

Licensing Act 2003
REPRESENTATION FORM

Your name / organisation name / name of body you represent	Benjamin Lee
Postal and email address	REDACTED
Contact telephone number	REDACTED
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

Note: I initially submitted a representation on 30th November 2021. I was invited to revise this submission by Sarah Flower following contact by the festival organisers on Monday 20th December. This revised representation reflects further details about the application that have come to light since my original submission, in particular the proposed site plan.

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 suggest that granting this application is inconsistent with the objective of preventing crime and disorder.</p> <p>The actions of Noisily Festival Ltd suggest an ambiguous position on the use of illegal drugs within their festival. The evidence suggests that granting this application will lead to crimes taking place within, and in the immediate vicinity of, the site, notably the consumption and supply of illegal drugs.</p> <p>Noisily Festival 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 Δ.</p> <p>Noisily Festival 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),</p>

amongst other drugs (see: <https://psychedelicsociety.org.uk>). Previous Noisily Festival Ltd has 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 Festival 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>).

Noisily Festival Ltd has been praised from within drug subcultures over the years. On the drugs focussed forum r/drugs (part of Reddit) Noisily Festival 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 (<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/.

Despite the steps taken to facilitate safe drug use, drugs consumed at Noisily Festival played a role in 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 further 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 and that granting this license to Noisily Festival Ltd is inconsistent with the objective of preventing crime and disorder.

Outside the question of crime, with the best will in the world, drug-induced psychedelic hedonism does not seem an obvious fit for the residents of Stathern.

Public safety

Yes

The proposal raises several public safety concerns.

The site is in a remote location, a long way from fire and medical provision. The bulk of the site is 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>).

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.

Difficulties in securing the site may constitute an 'attractive nuisance' as people seek to find free entry. This could 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 subgenre on YouTube: https://www.youtube.com/results?search_query=sneaking+into+festivals

The site includes an extremely steep slope which is heavily wooded. This seems to present an obvious danger for potential festival goers who would need to navigate it in the dark, potentially while intoxicated. A conversation with the organisers has since indicated that the festival would be confined to the lower portion of the site but I question why this was not made clear until a day before the deadline to respond to the application.

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 about 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 granting licenses to 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. (<https://committees.parliament.uk/writtenevidence/18713/pdf>)

		<p>Δ). Based on this it is likely that such as 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.</p> <p>Although the licensing procedure does not seem to be able to consider environmental concerns, it is worth noting that the proposed site is proximate to Terrace Hills Pasture SSSI, and home to a large variety of birds and wildlife. Furthermore, it seems impossible to argue that holding this event, including light shows and loud music, will not adversely impact local wildlife (including wildlife directly inhabiting the proposed site), including nesting birds. Thought should also be given to the spill over effects from the festival as festival goers congregate in areas outside of the immediate proposed site.</p>
<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 constituting a public nuisance.</p> <p>The revised site plan shows the site as less than a mile from most of the village of Stathern. It should be noted that the licensing application references an address in Knipton and it is not clear if many residents of Stathern recognise how close this festival is to them.</p> <p>The risks of noise pollution from this festival will would be exacerbated by:</p> <ul style="list-style-type: none"> • The particular character of the music on offer bass heavy electronic dance music which features low frequency noise known to carry further and be harder to manage than other frequency ranges, particularly for those indoors. • The open nature of the site; the area is ordinarily quiet there are no roads or built-up areas between the proposed site and the village of Stathern to dampen low frequency sound. Trees are not an effective form of noise mitigation. • The extreme hours of operation requested by the applicant (10am - 5am) over three days which is likely to constitute a widespread, indiscriminate and sustained adverse impact on the comfort and convenience of life of the whole village, constituting a public nuisance. • The likely warm temperature at the proposed time of year and the fact that many residents sleep with their windows open. <p>Although the organisers maintain they take noise management seriously this is entirely promissory. Local anxiety is high and should the festival be audible from the village, then villagers will have little recourse to prevent widespread disturbance and loss of sleep for the duration of the festival.</p>

		<p>The site plan indicates the site runs across the Jubilee Way, an extremely popular public footpath that runs along the top of Tofts Hill. The applicants have since indicated that they only want to use the lower half of the site, although this is not reflected in either the site plan or the licensing application. However, should 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. Based on the location of the festival and the local landscape it is not clear how this right of way could be reasonably diverted.</p> <p>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 tracked road which may be used by festival goes, especially if they are reliant on Sat Nav. These issues will likely be exacerbated by the presence of the usual summer traffic including large groups of cyclists, farm equipment, as well as the presence of construction traffic in the area to support extensive housing development in Stathern (STAT1).</p> <p>Overall, the event is completely out of scale with any other event held in the area, the small local festivals usually wrapping up by 11-30pm. If granted this application would almost inevitably create a public nuisance. Of particular concern is that if the committee grants this application it will create a precedent that allows Noisily Festival Ltd to return annually to the same site, potentially creating an even bigger public nuisance for years to come.</p>
<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. Children and 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 most. This seems particularly cruel given the Covid-related restrictions many children and 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</p>

music and light shows lasting to 5 in the morning. Lastly, children and young people are most at risk from the large numbers of drug-users and drugs connected to Noisily Festival.

Although the application is vague on the 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). Children in the village attend schools in all three counties. This means there will possibly be disruption to children's sleep (with impacts on learning) during term time as well as their travel to and from school.

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).

I initially made a representation to the Licensing Committee on the 30th of November 2021 in which I suggested some conditions. However, as more details have emerged, including a more detailed site plan showing exactly how close the site is to Stathern, and the extent of illegal drug taking connected with the festival, my concerns have deepened to the point where I now believe this application should be refused.

A particular concern is that granting this application would set a precedent, allowing Noisily Festival Ltd 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.

I would make three further points that suggest issues with the application made by Noisily Festival Ltd:

- There already exists a campsite and woodland in the area surrounding Belvoir Castle under the control of the same landowners. 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, identifying the farmhouse as opposed to the actual site being applied has 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. 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? What level of knowledge is there about this application in these areas?

- Noisily Festival Ltd have been actively selling tickets for this event since at least July 2021; promoting and profiting from a festival which has not yet secured a venue).

In closing, I do not believe that this application should be granted. The size and volume of the festival proposed will likely impact adversely on local residents; effectively Noisily Festival Ltd is seeking permission to play EDM until 5am for three nights less than a mile from a quiet residential village with nothing but a promise that they will not create an intolerable public nuisance for the village. Should they fail to make good on this promise, or should their noise modelling prove inaccurate, there is no recourse for residents within the time frame of the festival. We are being asked to take this application on trust, from applicants who have no prior relationship with the area and look to have misled people (albeit possibly unintentionally) as to the location of their proposed festival. Furthermore, there is strong evidence to suggest that if granted this application will lead to criminality in the form of illegal drug use; be a threat to public safety through the ill-advised and under-researched choice of site; create further public nuisance for local residents through its proximity to residential areas; and create a danger for children.

Signed: REDACTED
Please see notes on reverse

Date: 20/12/21

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