

APPENDIX C - Representations

Rockbox, Thurlestone – representations to premises licence applications

Rep 1a)

Dear Licensing Team

I object strongly to this application because of the constant disruption to normal village life caused by their occupation of this site last summer with loud music, and tannoy calls across the field to collect orders. It is an unfortunate fact that this field is situated in Thurlestone (although technically just in South Milton parish) like a stage facing the amphitheatre of a hillside on which the village is situated. This meant that the whole of the Mead, Court Park and the Yarmer estate had to suffer the noise and disruption, let alone the light pollution from all the outdoor lighting they set up. None of us could hear ourselves think sitting out in our gardens and on our terraces as we do on summer evenings. Under the Human Rights legislation we have a right to quiet enjoyment of our properties. People live in Thurlestone for this reason, not to have loud pop music thrust at them for 12 hours a day in high season. I had complaints from families whose children couldn't get to sleep because of the noise. They over-ran their time slots frequently.

Besides all this, the number of containers and other paraphernalia they installed was a blot on the landscape in the AONB.

Please contact me as I would like to attend the hearing.

Rep 1b)

Dear Naomi

Thanks for the phone conversation.

In addition to my objection below, I would like to also object based on last year's experience to the poor timekeeping so that general noise of people leaving the site, and the lights, continued well after the designated closing time. Looking at the layout, it will be impossible for the lights 'not to be facing towards Thurlestone' since the three main components are at the top of the field facing the village. The cars will park lower down and there will be the noise of people calling each other, car doors banging and cars racing across the field as there was last year, well after the designated closing time. In addition once they have a premises license I feel it's highly unlikely you will revoke it for poor time keeping and light disturbance, and as you know the noise regulations are not designed for outdoor living, but rather for houses near main roads. The disturbance in this case is quite different to that envisaged by the legislation and probably not caught by it, but it does not mean that there is not real disturbance for 28 days, as it remains impossible to get children to sleep if it's hot because of the noise if a bedroom window is open. The enterprise has got too big for its own good and this is not a suitable location due to the acoustics and light disturbance across the valley into significant sectors of Thurlestone village.

Kind regards

Rep 2a)

I am objecting to the granting of a licence to Rock Box for the sale of alcohol for consumption on and off premises between the hours of 11am and 10pm.

By granting the licence, as I understand it, they are permitted to play music during those hours of the licence.

From my experience of last year, both at this site and the one at South Milton Beach, the level of music both for live and recorded music was excessive and created a public nuisance as a result.

If the licence is to be granted it should ideally be conditional on a total restriction on playing music live or recorded.

It should also specify the month in which the activity can take place as per the licence attached granted to the operation sited at South Milton beach.

Please can you keep me apprised of the progress of this application.

Many thanks

Rep 2b)

Further to my conversation today with Naomi and my previous email of May 17 objecting to the proposed licence, I have further concerns based on my experience last year over the operation of Rock Box at both the Thurlestone golf club and South Milton sites.

There was a significant level of light pollution from the array of at least 3 containers which housed the bar, food service and stage. This pollution was experienced from dusk and on several occasions as late as 23.57, 23.16 and 00.30 when the lights were still on and there was significant noise from people shouting and laughing around the seated and lighted areas.

Live and recorded music sessions often went over the scheduled time and closing of the venue was often after the 22.30 deadline.

All these concerns have been documented in my complaint from last years Rock Box activity and are backed up by audio files and photographs.

There should be a facility to allow the licence to be approved but with conditions to limit the anti social aspects of this operation. The sites Rock Box uses in Thurlestone and South Milton are close to residential housing which means that their activities are having a detrimental impact to the peace an enjoyment that residents should be entitled to living in AONB.

I have pasted at the foot of this email an email from Karen Procter in which she says (see section highlighted in red) that conditions could be imposed as a licence is approved which could cover decibel levels. This seems to me a sensible solution to this problem.

If no conditions are applied then if there is a repetition of the nuisance this year then the Environmental Health and Licensing teams at South Hams need to respond very quickly so that the nuisance can be documented and appropriate action taken before the activity closes.

I strongly object to the granting of this licence under the current terms.

Kind regards

From: Karen Procter
Subject: RE: Rockbox
Date: 15 March 2023 at 17:25:24 GMT
To:

Good Afternoon,

I apologise for not responding sooner.

We did hold a meeting with Rupert at Rockbox.

We discussed the complaints regarding the premises last year. With regards to some concerns they received over shouting out of food orders, they have purchased some buzzers which are handed out on ordering and the buzzer will vibrate when the food is ready. We discussed recorded music and it seems that they turned the music up when there were more people around so we have indicated that they need to keep the level the same.

They are looking at having live music on less occasions and up until 8pm at the latest. They are going to let us know when they have arranged the dates.

They are looking to apply for a Premises Licence at Thurlestone Golf Course site. If they do this, then there is a 28 day consultation period where representation (objections or support) can be made. As will all new premises licences, there needs to be a notice displayed on a prominent location at the site as well as it going on our website and local Councillors, parish Councils are informed along with 8 responsible authorities. **If there are representations then it is likely to go to a hearing where it can be approved with additional conditions such as limiting decibel levels or refused.**

If they do not apply for a Premises licence or a licence is refused, they still have the option for a Temporary Event Notice.

In order to add conditions to the Premises Licence at South Milton, the licence will need to be called in for review and there is not at this time enough evidence to do this.

The noise monitoring equipment has been reserved and we will get a list of officers to carry out monitoring of the site during the season.

I am checking with colleagues the best way to report a noise nuisance to us and what information and duration we need.

Although the Anti-social behaviour crime and disorder Act 2014 does mentioned noise nuisance I don't believe we can use it for this case, and we also don't have enough evidence of the noise nuisance at this stage, but I am getting clarity from the noise team on this.

We have agreed to keep communications with Rupert going forward in order to have a better idea of what their plans are for the season.

Many Thanks

Karen

Karen Procter | Principal Environmental Health Officer, BSc (Hons), MCIEH,
AMRSPH
South Hams District Council | West Devon Borough Council