

MEDWAY COUNCIL
Responsible Authority
Objection Notice

Responsible Authority	Environmental Health
Name of Officer	Nathaniel Prodger
Date of Representation	05/11/2020

Name of Applicant	Mr Declan Jewell
Premises Name	Rainham Bootfair
Address of Premises	South Bush Lane Rainham Gillingham Medway

Objective 3 Public Nuisance	<p>I would like to make a formal representation in objection to the application to use the site for various events, extended into regulated hours, including; recorded music, plays, performance of dance, an outdoor cinema, and a site for a boot fair. The proposed hours for recorded music, plays, performance of dance, and an outdoor cinema are 09:00 to 01:00 Monday to Sunday.</p> <p>This type of application is likely to give rise to entertainment noise and noise from patrons late into the evening. I have serious concerns regarding noise and light generation at the site which may create a nuisance for neighbouring residents. The site is in a quiet rural area and therefore any noise or lighting generated by such activities, including an increase in traffic noise, may be very intrusive to existing residents and to the amenity of the rural area.</p> <p>Furthermore, I note that a number of complaints have already been raised regarding noise and lighting from previous events held at the site over the past few months. While these complaints are currently unsubstantiated, they do add weight to my concerns that an increase and variation in events will have a detrimental effect on the local amenity. I consider that unless adequate safeguards are in place, that the application to use the site for various events has the potential to lead to an unacceptable increase in noise and disturbance to the detriment of the amenity of residents in the locality, contrary to Section 5 of Medway Council's Statement of Licensing Policy (Adopted 9 December 2004).</p> <p><i>The information which has been provided on how noise from regulated entertainment (amplified and unamplified sound), and other sources of noise associated with the proposed activities, will be controlled so that it does not cause a public nuisance when experienced from noise sensitive properties is not adequate. The applicant will need to submit an acoustic report to demonstrate the suitability and adequacy of the premises for the various events. The report will need to include an acoustic appraisal of the existing acoustic environment and the predicted effect of holding these various events (including measured and predicted noise levels as necessary). The report will also need to include a scheme of works and any other measures that are</i></p>
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necessary for controlling noise levels satisfactorily to support this application.

I note that the site in question does not currently hold planning permission for what is being proposed. While a planning application has been received, a decision has not yet been made. Neither an acoustic assessment nor a lighting assessment has been submitted for either the planning or the licencing application. As such, I am unable to justify that the measures suggested under prevention of public nuisance, are robust enough to fulfil this requirement. Usually, conditions are placed on the licence to control noise and light from the site. Unfortunately, without evidence from the relevant assessments, it is not possible to apply any conditions which ensure a balance between preventing public nuisance, while allowing the proposed business to function as required. **Therefore, I would object to the application, as the applicant has not adequately demonstrated that the use of the site will not give rise to public nuisance.**

Until these assessments have been provided and any mitigation measures implemented to ensure the protection of the local amenity, I am unable to support this application. I have spoken to the applicant and explained my position on this matter and recommended that the application is withdrawn until the assessments can be completed.

Representation from Hartlip Residents' Association

Reference: TBC

Licensable activities: (1) Regulated entertainment (0900-0100)
(2) Late night refreshment (0900-0100)

Premises: Land adjoining 3 South Bush Lane, Rainham, Gillingham, Medway, ME8 8PS

06/11/2020

Dear Licensing,

Hartlip Residents' Action Group (HRAG) wish to **object** to the above application.

Summary of objection

Granting the licence would undermine the following licensing objectives:

- noise and light pollution would cause a **public nuisance**
- inadequate traffic management would put **public safety** at risk
- no information has been provided about how the risk of **crime and disorder** will be managed

HRAG

HRAG is a community non-profit organisation of residents of Hartlip and the surrounding area.

The premises

The site is currently an undeveloped agricultural field located in the open countryside.

During the summer and autumn of 2020, the site has been used to host a temporary bootfair and drive-in cinema.

The application

The application seeks authorisation for:

- regulated entertainment
- late night refreshment

We note that the original application also sought authorisation for the sale of alcohol by retail but a subsequent amended version of the application does not. This objection is prepared on the basis that the sale of alcohol will not be authorised by the licence.

The proposed licensable hours are between 0900-0100 (16 hours per day) seven days per week.

The application (including operating schedule) submitted by the applicant is remarkably short on detail. No further details are provided as to the nature of any the licensable activities which will be carried on at the premises. In particular, there is no information provided as to:

- days/hours of operation
- site capacity
- location, size, construction method and materials of cinema projection screen
- traffic management plan
- noise management plan
- external lighting strategy

The operating schedule is of particular concern. It appears to have been copied and pasted from another document and has evidently not been prepared with this premises and these licensable activities in mind. For instance, the operating schedule proposes closing “external doors and windows” in order to prevent public nuisance when the premises concerned is an open field with no built structures on it at all. The Council’s Statement of Licensing Policy (Appendix 6, paragraph 11(a)) provides that *“it is essential that ... conditions ... must be specific to the premises”*. Appendix 6 contains a detailed and helpful list of sample conditions but none of these appear to have been proposed in the operating schedule.

It is clear that applicant has given little or no thought to the particular risks posed by his proposed business model or to national or local licensing policy. This failure to carry out even basic due diligence does not inspire confidence that the applicant can be trusted to manage these premises appropriately so that the licensing objectives are promoted.

(1) Public nuisance

The application proposes a number of “leisure activities” in a countryside location. All of these uses have significant potential for causing a public nuisance.

The proposed drive-in cinema is likely to cause noise and light pollution, especially when operating at night.

Noise pollution

Although the applicant has provided no information as to the proposed hours of operation, it is likely that the drive-in cinema will mainly operate at night. The applicant has not explained whether sound will be transmitted via a PA system or by broadcast via radio. Either method has the potential for significant levels of noise pollution. If sound is broadcast via radio, the cumulative effect of many vehicles playing the film soundtrack would be very loud and intrusive, especially during the warmer months when windows and car roofs will be open. It will also be necessary for car engines to be kept running in order to use the internal audio equipment and/or for heating and cooling the vehicle. Again, this will cause significant levels of noise.

The other proposed leisure uses are all noise-generating activities and most are likely to take place predominantly in the evening. They will all have similar or worse impacts in terms of noise pollution as the drive-in cinema. However, given that the applicant has not given any explanation as to the other activities proposed, it is very difficult to measure their precise impact.

We are also concerned about the applicant’s plans to use the site for weddings and the likelihood of noise nuisance from live and recorded music, as well as from crowds of people who have consumed alcohol. We understand that, as the premises will not be licensed for alcohol on-sales, it would not benefit from the deregulation provisions in the Live Music Act 2012 and therefore the noise impacts of live and recorded music must be taken into account by the Council. This is a quiet area of the countryside and therefore loud music will be particularly intrusive and disturbing to the isolated homes nearby.

Finally, we understand that there is no electricity supply to the premises as it is an agricultural field and therefore all electrical equipment will rely on generators. Again, generators can create significant amounts of noise and this was a major issue during the activities this year on the site.

Light pollution

The use of a large outdoor projection screen for the drive-in cinema will additionally create light pollution. The applicant has not provided any information as to where the screen will be located nor as to its size.

Additionally, any evening activities will require an external lighting scheme and again this will further contribute to light pollution. This is a relatively isolated location in the open countryside. Therefore significant levels of external lighting will be intrusive and a nuisance.

Conclusion

In creating unacceptable levels of noise and light pollution, and in the absence of any information as to how these will be mitigated, granting a licence will undermine the licensing objective of preventing public nuisance.

(2) Public safety

Access to the site is entirely dependent on use of private vehicles. Indeed, the private vehicle is essential to the use of the site as a drive-in cinema.

The site is located on South Bush Lane which is a single-lane country road. The site has a single access on South Bush Lane, located approximately 0.5 miles south of the A2. The entrance to the site is through an unsurfaced metal field gate immediately adjacent to the highway. There are no paved surfaces on the site which is entirely grassed. Additionally, a public right of way runs through the middle of the site.

It is clear from the above that this is an inherently unsuitable site to accommodate significant volumes of vehicle traffic. The applicant has not provided any indication as to the site's capacity or the anticipated number of visitors but it will evidently need to attract a sufficiently large number to be commercially viable.

This creates a serious risk to public safety:

- The single access creates a bottleneck which will result in queuing as vehicles wait to enter and exit the site. The applicant has provided no information as to how this will be managed safely.
- South Bush Lane will suffer significant congestion as a result of vehicles entering and exiting the site. There are no passing points in the vicinity of the site. This creates a risk to road users along South Bush Lane, especially pedestrians (there is no pavement).
- The site plan indicates that the site will need to accommodate the movement of both cars and pedestrians. There are no paved surfaces anywhere on the site and therefore careful traffic management on site will be required. The application says nothing about how this will be achieved.
- Vehicles appear to have to cross the right of way in order to park in the car park and to access the event area in the southern part of the site which creates a risk of collision with pedestrians using the footpath. The footpath is a grassed track and not always easy to make out. This makes it more difficult for pedestrians to follow the right of way and so increases the risk of collision.
- The lack of hard surfaces on the site and at its access will result in mud being dragged onto the road by vehicles leaving the site in bad weather which creates a highway safety risk.
- There is an inherent public safety risk posed by drivers potentially consuming alcohol before trying to exit the site in their vehicles.
- No information has been provided as to how emergency vehicles will access the site or South Bush Lane or how emergency evacuation of a large number of people and vehicles in an isolated location will be managed.

In the absence of any information as to how the risk to public safety will be mitigated, granting a licence would undermine the public safety licensing objective.

(3) Crime and disorder

The application provides no information about security arrangements on site. There is the potential for a large number of people on site which creates an inherent risk of crime and disorder, especially if alcohol is being consumed. The applicant has not suggested any steps for maintaining orderly behaviour on the premises. For instance, there is no indication as to when the premises will close to members of the public and there no dispersal plan has been presented.

Conclusion

For these reasons, HRAG believes that this site is inherently unsuitable for licensable activities and the applicant has fallen well short of demonstrating that the licensing objectives will be promoted.

Therefore, we ask that the Council **refuses** this application.

Representation from Dorothy and David Lucas

Dear Sirs

Reference the above we would like to register our discontent and objection to the above application for an alcohol licence. This area is a quiet backwater of essentially farming and agricultural activity. The site is accessed by a single track country lane with no designated passing places and without pedestrian pavement or street lighting. [REDACTED] and I have significant concerns regarding safety and anti social behaviour. The application is being submitted alongside an application for change of use / development which is requesting multiple use / entertainment activities for 351 days / year with the alcohol licence request covering the period 0900 - 0100 hours daily. If granted this would represent a massive intrusion into our privacy and hitherto peaceful enjoyment of our surroundings. We strongly object to this licence being granted.

Yours faithfully

Dorothy & David Lucas

LICENSING ACT 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

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

Your name/organisation name/name of body you represent (see note 3)	Andrew Wood
Organisation name/name of body you represent (if appropriate) (see note 3)	
Postal address	
Email address	
Daytime contact telephone number	

Name of the premises you are making a representation about	"Rainham Bootfair"
Address of the premises you are making a representation about	3 South Bush Lane, Rainham, Gillingham, Kent ME8 8PS

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

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	Yes	<p>This application is for the granting of a licence to sell alcohol in a 16 acre field in a rural location down a single track road. A planning application for this field has stated that the field's primary purpose will continue to be agricultural. There is therefore no way of controlling the area over which alcohol will be consumed. There is a public footpath running across the middle of the field which will mean anyone can access the site. There is no way of event organisers monitoring or regulating who attends, or indeed barring or refusing entrance to anyone who misbehaves.</p> <p>The granting of this application will bring increasing numbers of people into this rural area, and combined with the selling of alcohol is likely to lead to an increase in local crime.</p> <p>The lane is not served by public transport and so there is likely to be an increase in people driving while under the influence of alcohol.</p> <p>The site is in a single track lane which has no designated passing places. The bootfair held on this site has already led to an increase in traffic congestion, altercations between car drivers, aggression between drivers and pedestrians, and verbal abuse directed at</p>

		local people. This will only increase if an alcohol licence is granted.
Public safety	Yes	<p>The site in question is situated in a single track road with no designated passing places. It is also liable to flooding. The lane is so narrow that for much of its length pedestrians and cars cannot pass. An alcohol licence will attract more traffic and will increase the risk to pedestrians and other car users. It will also cause further erosion to the road which in turn will increase the risk of harm to road users and pedestrians.</p> <p>The stated main purpose of the site is agricultural. There is therefore no hard standing and the ground is uneven. There may be agricultural equipment left on site. There is also a public footpath which crosses the site. These features suggest that it is not an appropriate place for the consumption of alcohol and could risk the safety of both attendees and members of the public.</p> <p>There are no utilities, such as power and drainage, on the site and the stated agricultural purpose of the field means that portaloos, generators etc should not be left on site. At the drive in cinema held on site this summer, attendees were seen having to negotiate their way to the portaloos using torches. The risk of harm to anyone having to do this will only increase if they have consumed alcohol.</p> <p>There has been evidence from the bootfair and cinema running this summer that the site management are not able to provide a compliant, risk free environment. The events have not been COVID secure, there have been health and safety issues, trading standards breaches, and the permitted development conditions were breached. This would suggest that the site management may not be able to ensure compliance with the conditions of an alcohol license.</p>
Prevention of public nuisance	Yes	<p>There are residential properties facing and backing onto the site in question. The events held so far on the site have caused traffic nuisance and increased levels of noise. On occasions there were still people on site past midnight following the drive in cinema and bootfair traffic would begin to arrive at 5.00am the following day, meaning that local people had the opportunity for less than 5 hours uninterrupted sleep. If an application to sell alcohol is granted, the noise on site and the traffic will significantly increase, causing a public nuisance and impacting on the physical and mental health of local people.</p> <p>Events held so far have led to traffic congestion in a lane where there are no passing places. Vehicles needing to reverse or turn round do so in private driveways, causing a risk to property, residents and pedestrians. The traffic levels will only increase should an alcohol licence be granted, as will the likelihood of drink driving.</p> <p>The existence of a public footpath running across the field means that anyone will be able to gain access to the site to</p>

		buy and consume alcohol. There is also a risk to walkers crossing the site when events are taking place.
Protection of children from harm	Yes	<p>There are a number of children, including looked after children, living both in the lane and in the general vicinity, including those living on a local travellers site in the adjacent lane. All of these children will have an increased risk if the selling of alcohol is allowed on this site, for the reasons outlined above.</p> <p>Furthermore, there is a riding stables in the lane which gives riding lessons to children and young people. The lessons including riding along the lane. These children will be at risk from increased traffic, increased drink-driving and the general behaviour of people under the influence of alcohol.</p>

Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing Sub Committee to take into account		I would respectfully request that this application is refused because of the risks outlined above.
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SIGNED: Andrew Wood

DATED: 08/11/2020

NOTES

1. If you do make a representation you will be invited to attend a meeting of the Licensing sub Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.
2. This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Section if you are in doubt about the date.
3. They can only relate to the four licensing objectives.
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be publicly available.
5. Please return this form when completed to:

Gravesham Borough Council
Licensing Team
Civic Centre
Windmill Street
Gravesend

Kent
DA12 1AU

Tel: 01474 33 76 51

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www.gravesham.gov.uk/privacy

Representation from Doug Reid

----- Forwarded message -----

From: **Doug Reid**

Date: Sun, 8 Nov 2020 at 12:01

Subject: Licence for Regulated Entertainment & Late Night Refreshment - 3 South Bush Lane, Rainham

To: <licensing@gravesham.gov.uk>

Dear Licencing,

As a resident of South Bush Lane, I wish to object to the Application at subject, as follows:

- a) The rural setting of the site being flat and unobstructed, results in sound travelling more easily than in a different type of location. This fact enhances any noise disturbance from the site.
- b) The application for a possible 16 hours each and every day until 1am, 351 days a year, would likely result in environmental disturbance to surrounding properties.
- c) Large number of cars departing the site after the licence event-end time of 1am. would impact residents asleep in houses along the nearby lanes.
- d) Where music is being provided at an event such as a wedding in a marquee, whilst disturbance mitigation measures are referenced by the Applicant, actions such as closing external doors and windows cannot be achieved. The sound from music from a marquee would therefore be free to travel to neighbouring properties.
- e) The site currently has no separate mains power supply to the proposed events areas, necessitating the use of diesel generator(s). Whilst modern generators can be sound-proofed the effectiveness of this is dependent upon the model and how they are run and maintained. In an adverse case, sound could emanate out quite a distance from the unit(s)
- f) The Applicant has recently withdrawn an earlier application to sell alcohol. However, in the case of a wedding where it would be unthinkable not to serve this type of refreshment, the organiser would have to provide this to the site. This takes away a means of control of the consumption by a certain element often present in any societal group these days, who might ultimately become rowdy and cause disturbance.

Regards

Doug Reid

Representation from Alwyn Matthews

From: ALWYN MATTHEWS

Sent: 05 November 2020 14:46

To: Licensing

Subject: Jewell 3 Southbush Lane

The application for licensing is one part of MC/20/2458 which asks for 331 days for various events. Southbush Lane is a single track country lane with no passing points no street lighting , no public transport and no pavements .To grant an alcohol license when people only have one way home in a car along dark unlit country lanes is dangerous . Boot fairs have already taken place and caused lots of problems for the residents ,hundreds of cars used the lane in the summer and residents were marooned in there homes .

Driving these lanes under the influence of alcohol no matter how small an amount is dangerous for residents when walking their dogs or calling on neighbours . Horses also ride along all the lanes in this area .This country lane is not suited to the amount of traffic these events will generate and encouraging people to drink and drive is totally irresponsible .

Representation from D Denton

Premises License - Declan Jewell, 3 South Bush Lane, Boot fair field, Rainham

The application as subject should be refused. The application site is wholly inappropriate for use as an events venue, located on a narrow, single track, two way country lane with no street lighting and no passing points except private residents driveways. During this summer much disruption has been caused by a one way system imposed leaving residents unable to move freely along South Bush Lane, Meresborough Lane and Spade Lane. Residents have experienced antisocial behaviour. Since the numerous events this summer there has been a marked increase in unfamiliar vehicles using South Bush, Spade and Meresborough Lanes travelling up to the motorway services through the Hamlet at Meresborough. These lanes are already subject to 'restricted access'. South Bush Lane suffers frequent flooding due to erosion - the vast numbers of vehicles visiting events using the lane have already caused further erosion. If permission for this license (and please also see associated planning application MC/20/2358) is granted the land will be rendered unusable for the agricultural purposes its' grade 1 status holds.

In light of the above comments, a sale of alcohol (9am - 1am), regulated entertainment (9am - 1am) and late night refreshment (9am - 1am) license should most definitely be refused.

D Denton

Representation from Danny and Hollie Nicholson

From: Danny Nicholson

Sent: 05 November 2020 19:02

To: Licensing

Subject: Objection to a alcohol license on South Bush Lane, Rainham, ME8 8PS

Hi,

My wife and I live at and we are concerned about an alcohol licence which has been lodged by 3 South Bush Lane, ME8 8PS.

We strongly object to this application because granting an alcohol licence could have serious implications for the safety of residents, attendees to events on this land and the wider public. I also believe that due to the nature of some of the planned events that there could be an increase in antisocial behaviour and more importantly due to the rural setting of the area, the promotion of drink driving.

The ability to sell alcohol between the hours of 9am and 1am will only make this issue exponentially worse.

South Bush Lane is a quiet, rural, and predominantly residential and agricultural neighbourhood. The lane itself is single track with no passing points. The only way cars can allow others to pass is by pull over onto a SBL residents' property.

There will be a huge % increase in traffic as a result of events being held on this land. The road capacity is not sufficient to service this increase in traffic volume. Subsequently there will be an increase in noise pollution.

Local stables regularly use the lane for regular horse riding as well as training young and inexperienced horses and riders alike.

There will be an increase in pollution from a variety of sources due to the planned activities – these include litter, car exhaust pollution, noise pollution, and light pollution from cars, activities and the drive-in cinema.

We hope to have your support with this issue.

Kind regards,

Danny & Hollie Nicholson

Representation from Michael and Pat Brown

From: "MICHAEL BROWN"

To: licensing@gravesham.gov.uk

Sent: Sunday, 8 Nov, 20 At 14:34

Subject: south bush lane event activities

Dear sirs

I object to application for licensing in the fields off south bush lane the lane is a single track lane with poor access the owner is proposing 331 days of events it will cause mayhem, traffic, crime nuisance disorder i strongly urge to dismiss this application.

Michael and Pat Brown

Representation from Simon and Kerry O'Connell

8 November 2020

Site: Rainham Bootfairs, South Bush Lane, Rainham, Gillingham, Medway, ME8 8PS

Dear Licensing,

We wish to **object** to the above application. We live [REDACTED] from the site of Rainham Bootfairs on South Bush Lane.

Having read your website, you state that all licence applications must comply with four licensing objectives including:

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

The proposed licensable hours are between 9am to 1am, seven days per week.

It is hard to determine what is actually being applied for as the application is very short on detail. No further details are provided as to the nature of any the licensable activities which will be carried on at the premises.

Rather than just a vague request for a seemingly open-ended list of potential events, for the Council to be able to determine if the planning is suitable, we would expect to see a business plan listing how many events are expected to take place, opening and closing times, traffic, noise and light mitigation plans and how the events will be managed, particularly if these were to involve hundreds of people with an assumption that the majority of alcohol would be consumed in the evening and late night.

There is no reference in the application to health and safety of large numbers of visitors, how they would evacuate safely or how emergency services would access the site quickly if required.

Public nuisance

The application proposes a number of undetermined leisure activities in a countryside location located on an unlit single-track country lane. All of these uses have significant potential for causing a public nuisance.

Since the bootfair started there has been a noticeable increase in litter being dumped on the side of the roads and hedgerows in South Bush Lane and surrounding roads. Last week, 10 of us from the local community filled up 20 black sacks of rubbish thrown or left on the side of the roads in South Bush Lane, Spade Lane and Meresborough Lane between Yaugher Lane and up to Bryony School.

The proposed drive-in cinema, circus and weddings are likely to cause noise and light pollution, especially when operating at night.

Noise pollution

Although there is no information provided as to the proposed hours of operation, we assume it is likely that the various potential events will operate throughout the day and late into the evening.

The proposed leisure uses are all noise-generating activities and most are likely to take place predominantly in the evening although the application is for 16 hours a day. They will all have similar impacts in terms of noise pollution as the bootfairs and drive-in cinema held this year and we assume they would need significant numbers to be viable. As the applicant has not given any explanation as to the other activities proposed, it is very difficult to measure their impact.

When the open-air cinemas were being shown, there was a noisy generator running for several hours at a time. Neighbours were told to just close their windows.

Light pollution

The use of a large outdoor projection screen for the drive-in cinema will additionally create light pollution. There is no information as to where the screen will be located or its size. This year when the open-air cinema was operating, there was a bright spotlight on most of the evening. As there are no streetlights in the area it can get very dark and therefore a strong lighting system would need to be in operation in this isolated open field. This was intrusive and a nuisance this year.

Public safety

Access to the site is entirely dependent on use of private vehicles. Private vehicles are essential to the use of the site as a drive-in cinema and all events would rely on significant interest and attendance to be viable businesses.

The site is located on South Bush Lane which is a narrow single-lane country road. The site has a single access on South Bush Lane, located approximately 0.5 miles from the A2. The entrance to the site is through an unsurfaced metal field gate immediately adjacent to the highway. There are no paved surfaces on the site which is entirely grassed. Additionally, a public right of way runs through the middle of the site which we regularly use and seems to be mostly used by people walking their dogs.

At the bootfairs which started this year, we witnessed several incidents of verbal abuse to other roads users when the lane was gridlocked by traffic trying to come down from Meresborough Lane to the A2, as it is not possible to stop them doing so.

All traffic was directed by marshalls to turn right out of the bootfair to the junction with Meresborough Lane and then left to go back down Spade Lane to join the A2. However, this causes a number of issues:

- The local Council and Highway officers have stated that marshalls do not have authority to direct traffic, but they do direct traffic not to go back down South Bush Lane to the A2. As the majority of traffic joins from the A2, it is clearly too busy and dangerous to direct traffic left out of the bootfair to the A2. Marshalls state they are only 'advising' on the best route and not forcing traffic in any direction but this is clearly not the case otherwise the lane would be gridlocked for hours.
- On South Bush Lane there are only a few places to pass and this involves pulling into a neighbour's drive. With the huge volume of traffic using the road on bootfair days, it is

very difficult to pass and involves one side having to reverse potentially hundreds of metres on a narrow winding single-track lane, causing bottlenecks.

- Both South Bush Lane and Meresborough Lane have 'Access only' signs so it must have been the intention for these to just be used by people living on these lanes or their guests. If traffic goes up to Meresborough Lane where it is being directed to, it can only turn left to Hartlip or right towards Bryony school and then either to Rainham or to the services on the M2. This causes the same issues for them in that all of these roads are narrow winding single-track lanes with few passing places and are completely unsuitable for significant levels of traffic.
- Reversing up any of the local roads is difficult in the day, but with no streetlights it is very difficult in the dark. There are also no pavements which means it is dangerous for pedestrians when cars pass and the new proposals mean for any events to be viable they would have to rely on private cars, vans and lorries accessing the site, not only as stall-holders and visitors but also to drop off and pick up larger structures like the open-air cinema screen and platform, potential circus tents or theatre stages, together with the various food and drink sellers.
- All traffic has to join and leave at the same single gate which creates a bottleneck. There is no hard standing areas so whenever it rains the field gets very muddy and the bootfair was called off by the organisers several times during the because of this. Whenever there is heavy rain, the water runs down from Meresborough Lane and the road on South Bush Lane frequently floods as there is no proper drainage. The road was not passable and closed several times this year. South Bush Lane was partially repaired last year but has already collapsed again in places following the huge volume of traffic using it this year accessing the bootfairs and cinema.

It is clear from the above that this is an inherently unsuitable site to accommodate significant volumes of vehicle traffic. The application does not provide any indication as to the site's capacity or the anticipated number of visitors but it will evidently need to attract sufficiently large numbers to be commercially viable.

This creates a serious risk to public safety:

- There is an inherent public safety risk posed by drivers potentially consuming alcohol before trying to exit the site in their vehicles.
- No information has been provided as to how emergency vehicles will access the site or South Bush Lane or how emergency evacuation of a large number of people and vehicles in an isolated field will be managed.

In the absence of any information as to how the risk to public safety will be mitigated, granting a licence would undermine the public safety licensing objective.

Crime and disorder

As stated above, the use of the site is entirely dependent on private vehicles. Given that alcohol will be sold on site, we assume there would be a significant risk of drivers consuming excess amounts of alcohol on site.

The application provides no information about security arrangements on site. There is the potential for hundreds of people on site which creates an inherent risk of disorder, especially if alcohol is being sold and consumed. There are no suggested steps for maintaining orderly behaviour on the premises.

Protection of children from harm

We note the following on your website:

Admission of children

There may need to be:

- a restriction of where and if children are allowed in the premises
- a time restriction allowing children in the premises
- a notice explaining to customers when and where children are allowed or not.

Proof of age - Staff must be trained in checking customers' ages by only accepting suitable identification.

In the application, there is no information provided as to how many children would attend any events, what plans would be in place to mitigate any harm, how restriction would apply, how proof of age would be obtained and the suitable training of relevant staff. The mix of proposed events such as bootfairs, open-air cinema, circus and weddings are very likely by their nature to attract a significant number of children.

Conclusion

For the above reasons, we believe that this site is inherently unsuitable for licensable activities and the applicant has not demonstrated that the licensing objectives will be promoted and adhered to.

Therefore we ask that the Council **refuses** this application.

Yours sincerely

Simon & Kerry O'Connell