

From: James Ingestre [REDACTED]
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To: Licensing
Subject: Ref No: IC App 29442

Categories: LA03 Premises

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Dear Sir,

Representation Objecting to Premises Licence Application Licensing Act 2003 – Section 17

Applicant: BENHAM PARK ENTERPRISES LIMITED
Premises: Benham Park Estate
Ref: IC App 29442

BENHAM PARK ENTERPRISES LIMITED (“BPE”) has applied for a premises licence under Section 17 of the Licensing Act 2003 in relation to the Benham Park Estate (the “Application”).

The Application states that it is the intention to operate the Estate for *“private events and curated retreats including weddings, private receptions, corporate off sites, leadership retreats, product launches, cultural or charitable gatherings and bespoke wellness-led experiences.”*

This representation is made on the basis that, if granted, the licence would undermine the following licensing objectives under the Licensing Act 2003:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

Sir Richard Sutton Ltd (“SRSL”) is the freehold owner of the agricultural land and woodland surrounding the application site. This includes a number of residential properties in Marsh Benham and a dwelling located approximately 275 metres from the area of the BPE where BPE intends to organise the proposed events, as identified on the plans submitted with the Application.

SRSL is therefore directly affected by the Application and is surprised that no contact was made by the applicant prior to submission to discuss proposals that will have a direct impact SRSL’s adjoining residential properties and agricultural land.

The Prevention of Crime and Disorder

Granting this premises licence would undermine the prevention of crime and disorder licensing objective.

- The farmland immediately adjacent to the BPE forms part of a working farm operated by SRSL, with fields grazed by a beef herd and breeding sheep.
- Events involving large numbers of guests, particularly where alcohol is served, increase the risk of individuals trespassing beyond the boundaries of the BPE and onto neighbouring farmland.

- Such trespass could result in antisocial or disorderly behaviour and create risks both to guests and to livestock.
- The Application provides little detail regarding how the boundaries of the licensed area will be secured or how trespass onto neighbouring land will be prevented.

Public Safety

Granting the premises licence would also undermine the public safety licensing objective.

- A particular concern is the potential interaction between guests and livestock on neighbouring farmland. Cattle and sheep may become distressed or aggressive if approached by unfamiliar individuals, particularly if those individuals are intoxicated. This presents a serious safety risk to guests as well as to livestock.
- A central feature of the BPE is a lake of approximately 8.5 acres, as shown on the plans submitted with the Application. Although the lake lies outside the proposed licensed area, it appears unlikely that guests will be effectively prevented from approaching it. The lake contains substantial silt deposits, making it extremely dangerous should anyone enter the water, as the silt can trap individuals attempting to stand or exit the lake.
- SRSL's adjoining land also contains fast-flowing waterways which present an additional safety risk should guests trespass beyond the proposed licensed area.

The Prevention of Public Nuisance

Granting the premises licence would undermine the public nuisance licensing objective.

- The Application includes the performance of plays, films and private events such as weddings, receptions and corporate events, accompanied by live and recorded music both indoors and outdoors.
- Permitting amplified music and entertainment outdoors within the grounds of the BPE presents a significant risk of disturbance to nearby residents and livestock. Cattle and sheep are particularly sensitive to loud and irregular noise levels, and outdoor events continuing until 23:00 could have a serious impact on their welfare. Loud noise may also cause cattle to panic or stampede, which could create risks to nearby guests or members of the public if fencing were compromised.
- It is understood that the applicant has referred to a potential noise limit of 95 decibels. However, no acoustic assessment appears to have been undertaken to determine the likely impact of such noise levels at neighbouring residential properties or farmland.
- The Royal National Institute for Deaf People (RNID) notes that 85dB is the threshold at which hearing damage may occur over prolonged exposure. A level approaching or exceeding this threshold would be wholly inappropriate for a quiet rural environment where sound travels significantly further due to the absence of urban buildings.

Helicopter Use and Parking

Marketing materials circulated in relation to the proposed activities reference the potential use of helicopters to access the BPE. Helicopter movements would cause significant disturbance to local residents and livestock. There is significant local evidence of livestock distress and poultry deaths caused by helicopter activity.

In addition, concerns arise regarding whether the estate has sufficient parking capacity to accommodate events of the scale proposed. Insufficient on-site parking could result in overspill parking on surrounding private roads, including those providing access to SRSL land.

Requested Condition

Given the potential for disturbance to local residents and livestock, SRSL requests that the following condition be imposed should any licence be granted:

“Fireworks, bird releases, hot air balloons, Chinese lanterns and helium or air-filled balloons shall not be released from the premises or as part of any event at the premises, due to risks relating to disturbance, health and safety, livestock welfare and littering.”

Conclusion

For the reasons outlined above, SRSL considers that the Application would undermine the licensing objectives of the prevention of crime and disorder, public safety, and the prevention of public nuisance. SRSL therefore objects to the grant of the premises licence and requests that these concerns be fully considered by the licensing authority.

Regards

James Ingestre MR



SIR RICHARD SUTTON
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