

Licensing Act 2003

REPRESENTATION FORM

Your name / organisation name / name of body you represent	Denise Barr-Smith
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 I am most concerned about are:</p> <ol style="list-style-type: none"> 1. Offences under the Wildlife and Countryside Act 1981 2. Increase in general crime in a low-crime area 3. Illegal drug taking <p><u>Wildlife and Countryside Act 1981 (the Act)</u></p> <p>The woods in question are habitat for a wide variety of wild birds, including red kite, buzzard and foraging owls, with peregrine falcon and hobby also reported in the summer months. 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. We understand that the landowners may have received a grant a few years ago to manage the woodland to protect certain declining woodland birds. It is an offence under the Act to kill or injure any wild bird (with exceptions none of which would apply) or to take 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 and 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,</p>

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.

General Crime

The area proposed in 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.

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.

Illegal drug taking

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/>).

Other actions of Noisily Festivals Ltd also suggest an ambiguous position on the use of illegal drugs within their festival.

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 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_on_ly_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

		<p>US) (https://www.tatler.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/.</p> <p>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).</p> <p>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.</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>On the approaches to the site, roads through the villages nearby are often single track and within the villages they are narrow. Local walkers, often with dogs, use these roads which have no pavements. Many of the roads are in poor condition and not designed to handle large amounts of traffic, including Heavy Goods Vehicles. 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 lead to an increased risk of accidents for motor vehicles, cyclists and pedestrians.</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</p>

on YouTube:

https://www.youtube.com/results?search_query=sneaking+into+festivals

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 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 to the local community, please see the local studies on the 2021 Board Masters event in Newquay Cornwall. This shows that the impact was significant, widespread and longstanding, with a substantial increase in hospital admittances.

A wooded site with such difficult terrain will also be impossible to clean up fully and safely after the event.

<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 site as less than half a mile from the villages of Plungar and Barkestone and not much further from Stathern. 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.</p> <p>The noise will be not just music, but from people, cars generators etc. The noise will be over the whole period of the event, with no respite for the local community.</p> <p>The noise would be likely to be worse in Plungar and Barkestone, 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 connects other major footpaths. 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 is Blacksmiths end, a single track road which may be used by festival goers, especially where they are reliant on Sat</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>The difficulties of cleaning up the site, mentioned above, may well lead to harmful debris, possibly used needles, being left behind, with increased risk of subsequent injury to children.</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>I do not believe that any number of conditions relating to this licence could effectively deal with the myriad of issues outlined above. I consider that this licence should be refused.</p> <p>The only conditions which might ameliorate some of the traffic issues would be the closure of roads leading to Barkestone and Plungar to through traffic. Clearly this would be also an inconvenience to residents and non-</p>
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festival visitors to the area, but it would be preferable to the use of our villages as rat-runs. It would need to be properly policed to be enforceable.

I make the following points in addition.

- I and the other councillors of Barkestone Plungar and Redmile Parish Council are surprised at the complete absence of engagement by the applicant with us. While we presume that the requisite numbers of legal notices were posted, news of this application has travelled only by word of mouth and has at this date not reached a large number of residents at all.
- Similarly, information about the applicant's plans have been distributed on a hurriedly set up impromptu grapevine. The details of the application also appear to have changed frequently during the consultation period, meaning it is very difficult to ascertain what the pertinent details are. This is hardly a proper consultation.
- We surmise that the applicant has deliberately chosen a date just before Christmas to apply and failed to publicise their intentions.
- We can also be sure that if proper consultation had taken place, the number and detail of objections would be much larger.
- We are very concerned that granting this application would set a precedent, allowing Noisily Festival Ltd or other organisers to return to 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.
- 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 for the farmhouse at the Southern border of the site, 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, Plungar and Barkestone, all of which are much closer to the proposed site than Knipton. Were 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?

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| | <ul style="list-style-type: none">• 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. |
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Signed:
D. Barr-Smith

Date: 21/12/21

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