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26.10.2020
GODSHILL PARISH COUNCIL

Minutes of the Virtual¹ Ordinary Meeting of the Parish Council held on Monday 26th October 2020 at 6.30 pm.

Present:

Cllr Fell - Chairman
Cllr Cakebread
Cllr O'Brien
Cllr Phillips
Cllr Pomphrey
Cllr Williams
Cllr Woodward

Mrs Bev Cornish - Clerk
Three members of the public

Public Session:

Three members of the public made lengthy statements setting out their strong objections to the Licensing Application submitted by Sandy Balls Holiday Centre.

103.20 To receive apologies for absence: No apologies were received.

104.20 Declarations of Interest:

a. **To receive Declarations of Interest in respect of matters contained in this agenda, in accordance with the provisions of the Localism Act 2011 in respect of members and in accordance with the provisions of the Local Government Act 1972 in respect of officers:**

No declarations of interests were received.

b. **To consider any Dispensation Requests received by the Parish Clerk and not previously considered:**

The Clerk confirmed that she had received no dispensation requests.

105.20 To resolve to refer any business raised by the public in public discussion, and any other matters or items of information from councillors, to a future meeting or to resolve to agree on any other action: Cllr Fell proposed from the Chair and it was RESOLVED that the comments made by members of the public would be taken into account by councillors when they considered the Licensing Application.

106.20 Licensing Application under the Licensing Act 2003 - Minor Variation Premises Licence (S41A)

Premises: SANDY BALLS HOLIDAY CENTRE SANDY BALLS HOLIDAY CENTRE, SANDY BALLS ESTATE, GODSHILL, FORDINGBRIDGE, SP6 2JZ
Ref: LICPR/05/00103

¹ In accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

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To permit Films to be shown indoors 09:00hrs to 23:00hrs Monday to Sunday. Outdoors in area specified on the site plan four times a week from 17:00hrs to 23:00hrs Monday to Sunday.

Amend condition to state:

'Outdoor films will only be shown on four occasions per week each year':

Following a lengthy discussion, Cllr Fell proposed, Cllr Pomphrey seconded and it was RESOLVED that:

1. A meeting be set up with Mr Carl Castledine, the Chief Executive of Away Resorts, to discuss a number of issues of concern and to be informed of the company's strategy for the holiday centre in the years ahead.
2. The following response be sent setting out the Council's strong objection to the variation in the Licence:

Despite Sandy Balls being within the parish of Godshill and the variation requested likely to affect directly and significantly the permanent residents of the parish, the Parish Council has neither been given prior notification of it by the licensing team, nor been formally consulted, which it finds unacceptable.

Firstly, this is not in any way a 'minor variation'. It is a major variation. If granted, it will double the current overall impact on the residents, businesses, wildlife, environment, conservation area and special protection area of the parish and National Park and this should not be underestimated.

The Council notes that the existing licence states the following:

'The licence holder will assess the likelihood of any impact of any noise from the premises on neighbours from time to time and implement such other measures as considered necessary or as agreed in writing with the Environmental Health Officer. The licence holder will continue to liaise with neighbours when this is considered appropriate.'

The above clause requiring liaison with neighbours has clearly not been complied with and councillors find it regrettable that when a representative of Sandy Balls attended a virtual Parish Council meeting on 13th October 2020 to respond to questions on a planning application, he did not have the courtesy to inform the Council of this impending licensing application either. Only in the last two days, as the news has spread across the village, have residents started to contact the Parish Council and the Licensing Department with their strong objections after recognising the detrimental impact such a variation is likely to have on their enjoyment of their homes and the forest for 8 months each year.

Godshill is located within the Western Escarpment Conservation Area within the New Forest National Park. The statutory purposes of the New Forest National Park Authority are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

Sandy Balls Holiday Centre is located within the residential area of Godshill, within a conservation area and within a nationally protected National Park. The Council therefore objects strongly to the application on the grounds of it being unreasonable to seek to double the number of times it can show outdoors films from two occasions to four occasions per week from 1st March to 31st October up to the very late and unreasonable hour of 23.00 hrs.

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Sandy Balls is already permitted to hold 25 outdoor events with amplified music from March to October. If permission is granted for the number of outdoor films to be doubled with a finish time of 23.00 hrs, then residents will be required to put up with the impact of 161 late night outdoor events with light pollution and amplified music and sound during that time period – which amounts to 5 out of 7 nights each week.

The doubling of the number of films being shown and the disturbance and light pollution very likely to be caused by them within a 'dark skies' village for 8 months of the year will directly affect the lives and wellbeing of the permanent residents of Godshill. Many of them have full-time jobs and some who live permanently on site at the holiday centre are as little as 16 metres away from the area where the films are shown. It will also affect the wildlife and protected environment of the Western Escarpment Conservation Area and quiet enjoyment of the forest.

On the particular issue of light pollution and noise disturbance, there appears to be no requirement within the current licence or in the application to provide robust mitigation measures for the impact of outdoor events, only to indoor events. The Council would expect such a requirement or at least a condition to be applied as a minimum to any approval.

A 23.00 hr finish does not mean that disturbance ceases promptly, as groups of visitors then make their noisy way back to their lodges, and usually continue their holiday activities thereafter, making peace and quiet impossible, often until well after midnight. Neighbouring residents already have to tolerate partying guests using outdoor hot tubs daily late into the evening because Sandy Balls considers that they too should be able to be used up to 23.00 hrs.

Holidaymakers cannot be expected to whisper when they have paid rent for the facilities but permanent residents need to rise early for work, their sleep severely reduced. It is the Council's view that the use of all outdoor facilities should have a curfew of 22.00 hrs.

An increase in the number of events permitted, together with the accompanying further noise and disturbance, will only compound the Council's existing concerns about the lack of consideration given to the community of Godshill by the operators of Sandy Balls. It has worked hard to build a good working relationship with the directors and on site managers over the last 3-4 years, acknowledging that they have a business to run.

Whilst representing the interests of residents, it has also striven to be compromising and non-adversarial when discussing and considering planning applications and any issues of concern. However, the Council has been frequently disappointed that a similar approach has not been forthcoming from the Sandy Balls team with the more recent attitude being one of no compromise and wanting to deliver their plans without consideration of their impact on the whole community.

Previous concerns raised by both the Parish Council and residents about loud entertainment during the day which continues late into the evening during the summer months have gone unheeded, often with no duty manager or senior person on site to contact at the time the disturbance occurred. Residents in the past also have been in contact with the Environmental Health Officer where again no action has been able to be taken. This has led to them feeling that the somewhat cumbersome and time-consuming process reaps no benefits or action and so they have not continued with it when the site causes further disturbance.

The Council's view is that the location of Sandy Balls should afford it some protection from the unsocial, noisy activities normally associated with some types of holiday parks and that when applications are considered it should not fall to residents and others to 'prove the impossible'

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which is that it will cause public nuisance *before* the licence is granted with no reasonable likelihood of it being changed once it is granted.

In situations such as this, a balanced assessment should be able to be made by the local authority as to whether a doubling of the number of the weekly outdoor events up to 23.00 hrs in a residential area for 8 months of the year would unreasonably and unnecessarily affect the permanent residents of a parish as well as have an unacceptable impact on the special protection area of a National Park.

The majority of visitors staying at Sandy Balls and at local Bed & Breakfast businesses in Godshill book their holidays to enjoy the special qualities of the National Park. They do not book them to be entertained outdoors 24/7 by loud music and outdoor films. Otherwise surely they would be better served by booking a holiday at Butlins.

107.20 Date of the next meeting: Cllr Fell confirmed the date of the next virtual meeting as Monday 10th November 2020 to be held on Zoom.

With no other business, the meeting closed at 7.35 pm.

Members of the Council considered the foregoing in the matters in consideration of their duties: Equal Opportunities, (race, gender, sexual orientation, marital status and any disability); Crime & Disorder, Health & Safety, and Human Rights.