

Licensing Act 2003

REPRESENTATION FORM

Your name / organisation name / name of body you represent	Elaine Exwood – Resident of Barkestone Le Vale
Postal and email address	██████████ ██████████████████ ██████████
Contact telephone number	██████████

Name of the premises you are making a representation about	Noisily Festival LTD
Address of the premises you are making a representation about.	Terrace Hills Farm, Knipton, Grantham NG32 1EX

Your representation must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	Yes Or No	<i>Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	Yes	<p>There is strong evidence to expect granting this application will lead to crimes taking place within, and in the immediate vicinity of, the proposed site.</p> <p>The three areas of crime we are most concerned about are:</p> <ol style="list-style-type: none"> 1. Illegal drug taking 2. Offences under the Wildlife and Countryside Act 1981 3. Increase in general crime in a low-crime area <p><u>Illegal drug taking</u> Noisily Festivals Ltd argued in written evidence submitted to the Digital Culture, Media and Sport Committee of the UK Parliament as part of a 2021 Inquiry on the Future of Music Festivals that they take steps to prohibit the use of the illegal drugs within their sites. However, they went on to suggest in the same evidence that they see drug use as inevitable and unavoidable and that this can only be managed through “open and honest discussion” and laws to allow for onsite testing of drugs to ensure safety (https://committees.parliament.uk/writtenevidence/18713/pdf/).</p> <p>Other actions of Noisily Festivals Ltd also suggest an ambiguous position on the use of illegal drugs within their festival.</p> <p>Noisily Festivals Ltd have publicised their collaboration with The Psychedelic Society, an advocacy group for the use of psychedelic substances which outlines the benefits of LSD, MDMA (Ecstasy/Molly), Ketamine, and Psilocybin (Shrooms), amongst other drugs (see: https://psychedelicsociety.org.uk). Previous Noisily</p>

Festivals have advertised "...a program packed with talks and seminars with experts in psychoactive substances and psychedelic culture, who will be sharing their knowledge and research..." (<https://noisilyfestival.com/noisily-the-psychedelic-society/>).

Noisily Festivals Ltd have used outside groups to manage drug use by attendees. The charity PsyCareUK (formerly Kosmicare) which advertises itself as providing "welfare & harm reduction" and "highly price-competitive welfare" lists Noisily Festival as a client (<https://www.psycaresuk.org>).

Possibly as a result of their willingness to facilitate drug-taking Noisily Festivals has been praised from within drug subculture over the years. On the drugs focussed forum r/drugs (part of Reddit) Noisily Festivals has been praised for "proudly publicising" the provision of "psychedelic harm reduction" at their festival (https://www.reddit.com/r/Drugs/comments/4gw8nq/not_only_is_noisily_festival_uk_running/). A 2013 piece in *Tattler* on affluent drug users cited Noisily Festival as having a boutique charm, a domestic break from the international festival circuit that began with Coachella and ended with Burning Man (both synonymous with drug use, both in the US) (<https://www.tattler.com/article/the-drugs-report-part-three>). One visitor to the festival detailed his 2018 trip to the festival and experiences as a "20 year old psytrance virgin on acid" here: https://www.reddit.com/r/psytrance/comments/b6va62/can_anyone_explain_this_funny_experience_i_had_at/.

Despite the steps taken to facilitate 'safe' drug use, Noisily Festival Ltd was unable to prevent the death of Brighton student Diogo Moreira who died as the result of a 60ft drop after consuming a cocktail of drugs, including LSD, cocaine, and cannabis taken at Noisily Festival. Reports suggest Diogo died after consuming even more drugs during his "come down" from Noisily (<https://thetab.com/uk/sussex/2015/11/20/brighton-student-falls-60ft-death-taking-cocktail-drugs2-7056>).

Combined, these actions and events suggest that Noisily Festival Ltd has an ambiguous attitude to the use of illegal drugs at its festival. The company pays lip service to preventing the use of illegal drugs while simultaneously marketing the festival as a celebration of drug use and claiming that drug use is inevitable, and they are unable to prevent it. For a company to market itself in this way is concerning and suggests a high likelihood that the presence of the Noisily Festival would lead to illegal activity in the vicinity.

Wildlife and Countryside Act 1981 (the Act)

The woods in question are habitat for a wide variety of wild birds, including red kite, buzzard and foraging owls. They are nesting habitat for ground nesting birds including partridge, pheasant, snipe and woodcock. These birds will be nesting during the festival.

This is a very sensitive woodland site. Terrace Hills Pasture is a Site of Special Scientific Interest.

It is an offence under the Act to kill or injure any wild bird (with exceptions none of which would apply) or to take

		<p>damage or destroy the nest of any wild bird or its eggs, or to intentionally disturb any wild bird while it is building a nest or is in, or near, a nest containing its eggs or young. Also living in these woods are many mammals including badgers, foxes, hedgehogs, roe muntjac deer, and bats. The presence of large numbers of people in the woods, together with loud music playing until 5 am in the morning, cannot do anything except cause disturbance and is likely to cause animals and birds to abandon their nests and burrows, and probably to cause damage to them and their habitat.</p> <p>General Crime</p> <p>The area proposed is a low crime area. The influx of many visitors to the area may well attract those whose interest is not in attending the festival in a harmless way but also those who see an opportunity for criminal activity in the area.</p> <p>In addition, the nature of the site is such that it will be impossible to impose the level of control on those entering or leaving the site as is common at other large festivals.</p>
<p>Public safety</p>	<p>Yes</p>	<p>The proposal raises several public safety concerns.</p> <p>The site is in a remote location, a long way from fire and medical provision. It is accessible only by two single carriageway roads on the extreme edges of the site, the bulk of the site is wholly inaccessible by road making responses to any type of emergency (fire, paramedic, or police) difficult. Earlier this year the body of a missing woman was recovered from these woods only after a three-day search involving emergency personnel (https://www.leicestermercury.co.uk/news/body-found-search-missing-leicestershire-6201303).</p> <p>Roads through the villages nearby are often single track and within the villages they are narrow. These villages would not be able to cope with the vast increase in traffic. The whole area is also very popular with cyclists and a large increase in traffic would likely lead to accidents.</p> <p>The vast increase in the numbers of vehicles including Heavy Goods Vehicles will significantly deteriorate the already poor condition of the local road network. This will lead to an increased risk of injury due to accidents both for motor vehicles and cyclists during the event and for a long period after.</p> <p>The nature of the site, including the presence of a heavily wooded steep incline means providing any form of effective fencing or barrier would be difficult. Any provision would inevitably have gaps which would likely contribute to the public safety risks of this event. In particular difficulties in securing the site may constitute an 'attractive nuisance' as people seek to find free entry. This is likely to include local young people, many of whom have detailed knowledge of the surrounding area. "Sneaking in" to festivals is popular enough to constitute its own sub genre on YouTube: https://www.youtube.com/results?search_query=sneaking+into+festivals</p>

The site includes an extremely steep slope which is heavily wooded. This presents an obvious danger for potential festival goers who would need to navigate it in the dark, potentially while intoxicated. If it rains during the festival, the slope would become even more treacherous, and also after rain water runs down the slope and makes the lower part of the site impassably boggy. The site is also prone to erosion on the steep slopes. Large numbers of people will increase the risk of further landslips.

The site includes, or is in close proximity to, several bodies of water in hard to reach locations. Even if steps are taken to fence the site it is likely that such a large number of people, many of whom will likely be impaired, in proximity to bodies of water will lead to accidents.

Parts of the site and surrounding area are given over to forestry operations with equipment and large piles of felled trees standing either side of the current footpath and other trails. Prominent signs warn walkers not to climb on the unstable log piles.

The lack of public transport connections, combined with the ambiguous attitude to drug use exhibited by Noisily Festivals Ltd strongly suggests that many of those leaving the site after the festival may still be under the influence of drugs. This raises the possibility of large numbers of impaired drivers using local roads with attendant risks to other road users and residents.

In addition, the continuing global pandemic raises questions about the wisdom of authorising such mass events in which large groups of people from across the county come into close contact. Noisily Festivals Ltd previously advocated for "pulling off" festivals in the summer of 2021 without social distancing which suggests an unwillingness to take the current epidemic seriously. The language is troubling, indicating a lack of concern with the long-term consequences of their event and a desire to simply get away with it. "In our opinion with the right measures in place in 2021 we will be able to pull off a Covid safe event without the need for social distancing." (<https://committees.parliament.uk/writtenevidence/18713/pdf/>). Based on this it is likely that such a large event being held in a Covid insecure way in the local area will elevate public health risks for both festival goers and local residents. For evidence of the risk of Covid to those attending a festival of this scale and the local community you only need to look at the reporting and local studies on the 2021 Board Masters event in Newquay, Cornwall. The impact was significant, widespread and longstanding, with a substantial increase in hospital admittances.

A wooded site with such difficult terrain will be impossible to completely and safely clean up after the event. The likely use of illegal drugs will lead to the needles and other connected items being discarded on the site. With young children accessing the woods injury is possible

<p>To prevent public nuisance</p>	<p>Yes</p>	<p>If this application were granted there is a high probability that the festival would adversely affect local residents and visitors to the area in multiple ways.</p> <p>The revised site plan shows the general site as less than a mile from most of the village of Stathern and less than half a mile from Barkestone Le Vale. If this application were to be granted it does not seem likely that any form of noise or light mitigation would prevent the festival from adversely affecting the local residents, especially while they are trying to sleep. Noise from this ride will travel far and wide. Also, there will be many types of noise, not just music, such as people, cars and generators etc. These other types of noise will continue over entire period of the event, with no respite for the local community.</p> <p>Only slightly further away from the wooded area of the proposed site are the villages of Plungar and Barkestone. The noise would be likely to be even worse in those villages, as the slope of the hill would allow the sound to travel in the direction of those villages, which would also be downwind of the prevailing wind.</p> <p>Noise pollution from the festival would be exacerbated by:</p> <ul style="list-style-type: none"> • the extreme hours of operation requested by the applicant (10am - 5am) over three days; • the likely warm temperature at the proposed time of year and the fact that many residents sleep with their windows open; • the particular character of the music on offer (bass heavy electronic dance music or EDM) which is likely to carry and create a particularly insidious effect on those nearby attempting to sleep; • and the position of the festival so close to residential villages and potentially on a large hill which will potentially allow sound to carry even further and in ways that are unpredictable. • Continuous additional noise from the very large numbers of people, vehicles and general activity <p>The site runs across the Jubilee Way, an extremely popular public footpath that runs along the top of Tofts Hill. It is not clear from the site plan how the Jubilee Way will be impacted by the festival. If the applicants intend to apply for the right of way to be closed this would negatively impact a large number of users, many of whom travel substantial distances to use the path.</p> <p>The applicant has asked for license for 10,000 attendees. The site is not served by any public transport and so the majority of attendees would travel by private car. Both roads serving the proposed site are on single carriageway roads, and both are important routes through the Vale of Belvoir and essential for local residents to go about their business. Allowing a significant number of additional movements on these roads would likely causes significant traffic congestion, especially when the site opens and closes, with large numbers of vehicles potentially blocking the roads while queuing. A further concern is the large number of narrow chokepoints (for example Main Street Stathern) which could quickly become impassable if so many additional cars came into the area. A further concern</p>
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<p>To protect children from harm</p>	<p>Yes</p>	<p>Granting this application would significantly harm children and young people in the area.</p> <p>Much of this impact stems from points already made. Young people make extensive use of this woodland, often with their families, and so losing access to the jubilee way at the behest of Noisily Festival Ltd is likely to affect them hardest. This seems particularly cruel given the Covid-related restrictions many young people have faced in the last two years and seem likely to continue to face in the coming months. Children and young people are most at risk from the extra traffic and impaired driving generated by this festival. Children and young people are most likely to have their sleep adversely affected by loud music and light shows lasting to 5 in the morning. Lastly, children are most at risk from the large numbers of drug-users and drugs Noisily Festival Ltd is seeking to attract into their local area.</p> <p>Although the application is vague on the fact date of the festival, specifying a week in July, Noisily Festivals Ltd are already advertising tickets for sale for the dates 7-10 July 2022 (https://noisilyfestival.com). These dates are within term time for Leicestershire (end of term 12th July) Nottinghamshire (end of term 29th July) and Lincolnshire (end of term 22nd July). This means there will likely be disruption to children sleep (with impacts on learning) during term time as well as their travel to and from school.</p>

<p>Please suggest any conditions that could be added to the license to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account (see note 2).</p>	<p>As more details have emerged, including a more detailed site plan showing exactly how close the site is to Stathern, Barkestone & Plunger, and the extent of illegal drug taking tolerated by the organisers, my concerns have deepened to the point where I now believe this application should be outright refused.</p>
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A particular concern is that granting this application would set a precedent, allowing Noisily Festival Ltd and or other festivals to return to or use the same location every year, including the attendant risks that visitor numbers will be permitted to creep up, further damaging the local area for years to come.

I would point out three further points that suggest Noisily Festival Ltd is acting in bad faith.

- There already exists a campsite and woodland in the area surrounding Belvoir Castle under the control of the same land owners. Why is an application for a new site being entertained when the same people have access to a purpose built and much more easily secured venue already? This venue is already used for events such as the Fireworks Championships, is much closer to main roads, and includes something of a natural amphitheatre that would minimise the public nuisance associated with this application.
- The address given for the initial application was Knipton. While this may be technically correct, by identifying the farmhouse as opposed to the actual site being applied for the applicants have effectively concealed just how close the proposed site is to the villages of Stathern, Eaton, Plungar, Branston and Eastwell, all of which are much closer to the proposed site than Knipton. Where licensing notices displayed appropriately to reflect the actual site? How many passers-by have disregarded blue notices not realising the actual site being proposed was so close?
- Noisily Festivals Ltd have been actively selling tickets for this event since at least July 2021; promoting and profiting from a festival which has not secured a venue is deceptive. Much of the detail on Noisily Festivals website is outdated, including the section geared to local residents, and seems to have been deliberately not updated to mask the fact that the company has not yet secured a venue for 2022.
- Noisily Festivals Ltd have only approached Stathern Parish Council. However, the proposed event would impact on many more communities which have been given no realistic opportunity to understand and to respond to the application. In addition, the details that have been made available seem to have altered in terms of the actual site location in recent days meaning that the actual impact will not have been clear until it is too late to comment.

In closing, I do not believe that this application should be granted. The size and volume of the festival proposed will inevitably impact adversely on local residents; effectively Noisily Festival Ltd is seeking permission to blast thumping baselines until 5am for three nights less than a mile from a quiet residential village. This is likely to create an intolerable conditions for many. Furthermore, there is strong evidence to suggest that granted this application will lead to criminality in the form of illegal drug use; be a threat to public safety through the ill-advised choice of site; create an intolerable public nuisance for local residents through its proximity to residential areas; and create a danger for children.



Signed:
Please see notes on reverse

Date: 20/12/2021

NOTES

1. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises of the date given in the public notice in a local newspaper or other local publication.
2. These can only relate to the four licensing objectives.
3. If you do make a representation you will be expected to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.
4. Please return this form when completed to:
The Licensing Officer
Melton Borough Council
Parkside
Station Approach
Melton Mowbray
LE13 1GH

Tel: 01664 502502

Email: licensing@melton.gov.uk