

## Statement for Premises Licence Review Hearing - TL 6317 4711 – Wild Wood Events Ltd

### Horseheath Parish Council – Presentation by Dr John Howard, BSc, FRCGP, DOccMed

#### 1.0 Origin of this Complaint

1.1 Residents of Horseheath and the adjacent hamlet of Cardinals Green have over the last 2 years expressed concern about the noise emanating from the Wild Wood disco event. Residents have in general few concerns about events at the racecourse. The access from the dual carriageway does not interfere with the village and racecourse events, although audible, are accepted. It was not known that a Premises Licence had been granted applying to the whole of Crofts Wood; the wood, while being an important part of the Parish, is not readily accessible by public footpaths.

1.2 During the August 21<sup>st</sup>-23<sup>rd</sup> Festival event the altered access route raised concern in the village; roughly painted signs simply said “Event” and indicated a route through Manor Farm to the racecourse. Noise from the Festival caused disturbance leading to questions from residents as to what was happening; residents and the Parish Council generally did not have prior knowledge of the event.

1.3 As a result the Parish Council, through its Chair, engaged with Vicky Fenton; you have that correspondence. No notice had been given of the event, which was surprising. The Parish Council then became aware of the existence of the premises licence and the activities of My Little Festival Ltd through their website and Facebook pages.

1.4 The Parish Council through conversations with Vicky Fenton, was aware of the intention of Wild Wood Events Ltd to hold the Sunset Social event on 12<sup>th</sup>-13<sup>th</sup> September. Advertising for the event had stated “Unable to attend a Festival all summer? Here is one you can attend”. The Parish Council was surprised given the national context of rising Covid-19 concern that the event went ahead, but again residents were disturbed by the noise and on this occasion it continued on the Sunday afternoon, outside the advertised hours.

1.5 The Parish Council was in contact with Geoff Harvey, District Councillor, who expressed surprise that a Festival event involving up to 300 people advertised nationally and involving alcohol, residence overnight, music and dancing had gone ahead. We understood that he raised the concern with environmental health at South Cambs District Council. Horseheath Parish Council observed that the Licence Holder had appeared to breach the conditions of the premises licence and over the next few days heard reports from residents saying that social distancing had not apparently been practised and that there was litter left in the wood. Some local residents have written permission to ride horses or walk along field margins, so no trespassing had occurred.

1.6 A complaint was therefore submitted by Horseheath Parish Council to South Cambridgeshire Council on 15<sup>th</sup> September 2020 with the support of our District Councillor concerning:

- the fact that the original consultation process for the premises licence in 2019 did not realistically give Horseheath residents an opportunity to comment on the granting of a premises licence for Crofts Wood
- a lack of engagement with the Parish Council by the Licence Holder and excess noise disturbing Horseheath residents during the event on the 21<sup>st</sup>-23<sup>rd</sup> August;
- diversion of Festival customers through the village rather than entering directly in to the Horseheath racecourse site on 21<sup>st</sup>-23<sup>rd</sup> August
- concerns by residents that the event on the 12<sup>th</sup>-13<sup>th</sup> September had gone ahead at a time of heightened alert with regard to Covid-19 infections, apparently infringing the conditions of the premises licence through more days of activity on the site than the licence permitted
- the fact that music continued to be played, quite audibly to residents within their homes on Sunday 13<sup>th</sup>, outside the advertised hours of the event
- concerns from eyewitnesses about a lack of social distancing at the event on 12<sup>th</sup>-13<sup>th</sup> September
- resident’s concerns about the impact of the social events in Croft’s Wood on local wildlife within Horseheath Parish.

We are glad that this licence review has provided an opportunity for residents of Horseheath Parish to comment on the premises licence.

## 2.0 Actions of the Parish Council

2.1 It should be noted that the complaint and the subsequent licence review application, which itself was advised as an action by South Cambs Licensing Office, have been submitted by Horseheath Parish Council and not any one individual. The Premises Licence review application clearly lists public safety and public nuisance as being the main areas of concern.

2.2 The information understood by the Parish Council about current and future activities by Wildwood Events was derived from verbal conversations, the Wildwood Events website and other public sources. When the Licence Review was announced, the Parish Council was not aware that South Cambs Licensing Office would write to a number of homes advising residents of the review. The Parish Council was also aware that the majority of residents did not know that there was a premises licence for Crofts Wood; it seemed unlikely that the official licence review notification would be connected by most residents with the Wild Wood disco. Since a number of complaints had been made to the Parish Council relating to noise and non-Covid secure activity, the Parish Council produced a poster to advertise the review and to encourage residents to submit their comments.

2.3 The Parish Council set out their understanding in good faith. Google Earth views of the wood clearly show a clearing with sofas within it and a stage. From a conversation with the Licence Holder it was John Howard's understanding that My Little Festival's aspiration was to increase events in Crofts Wood. The My Little Festival website advertises the wood as being available for the Wild Wood Disco, the Wild Wood rumpus, corporate events, weddings and private parties. The premises licence itself permits up to 3,000 people attending up to 3 one day events between May-September. With weddings and parties it is not unreasonable to extrapolate the projected number of people coming to the site over a year as being up to 10,000. If that understanding was incorrect, the Parish Council is happy to make an unreserved and full public apology. This particularly applies to the proposed number of events planned by Wildwood Events.

2.4 No trespassing has occurred. The Parish Council does not condone illegal activity.

2.5 In seeking to alert the population to the opportunity to submit their views, the Parish Councils actions were limited to putting up the poster, alerting neighbouring Councils to our complaint and the review, and individually sending emails to a small number of parishioners who had mentioned concerns. There was no knocking on doors, no mail drops, no group emails and no phone calls – we were aware that soliciting partisan opinions is not appropriate.

## 3.0 Concerns raised about conformity to the current Licence conditions

3.1 We will not rehearse the concerns voiced by residents and described by the Parish Council in representation 19 (pages 225-228) which are clearly stated within the report. We would like to raise issues arising from the report with regard to the Licensing Objectives and the Licensing Process and pose some questions.

### **Public Nuisance**

3.2 We note the Licence Holder agrees on page 41 that licensable activity took place on each of the 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup> of August and the 12<sup>th</sup> September (page 41). On page 42 it is accepted that music was played on Sunday 13<sup>th</sup> September, which was clearly heard in residences in Horseheath and Cardinals Green. The licence holder states that the hours, added together, equate to less than 3 days. This seems at odds with licence condition 2.

**Question 1 – does “a maximum of 3 x 1 day events” mean activity only on 3 days, or does it equate to less than 51 hours (3 x 17 hours) of licensable activity across the year?**

3.3 We note that there are 10 representations from residents of Horseheath, all of whom register concerns about the festival events held in 2020. Numbers 2, 3,4,5,8 and 11 personally note loud music. Yet the noise

management plan (page 134) states “- “Consultation with residents living in the local area will take place via Parish Councils ....to advise them of the event proposals and ensure that they are aware of the proposed work and service schedule. Due care and attention will be given to residents during the planning of the event to ensure that the sound system design is optimised to reduce off-site impact as much as possible. This includes a change in the type of speaker used and a review of all stage directions for 2019.....It is our aim to work with stakeholders and interested groups to find agreeable solutions to any perceived noise pollution and to work with in any conditions set on our licence.” Condition 22 of the licence says “Periodic checks should be carried out....to ensure that noise sensitive properties....will not be adversely affected by the noise. Such checks to be carried out daytime and night-time with records kept of the date, time, location, decibel level and action taken.” No records beyond a reference to readings on page 41 are presented.

### **Question 2 – Why was the noise management plan not complied with, contravening Condition 22?**

3.4 It is accepted that there has not been the level of engagement with the local parish council envisaged in the EMP (page 134) or the Licence (condition 20).

3.5 The Environmental health officer (p 229) points out that it seems that neither Cambridgeshire Police, Environmental Health or the Licensing Office received any prospective notification about the Wild Wood events in 2020 in contravention of conditions 14 and 18.

### **Question 3 – Did the Licensing Authority, Environmental Health and Cambridgeshire Police receive notification of the Festival events in 2020?**

3.6 The licence conditions 12,13, and 14 specify that a tailored Event Management Plan (EMP) should be produced for each event. The plan included in the documents relates to both events; there are multiple areas in the documents which indicate that the EMP relates to varying events and is not tailored to single events; for example page 72 “the main events this year”; page 73 “this document is in support of the premises licence application”. There are contradictions (page 95 “the premises licence applied for permits 4,999 people at any time; page 124 describes 3,500 people on site); the security plan is a retrospective report (p127). All these examples suggest that a dedicated Event Management Plan was not produced for each event. On page 252, the Licence Holder states she was asked not to send “relevant paperwork” to the Council of Police but to hold it on site.

### **Question 4 – Did the Licensing Authority receive an Event Management Plan for both events as per Condition 14? If not, what action was taken? If permission was given to deviate from Condition 14, does this also apply to Condition 18? How does this align with public policy relating to the management of Covid-19?**

#### **Public Safety**

3.6 Our understanding of event regulations over the summer was that that organisations can permit more than 30 people gathering ONLY if they can show through a clear risk assessment how they will maintain social distancing. The general risk assessment (Pages 171-189, Appendix K) does not refer to Covid-19 at all. There are two Covid -19 risk assessments in the documents; pages 191-198 and pages 203-206, appendix N.

3.7 Covid-19 risk assessment pages 191-198 - this does not refer to the hazards of the activities of guests on site at all other than issuing guidance about social distancing. For example, it is known that a raised voice/singing generates an aerosol cloud as reported to the DCMS subsequent to Declan Costello’s and PHE’s research. This research showed that loud voices/singing for a period of 40 minutes generates an aerosol cloud above a group of people whether indoors or outdoors. It is why there has been no music permitted in pubs during the pandemic. In both events alcohol was available for a prolonged period and there was no additional limit on consumption over standard alcohol use policies; people could camp overnight, removing the need to reduce alcohol consumption prior to travel. In these circumstances research suggests that 2m social distancing will not be adequate to prevent infectivity. The conjunction of loud music, visitors from all over the country, dancing and alcohol availability are very significant risk factors for infection and have not been addressed at all by the licence holder, placing the attendees at risk, including local people who may have contact with Festival attendees. There is the potential for this event to

have been a “super spreader” event. The lack of consideration of the impact of guest’s activities on infectivity is we believe a failure of the duty of care of Wild Wood events Ltd.

3.8 Appendix N - is marked as Covid risk being acceptable as judged by the Licence Holder. It is unclear on what basis the risk assessment decision was made. This mostly comprises generic guidance for event managers and again does not address the specific risks of the activities offered to consumers beyond social distancing advice. It does not analyse the specific circumstances of the activities (music, alcohol, dancing, overnight stays and geographical origins of customers) and numbers of people attending. There is no consideration of Covid alert status or the R number prior to the event. It recommends not allowing self-service for food and drink - which does not appear to have been implemented - see the security report. (page 128 – “going forwards at future events table service only has been recommended”).

**Question 5 - Who were the Covid-19 risk assessments shared with? Who has responsibility for assessing and managing the possible impacts of events on Public Health within Horseheath Parish?**

4.0 The Licensing Process and Green Policy

4.1 The Parish Council understands the original application for the premises licence was advertised in the Cambridge Evening News – which is not well distributed in Horseheath – and also by an A4 notice at Horseheath Point to Point racecourse. While the Parish Council understands that this process follows legal requirements, this is clearly inadequate for the Crofts Wood premises. Residents do not routinely go to the Point to Point racecourse; there was no opportunity for residents to comment or for the Parish Council to discuss the planned events with Wildwood Events Ltd. We hope for such unusual premises the Licensing Office will augment the statutory process of application in the future to facilitate communication between event organisers and local communities.

4.2 Horseheath Parish Council notes the environmental ethos of Wildwood Events Ltd and that consultations have been arranged to consider the impact on wildlife (p250). It is very disappointing that these considerations have not been made at the outset of developing Crofts Wood as premises.

4.3 The following is advice received from the RSPB with regard to events in woodland:

“Whilst the landowner is completely within their rights to hold events on private property, it is inevitable the activities will affect any wildlife living within the woodland. It would therefore be strongly advised that an ecological survey is conducted prior to any events to determine the species living in the area. What is most concerning about these events is when some are scheduled to take place – between May and September. This coincides with the main bird nesting season and should ideally be avoided to ensure birds can nest successfully in peace.

The general risk to wildlife when so many people are within their natural habitat is being frightened away. Wild animals are naturally nervous of human presence and will likely avoid an area completely if people are constantly nearby. Therefore, it would also be advised to ensure people remain only in one part of the woodland and to keep activities within this area. Any lighting should never be directed at trees in which birds or bats are known to nest or roost and audio should be played minimally. “

Perhaps consideration of the impact on flora and fauna could be included in licensing wild areas as premises in the future.

5.0 In Conclusion

5.1 Horseheath Parish Council does not object to the Wildwood Disco or the Wildwood Rumpus of themselves. We would prefer that they were not held in woodland but on the edge of the racecourse to minimise incursions into wild areas, but we recognise the land is not in our ownership. We are happy to work with the landowner and particularly My Little Festival Ltd to ensure there are successful events with as little disturbance of residents and wildlife as possible. We hope an outcome of this review process will be a better understanding of the events by all parties, with good communications between Wildwood Events and the Parish Council. Thank you.