

APPENDIX A

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I TOMN HOWARD

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>CROFTS WOOD, GR 603468</u> <u>ADJACENT TO WISEHEATH POINT-TO-POINT</u>	
Post town	Post code (if known) <u>CB21 4QR</u>

Name of premises licence holder or club holding club premises certificate (if known) <u>WILD WOOD EVENTS LTD</u>

Number of premises licence or club premises certificate (if known) <u>TL 6137 4711</u>

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title ^{DR}
(for example, Rev)

Surname

First names

HOWARD	JOHN CHRISTOPHER
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I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

--

Post town

--

Post Code

--

Daytime contact telephone number

--

E-mail address (optional)

--

(B) DETAILS OF OTHER APPLICANT

Name and address

--

Telephone number (if any)

--

E-mail address (optional)

--

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

Public Safety - Deviation from a submitted safety plan for 21st-23rd August
- Lack of Covid Secure practice 12th - 13th September

Public Nuisance - Activity in excess of the licence
- Excess noise
- No consultation with local Parish Council

PLEASE SEE DOCUMENT SETTING OUT THE COMPLAINT FROM HOLSEWATH PARISH COUNCIL.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

The Wildwood Disco/My Little Festival Events in Crofts Wood, Horseheath

A Formal Complaint from Horseheath Parish Council - 20th September 2020

Summary

Horseheath Parish Council wishes to formally complain to the South Cambridgeshire Licensing Office and the Safety Advisory Group about activities organised in Crofts Wood, Horseheath, by My Little Festival Ltd.

We have serious concerns arising from the Wildwood disco events held in Crofts Wood adjacent to Horseheath Point to Point. Concerns include aspects of the approval and licensing process, the organisation and management of the events and the communication between all parties.

It appears that the process for the issue of the licence was fundamentally flawed; that there has been a failure to apply relevant conditions related to Covid-19; and that the site supervisor has breached the terms of the licence. We strongly assert that the licence, which is still extant, is inappropriate and should be rescinded and not renewed.

Complaints

1 The Licensing Process

a) We understand that in April 2020 South Cambridgeshire District Council issued a premises licence for the use of Crofts Wood in Horseheath Parish for a maximum of 3 x 1 day events for up to 2500 people attending and 3000 persons on site. We understand that the normal process for the advertisement of such an application would be for the application to be printed and displayed near the premises. In this instance no-one from the village or Parish Council would see the application; people regularly visiting the site are limited to employees of Thurlow Estate who had granted the applicant permission to use the site. There is no local newspaper. The licence was granted to commence on 21st May during lockdown; the application is likely to have been made in the early months of the year during the pandemic when movement was curtailed. It is clear that there was no opportunity for local people to comment on this application.

It is extraordinary that the local Parish Council were not informed about the application given the context of Covid-19; the size of the proposed events; and the location of the premises. We ask South Cambs District Council to consider the application process for such premises so that proper consultation with the public can occur. Since the administrative consultation process cannot have been meaningfully undertaken we ask the Licensing Office to re-consider the status of the current licence.

b) This licence commenced during a time of national lockdown due to Covid-19. Whether the application was made at a time of national public restrictions or not, it is extraordinary that a licence permitting up to 3000 people to be on site for days at a time with alcohol does not include any written provision in relation to Covid-19. Additional conditions do not appear to have been applied despite ongoing government guidance and the licence is still extant. This raises question about the environmental and public health governance of the licencing process.

2 Infringement of the Licence by the designated premises supervisor

a) The supervisor has arranged events totalling 6 days of activity on site during the summer of 2020 in contravention of the licence (paragraph 2) – 20th June, 21st-23rd August and 12th-13th September.

Camping options for the “Sunset Social” event on 12th-13th September advertise tents as being available from 11th-13th September 2020 (see <https://www.woodvilleproject.co.uk/pages/sunsetsocials>), suggesting paying guests were actually on site for three separate days. Bell tents are available for up to 5 people; there is no stipulation with regard to Covid in relation to the hiring of tents; the organisers appear to condone up to 5 people, possibly from different households sleeping together inside a bell tent.

My Little Festival’s website advertises a much wider range of events than the licence allows (see <https://mylittlefestival.uk/#ourevents>). These include Festival themed parties, weddings, a family festival called the Wildwood Rumpus held over 2 days, corporate events and other parties.

The Wildwood rumpus family festival was also scheduled to occur on 19th September 2020 but has been cancelled (see <https://thewildwoodrumpus.com/>).

There does not appear to be any intention to abide by the terms of the premises licence by the site supervisor.

b) No consultation of the local Parish Council by the event organiser in advance of the events occurred in contravention of the licence (paragraph 20).

c) It appears no checks of the decibel levels at nearby residential properties was carried out, so that local residents in Horseheath village and Cardinals Green were disturbed, contravening the licence (paragraph 22).

d) It appears the supervisor has allowed continued activity and disturbance of the local residents outside the scheduled time of the events on Sunday 13th September.

3 Non-compliance with the agreed safety plan

The premises supervisor accepted the requirement of the landowner to alter the access route for the 21st-23rd August Festival. This directed excess cars and people in to Horseheath village and over the farm bridge crossing the A1307 during the pandemic and is accepted as being an unsafe route which did not comply with the submitted event management plan.

4 Other Significant Concerns

a) Horseheath Parish Council notes some tree felling occurred for this event and that guests are situated in the wood where large plastic structures are erected on the trees. This activity, the noise and nocturnal lighting will significantly disturb wildlife, some of which is protected. Trees have been damaged or painted. We are concerned that siting these activities within Crofts Wood may infringe the Wildlife and Countryside Act 1981 and drive out wildlife to the detriment of the local environment.

b) Horseheath Parish Council notes the scale of the activities which have been arranged and are planned. We contend that consultation of the Parish Council as the Parish’s representative body by the landowner and the event organiser should have occurred prior to the application for licensing.

c) The opening of the route through the farm would allow access to the local countryside by poachers and hare coursers. Horseheath Parish Council believes that this resulted in the police activity and disturbance for residents of Cardinals Green on the night of the 21st August.

d) Holding the event on the 12th-13th September in disregard of cabinet minister's advice appears to have been a grossly irresponsible act which could spread Covid-19. We are aware the event was advertised very widely encouraging people to attend from all over the country. The fact that social distancing did not occur raises serious concerns about the possibility of this event becoming a seeding event within Horseheath Parish. Despite the statement on the website by the organiser recommending safe social distancing was practised by attendees, in practice this was neither followed nor enforced. This again raises questions about the management capability of the event organiser and suggests they are unsuitable supervisors.

We note the organiser's intentions to expand the number of festivals next year. We suggest that on current evidence the licence holder has not acted in a fit and proper manner in accordance with the terms of the premises licence.

Horseheath Parish Council seeks comments from the South Cambridgeshire District Council's Licensing Office, Health and Environmental Safety and Cambridgeshire Police on the complaint and concerns raised.

Background

Thurlow Estate (<http://www.thurlowestate.co.uk/>) owns the Point to Point racecourse and the land around it. One of these areas is Crofts Wood (grid reference 603468). This is a mixed deciduous woodland which has had a hunting ride within it but otherwise has been relatively undisturbed. Local wildlife includes Roe and Fallow deer, foxes, bats, badgers, barn owls, buzzards and Red Kites.

In July 2017 My Little Festival Ltd (<https://mylittlefestival.uk/>) held an event entitled the Wildwood Disco in the wood by arrangement with the landowner, Thurlow Estate. We are unaware if an approach was made to the Parish Council that year but we have no information about any approaches in either 2018 or 2019. In June 2018 and 2019 the event was repeated, along with a family fun day entitled the Wildwood Rumpus which also included an overnight camping option.

The Parish Council received the following email on 13th June 2019:

From: [REDACTED]
Sent: 13 June 2019 11:50
To: [REDACTED]
Subject: The Wildwood Disco - 22nd June 2019

Dear Sir/ Madam,

I am organising The Wild Wood Disco on Horseheath Racecourse on the 22nd June 2019. We are doing everything we can to make sure this event does not disrupt anyone living locally, it is only a small event at around 2,000 people and ends at 2am, but we want to give out a phone number to call in case of any disturbances.

The number is:

Yours sincerely,

Vicky Fenton

Nat Laffaille

During the event, residents of Horseheath expressed concern about the noise emanating from the Disco. Since it was considered to be a single event no action was taken by Horseheath Parish Council.

In 2020, following some clearing of trees, My Little Festival trading as Wild Wood Events Ltd, arranged with Thurlow Estate to use the wood as a leisure venue on payment of a fee. Vicky Fenton, the director of My Little Festival, obtained a premises licence for the use of the wood from South Cambridgeshire District Council – see:

https://licensing.scams.gov.uk/PAforLalpacLIVE/1/LicensingActPremises/Search/3413/Detail?LIC_ID=16431

A website for the wild wood disco was also established as well as social media outlets (see <https://www.thewildwooddisco.com/>).

The licence was granted by South Cambs Licensing without discussion with the District or County councillors for the area or with the Parish Council.

The licence was for 3 one day events between 1st May to the 1st October 2020; the designated premises supervisor was Miss Vicky Fenton. The maximum number of paying public, guests and artists was stated as 2,500 people with no more than 3,000 people on the site at any one time. The licence specifically states that a maximum of three one day events can be held per calendar year, and that no events can be held at any other time.

On 18th June 2020 the following email was received by Dr John Howard, Horseheath Parish Council Chair:

Hello John,

My name is Vicky and I organise some of the events that happen in the woods at Horseheath Racecourse.

This Saturday would normally be the date of The Wild Wood Disco, instead of doing this we are doing a charity music stream in aid of The Trussell Trust who run most of the UK Foodbanks. I wanted to let you know as a matter of courtesy, in case you had heard through the grapevine that we are doing something, exactly what is we are doing considering the current situation. They'll be a maximum of 14 people on site at any one time and no use of proper speakers, so therefore no noise to be heard-the music is streamed to people to enjoy at home who will hopefully donate to the charity. We are very grateful to Thurlow Estate for allowing us to do this and really hope we can raise plenty of money for a very good cause that needs our help so much during the pandemic.

All the best,

Vicky Fenton



We note this event was held in the middle of lockdown. We believe this was inappropriate.

Subsequently, a three-day Wildwood Festival was held from the 21st-23rd August in Crofts Wood. No prior communication was received by Horseheath Parish Council from any party.

It was apparent that rather than access to the Point to Point site through the usual entrance, hand painted “event” signs had been placed outside the entrance to Manor Farm in Horseheath. Festival traffic was directed, during the pandemic, in to Horseheath Village, over the farm bridge and along the track to the festival site. Concerns were raised by Horseheath residents about the noise from the event. On the Friday night in Cardinals Green a significant police operation occurred at 2 am for over an hour, with flashing lights, people running and a number of vehicles. This disturbed most residents. It appears this was related to poachers.

On Saturday 22nd August John Howard, Chair of Horseheath Parish Council, phoned Miss Fenton having found her telephone number on the My Little Festival website. She said:

- The event was small and for 200 people
- A few days before the event the Vestey family, owners of Thurlow Estate, had told her she could not use the Point to Point entrance to the site but must use the farm access. Miss Fenton was very unhappy about this; it did not comply with the event safety plan agreed with the South Cambs Safety Advisory Group; she did not have adequate materials to ensure safety for traffic over the farm bridge and along the track; the change had also caused confusion
- Miss Fenton stated that residents of Cardinals Green would not hear noise from the event; no mention of any decibel testing was made
- John Howard said that the noise from the event was loud and could be heard in Horseheath and Cardinals Green, particularly the thumping bass. He said that residents were concerned about traffic being directed in to the village and about the events of Friday night; he asked Miss Fenton to investigate whether the police activity was related to the Festival. Miss Fenton stated she would attempt to get the bass line reduced and would seek clarification from the police. There was no offer of assessment of volume levels in any residential or village area. Tested by personal mobile phone, noise levels in one property in Cardinals Green were 55-60dB
- Miss Fenton said a further event for 300 people was planned on 12th/13th September
- Miss Fenton was invited to meet the Parish Council; previous communications between the Cambridge Rock Festival and the Parish Council (relating to the Rock Festival being at Horseheath Lodge) were explained; Miss Fenton apologised for not having been in contact with the Parish Council

After the Festival, a further phone call occurred a few days later in an attempt to open communication, in which Miss Fenton said:

- Miss Fenton would not wish to come to a Parish Council meeting in the current month but would be open to that prospect in the New Year
- Thurlow Estate had agreed the use of the Manor Farm entrance route was unsafe and would not be required again
- Miss Fenton was seeking to hold three 3 day festivals next summer for up to 3000 people, with weddings and other events such as parties also to be held in the wood. The actual scale of activity depended on Covid 19

The event planned for 300 people on the 12-13th September was presaged by the government announcement of the Rule of 6 to institute a legal requirement for gatherings of less than 6 people from Monday 14th September. The Cabinet Secretary asked the population on Friday 11th September not to indulge in parties or activity that might infringe social distancing over the weekend. As a result, a number of local large-scale outdoor events were cancelled – for example the Cambridge United Football League match planned

to test a Covid safe approach to crowds watching football, and the public Air Show at the Imperial War Museum, Duxford. However the Wildwood event went ahead, entitled a "Sunset Social". It was advertised nationally on social media and included a statement "Fed up with festivals being cancelled? Here is one you can attend..." It also included available tents for three days (see <https://www.woodvilleproject.co.uk/pages/sunsetsocials>) although the event was scheduled to run from midday on Saturday 12th to 2pm on Sunday 13th. No formal – or further informal communication – occurred between Miss Fenton and Horseheath Parish Council.

We are not aware of any Covid secure risk assessment or plan. Presumably the South Cambs Licensing Office has this information; **Horseheath Parish Council would like to inspect both the Noise Management Plan and the Covid-19 Risk Assessment and plan and request South Cambs Licensing Office to make these documents available.**

Residents of Horseheath complained about the noise during the event. Music was heard to continue until 6pm on Sunday. A resident living at the Haverhill end of Horseheath informed the Parish Council there was so much noise in her house that her grandchild could not sleep. Other residents could hear the music in their houses after 6pm on Sunday 13th September.

The event included alcohol. Two eye-witnesses of the event said that there was no apparent social distancing during the event. Images on My Little Festival's Facebook page (see <https://www.facebook.com/mylittlefestie>) and Instagram (<https://www.instagram.com/thewildwooddisco/?hl=en>) confirm this. These images clearly show more than 30 people in close proximity.

Horseheath Parish Council held a meeting on Monday 14th September at which the Wildwood disco operations were discussed. It was agreed that a formal complaint should be submitted to the Licensing Office and that the Parish Council would also write to the owner of the site.

On the 19th September the Parish Council understood that there was a rumour that an illegal rave might be conducted on the site that evening. At 10pm that night the police were observed once again in Cardinals Green. We consider it inevitable that poachers, those wishing to undertake illegal events and other persons are likely to be attracted to the Horseheath site as a result of the activities of My Little Festival, underlining the need for the residents of Horseheath to have some awareness of and input in to the licencing and frequency of festival and other events in Horseheath Parish.

Please note that the names of events have varied and the actual names of the differing events may not be in accordance with the narrative above.