being narrow and bordered very closely by a ditch on one side. The turn into Black Knoll is very tight and quite unsuitable for coaches/large vehicles. We understand the building contains seating for more than 600 people and the statement made for the previous application that there is sufficient parking for this number was successfully challenged. This would mean overflow vehicles parking along Rhinefield Road itself and the private side roads, all of which would cause considerable obstruction/congestion on the public highway. Traffic along this road already consists of cyclists and numerous caravans accessing Aldridge Hill and Black Knoll caravan sites in addition to considerable local traffic from New Forest Drive, etc. Ponies, donkeys and cattle also wander up and down this road, compounding the dangers, especially during the hours of darkness.

This congestion could affect the access of emergency services not only to the site and the adjoining private properties but also to the local roads in the vicinity. The narrowness of the unlit, single track access road to the site makes a mix of pedestrian and vehicular traffic more dangerous, especially in the dark.

We also question how the residents of Black Knoll House and Black Knoll Cottage, the two properties adjacent to this site, would be able to access or exit freely their own homes whilst these events are taking place and upwards of 600 people are flowing up and down the single track access road.

These objections stand whether the activities carried on are noisy or not.

Public Nuisance

The application again includes reference to jousting tournaments, which was the subject of the previous licence application for this site and subsequently refused by the Council on the grounds, amongst others, that the building is very acoustically 'leaky' and the noise from this activity would affect residents over a wide area. We confirm that we experienced considerable noise from this site when it was used previously for equine entertainment.

We note that this new application refers to live music (no doubt electronically magnified) and civil war re-enactments. The latter could be even noisier than jousting tournaments, involving, as they usually do, loud cheering and explosions of small arms and cannon fire. This noise would be particularly distressing to forest livestock. We also note that there is to be no respite for local residents or livestock with opening hours from 9 a.m. to 10.30 p.m. seven days a week, all year round.

We trust the above points will be taken into account when considering this application.

Yours sincerely,

M.H. & E.J. NICHOL

Copies to: Cllr. Barry Rickman (Leader)
Cllr. Maureen Holding (Local Councillor)
Mr. David Yates (Chief Executive)

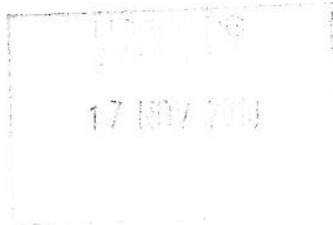
* Objection *

Hunters Lodge, Sway Road,
Brockenhurst, Hampshire, SO42 7RX

tel.

e-mail:

P Weston
Licensing Officer
New Forest District Council
Appletree Court
Lyndhurst
Hampshire SO43 7PA



12th November 2010

Dear Mr Weston

Ref LICPR/10/07911

Proposed New Forest Activities Centre, Rhinefield Road, Brockenhurst, SO42 7QE
Licensing Act 2003 - Application for Premises Licence

I object to the application for a Premises Licence by Heathgate Land & Property for regulated entertainment including, amongst other things, live music and recorded music performance, facilities for dance, making music and equivalent entertainment. There is also reference to holding jousting which has previously been refused.

Grounds for Objection

Public Nuisance

1. The uses proposed in this application are extremely wide reaching and could for example include Pop Festivals, "Raves" and similar events with both live and recorded music as referred to in the application. The sound systems used in such events are capable of generating considerable noise which can travel far and wide on a summers evening. Enforcing noise restrictions is difficult and may well not cover the thump of drums
2. Events are proposed 7 days a week between 0900 and 2230 - which indicates the desired intensity of use.
3. Residents and visitors to Brockenhurst are attracted by the peace and tranquillity of the Forest; such peace will be shattered. The proposed use is totally unsuited to the Village in the context of Noise.

Public Safety

1. The applicants suggest seating for about 600 people. Brockenhurst does not have the infrastructure to cope with the visitor numbers proposed and Rhinefield Road would certainly be unable to handle the volume of cars and coaches which the applicants would need for economic success of such an event. Traffic would be in conflict with walkers, cyclists and animals.
2. Access to the site is restricted and any enlargement to cope with the traffic would be entirely inappropriate in this tranquil village setting. The proposal is totally unsuited to the Village because of the dangers created by the volume of traffic.

The overall impact upon the village and the lives of residents and visitors will be catastrophic and I again urge that the Licence be refused.

Yours sincerely

R A Park

Cc Cllr Barry Rickman, Cllr Maureen Holding, Dave Yates, Chief Executive, Dr Julian Lewis MP

* Objection *

Sarah Wilson

From: Gerald Parker
Sent: 12 November 2010 22:11
To: Licensing e-mail address
Cc: Dave Yates; Cllr Maureen Holding; Cllr Maureen Holding; Cllr Barry Rickman
Subject: LICPR/10/07911, NEW FOREST ACTIVITY CENTRE SO42 7QE

**AMBERWOOD, 3 New Forest Drive,
 BROCKENHURST,
 HAMPSHIRE SO427QT.**

tel:
Email:

Paul Weston
 Licensing Officer
 New Forest District Council
 Appletree court
 Beaulieu Road
 LYNDHURST SO43 7PA

By Email: 12th November 2010

Hello Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 - Grant of Premises License [S17]
- New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

I write to object to the granting of a license for the purposes and activities set out in this Application on the grounds of public safety and public nuisance.

On the 8th July 2010 your Sub Committee rightly rejected Application LICPR/10/02286 for jousting and related activities on those grounds with particular reference to their findings -

* That the Centre is " very acoustically leaky " and that soundproofing the structure would cost tens of thousands of pounds.

* That the noise would " affect residents south of Rhinefield Road and beyond" It is not merely the two immediate neighbouring properties that will suffer

* That it was " highly likely that when events took place the public highway would be obstructed"

* The Sub Committee also expressed " serious concerns for the safety of the public " because of " a significant risk of accidents " on Rhinefield Road and access for emergency vehicles as well as pedestrians using the drive

* That in the light of the narrowness of the access track (which is only 11 feet wide) the Sub Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track

* They also noted that " parking on the site is limited

Your Sub Committee's refusal to grant a license was not contested at Appeal.

The current Application seeks a much wider spectrum of proposed activities, specifically not

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excluding jousting tournaments, in addition to a longer daily activity period totalling 94.5 hours per week which is over three times the 30.5 hours per week in the refused Application 02286.

This application also makes bland undefined assurances that all of the concerns detailed by your Committee on July 8th in respect of a more limited activity range and weekly activity period of less than a third of that currently sought, will be fully met, without any indication of the ways and means or specification by which this will be achieved.

Such an assurance regarding public safety and public nuisance alongside a proposal to run activities until 10.30pm seven days a week after which time attendees, activists and support staff in sufficient numbers to render the proposed activities commercially viable, begin their departure, is clearly self contradictory.

This site's activity history and other previous Applications also demonstrate consistent public safety and public nuisance concerns over time. In early 1996 your Council's Enforcement Notice regarding the whole of the site for the cessation of the use of the land " for public entertainment including equine shows " came into effect.

More recent applications seeking permission for use of the site for light industrial use, and others for erection of non-illuminated signs have been rejected at Local Authority level and subsequent Appeal, with Inspectors also concluding that the increased traffic movements brought about by these proposed activities would be " unacceptably harmful in respect of the area's character and appearance " and "would have a harmful effect on the rural ambience of the area... and would have a harmful effect on the character and amenities of the surrounding area and in particular on the New Forest National Park".

There may well be a demand for these activities capable of generating income and trade, but all the above indicates the reasons why the Black Knoll site is so manifestly inappropriate for these activities.

I repeat my objection to the granting of the above license.

Yours sincerely

(signed)

Gerald Parker

cc

Cllr Barry Rickman (Leader)

Cllr Maureen Holding (Local Councillor)

Mr Dave Yates (Chief Executive)

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— * Objection *

Sarah Wilson

From: DOUGLAS PEARCE
Sent: 19 November 2010 17:41
To: Licensing e-mail address
Subject: Licensing Application LICPR/10/07911

Mr. Paul Weston,
Licensing Officer,
New Forest District Council,
Appletree Court,
Lyndhurst.

Dear Mr. Weston,

Re: Black Knoll Premises Licence, New Forest Activity Centre, Rhinefield Road, Brockenhurst.
Application LICPR/10/07911

Please reject this application under the Licensing Act 2003 on the essential grounds of being a public nuisance and for public safety. A similar application was refused on this basis on 6 July 2010 after a very thorough investigation.

There is no change to the background and the problems involved from the previous application. This is just a further attempt by the applicant to force this issue on an inappropriate situation.

I trust that you and your Committee will refuse this application.

Yours sincerely,

Douglas Pearce,
The Old Vicarage,
Forest Park Road,
Brockenhurst, SO42 7SW

* Objection *

Sarah Wilson

From: ROGER PEPPERELL
Sent: 14 November 2010 13:00
To: Licensing e-mail address
Cc: Cllr Barry Rickman; maureen.holding@newforest.co.uk; dave'yates@nfdc.co.uk
Subject: Licence Application LICPR/10/07911

Dear Sirs

Licensing Act 2003 - Grant of Premises Licence (S17)
Premises - New Forest Activity Centre, Rhinefield Road, Brockenhurst. SO42 7QE
Reference - LICPR/10/07911

Our address

12 Oberfield Road
Brockenhurst
SO42 7QF

We are objecting to the proposed application above on the grounds of public nuisance and public safety.

The application seems to be lacking in specificity in addressing concerns over noise, number of attendees, traffic, parking and safety. Given we understand application number LICPR/10/02286 was rejected, at least in part, for these concerns it is difficult to see how this application can be approved.

In order for this venture to be commercially viable we suspect that full and extended usage of the facilities will be necessary which, in our opinion, would inevitably cause problems in the access, traffic in Rhinefield Road, and disruption to the roads relatively adjacent to Rhinefield Road.

To also believe the venture would not affect the estates close to the premises for noise and quality of life, where we live, requires a leap of faith - which we consider to be unjustified. If the licence were to be approved and the activities started with the resultant disruption requiring the council to terminate, it could result in the venture operator seeking redress from the council for loss of earnings. At the least there would be a dispute where legal fees would be incurred - a cost to the taxpayer. We object to the possibility of being treated as guinea pigs in the assessment of bearable noise from the proposed venture.

In short we consider this application to be an attempt to overthrow the previously rejected application and ask that LICPR/10/07911 be rejected.

Thank you for your attention
Carol and Roger Pepperell

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15/11/2010

** Objection **

Sarah Wilson

From: Julie Phelps
Sent: 18 November 2010 23:49
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: Black Knoll Premises Licence

18.11.10

Paul
Weston

FROM: Anthony

Phelps Heldan
Licensing
Officer

27,

Moorlands
Close

New Forest District Council Brockenhurst
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

Dear Mr
Weston
LICPR/10/07911

Reference

Licensing Act 2003 -

Grant of Premises Licence (S17).

Pr

emises: New Forest Activity Centre, Rhinefield Road,
ockenhurst, SO42 7QE

Br

I am writing to object to the granting of the above licence. I believe that this should be rejected on the grounds of both

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Public Safety and Public Nuisance.

I live just to the South of the New Forest Activity Centre and frequently use the Rhinefield Road both as a motorist and a cyclist.

Any extra traffic movement that would be generated on the Rhinefield Road would add further to the dangers that already exist on this road. At present the number of cyclists, caravans and other vehicles mean that this can be a dangerous road at the best of times - it is narrow and in places the edges are poor. Ponies and cows constantly use the road and deer are frequently around, especially after dark. During the summer months there is increased holiday traffic and large numbers of leisure cyclists (often families with young children on unfamiliar cycles hired from the facilities in the village). Residents frequently witness near misses with vehicles on the narrow sections around the entrance to Black Knoll. Also the access to the site in question is single track and there is a strong probability that traffic would back up as cars queue to enter the Activity Centre. This could produce very dangerous situations not only in terms of the vehicles themselves but the Emergency Services could be seriously impeded if needed in the local area or indeed at Black Knoll itself.

There will inevitably be a public nuisance caused by the influx of large numbers of patrons to any event at the Activity Centre. Car-parking facilities there are limited - so cars may park in adjoining roads or on the verges along the Rhinefield Road causing damage to the local environment. Noise from any activity at Black Knoll can not be adequately contained, as was demonstrated in 1995 when a limited series of events there was required to cease when the Council issued an Enforcement Notice.

Although the above points have been made in response to previous failed applications, my objections are equally pertinent now. This site is inappropriate for the activities proposed and I ask you to reject the application.

Yours sincerely
Anthony Phelps

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CC

Cllr Barry Rickman (Leader)

Cllr Maureen Holding (Local Councillor).

Dave Yates (Chief Executive)

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* Objection *

Sarah Wilson

From: Julie Phelps
 Sent: 20 November 2010 14:17
 To: Licensing e-mail address
 Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
 Subject: Black Knoll Premises Licence

19.11.10

Paul
 Weston

FROM: Julie Phelps

Heldan
 Licensing
 Officer

27,

Moorlands
 Close

New Forest District Council Brockenhurst
 Appletree Court
 Beaulieu Road
 Lyndhurst
 SO43 7PA

Dear Mr
 Weston
LICPR/10/07911

Reference

Licensing Act 2003 -

Grant of Premises Licence (S17).

Pr

Premises: New Forest Activity Centre, Rhinefield Road,

Br

Brockenhurst, SO42 7QE

I am writing to object to the granting of the above licence. I believe that this should be rejected on the grounds of both Public Safety and Public Nuisance. I live just to the South of the New Forest Activity Centre and frequently use

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22/11/2010

the Rhinefield Road both as a motorist and a cyclist.

I am very concerned about the proposed use of Black Knoll as a venue for events outlined in the latest application for the above licence.

It is not hard to imagine the danger and chaos on the narrow Rhinefield Road caused by a greater level of use.

It will endanger cyclists (many of whom are children or adults carrying children) who are out to enjoy the natural beauty of The New Forest.

It will endanger and upset the animals.

It will cause traffic jams along Rhinefield Road and in the Village and cause even more horrific jams into Lyndhurst which is already at saturation point during Summer months. This in turn will make it difficult for Emergency Vehicles to provide cover for the local residents or indeed for Black Knoll.

Cars will try and park along Rhinefield Road.

Rhinefield Road is not designed to carry such a volume of traffic. It is a country road used by locals and people who come to the Forest for its unique natural charm and peacefulness. It will constantly need repair and the sides will collapse into the ditches. I believe the Council should seek to leave the Village and its environs as a place where residents and visitors can enjoy the animals and the natural beauty in peace and tranquility as it has been over many centuries. This, I believe is the objective of the New Forest District Council and the National Parks Authority.

Any sounds from the buildings would inevitably be heard well into the neighbourhood as declared in the previous hearing.

Such an activity centre should be placed in a venue which provides easy and safe access by road and where it would not be detrimental to the enjoyment of the majority of visitors who come to the heart of New Forest to enjoy it for what it is and not be disturbed by "regulated entrainment".

Please don't let it happen!

Yours sincerely
Julie Phelps

CC

Cllr Barry Rickman (Leader)

Cllr Maureen Holding (Local Councillor).

Dave Yates (Chief Executive)

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* Objection *

Sarah Wilson

From: David Pitcher [
Sent: 13 November 2010 17:25
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: Re: application LICPR/10/07911

Dear Mr Weston

Re: Premises Licence application Reference LICPR/10/07911
 For New Forest Activity Centre, Rhinefield Road, Brockenhurst

As residents in Moorlands Close we are concerned about this application and ask that it be rejected for the reasons we set out below.

The first three are very similar to our objections to the previous application at this site (Ref: LICPR10/02286)

The fourth is about the lack of indoor facilities.

The fifth points out that what is requested in this application is even worse than the previous one (Ref: LICPR10/02286)

1. Access safety hazard

Rhinefield Road has a steady stream of traffic most days and becomes very busy at times with visitor and holiday vehicles. Some are passing through but many come to use the car parks and facilities on Whitefield Moor or to access the public or club campsites off Beachern Wood. It is a winding road with just room for one car each way and great care is already needed to negotiate the cyclists, ponies, donkeys, other animals and the pedestrians on the road in addition to cars/coaches and lorries.

We think that additional heavy traffic accessing an 'Activity Centre' at Black Knowl and turning in or out from Rhinefield Road would make the road significantly more dangerous. At times it is already difficult to pass vehicles coming the other way.

The access to the site from Rhinefield Road is by a single width track without passing places. This also serves residential properties at the site and would create a serious bottle neck for visitors to the 'Activity Centre' both those in cars and pedestrians. This would increase the risk of accidents.

Such traffic congestion would mean access to the 'Activity Centre' by emergency vehicles could be considerably delayed and similarly their access to the surrounding residential roads.

2. Parking issues

We think that any parking at the 'Activity Centre' itself might become full and visitors to the centre may well look to park on Rhinefield Road or the residential roads of New Forest Drive or Oberfield Road. This would pose a considerable extra hazard in Rhinefield Road as well as damaging the soft edges to the road some of which are SSSI. Using the residential roads would be a nuisance to residents and again increase the hazard of using those roads by local people.

3. Noise and nuisance

We think that if any of the activities mentioned in this application (which states...*will include, but not limited to archery, wall climbing, horse related activities which may include jousting tournaments, civil re-enactment and other events, potentially opening up for barn dancing and/or live music*) were permitted at the 'Activity Centre' then there would be noise and disturbance from visitors arriving/leaving as well as from the event itself. We fear that what is now a quiet rural and residential area would be host to many visitor cars and pedestrians with increased risk of public disorder, vandalism, litter, and theft. In our garden we could well hear music, clapping, shouting and commotion from a noisy, often physical activity instead of listening to the birds singing.

In addition we wish to raise aware two further points:

4. No enclosed building

The permission requested is for 'indoors only'. The common usage of 'indoors' means closed inside a building behind walls, doors and windows, as such presenting an effective barrier to any sound being generated within. We maintain that there is no real 'indoors' available at the 'Activity Centre' because of the structure of the building. Indeed in the refusal of the last application the centre was described as 'very

acoustically leaky'.

5. This application is worse than the previous refused application (Ref: LICPRI10/02286)

This current application (LICPR/10/07911) includes the possible activity of jousting tournaments for which activity the previous license was rejected. Therefore this application **includes a 're-application' of LICPRI10/02286** (no appeal was made against that refusal).

This current application is worse than the previous one because it not only includes the rejected jousting activity but goes much further by in addition listing many other noisy crowd attracting activities.

It is worse for a second reason that the hours sort are now 09.00 hrs – 22.30 hrs Monday to Sunday. As no dates are mentioned we can only assume this means events could be any time between these hours, any day, any time of year.

Given that this is a very beautiful part of an amazingly wild beautiful National Park we think this activity has no place here. We register our objection and ask that you reject the application **Reference LICPR/10/07911**.

David and Liz Pitcher

Sanuye
10 Moorlands Close
Brockenhurst
SO42 7QS

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* Objection *

Sarah Wilson

From: DAVID PODMORE [mailto:]
Sent: 22 November 2010 00:15
To: Licensing e-mail address; Cllr Barry Rickman; Cllr Maureen Holding
Subject: OBJECTION to Application Ref. LICPR/10/07911

From:

Mr. D. Podmore,
White Cottage,
Waters Green,
Brockenhurst,
Hampshire. SO42 7RG.

Dear Sirs,

I am writing to object to Application reference LICPR/10/07911 relating to The New Forest Activity Center, Rhinefield Road, Brockenhurst, SO42 7QE.

The grounds for the objection are;

1. The noise from activities such as jousting - which would be allowed if the license is granted- will necessarily be such as to cause considerable disturbance to local residents. The building in question is not suitable to be modified such as to preclude the anticipated disturbance. It is possible that the organisers would also hold associated activities outside the building in the belief that they are covered by the licence they already hold.

2. Public nuisance will be caused by the peak traffic flows associated with the volume of traffic arriving and departing the village at the start and end of shows. In addition there is not sufficient parking on site or locally for the numbers of visitors vehicles if the numbers of visitors meets the expectations of the organisers in filling the venue. The approach roads are not adequate to support the high short term volumes of vehicles that would result.

Road safety is a major concern as the routes to the site are used extensively at holiday times by walkers and cyclists and by caravans on route to the local campsites. If large vehicles e.g. horse boxes, are to be used in conjunction with any events then the problems will be exacerbated as access to the site is via a 10 foot wide track which crosses Crown Land and cannot be extended.

I cannot understand why the applicants persist in wishing to use the site for the types of activity cited when they know the level of opposition which exists in the community here. Anyone knowing the village and the site proposed will have no doubt that the planned activities are grossly inappropriate. The 'Big Society' ideology of the present Coalition Government surely means that the concerns of the local population are especially important. It is inevitable that if this application is granted then the local community will hold the Council responsible for the disruption which will ensue to their peaceful and rural village which strives to maintain the character and values of the New Forest.

Yours faithfully

D.G. Podmore.

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22/11/2010

* Objection *

Sarah Wilson

From: David Porteus
Sent: 21 November 2010 23:12
To: Licensing e-mail address
Subject: Objection to application reference LICPR/10107911

Dear Sir,

We wish to object to the application, reference LICPR/10/07911. We are appalled at the idea of jousting taking place at the New Forest Activity Centre, Rhinefield Road, BROCKENHURST SO42 7QE

Jousting, and associated activities are for castles and their surroundings, not the New Forest. The narrow roads, roaming animals, the village with all its extra summer visitors cannot take any more traffic. This will be a PUBLIC NUISANCE.

David and Margaret Porteus,
18, Brookley Road,
BROCKENHURST
SO42 7RR

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* Objection *

12 New Forest Drive,
Brockenhurst,
Hampshire,
SO42 7QT
Email: "

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA



14th November 2010

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

I am writing to object to the granting of the above licence on the grounds of public nuisance and public safety.

The detail of the application is not sufficiently specific both in terms of the precise nature of the proposed activities, (may include jousting) or in addressing the issues raised by your committee relating to application number **LICPR/10/02286** with regard to audience numbers, traffic congestion and public safety.

I feel that this licence application bears too close a resemblance to the last one relating to this site (application number **LICPR/10/02286**) which was rejected for several important reasons:-

- That the Centre is "very acoustically leaky"
- That the noise would "affect residents south of Rhinefield Road and beyond".
- That it was "highly likely" that when events took place the public highway would be obstructed
- That there were "serious concerns for the safety of the public" with "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"
- That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- That the Sub-Committee also noted that "parking on the site is limited".

Given that the proposed events would finish at 22:30 all year round this would involve members of the public having to negotiate the narrow, unlit entrance track that would also be being used by vehicular traffic at the same time.

This site is inappropriate for the activities proposed and is incapable of being adapted to meet the concerns which have already been raised, given the rural setting and road access.

For all the above reasons please reject this application

Yours sincerely

Christopher H. Smith

** Objection **
Sarah Wilson

From: Jill and Peter
Sent: 21 November 2010 12:20
To: Licensing e-mail address
Cc: info@friendsofbrockenhurst.org.uk; barryrickman@newforest.gov.uk;
maureenholding@newforest.gov.uk; Dave Yates
Subject: OBJECTION to application reference LICPR/10/07911
OBJECTION to application reference LICPR/10/07911

(New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE)

OBJECTION ON GROUNDS OF PUBLIC SAFETY

Put forward by Mr and Mrs Peter Smith, 37, Moorlands Close, Brockenhurst, SO42 7QS

We, Mr and Mrs Peter Smith, are strongly opposed to the granting of the above licence on the grounds that Public Safety will be severely compromised. Since the previous rejection we have both regularly noted the potential dangers on this narrow stretch of Rhinefield Road along which we travel every day. Should this licence be granted there will undoubtedly be a huge increase in the volume of traffic using this road, which is a narrow country road used by cyclists, horses and their foals, cattle and their calves, donkeys, and pigs at certain times, besides the local traffic and pedestrians. Parts of the road at points near the Centre can also get flooded after heavy rain and there are a number of potholes. In summer there are often long lines of cyclists and of course the horses and cattle often gather in the road. If there are loud and raucous noises emanating from the centre, these will certainly frighten the animals and 'spooked' livestock constitute a real danger to all who use the road. There are deep ditches either side of parts of the road, and swerving vehicles could end up in the ditch, causing even more of a hazard. Not only will the inevitable congestion and possible obstruction of the route make it difficult for people in properties along New Forest Drive and Oberfield Road to access their homes safely and punctually, but in the event of an emergency in either the Activity Centre or the local properties during the 'activity' sessions, speedy or urgent access to emergency vehicles would be almost impossible and lives could be endangered. It should also be noted that school buses, transport for older citizens, and hospital transport also need to use this road safely and quickly (many of these with time constraints), which could be made extremely difficult should there be the inevitable long queues and tailbacks of traffic.

Peter Smith and Gillian Smith.

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22/11/2010

* Objection *

12 New Forest Drive,
Brockenhurst,
Hampshire,
SO42 7QT

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA



14th November 2010

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

I am writing to object to the granting of the above licence on the grounds of public nuisance and public safety.

The new application does nothing to resolve the issues raised by your committee relating to application number **LICPR/10/02286**. The extended opening hours detailed in the new application raise further concerns relating to public safety after dark.

I feel that this licence application bears too close a resemblance to the last one relating to this site (application number **LICPR/10/02286**) which was rejected for several important reasons:-

- That the Centre is "very acoustically leaky"
- That the noise would "affect residents south of Rhinefield Road and beyond".
- That it was "highly likely" that when events took place the public highway would be obstructed
- That there were "serious concerns for the safety of the public" with "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"
- That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- That the Sub-Committee also noted that "parking on the site is limited".

The location and nature of the activities proposed are not appropriate for a quiet area of the New Forest National Park and for the above reasons I feel that this application should be rejected.

Yours Sincerely

Elizabeth Smith

* Objector *

12 New Forest Drive,
Brockenhurst,
Hampshire,
SO42 7QT

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA



14th November 2010

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

I am writing to oppose the granting of the above licence on the grounds of public nuisance and public safety.

Issues raised by your committee relating to a previous application, number **LICPR/10/02286**, have not been resolved in the new application. Furthermore, the new application seeks lengthy opening hours extending into late evening and raises concerns for public safety in night time conditions.

Your rejection of previous application number **LICPR/10/02286** was based on the following reasons (which have not been satisfactorily addressed in the current application):

- That the Centre is "very acoustically leaky"
- That the noise would "affect residents south of Rhinefield Road and beyond".
- That it was "highly likely" that when events took place the public highway would be obstructed
- That there were "serious concerns for the safety of the public" with "a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road"
- That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- That the Sub-Committee also noted that "parking on the site is limited".

For the reasons already given by your committee this application should be rejected.

Yours Sincerely

Ramsay H. Smith

* Objection *

S. h Wilson

From: Roger Smith
Sent: 22 November 2010 08:39
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: New Forest Activity Centre - License application LICPR/10/07911

Dear Mr Weston,

This E-mail is to advise you that we object to the grant of a License for this application, reference LICPR/10/07911, New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE.

Our address is 51, New Forest Drive, Brockenhurst, Hampshire, SO42 7QT.

The reasons for our objection are in the categories of;

A - Public Nuisance;

1 - We believe that noise from the site will create a nuisance, and interrupt the peace and quiet we have enjoyed in our garden during the day and summer evenings for 32 years. Our garden is only 400 metres away, and as we are toward the southern part of New Forest Drive, many other people are closer. In fact, we can often hear activities at New Park, which is 1900 metres away.

2 - Traffic trying to turn right into the site from Brockenhurst will cause obstructions along Rhinefield Road, which is narrow. Traffic leaving will cause congestion on Rhinefield Road, at the Meerut Road/A337 junction, in Brookley Road, at the traffic lights at the railway bridge at the south end of Sway Road, along the pinch points on Burley Road, and along the Ornamental Drive which is narrow with broken edges.

B - Public Safety;

3 - Increased traffic as identified in A 2 above will increase the possibility of accidents, and delay the progress of emergency vehicles.

We note that this application includes a request for permission to hold jousting tournaments. The reasons for rejecting the previous application for jousting activities in July this year, on the basis of public nuisance and public safety, must still apply, and be even more relevant given the far broader scope of activities in this application.

Please contact us if you need any clarification,

Yours sincerely,

Roger Smith and Claire Matthews

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22/11/2010

* Objection *

Sarah Wilson

From: Michael Snell
Sent: 20 November 2010 14:27
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Cllr Maureen Holding; dave.yates@newforest.gov.uk;
info@friendsofbrockenhurst.org.uk
Subject: OBJECTION to application reference LICPR/10/07911

Dear Sirs

OBJECTION to application reference LICPR/10/07911
"New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE"

We write to lodge an objection to the above planning application on the following grounds:

Prevention of Public Nuisance

The proposed activities would cause significant noise - in particular that emanating from the noise of horses and weapons in the events, from the attending crowds and from the public address system and amplified music. As local residents we believe that this noise would adversely affect the reasonable comfort and convenience of local residents and from members of the public using the surrounding Forest areas for amenity purposes.

Obstruction of the Highway

Given the volumes of traffic expected at the proposed events and the narrow nature of the access to the premises, there would inevitably be a build up of traffic on the Rhinefield Road. Our house is immediately adjacent to the Rhinefield Road on which the weight of traffic, both local and seasonal has significantly increased in recent years. We believe that any build up of traffic waiting to access the premises would constitute a blockage and thereby a serious hazard to motorists, local residents and all users of this popular route.

Public Safety

We have serious concerns about public safety arising out of the events proposed in this application. These arise directly from the volume of traffic which would be generated. As indicated above, we are concerned about queues waiting to enter the premises and backing up onto the Rhinefield Road, which is not suitable for any great volume of traffic and certainly unsuitable for stationary queues. Many people walk along this road and their public safety would undoubtedly be prejudiced by traffic disruption which would also highly likely lead to road traffic accidents.

We would be grateful if you would give this objection serious consideration when arriving at your decision.

Yours faithfully

Mr and Mrs M Snell
Butts Mead
Rhinefield Road
Brockenhurst
Hampshire SO42 7SQ

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22/11/2010

* Objection *



Mrs K Staines
23 New Forest Drive
BROCKENHURST
Hampshire
SO42 7QT



17.11.10

Dear Sir,
My goodness, Mr Gilling is persistent. I am writing yet again in response to his application for various activities at Black Knoll, namely jousting, musical, & dancing events.

I cannot judge whether he has provided adequate parking. If not it's going to affect residents nearby as will the noise.

I have paid particular note to what happens at the entrance to Black Knoll from Rhinefield Rd. In the summer there can be, after one period, cattle, push-chairs, pedestrians, & latterly pigs. All entitled to be there. Add to that, cars, caravans, cyclists, & sometimes coaches. There will be huge risks if there is an increase in the volume of traffic.

Please consider also that the aforementioned pastimes are totally unsuitable for village, & the site. It is an area of natural beauty, quiet, & peaceful. Our Mr Gilling is going to destroy all that & seems not to care!

Yours faithfully,

Kay G. Staines (Mrs)

* Objection *

S. Staines
49, New Forest Drive,
Brookenhurst

Hants

S042 7QT

18-11-2010

Dear Sir.

Licensing Act 2003

Grant of Premises Licence (S17)

I would like to put it on record that I object most strongly to the application for Regulated Entertainment as proposed at the New Forest Activity Centre, Rhinefield Road, Brookenhurst covered by the above licensing Act.

My objections are that it is not suitable for the area, it will cause massive Public Nuisance to all households in the vicinity, also Rhinefield Road is extremely narrow, no Pavements and no lighting after dark.

The entrance to the site is completely in-adequate being extremely narrow and certainly not suitable for a high volume of traffic that is

being anticipated, accidents and obstructions are bound to occur.

If any part of this application is allowed to happen then the whole of Brockhurst will lose its reputation as a Tranquil New Forest Village and a wonderful place to live.

Yours faithfully,

S. F. STAINES. (MRS)

* Objection *

From: John & Esme Stanton
Sent: 22 November 2010 23:06
To: Licensing e-mail address
Cc: Cllr Maureen Holding
Subject: Black Knoll Premises Licence

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

We are writing to object to the granting of the above licence, which we feel should be rejected under the headings of public nuisance and public safety.

The application is set in very general terms, with very broad assurances that any concerns about noise, number of attendees/participants, traffic, parking, safety etc will be addressed; however the application is short on detail as to how the significant concerns raised by your Committee in refusing Application number **LICPR/10/02286** will be dealt with in practice. We trust that you will consider this area in detail in reviewing this application.

You will be aware that this is a substantial site, which would require large-scale and/or high frequency events to take place to be commercially viable. Although the scale of the proposed activity has not been specified, the building in which the activity is to take place contains seating for more than 600 people (albeit that the new seating constructed last summer does not appear on the plan submitted with the application). We believe the application needs to be evaluated in the expectation that the objective is to use the facilities to their fullest extent to achieve commercial viability.

The Applicant states that the activities "*may include jousting tournaments*". Application number **LICPR/10/02286**, requesting a license for this activity on this site, aroused widespread local concern and was rejected in July for numerous reasons. Reasons for rejection, under the headings of both public safety and public nuisance, included:

- That the Centre is "very acoustically leaky" and to make the structure soundproof would cost tens of thousands of pounds
- That the noise would "affect residents south of Rhinefield Road and beyond". It is not merely the two immediate neighbouring properties that will suffer

- That it was “highly likely” that when events took place the public highway would be obstructed”
- That the Sub-Committee expressed “serious concerns for the safety of the public” with “a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road”
- That in the light of the narrowness of the access track (which is only 11 feet wide), the Sub-Committee had concerns regarding the access for emergency vehicles as well as for the safety of pedestrians walking along the track.
- That the Sub-Committee also noted that “parking on the site is limited”.

The July decision, and the reasons for it, should be respected and any new application which seeks permission for jousting tournaments or similar activities on a potentially similar scale should be rejected for the same reasons.

Another activity requested by the Applicant is “*civil re-enactments*”. The Applicant also states that “*the premises will be open to members of the public to attend and participate in events either as audience or active participants using the premises*” (our underlining). We consider that civil re-enactments and active audience participation are both likely to breach the noise limits which were a reason for turning down the application for this site in July, unless the Applicant will commit to undertaking substantial works to rectify the acoustic leakiness of the building.

The application requests permission to run activities until 22.30 hrs, seven days a week, throughout the year. This implies activities taking place in darkness, in the evening and in late afternoons in winter. The access road, which is over 200 yards long, is unlit and would be an unacceptable risk to public safety for mixed vehicle & passenger traffic in the dark.

The decision to reject the license application in July demonstrated the scale of the problems, the numbers affected and the strength of feeling aroused by proposals to run large-scale events & activities on this site. This site is inappropriate for the activities proposed and is incapable of being adapted to meet the concerns which have already been raised, given the rural setting and road access.

For these reasons, please reject this application.

Yours sincerely

Esme and John Stanton

2 Moorlands Close, Brockenhurst SO42 7QS

* Objection *

Sarah Wilson

F. : Cyril Teed
Sent: 16 November 2010 02:23
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Dave Yates; Cllr Maureen Holding
Subject: LICPR/10/07911.

For Mr Weston -Licence Dept NFDC

Mr & Mrs C F H Teed,
The Barn House, Forest Park Road,
Brockenhurst, Hants SO427SW

November 14, 2010

Mr Weston

NFDC Licence office

Dear Mr Weston,

Licensing Act 2003 - Grant of Premises Licence (S17).

Premises: New Forest Activity Centre, Rhinefield Road.

Brockenhurst, SO42 7QE.

Ref: LICPR/10/07911.

It is with some amazement that we read the above licence application, as it has the unacceptable features of LICPR/10/02286, so recently rejected by NFDC. Adding further options with the same problems and extending the time period of the activities, serves only to make this application even more objectionable. Our reasons for objecting to this licence are as follows;

Public Safety

The only access to this site is severely limited and pedestrian and vehicle traffic sharing this narrow access would be hazardous.

The parking space available for vehicles on site would appear to be inadequate for the anticipated traffic. This together with the access problem would lead to indiscriminate parking in Rhinefield Road and the surrounding area.

Access for emergency vehicles to the site and to homes that share this access would be impaired. The parking issue would extend this problem to the surrounding neighbourhood as Rhinefield Road provides

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16/11/2010

the only access for large numbers of homes. Rhinefield Road, a forest road, is already very busy in summer months with tourist traffic (cars, caravans, cyclists, pedestrians and animals). The additional vehicle and pedestrian traffic would create a safety hazard.

Prevention of public nuisance

The parking/traffic issues would create a nuisance to the public living in the neighbourhood as Rhinefield Road provides the only access to and from our properties as outlined above.

A further nuisance is the impact of noise on this tranquil rural residential area. Announcements, commentaries, live and recorded music would all have a devastating effect on both residents and the forest animals.

Objection

We strongly object to this application LICPR/10/07911 and urge you to reject it on the basis of Public Safety and Public Nuisance

Yours sincerely,

Cyril Teed

Marian Teed

cc Ken Thornbur Leader of Hampshire County Council

cc Steve Avery, Director of Strategy and Planning NFNPA

cc Councillor Maureen Holding

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Sarah Wilson

From: Rosie Thomas
Sent: 18 November 2010 16:49
To: Licensing e-mail address
Subject: New Forest Activity Centre- Application for a licence LICPR/10/07911
Attachments: Letter re NF Activity Centre Nov 2010.doc
FAO Mr. Paul Weston.

Dear Mr. Weston,

Please find attached letter of objection to the above licence application concerning the proposed New Forest Activity Centre.

Yours sincerely,

Rosemary and Andrew Thomas

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19/11/2010

* Objection *

Mr. Paul Weston,
Licensing Officer,
NFDC,
Appletree Court,
Beaulieu Road,
Lyndhurst,
Hants SO43 7PA.

Thomas
Rodney
Rhinefield Road
Brockenhurst
Hampshire
SO42 7SQ

15th November 2010

Dear Mr. Weston,

Re: Licensing Act 2003 – Grant of Premises Licence (S17)
Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE
Reference: LICPR/10/07911

We write concerning the above application and wish to register our strong objection to the granting of a licence. The activities proposed would, in our opinion, have a devastating impact upon a large number of Brockenhurst residents and upon the very character of the forest and the National Park.

As you will be aware, Black Knoll is outside the envelope of Brockenhurst village and is reached by a single track drive, shared by two other properties, leading from the rural Rhinefield Road across a strip of Forestry Commission land. It is a very tranquil area close to the open forest but also in the neighbourhood of many other properties which would be adversely affected by the activities for which a licence is being sought.

We wish to bring to your attention the following submissions which we suggest are relevant to this application.

A. Noise as a Public Nuisance

1) The applicant seeks permission to use the "New Forest Activity Centre" for events such as plays, indoor sporting events, live and recorded music, performance of dance, facilities for making music, archery, horse related events which may include jousting tournaments, civil re-enactment and other events, potentially opening up for barn dancing and/or live music.

As recently as May 2010 the Licensing sub-Committee gave very full and detailed consideration to an application for the same site, made with the support of the current applicant, although not by him, for jousting events to take place throughout the summer months. That application for a licence was refused on the grounds that such events would cause a public nuisance and be injurious to public safety. Although deliberately cast in wider generic terms, the activities cited under this current application include jousting but also seek a far more extended use and period of opening, from 9.00 to 23.30, 7 days a week. Since none of the concerns expressed by the Committee in May appear to have been addressed by the applicant, it is difficult to see how this application can be considered viable. Indeed, it could be interpreted by some as seeking to make a mockery of the licensing process.

2) The activities as listed will undoubtedly generate a huge amount of noise and disturbance. At the hearing in May, evidence was presented to the sub-Committee and accepted by all parties that the dilapidated barn in which these events are to take place would not be able to contain any noise. Permission to enclose the barn had been refused previously and the decision upheld on appeal and thus the structure remains unenclosed with open sides through which any sound will travel unimpeded.

3) Among the suggested activities are live and recorded music and civil re-enactments involving public participation. As the applicant intends to attract hundreds of people, and indeed the project would not be viable if he were not to do so, it is obvious that a huge amount of noise and uproar will be generated, potentially for 14.5 hours of every single day of the week. In this tranquil, rural New Forest setting, this will surely fall within the definition of a "Statutory Nuisance" within the terms of the Noise Act 1966, as amended. The sub-committee in May were in no doubt that noise emanating from this site would "affect residents south of Rhinefield Road and beyond" so that a very large number of people could be subjected to this public nuisance.

4) As well as causing a nuisance to those many people living in the neighbouring and nearby properties, consideration must also be given of the effect that such a high level of noise and activity will have upon the large animal population in the vicinity. Black Knoll is surrounded by fields and open forest in which many ponies and cattle roam and graze freely. What is the effect of such constant uproar upon them?

B. Public Safety.

In addition to public nuisance, we suggest that the proposed activities could seriously compromise public safety, as was established at the sub-committee hearing in May. The sub-committee's finding that "parking on the site is limited" seems at odds with the sweeping statement made by the applicant that there is "*sufficient parking for vehicles on site to take account of the planned events*". He also seems to contradict his own assertion in the context of a previous planning application (when he lost his appeal against the refusal of planning permission to enclose the barn) where he referred to parking being available on site for only some 20-30 cars. We are not aware that the parking capacity has been increased and therefore wonder how the applicant can substantiate his present claim.

Significant safety issues are: -

1) The proposed New Forest Activity Centre is connected to Rhinefield Road by a narrow single track drive which also provides the only access to and from the three properties at Black Knoll. Accommodation of large crowds of people together with associated free parking will generate a huge volume of traffic across 20-30 metres of a ten foot wide crossing of Forestry Commission land and up the single track drive. The presence of large coaches will exacerbate the problem to the extent that it is not an exaggeration to suggest that for substantial periods of the day, on a daily basis the whole driveway could be completely blocked thus preventing lawful access by residents, public services, and public utilities. Even more importantly these prolonged periods of gridlock would prevent access by the Emergency Services, whether Fire, Police or Ambulance, and any evacuation.

2) Apart from the complete unsuitability of the single track access, the road to which it leads, Rhinefield Road, is a relatively narrow, forest road which would be unable to cope with the traffic generated. Rhinefield Road has many ponies and cattle grazing along the verges and walking on the road itself, as well as a good deal of cycle traffic. All of these users would be endangered by the volume of cars and large coaches envisaged were this commercial activity to go ahead. The turn into the track leading to Black Knoll is also so tight that the road would be completely blocked by those attempting to enter. At the May hearing, the sub-committee considered that even with the more limited use of the site then proposed, it was "highly likely" that when events took place the public highway would be obstructed. They also expressed "serious concerns for the safety of the public" because of "a significant risk of accidents" on the Rhinefield Road and the lack of access for emergency vehicles as well as the dangers to pedestrians using the drive. How has this been addressed in the current application?

3) What arrangements are in place to ensure that both pedestrians and vehicles have separate and safe access? Not only is the vehicular access unsuitable, but the pedestrian passage beside the cattle grid is subject to subsidence where it crosses the ditch and is potentially dangerous if more than a handful of people use it. Late afternoon and evening activities, particularly in autumn and winter months, would pose an additional risk to the public as the access road to be used by all vehicles (including cars, coaches, caravans etc.) and pedestrians (including the disabled) is narrow and unlit.

We refer to the statement made by the applicant that "strict adherence will be made to the possibility of noise disruption and traffic disruption to the residents of the local area" and wonder what this means as it does not make sense. Similarly his assurance that "noise monitoring will be in situ to ensure that the noise generated by the events does not exceed the limit provided for by the Environmental health officers of the Local Authority" seems pointless. The barn that is the basis of the application cannot contain sound. The sub-committee in May appeared to have no doubt that noise constituting public nuisance would be inevitable and even the then applicant admitted that he would be unable to control the level of noise. How does the current applicant intend to do this?

We are gratified that the applicant does not intend that his proposed events will "generate significant disorder or facilitate any criminal activity". It would be relevant to the consideration of this application and of assistance to the whole community to know how much disorder he would be willing to generate before he would consider it "significant" and what positive steps he would propose to take to actually prevent criminal activity taking place.

An application for much less intensive use of this land and structure was refused by the sub-committee of this authority only a few months ago for extremely sound reasons. Yet almost immediately another proposal is submitted for events wider both in scope and duration, without apparently taking into account any of the concerns expressed or the reasons for refusal. This could be seen as an abuse of process, particularly in light of the fact that costs were awarded against the applicant in a recent Appeal hearing when it was judged that he had acted unreasonably in simply submitting one application after another, without regard to any of the reasons for a previous refusal.

We urge you to reject this application for the above reasons, which echo the findings of the sub-committee that decisively rejected the previous application. To allow it would

result in serious traffic problems, widespread public nuisance, and a significant risk to the general public, as well as the animals of the area. Furthermore, the tranquility of this area of the forest would be destroyed

As a consequence of the above, we ask that a public hearing of the New Forest District Council's Licensing Committee be convened in order that representations can be made by concerned members of the community who will be drastically affected by the grant of a License for the activities proposed.

Yours sincerely,

Mrs. Rosemary Thomas

Mr. Andrew Thomas

cc. Cllr. Barry Rickman

Cllr. Maureen Holding

Mr. D Yates, Chief Executive, NFDC

Dr. Julian Lewis MP

** Objection **

31 MOORLANDS CLOSE
BROCKENHURST
HAMPSHIRE SO42 7QS

Phone: (

e.mail: .

Mr Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst SO43 7PA



Dear Mr Weston

Reference LICPR/10/07911

Licensing Act 2003- Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst

I am writing as a local resident in Moorlands Close, which your map will show is a turning off Oberfield Road, which forms a U with New Forest Drive. There are a large number of houses off these roads, all served by Rhinefield Road, and with no other access, other than a footpath.

Rhinefield Road also serves the other roads leading off it, plus 2 large caravan parks , 4 large car parks on Whitemoor Plain, and as a main artery for the New Forest Show- it also is on the school bus route. It is a very busy and essential road...and of course it is popular with the ponies cattle and pigs (in the autumn)- there is a pony pen by Oberfield Farm also. The road is rather narrow, as any local resident will tell after squeezing past buses lorries and regular caravans- and the verges are not car friendly.

It is hard to imagine a worse road to threaten with a huge number of extra cars buses and lorries going and coming to a narrow access entrance to a large visitor attraction- in fact it is hard to imagine any Licensing Authority having to contemplate it. To call the threat a "public nuisance" or a matter of "public safety" seems inadequate- perhaps "public insanity" would be more appropriate. Total gridlock would be inevitable- even 1 cow could create it. How then would any emergency vehicle get through, or a school bus, or even any local resident ?

I could comment on the terms of the Application, but others will have done that better than I; as you have already turned down, wisely, an almost identical application, it is a pity your time is being wasted and patience tested again. I trust in your continuing wisdom, as do I am sure all the local residents in our area.

Yours sincerely

J T H Thomas

* Objection *

Sarah Wilson

From: JANET TURNER
Sent: 18 November 2010 21:34
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Dave Yates; Cllr Maureen Holding
Subject: New Forest Activity Centre, Black Knoll, Brockenhurst

Licence Application LICPR/10/07911

Sir

I wish to register an objection to the proposed application for "regulated entertainment" at Black Knoll on grounds of public nuisance and public safety.

I note that the application covers plays, indoor sporting events, performance of dance, anything of a similar description to live/recorded music etc., facilities for making music, facilities for dancing, etc.

Apart from the jousting, which was rejected partly on noise grounds, this new application is open to permit pop festivals and concerts, raves, dances etc. in a building already stated as "very acoustically leaky" and would cause considerable noise nuisance to a large residential community of local Council Tax payers.

The jousting and battle re-enactments are noisy, P.A. systems are used to encourage audience participation.

The traffic flow for each performance will be fairly uncontrolled and will approach from either direction along Rhinefield Road and will turn onto a single-lane entrance road. As local residents we accept that for the 3-day duration of the New Forest Show we will have difficulty getting onto Rhinefield Road from New Forest Drive for 2-3 hours in the morning and late afternoon - and this is with a well-controlled system. Add the local commoners' cattle and ponies to the traffic at the site entrance and you can understand the safety concerns. Should emergency vehicles need to get on site, or to New Forest Drive or Oberfield Rd, whilst members of the public are trying to access Black Knoll then delays will occur.

For the above reasons I request that the application be rejected.

Clive Turner
67 New Forest Drive
Brockenhurst
SO42 7QT

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19/11/2010

Sarah Wilson

~~*~~ Objection ~~*~~

From: JANET TURNER
Sent: 18 November 2010 16:51
To: Licensing e-mail address
Cc: Cllr Barry Rickman; Dave Yates; Cllr Maureen Holding
Subject: Forest Activity Centre, Black Knoll, Brockenhurst
Licence Application LICPR/10/07911

I have just discovered that Mr Winship is revising his plans to hold public entertainment at Black Knoll and that this time, despite being refused permission last year for Jousting events, he is trying again. My husband and I are horrified that he intends running events from early morning until late at night, seven days a week, and plans jousting, re-enactments (presumably battles) etc., live music and a host of other noisy shows.

Local people made it very clear last year that this site is completely unsuited for any such 'entertainment', which will cause a tremendous amount of public nuisance. We will be unable to enjoy our peaceful gardens and there will be traffic problems on the narrow Rhinefield Road.

Visitors to the New Forest do not come here for Butlins type entertainment. This is meant to be a National Park! What about the campers at the Black Knoll Camp Site, which is just behind the area where this noisy abomination is planned to take place? They come here for the peace and quiet of a very special area and this will be completely ruined.

The value of houses belonging to many local residents will plummet if these plans are allowed to go ahead, but most importantly our right to enjoy our homes in peace will be utterly destroyed

Mrs Janet Turner
67 New Forest Drive
Brockenhurst
SO42 7QT

Tel

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19/11/2010


Sarah Wilson

From: Mike Turner
Sent: 22 November 2010 18:46
To: Licensing e-mail address
Subject: OBJECTION to application reference LICPR/10/07911.
To NFDC Licencing Committee,

Subject: OBJECTION to application reference LICPR/10/07911.
NEW FOREST ACTIVITY CENTRE, RHINEFIELD ROAD, BROCKENHURST,
Hampshire, SO42. 7QE.

Objection on behalf of Mike and Jean TURNER,
79 New Forest Drive,
Brockenhurst,
Hampshire SO42. 7QT.

I would like to object to the Premises Licencing Application on the grounds of PUBLIC NUISANCE - particularly increased noise levels, at anti-social and late hours, that significantly increased activity on this site would inevitably generate.

I would like to object to the Premises Licencing Application on the grounds of PUBLIC SAFETY - the narrowness of Rhinefield Road and even more particularly to the narrowness of the access to the site of the proposed activity, from Rhinefield Road, makes the site totally unsuitable for high levels of public activity. Based on the more than 30 years that we have lived in New Forest Drive, we can say that Rhinefield Road itself is frequently blocked, (or difficult to navigate at various times of the day), by lorries and trucks, school buses, waste collection vehicles, cyclists (particularly during the summer), horse boxes, horses with riders and wild ponies, cows, pedestrians, groups of walkers, invalid carriages etc. All of the above hazards would make the access of EMERGENCY VEHICLES (should they require access) to either the premises for which the application is being made or the other private premises using the same access road, very difficult. If a large number of the public require entrance to the site, there would inevitably be a "tail back", particularly if adequate parking for the anticipated number of attendees was not provided and very carefully stewarded. This could only make the general situation much worse!

Please keep me informed of the "progress" of this application,

Yours very truly, Jean and Mike Turner.

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Sarah Wilson

From: Desmond Waight (FoB)
Sent: 21 November 2010 09:53
To: Licensing e-mail address
Cc: Dave Yates; alison.barnes@newforestnpa.gov.uk; Cllr Barry Rickman; Cllr Maureen Holding
Subject: FW: OBJECTION to application reference LICPR/10/07911
Importance: High
Attachments: Jousting Premises Licence Result 8 July 2010.pdf

FoB Objections to the Premises Licence application for the New Forest Activity Centre, Rhinefield Road. Application reference LICPR/10/07911.

The Fob object to the granting of this license on the following grounds:-

The application is for an even wider permission than that previously sought and thus all the reasons for refusal of the previous application (attached) would apply, only more so. That is:-

1. There would be significant noise emanating from the building (e.g. from jousting – which is included in the new proposal) as well as crowd noises (which can also be expected from some of the additional uses sought) and from the address system and music (again also included in the new application). AS noted some of this noise would be generated by the public attending events, a factor outside the control of the applicant. This noise would be a nuisance not only to nearby residents but those residents further a field south of the Rhinefield Road; and also as well those of the public using the surrounding forest area of the National Park or seeking a peaceful cycle down Rhinefield Road to get access to the FC cycle tracks. It was noted that such noise had occurred in the past from similar events, and had to be prohibited by the Council. Despite the assurances in the application there is a high probability in our view of such noise again being a significant nuisance if the proposals were permitted to go ahead.
2. Additional concerns can now also be expected from the noise of crowds as they arrive and disperse from the wider range of activities planned.
3. That it is still “highly likely” that the public highway would be obstructed.
4. That consequently there are grounds for serious concerns for the safety of the public because of the significantly higher risk of accidents on the Rhinefield Road. Over the last years (since the traffic survey of 1990) we believe Rhinefield Road has become increasingly popular for those wishing to enjoy cycling in the National Park, and often includes family groups with young children who have hired bicycles and who only otherwise ride occasionally often in large groups (which often are spread out) and make it difficult for the vehicle traffic to pass. This road is also available to the forest animals to use (unlike the A337 past New Park for example), which adds further to the risks of congestion and thus to public safety.
5. The risks to pedestrians using the very narrow drive way permitted (just 10 feet we understand – not 11 feet as was stated in the dismissal) for access were already acknowledged in the earlier dismissal but will be significantly increased in the evenings (late afternoons between October and March) because of the late hours for which the permission is sought.
6. The risks to public safety that would arise should emergency services be unable to access the site, or to pass along the Rhinefield Road (e.g. to attend a villager in urgent need, a rider who has been thrown whilst riding on the Forest, or a New Forest visitor (e.g. at the two campsites in the

summer).

In view of the considerable concerns expressed by Villagers we would ask that the application be subject to a public hearing of the Licensing Committee with the opportunity for those interested, inclusive of the FoB, to make representations.

Yours sincerely,

Desmond WAIGHT
For FoB Committee
PO Box 387
BROCKENHURST
SO41 1BE
Tel

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NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

APPLICATION: New Forest Activity Centre, Black Knoll, Brockenhurst

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on Tuesday, 6 July 2010 at 10.00am**

1. Members of the Licensing Sub-Committee

Councillor G C Beck - Chairman
Councillor J A G Hutchins
Councillor Mrs B Smith

2. Parties and their Representatives attending the Hearing

Mr Winship, Medieval Jousting Ltd – Applicant
Mr Weston – Barrister, Paris Smith Solicitors
Mr Morris – Paris Smith Solicitors
Mr Girling – In support of the Applicant
Mr White - In support of the Applicant

Objectors:

Mr Avery, New Forest National Park Authority
Mr Vandyck, Environmental Health Pollution
Mrs Pattison, Clerk, Brockenhurst Parish Council

Mr Alcock
Mr Ball
Mr Browne
Mrs Dawkins
Mr Eley
Mr Griffiths
Cllr Mrs Holding
Mr Horne
Dr & Mrs Jones
Mr Kirsch
Mrs Leigh
Mr & Mrs Luke
Mr & Mrs Marshall
Mr & Mrs Masefield
Mr Moore
Dr Newton
Mr & Mrs Nichol
Mr Nolan
Mr Parker
Dr Pearce

Mr & Mrs Pitcher
Mr Teed
Mrs Thomas
Dr & Mrs Trowell
Mr & Mrs Turner
Dr Wilson
Mrs Wingate
Mr Wooller

3. Other Persons attending the Hearing

Observers:

Mr & Mrs Batty
Mr Banister
Mr Campbell
Mr & Mrs Coombs
Mr Greaves
Mr & Mrs Hibberd
Mr & Mrs Jeffry
Mrs Marr
Mr & Mrs Needell
Mr Perry
Mr Ranslay
Mr & Mrs Risso
Mrs E Smith
Mr C Smith
Mr R Smith
Mrs Staines
Mr Weaver
Mr Yandell (press)

4. Parties not attending the Hearing

Objectors:

Mr Angel
Mr & Mrs Brown
Mr Brown
Mr & Mrs Dow
Mr & Mrs Garrod
Mrs Gossage
Mr & Mrs Harrison
Mr Hawes
Mrs Hudson
Mrs Janes
Mr Killengray
Mr & Mrs Killengray
Mr & Mrs Letley
Ms Mylchreest
Ms Parker
Mr Park
Ms Paulson
Mrs Penny

Mrs Turner
Mr Waight
Mr Walkers
Mr Wingham
Mr & Mr Worn

5. Officers attending to assist the Sub-Committee

Grainne O'Rourke – Head of Legal and Democratic Services
Edward Williams – Solicitor
Melanie Stephens- Committee Administrator

6. Decision of the Sub-Committee

That the application be refused.

7. Reasons for the Decision

1. The Sub-Committee carefully considered the application along with the evidence, both written and oral, supplied by the applicant and objectors.
2. In respect of the objectors, evidence was put forward by the Council's Environmental Health Department, by Brockenhurst Parish Council and by New Forest National Park Authority. In addition, 68 local residents objected, including a local ward Councillor.
3. Notwithstanding the objections raised, the Sub-Committee was satisfied that the licensing objectives of (a) the prevention of crime and disorder and (b) the protection of children from harm would not be prejudiced by granting the application.
4. However, the Sub-Committee was satisfied that refusing the licence was necessary in order to promote the licensing objectives relating to public safety and public nuisance.

Prevention of public nuisance

Noise nuisance

5. The Sub-Committee was satisfied, based on the oral evidence of the Council's Senior Environmental Health Officer, Mr Vandyke, that the proposed jousting events would cause a public noise nuisance. In particular, Mr Vandyke's evidence was persuasive in the following regards:
 - 5.1 Mr Vandyke gave clear evidence that there would be significant noise emanating from the events. This would take the form of (a) the noise of horses and weapons involved in the events themselves, (b) crowd noises and (c) the public address system and amplified music.
 - 5.2 Having carried out noise assessments in compliance with the appropriate code of practice, Mr Vandyke was clear that the levels of noise from the events would materially and adversely affect the reasonable comfort and convenience of the residents in the locality and members of the public using the surrounding areas of the Forest for amenity purposes.

- 5.3 Whilst Mr Vandyke was of the view that the two neighbouring properties would suffer the worst of the noise nuisance, his professional view was that the nuisance from the noise would extend beyond those two adjoining properties and would affect the residents south of Rhinefield Road and beyond.
6. Oral evidence was also put forward by long-standing local residents who had experienced noise nuisance from similar previous events that had taken place on the premises. In addition, the Council served a Planning Enforcement Notice on the then owners of the site in 1995 which referred to the use of the land for public entertainment leading *'to noise and disturbance to residents and visitors to the area'*. This provided the Sub-Committee with further evidence of the likely adverse material impact upon the reasonable comfort and convenience of the residents in the locality and members of the public generally, that the proposed activities would have.
7. The Sub-Committee considered whether conditions could be imposed to ensure that the licensing objective would not be prejudiced. In particular, representations were made by the Applicant to the effect that amplified sound could be limited to, say, 5dB above the background noise (as heard from a prescribed distance from the event). The Sub-Committee did not consider that such a condition would resolve the problem, for the following reasons:
- 7.1 Whilst the Applicant would potentially have control over the noise emanating from the public address and amplified sound system, the Applicant would have no control over the crowd noise or the noise of the horses and weapons. Mr Vandyke was clear that any condition restricting the level of noise would have to relate to the whole event, not just the public address and amplified sound system. The proposed condition was therefore not likely to prevent a public noise nuisance.
- 7.2 Restricting the noise emanating from the public address and amplified sound system may not be practicable. In order to function effectively, the people attending the events would have to be able to hear the public address and amplified sound system above the crowd noise. The Sub-Committee thought this would be very unlikely to be achievable at the suggested limits to the noise levels.
- 7.3 Mr Vandyke's evidence was that the structure within which the events would take place was very acoustically 'leaky'. His evidence was that the only way of preventing a noise nuisance was to effect substantial works to sound-proof the structure at a cost of tens of thousands of pounds. The Sub-Committee was mindful that any condition that had the practical effect of requiring the Applicant to spend such sums on improvement works is unlikely to be proportionate as required by the section 182 Guidance that accompanies the Licensing Act (at paragraph 10.13). Furthermore, the Applicant gave evidence that it does not own the land and would have no rights to effect structural works.

Highway

8. Because (a) the access to the Premises is via a single track (which itself exceeds 200 yards in length, 11 feet wide with no passing points and

which bends such that one end cannot be seen from the other), (b) parking on the site is limited and (c) the turning into the track is at an acute angle, the Sub-Committee considered that it would be inevitable that there would be significant traffic build up on Rhinefield Road both before and after the events. Rhinefield Road itself is a public highway and a small, narrow country road.

9. The Sub-Committee was satisfied that it would be highly likely that, when events took place, the public highway would be obstructed. Whilst an increase in the volume of traffic is not likely to be a public nuisance in itself, an obstruction of the public highway does constitute a public nuisance.

Public safety

10. The Sub-Committee was mindful that there were no extant objections relating to public safety from the fire authority, the Council's Environmental Health (Commercial) Department (covering health and safety matters) or the Police.
11. However, the Sub-Committee had serious concerns for the safety of the public arising out of the volume of traffic that the events would generate. In particular:
 - 11.1 Because of the build-up of traffic on Rhinefield Road around the site entrance, the Sub-Committee saw a significant risk of accidents occurring as a result of the stationary traffic obstructing Rhinefield Road. Rhinefield Road itself is a narrow and windy road.
 - 11.2 Notwithstanding the Applicant's proposed measures to manage the movement of traffic along the single track leading to the Premises, the Sub-Committee could foresee risks to pedestrians walking along the track, especially if large vehicles or coaches were using the track (it being only 11 feet in width).
 - 11.3 The Sub-Committee also had concerns regarding the access for emergency vehicles in light of the narrowness of the track.
12. In light of the above, the Sub-Committee was of the view that a refusal of the licence was necessary to promote the licensing objectives relating to public safety and public nuisance.

Date: 7 July 2010

Licensing Sub-Committee Chairman: Cllr B C Beck

FOR OFFICE USE ONLY

Decision notified to interested parties on 8 July 2010

* Objection *

Sarah Wilson

From: Jennefer Wood |
Sent: 20 November 2010 13:40
To: Licensing e-mail address
Cc: info@friendsofbrockenhurst.org.uk; Cllr Barry Rickman; Cllr Maureen Holding; Dave Yates
Subject: OBJECTION to application reference LICPR/10/07911
Importance: High

FROM; MR. COLIN H WOOD & MRS. JENNEFER A H WOOD
 2 FOREST GLADE CLOSE
 BROCKENHURST
 HAMPSHIRE SO42 7QY

20 November 2010

Objection to application reference LICPR/10/07911
New Forest Activity Centre, Rhinefield Road,
Brockenhurst SO42 7Q

We wish to record OBJECTION to the above Licence Application. On 7th July 2010, the NFDC Licensing Sub-Committee produced a document setting out their reasons for rejection of the previous Licence Application (Licence number not on document, so cannot be quoted) for these premises.

Where our objection is in line with the reasons for the earlier rejection, we will for the sake of brevity, quote the relevant section and paragraph numbers from that document of 7th July.

PUBLIC NUISANCE

The reasons for rejection raised in paragraphs 5, 6 and 7 and their sub-paragraphs should apply even more strongly to this application, as it appears the Applicant wishes to add music and dancing to the activities. In our opinion these events would destroy the tranquility not only of local residents, but of a wider area of the New Forest, proclaimed by so many to be an area for tranquil recreation and needing protection from the pressures of modern life.

Highway

22/11/2010

Paragraph 8 is relevant to this application. **In addition** to the point made in paragraph 9, we feel it cannot be emphasised too strongly that there would be times when emergency vehicles could not, because of congestion on Rhinefield Road, get to a very large number of houses on roads leading off Rhinefield Road. It is not hard to envisage a life-threatening scenario.

PUBLIC SAFETY

Again the points raised in paragraphs 11 (with sub-paragraphs) of your document cover our own grounds for objection. Additionally, increased traffic throughout the area would be inevitable, and in places this could and would threaten public safety. The point above about emergency vehicles (especially ambulances) being prevented from accessing local houses needs including under this heading as well.

Finally, we would like to emphasise that all the points for rejection listed in the document of 7 July should apply even more strongly to this latest application.

The Applicant's plans seem to cover almost non-stop use of these premises for events totally inappropriate for the locality. The Forest is under pressure as it is. This would only cause further deterioration.

164

* Objection *

The Geldings
Knowle Road
Brockenhurst
SO42 7SN

15 November 2010

Paul Weston
Licensing Officer
NFDC
Appletree Court
Lyndhurst
SO43 7PA



Dear Mr Weston

Re LICPR/10/07911- New Forest Activity Centre

I live just south of Rhinefield Road and am writing to object to the above application.

Many arguments could and no doubt will be put forward along the lines of those advanced leading to the rejection of LICR/10/02286. However, my reason for objecting is quite simply because many years of coping with the traffic problems already existing on Rhinefield Road convinces me that any development along the lines proposed would significantly adversely affect public safety.

The access track to the proposed activity is some 11 feet wide and some 200 yards long and would self-evidently be a hazardous approach leading to delays and bottle necks for cars and pedestrians attending functions. This would lead to backlog problems on Rhinefield Road.

Rhinefield Road is a narrow access road to Brockenhurst. Apart from the normal access traffic it is used by:

- The slow moving cars of visitors coming from and going to the ornamental drive;
- Cyclists – serious ones out training and families with small children new to cycling;
- Elderly residents using motorised wheel chairs;
- Many forest animals - horses, cows and pigs;
- Horses with riders from the nearby riding stables;
- Caravans moving to and from two caravan sites.

The backlog problems and extra traffic using the access track to the proposed activity would exacerbate the threats to public safety already noticeably inherent on Rhinefield Road. This is why I believe you should refuse the application.

I will send electronic copies of this letter to Barry Rickman, Maureen Holding and Dave Yates

Yours sincerely

John Woolhouse

The Geldings
Knowle Road
Brockenhurst
SO42 7SN

15. 10. 2010

Paul Weston
Licensing Officer
NFDC
Appletree Court
Lyndhurst
SO43 7PA

Dear Mr Weston

Re: Licensing Act 2003 – Grant of Premises Licence (S17)
Premises: New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE
Reference LICPR/10/07911

We live just south of Rhinefield Road and my husband has already written to object to the above application. I would like to expand on his letter adding my objection to the granting of the above licence.

We both object on the grounds of Public Safety but I would also like to object on the grounds of Public Nuisance.

Public Safety

The access track to the proposed activity is only some 11 feet wide and some 200 yards long with no footpath and would self-evidently be a hazardous approach leading to delays and bottle necks for cars and pedestrians attending functions. This would lead to backlog problems on Rhinefield Road and potential accidents.

There is seating for at least 600 people and there is not sufficient parking for cars carrying that number of people. It is inevitable that cars will be parked on the verges of the access road and also on Rhinefield Road causing difficulties for Fire Engines and Ambulances in case of emergencies and accidents on Rhinefield Road.

This track is unlit and would be a hazard for pedestrians leaving the venue after dark.

Rhinefield Road is a narrow access road to Brockenhurst. Apart from the normal access traffic it is used by:

- The slow moving cars of visitors coming from and going to the Ornamental Drive;
- Cyclists – serious ones out training and families with small children new to cycling or in buggies attached to adult's bikes;
- Elderly residents using motorised wheel chairs;
- Many forest animals - horses, cows, highland cattle and pigs;
- Horses with riders from the nearby riding stables (they take groups slowly across the road and back every hour and transfer the horses along the road to and from night quarters morning and evening);

- Caravans moving to and from two caravan sites – Black Knoll and Aldridge Hill.

The backlog problems and extra traffic using the access track to the proposed activity which would exacerbate the threats to public safety already inherent on Rhinefield Road is why we believe you should refuse the application.

Public Nuisance

Noise The premises are “acoustically leaky” so any music or audience participation for 600+ will inevitably cause nuisance especially to the two properties adjacent but also to large numbers of houses on the south side of Rhinefield Road – New Forest Drive, Forest Park and The Coppice estates.

Cars Many cars will be parked on the roads of the above estates some of which are private roads and will have to have clamping arrangements in place. Angry scenes precipitated by frustration of drivers late for events seem likely.

Also:

Jousting Application

This application was turned down on the grounds of Public Nuisance and Public Safety and was not appealed. The current application is for jousting again and other similar activities producing exactly the same problems as jousting. I would like to object to the granting of the above licence and suggest that all costs incurred by the authority should be reimbursed by Heathgate Land and Property Ltd as this would otherwise be a waste of council tax payers money.

Yours sincerely

Anne Woolhouse

Cc Barry Rickman, Maureen Holding, Dave Yates

* Objection *

Nethermoor,
Rhinefield Road,
Brockenhurst,
Hampshire SO42 7SR

Tel:

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

15 November 2010

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

We are writing to object to the granting of the above licence, which we feel should be rejected under the headings of public nuisance and public safety. We live in the Rhinefield Road close to the dangerous sharp bend by St Ann's Catholic Church.

There is no doubt that, if the new entertainment licence is granted, it will result in a substantial increase in traffic on this road, being the main approach to the Black Knoll site. The combination of the bend and the narrow width make the road most unsuitable for access to the type of venue envisaged, as can be seen on the days of the New Forest Show.

Our further grounds for objection are based on the likely noise nuisance emanating from any kind of public entertainment involving amplified music at the Black Knoll site. Some of us lived in the same houses 15 years ago, when a previous equestrian show took place. At that time the noise was intolerable and it led to its cessation by the local authority.

In general, as inhabitants of Brockenhurst, we feel strongly that the peaceful Black Knoll site is a totally inappropriate setting within the New Forest for frequent evening entertainment aimed at attracting large numbers of people

- The Applicant states that the activities "*may include jousting tournaments*". Application number **LICPR/10/02286**, requesting a license for this activity on this site, aroused widespread local concern and was rejected in July for numerous reasons some of which are included in the above.

For these reasons, please reject this application.

Yours sincerely

Dr Donald Wooller, along with the signatories below, :-

* Objector *

Sara Wilson

From: David Worn
Sent: 21 November 2010 12:20
To: Licensing e-mail address
Cc: info@friendsofbrockenhurst.org.uk; Graeme Marshall
Subject: OBJECTION to application ref LICPR/10/07911

My wife and I live at Heathend, Rhinefield Road, Brockenhurst, SO42 7QE, a short distance, as the crow flies, from the proposed 'New Forest Activity Centre', Rhinefield Road, Brockenhurst, SO42 7QE. We would object most strongly to grant of this application for reasons that mirror those explained in objections to earlier planning applications relating to the proposed development of this Black Knoll site

We have two main reasons for objection: Public Nuisance and Public Safety.

PUBLIC NUISANCE. It is clear that opening the Centre to the types of activity described; (eg audience participation, 'music', 'enactments') aimed at substantial numbers of people would result in considerable noise, and further more, over long periods of each day. This noise would not be contained in the Centre building. This has been clearly demonstrated by the previous owners of the building operating a circus-type activity in the summer of 1995.

This was stopped by a noise abatement order by the NFDC. To all intents and purposes the noise-containment properties of the building remain the same.

PUBLIC SAFETY. The Applicant would be seeking to attract large numbers of people many of whom would undoubtedly travel by car. At certain times of programme opening and programme closing congestion by traffic and pedestrians would undoubtedly occur particularly at the junction of the narrow lane to Black Knoll and Rhinefield Road. Rhinefield Road is narrow and is used extensively by visitors to the Forest particularly in the summer months:

cyclists, walkers, caravans, horse riders, as well as by cattle and ponies.

Serious

congestion and danger to road users can be anticipated in addition to blockages hindering local residents in Rhinefield Road and in connecting roads.

The application is couched in very broad terms and one can anticipate the applicant is ready to tighten these terms, for example, restricting opening hours and the range of activities, in order to obtain approval. We would object to ANY activity of the type in question for the reasons of public nuisance and public safety noted above.

We ask that this application be rejected.

Patricia and David Worn

* Objection *

Sarah Wilson

From: Alan Wright
Sent: 22 November 2010 13:59
To: Licensing e-mail address
Subject: RE: OBJECTION to application reference LICPR/10/07911.

Dear Mr Weston

Please accept my apologies for omitting my address which is 17 Rhinefield Close, Brockenhurst, Hants. SO42 7SU.

Regards,
 Alan Wright.

From: Paul Weston [mailto:Paul.Weston@NFDC.gov.uk] **On Behalf Of** Licensing e-mail address
Sent: 22 November 2010 11:11
To: Alan Wright
Subject: RE: OBJECTION to application reference LICPR/10/07911.

Dear Mr Wright

I thank you for your communication as detailed below, unfortunately without the inclusion of your residential address this office is unable to consider your representations.

Regards

Paul Weston
 Licensing Officer
 Licensing Services
 Tel: 023 8028 5505 / HSPN: 8 777 5449
paul.weston@nfdc.gov.uk / www.newforest.gov.uk

From: Alan Wright [mailto:;
Sent: 21 November 2010 16:34
To: Licensing e-mail address
Cc: Dave Yates; info@friendsofbrockenhurst.org.uk; Cllr Barry Rickman; Cllr Maureen Holding
Subject: OBJECTION to application reference LICPR/10/07911.

Dear Sirs,

OBJECTION to application reference LICPR/10/07911 - New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

I wish to register in the strongest possible terms my objection to the above application on the grounds of public safety.

Rhinefield Road, and particularly the area adjacent to the entrance to the New Forest Activity Centre, is narrow, twisty, with restricted views due to the many over-hanging trees, without a public footpath, and frequented by loose animals (ponies, donkeys and cattle). The many and frequent human users of the road, both local residents and holiday makers – many on bicycles, will be endangered by the significant increase in traffic at show times. Further more, due to the limited parking facilities at the show ground, car parking in Rhinefield Road will obstruct other traffic, and this will be a serious concern to the emergency services when they have to use the road.

I trust that you will reject this latest application.

Yours faithfully,
 Mr A and Mrs J Wright

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22/11/2010

* Objections

Petition
15

Nethermoor,
Rhinefield Road,
Brockenhurst,
Hampshire SO42 7SR

Tel:

Paul Weston
Licensing Officer
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

15 November 2010

Dear Mr Weston

Reference LICPR/10/07911
Licensing Act 2003 – Grant of Premises Licence (S17)
New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO 42 7QE

We are writing to object to the granting of the above licence, which we feel should be rejected under the headings of public nuisance and public safety. We live in the Rhinefield Road close to the dangerous sharp bend by St Ann's Catholic Church.

There is no doubt that, if the new entertainment licence is granted, it will result in a substantial increase in traffic on this road, being the main approach to the Black Knoll site. The combination of the bend and the narrow width make the road most unsuitable for access to the type of venue envisaged, as can be seen on the days of the New Forest Show.

Our further grounds for objection are based on the likely noise nuisance emanating from any kind of public entertainment involving amplified music at the Black Knoll site. Some of us lived in the same houses 15 years ago, when a previous equestrian show took place. At that time the noise was intolerable and it led to its cessation by the local authority.

In general, as inhabitants of Brockenhurst, we feel strongly that the peaceful Black Knoll site is a totally inappropriate setting within the New Forest for frequent evening entertainment aimed at attracting large numbers of people

- The Applicant states that the activities "*may include jousting tournaments*". Application number **LICPR/10/02286**, requesting a license for this activity on this site, aroused widespread local concern and was rejected in July for numerous reasons some of which are included in the above.

For these reasons, please reject this application.

Yours sincerely

Dr Donald Wooller, along with the signatories below, :-

Reference LICPR/10/07911

Further signatures of those supporting the above objections to the proposed licence

✓ [SIGNATURES

✓ REDACTED]

Marden Cottage, Rhinefield Road
Reeds Cottage, Rhinefield Road.

✓ Thorndon, Rhinefield Road

Lime Oats, Rhinefield Road.

Bayarden, Rhinefield Road

cc

Cllr Barry Rickman (Leader)

Cllr Maureen Holding (Local Councillor).

Paris Smith
Solicitors
DX 38534
Southampton 3

Our Ref: PW/LICPR/10/07911/SW
Your Ref: **CGM/mcm/34248/22**

23 November 2010

Dear Sir/Madam

Application: Grant of Premises Licence (S17)

Application Reference: LICPR/10/07911

**Premises Address: THE NEW FOREST ACTIVITY CENTRE, RHINEFIELD ROAD,
BROCKENHURST, SO42 7QE**

This letter is to notify you that a number of objections on grounds of the prevention of public nuisance, public safety, and prevention of crime and disorder have been received to the application for a premises licence. Brief details of the representations are as follows:

- Unsuitable access which is only 11 feet wide to the site via an unlit private drive which is narrow and an unclassified country road and cause harm to the character and appearance of the area. The increase in traffic will cause acute congestion making access by Emergency Vehicles near impossible and a danger to pedestrians.
- The application does not provide adequate information or consideration to providing adequate sound insulation for the building. The applicant therefore needs to propose suitable practical measures to prevent noise nuisance in the vicinity.
- The noise from events would affect residents nearby.
- Parking on the site itself is limited. This would mean overflow vehicles parking along Rhinefield Road itself and the private side roads, all of which would cause considerable obstruction/congestion on the public highway.
- Noise from the activity centre will be heard across a wide range of the village. Bringing together a large amount of people who will be encouraged to engage in interactive activities by its very nature will create high levels of noise.
- There has been a history of other previous application which demonstrate consistent public safety and public nuisance concerns over time.
- There is a fear that what is now a quiet rural and residential area would be host to many visitor cars and pedestrians with increased risk of public disorder, vandalism, litter and theft.

Cont/....

2/.....

New Forest Activity Centre

23 November 2010

- The current application addresses none of the reasons clearly set out for refusing the application. The background to this application and the physical details of the location remain unchanged. The premises itself would have to undergo a lot of soundproofing as it is very acoustically leaky in order to prevent noise nuisance. The state of the building needs to be clearly understood, as it has been established before, that the crowd noise could not be controlled and that for events such as jousting it was likely to amount to public nuisance.
- The current application does nothing to meet any of the problems raised, but merely states that a risk assessment will be carried out and put in place for the various events to take place. Again the working of the second part of this sentence is meaningless. Elsewhere the application vaguely refers to strict supervision of the events taking place with regard to number of participants. It is clear that the applicant expects to attract more than the handful of people that could arrive in vehicles parked on the restricted site. In any event if the large capacity barn is to be lighted and heated for the winter, and/or evening events, it is clear that to be commercially viable more than a scattering of members of the public would have to be present.
- The licence if granted for the activities requested, leaves it to permit pop festivals and concerts, raves and dances.
- Concerns of increased crime related incidents and the absence of policing the area.
- Allowing these events to take place would set up a dangerous precedent for commercial operations to set up similar events.

In those cases where representations are made and not subsequently withdrawn a special Licensing Panel hearing will be arranged. The Panel will hear your application and the objections of those persons making representations. Following the hearing the Panel will decide the application.

Furthermore, should you now in the light of these representations, wish to discuss the situation or modify your application to alleviate the representation(s) and concerns, **please contact Licensing Services direct.**

If I do not hear from you within **five days** from the date of this letter I shall assume you do not wish to discuss the matter and proceed to make arrangements for the hearing. Full details will be sent to you shortly.

Yours faithfully

Paul Weston

Licensing Officer
Licensing Services

Tel: 023 8028 5505
Fax: 023 8028 5596
Email: licensing@nfdc.gov.uk



New Forest District Council
Licensing Services
Appletree Court
Lyndhurst
Hampshire
SO43 7PA

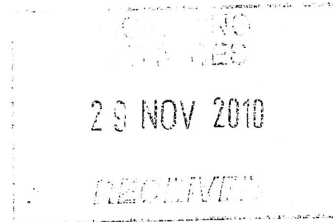
Our ref
Your ref
Date
Direct line
Direct fax
Email

CGM/mcm/34248/22
PW/LICPR/10/07911/SW
26 November 2010
023 8048 2289
023 8048 2368
cliff.morris@parissmith.co.uk

SECOND LETTER

Dear Sirs

Our Client: Heathgate Land & Property Limited
Application for a Premises Licence
New Forest Activity Centre



We refer to the above and enclose herewith a copy of our client's traffic management along with associated plans showing lighting and car park spaces.

We trust this is sufficient for your purposes and confirm that we have forwarded the same to the Police.

Yours faithfully

Paris Smith LLP

Encs

O:\CLIENTS\34248\22\CORRES\20101126.CGM.MCM.LET.NFDC.140631.DOC

Number 1 London Road Southampton Hampshire SO15 2AE

t: 023 8048 2482 f: 023 8063 1835

DX 38534 SOUTHAMPTON 3

e: info@parissmith.co.uk www.parissmith.co.uk



Regulated by the Solicitors Regulation Authority
A list of members is available for inspection at the registered office address shown above
Paris Smith is a trading style of Paris Smith LLP which is a Limited Liability Partnership
Registered in England number OC308962

Notes on Traffic Management

Plan attached shows 126 car parking spaces for public use in the two portions.

Parking for the disabled will be immediately in front of the entrance. Cycle parking will be in the open sided building.

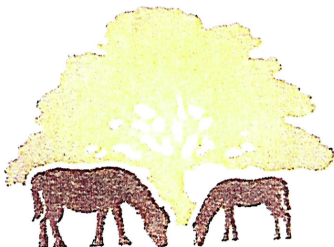
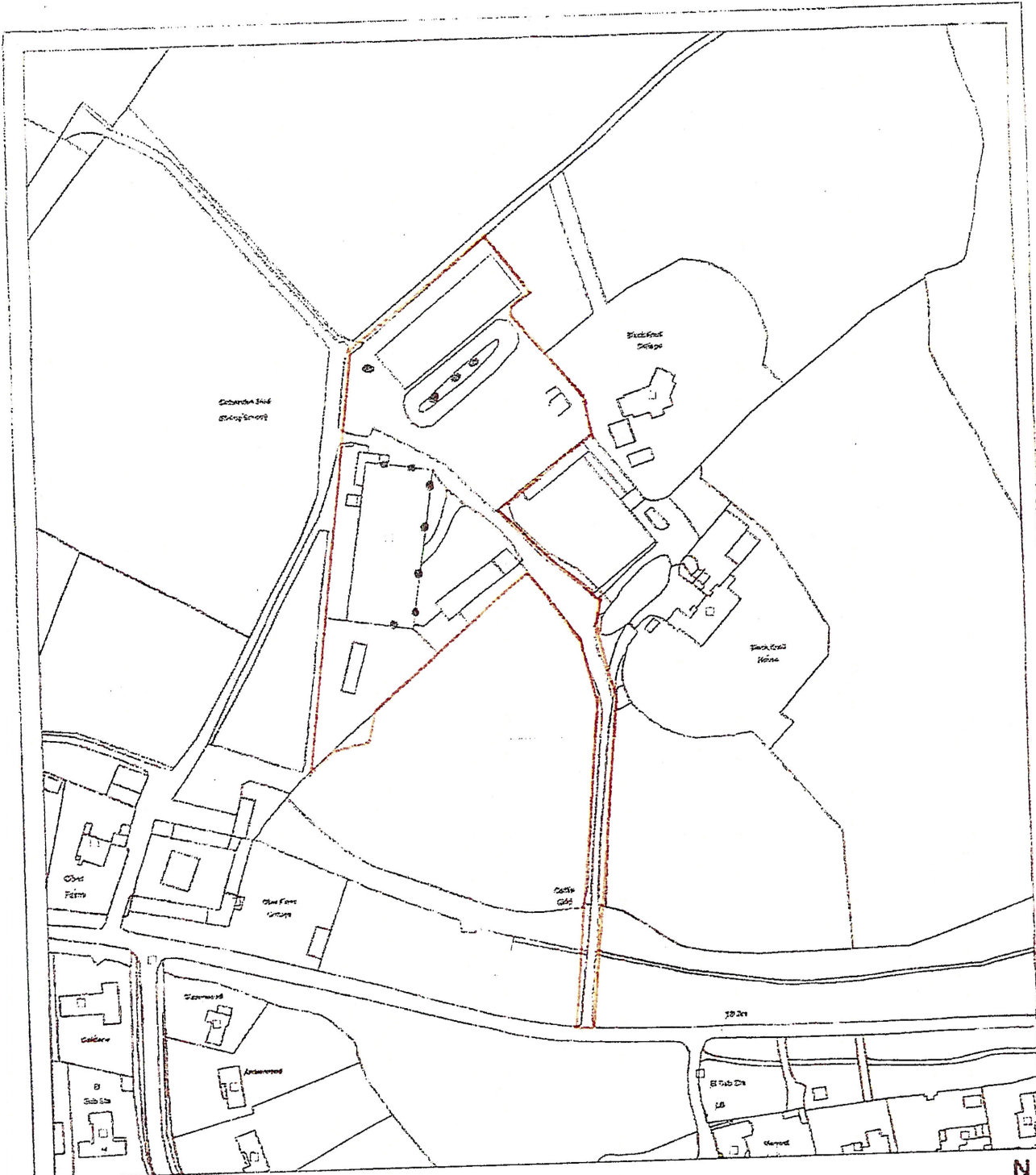
Prior to set performances or shows within the building one or more car parking attendants will be on hand to assist in the directing of traffic.

This quantity of parking has always historically been available. (see attached note from head of NFNPA planning dated 12th March 2010.)

Lighting to illuminate the car parking and the exterior of the building will be set in the positions shown on the plan attached which is part of the Certificate of Lawful Use No 08/92940 issued by the National Park Authority on 5th September 2008.

Pedestrian traffic from Rhinefield Road will follow the blue coloured route.

When the car parks are full a notice will be exhibited on the site entrance on Rhinefield Road to that effect.



**NEW FOREST
NATIONAL PARK**

New Forest National Park Authority
 South Efford House
 Milford Road
 Everton
 SO41 0JD
 Tel: 01590 646600
 Fax: 01590 646666

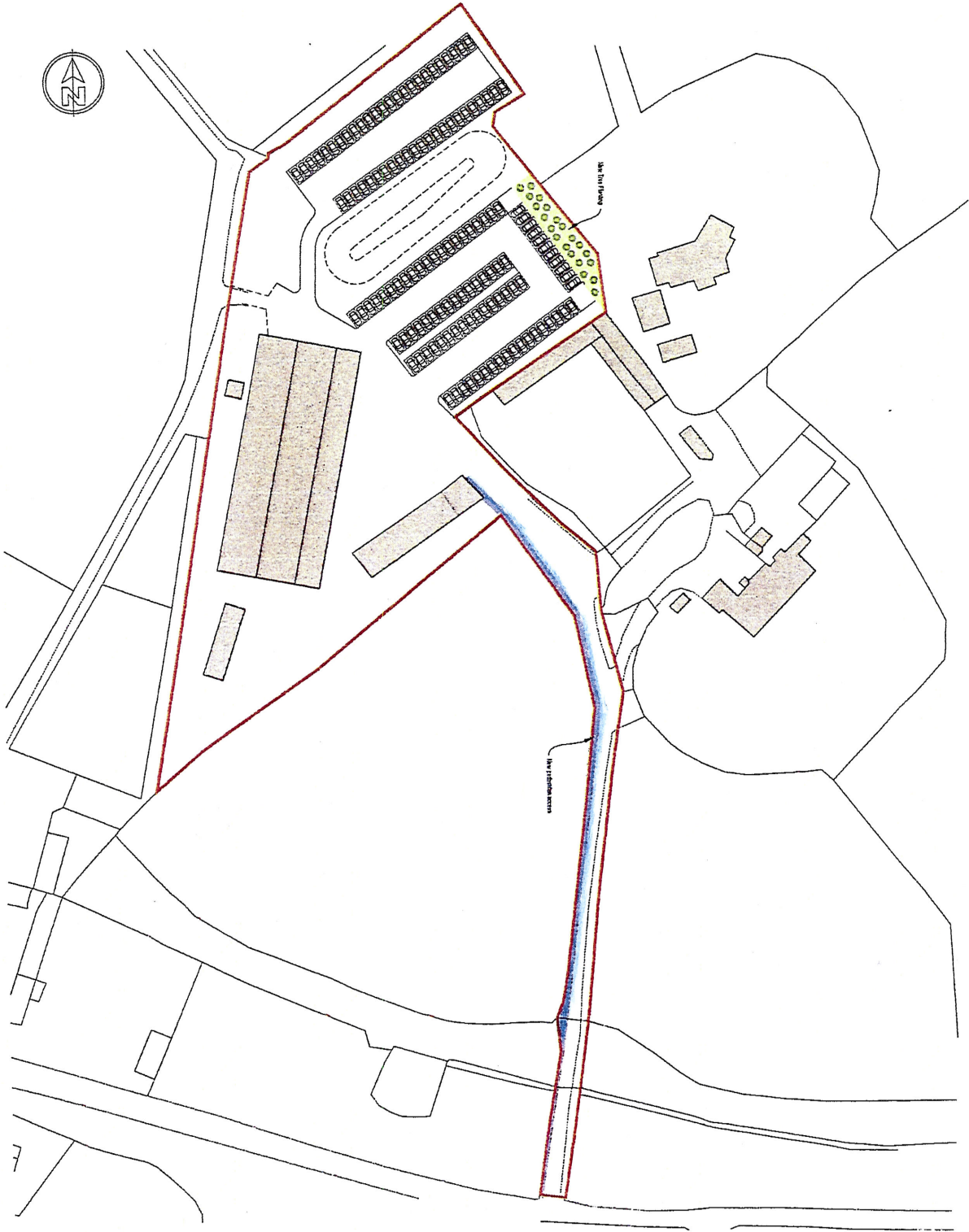
Date: 02:09:08
 © Crown copyright. All rights reserved
 New Forest National Park Authority.
 Licence no. 1000114703 2008

Certificate of Lawfulness
 Black Knoll Barn
 Rhinefield Road
 Brockenhurst
 SO42 7QE

92940

SCALE: 1:2000





Lead: **Isidore Land & Property Ltd**
 Project: **Black Wood**

Site Plan
 Proposed Parking

Date: 18/11/10 1:30
 Scale: A1 PAB PAB
 No: 20084 102
 Rev: 2010/rev-1/24/0

10/0096 12/3



Coyne

Our ref: SA/NAS

Your ref: -

12 March 2010

Black Knoll, Rhinefield Road, Brockenhurst

Thank you for your letters of 5 and 6 March 2010 regarding the situation at Black Knoll.

Dealing first with the issue of car parking at Black Knoll I can advise that planning permission would not be required to simply park cars within the site covered by the Lawful Use Certificate. However should Mr Girling carry out any significant engineering works to provide a car park, such as levelling and hard-surfacing then I believe those works would require planning permission.

With regard to the second issue of works to the northern side of the barn, I have asked Sandy Tolmay, our Senior Enforcement Officer, to visit the site and establish exactly what works have been carried out and whether any of those works require planning consent. At the same time I have asked Sandy to have a look to see if any works are being carried out to provide for parking on the site. Once Sandy has reported back I shall write to you again.

I do appreciate the concerns that you and your neighbours have about the planned activities at Black Knoll and you will know the limitations on the Authority in terms of the planning controls that we can exercise over this site (in view of the established lawful use).

Yours sincerely

SA
Steve Avery
Director of Strategy and Planning

Tel: 01590 646659
Email: steve.avery@newforestnpa.gov.uk

VOB. 10.2.10 to 12.3.10 (handwritten note)

New Forest National Park Authority
South Efford House Milford Road Everton Lymington Hampshire SO41 0JD
Telephone 01590 646610 Fax 01590 646666 Email steve.avery@newforestnpa.gov.uk
www.newforestnpa.gov.uk

12/3