

LYNEHAM PARISH MEETING

Ms. A. Thomas
Licensing Officer
WODC
Elmfield
New Yatt Road
Witney
OX28 1PB

The New House
Lyneham
Chipping Norton
OX7 6QL

1st February 2015

Dear Andrea

Application to vary a Premises Licence - Taste Festivals - Churchill Heath Farm

I write on behalf of myself and other residents of Lyneham Village to object to the above application.

There is increasing concern at the creeping expansion of the festival year on year.

Year 2012 - 9,999 people permitted to attend

Year 2013 - rose to 14,999 people permitted to attend

Year 2014 - rose to 19,999 people permitted to attend. Also the Festival became a three-day event (Friday being added whereas before this day was for arrivals).

Year 2015 - Requests received to extend the duration of music and also the commencement and finished times.

This equates to a **further 14 hours of music** (both live music and recorded music being played simultaneously according to the times shown) - all of which is extremely audible.

Objection is also to **the volume of the music which penetrates our homes and causes a nuisance and disturbance.**

* My letter from this parish objecting to the extreme volume of sound heard on the Sat. evening performance at the 2014 Festival was sent to you, and which you inform me was forwarded to Taste Festivals. This letter has been totally ignored with no response forthcoming and I trust the referred to letter and complaints registered for the 2014 Festival, will be read alongside this application by your Licence Panel before any decision regarding longer hours and late night/early morning finishing times are made as it is all relative.

* *copy enclosed*

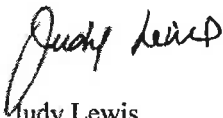
The request for the Friday night recorded music to continue to 1.00 a.m. and on the Saturday to 2.00 a.m., is excessive bearing in mind that music, both live performances and recorded, would, if granted, have already been playing from 10.00 a.m. on all three days. The extension times requested also thought inappropriate for a "Family Event" with children present.

Referring particularly to the request for a Saturday time **extension to 2.00 a.m.** on the Recorded Music, since Taste Festivals direct the vast majority of traffic through our small tranquil hamlet, this would leave us with a large volume of traffic travelling through our village in the early hours of the morning - therefore not complying with conditions for "not causing disturbance or a public nuisance".

The performance of Live Music on the Sunday should finish at 8.00 p.m. as previous - Bank Holiday Weekend should not be regarded as a reason to extend Live Music on a Sunday. Also, if granted, may set a precedent in the future, if the following Monday is not a Bank Holiday.

I trust this letter will receive the attention of those concerned.

Yours sincerely



Judy Lewis,
Chair, Lyneham Parish Meeting

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Ms. A. Thomas
Licensing Officer
WODC
Elmfield
New Yatt Road
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OX28 1PB

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Chipping Norton
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15th September 2014

Dear Andrea

The Big Festival, Kingham – 2014

Enclosed is Post Event Feedback Form, but as you asked for full information, and the lack of space on the form, my response on behalf of myself and that of Lyneham Residents is below.

Feastival Traffic

I attended a meeting in April with the organizers and suggested and asked that traffic be allowed to arrive and depart the Feastival from the network of roads as a whole and not be diverted to arrive solely by the unclassified road at our village of Lyneham. An e-mail followed, informing me that they were working on revised plans for 2014 along the lines "to share the traffic flow" and that this information would be shared with interested parties – IT WAS NOT and we were left to find out that again all traffic was to be diverted to Lyneham only on the week of the Feastival by seeing the directional road signs! Signs preventing traffic from entering our village itself were only put in place following a direct request from me although other villages received them even though their villages were not receiving any traffic!!

A heavy volume of traffic continued along this road throughout the three days, at times making it difficult to exit or enter the village from this road.

Again residents have remarked on the many large construction vehicles going through the village, both prior to and after the event.

NOISE

I can only describe the volume of noise heard in Lyneham Village on the Saturday night as "HORRENDOUS" and totally unacceptable. One resident in desperation telephoned the Police 101 number only to be put through to someone in Cheshire!! whom it was thought just took down information regarding complaints "out of hours" as the volume continued unaltered.

Several complaints were passed to Clive Salisbury following the event but the real annoyance was that no-one knew who to contact during the event so feel it is important to have a telephone number published which will be manned during the event to respond to any complaints from members of the public in order that corrective action can be taken straight away.

The noise was far reaching and was also heard in the villages of Milton, Shipton (one resident said windows rattled another heard every word clearly whilst trying to sleep), Ascott, Chadlington and even at Minster Lovell, some 8 miles away.

The "base element" of a particular Artist is no justification for a bombardment of excessive noise.

In 2011 prior to the first Festival Event, noise levels adjacent to the proposed site were monitored for a two day period by an Environmental Health Officer and results showed that the night-time level was so low (under 20dB) that it was unmeasurable by the high quality noise meter used. This is a very tranquil rural area and the village of Lyneham is a very short distance from the site (about four fields away) with nothing to obscure any noise. Bearing all this in mind, it is felt that the decibel level should be reduced to a more acceptable level as enjoyment of those attending the Feastable should not be at the expense of the serious disturbance of residents of near-by villages.

The event is advertised as being Family Friendly – the sound coming from the site on Saturday night in particular can only be described as sounding more like a "Rave".

Music from the Feastable, which is played almost continually for the three days from 11 a.m. to 11 p.m. is always audible and is a consequential result of an outdoor event which apparently has to be accepted by residents in the local parishes. The volume for the Artist on Sunday night was more acceptable, so hope that the noise level on Saturday night was a one-off and something went drastically wrong with the monitoring system!

A Lyneham resident who has contacted Joel Smith directly, informs me that he states that "an acoustic consultant monitored music levels near to Lyneham on Saturday night and music was more noticeable here than at the Nursing Home opposite the site". Did anyone actually come down to Lyneham to measure the sound level?

As well as a serious request to lower the volume (a reduction in decibels agreed with WODC), we would ask that the stage and its directional speakers are focused away from Lyneham Village – we already have all the traffic and do not want the full force of the music as well.

I trust this is helpful and look forward to your comments

Yours sincerely



Judy C. Lewis
Chairman Lyneham Parish Meeting

Andrea Thomas

From: Neil Shellard
Sent: 14 January 2015 10:15
To: Andrea Thomas
Cc: Stuart Rawlinson
Subject: RE: Festival: Variation application

Andrea,

I have the following comments regarding the variation application:-

- The common starts on event days at 10:00 hours is satisfactory with this Team.

- **Live Music**

The application to extend Live Music to the specific termination hours as stated is controversial for us in light of the guidelines and criteria described in the "Code of Practice on Environmental Noise Control at Concerts". This Code is designed to assist those planning a music event, those responsible for licensing such events and those responsible for enforcing the nuisance provisions of the Environmental Protection Act 1990. Compliance with this Code of Practice does not of itself confer immunity from legal obligations. In addition the Council does not allow Live Music beyond 23:00 hrs at any other event on its District.

For these reasons I am reticent to agree to a variation which would allow Live Music past 23:00 hrs on *any event day*.

- **Recorded Music**

The application to extend Recorded Music by an additional two hours to 01:00, 02:00 and 00:00 hrs Fri/Sat/Sun respectively, is also an issue for us particularly on the Sunday. Residents quite reasonably can expect and anticipate that the event would draw to a close on Sunday evening, as has been the case in the past. The prospect of Recorded Music up until midnight Sunday is simply unfair to local residents.

I would strongly suggest that the termination hour of all Recorded Music on the Sunday is no later than 23:00 hours where a Bank Holiday Monday follows the event and furthermore, if the Sunday is other than one that precedes a Bank Holiday, then the original licence timings would *still apply* i.e Live Music (20:00 hrs) and Recorded Music (22:00 hrs) for the Sunday.

It is understood that specific noise levels to be complied with would be set as per the 'Safety Advisory Group' procedure.

I consider that above is a reasonable compromise allowing extensions to regulated entertainments whilst protecting the needs of the local community in alignment with the relevant Code of Practice.

I hope the above is clear and please call if not.

Regards,

Neil

2 Lyneham Farm Cottages • Lyneham • Chipping Norton • Oxfordshire • OX7 6QP



Shared Head of Public Protection and Regulation
West Oxfordshire District Council
Elmfield
Witney
OX28 1PB

RECEIVED 03 FEB 2015

31 January 2015

Dear Shared Head of Public Protection & Regulation

Application by Taste Festivals Ltd to vary premises licence [Prem/503] Churchill Health Farm

I am writing to express my concerns about the proposed extension of live and recorded music at The Big Feastival 2015. I see that an extra four hours of music are planned on three consecutive days and that recorded music would continue until 1am on Saturday morning, 2am on Sunday morning and midnight on Sunday evening. My particular concerns are about the potential detrimental effects on the welfare of residents at The Langston Kingham Nursing Home. I contacted the Licensing Office regarding these concerns last year (CAS- 193939-F0DG) when the music on Saturday night could be heard as far away as Minster Lovell and the vibrations felt in Lyneham two miles away. I also contacted Taste Festivals and received a response from Joel Smith, General Manager of Arts & Entertainment, reassuring me that noise levels near the home were "low". He also said that no complaints had been received from the Manager of the Nursing Home.

However, I find it hard to believe that The Langston residents – 33 vulnerable older people with medium to high care needs - are completely unaffected by a music festival attended by up to 20,000 people, situated in a field adjacent to their home, where live music is played over three days until 11pm or midnight and where recorded music and dance may continue until 2am. Although the Manager of the Nursing Home may be satisfied that this is acceptable, I am not sure how it would be viewed by the Care Quality Commission who require people to be cared for in "surroundings that support their health and welfare".

As a Health Professional myself I feel very uneasy about the way this festival is developing in scale, year-on-year, in terms of numbers attending and extension into the early hours of the morning of both live and recorded music. In view of the very close proximity of The Langston to the festival site I would hope that the needs of this particularly vulnerable group of people is given high priority when considering whether or not to grant this variation of licence.

Yours sincerely

A handwritten signature in cursive script that reads "Carole Sherwood".

Dr Carole Sherwood, DClinPsy
Consultant Clinical Psychologist

cc: Andrea Thomas, Licensing Officer; Cllr Tom Simcox; Cllr Neil Owen;
Social & Health Care Team, Oxford; The Oxfordshire Safeguarding Adults Board, Abingdon, Oxfordshire

Andrea Thomas
Licensing Officer
West Oxfordshire District Council
Elmfield
Witney
OX28 1PB

2 February 2015

Dear Ms Thomas,

Application by Taste Festivals Ltd to vary premises licence [Prem/503] Churchill Heath Farm

I write to object to the application in respect of

- [1] the increase in duration
- [2] the extension of finish times into the night/early morning

for the following licensed activities:

Live Music

Friday: Increase in duration of two hours, finishing at 11 pm
Sunday: Increase in duration of four hours, finishing at 11 pm

Recorded Music

Friday: Increase in duration of four hours, finishing at 1 am Saturday
Saturday: Increase in duration of two hours, finishing at 2 am Sunday
Sunday: Increase in duration of two hours, finishing at 12 Midnight

Dance

Friday: Increase in duration of four hours, finishing at 1 am Saturday
Saturday: Increase in duration of two hours, finishing at 2 am Sunday
Sunday: Increase in duration of five hours, finishing at 12 Midnight

Supply of Alcohol

Friday: Increase in duration of one hour, finishing at 12.30 am Saturday

If this application is granted, the above represents both a significant extension of hours and the lateness of some activities – for example:

- Live Music on Sunday has been increased by four hours, now finishing at 11 pm (was 8 pm previously). For nearby residents (both in their own homes or in supervised care) this now means three consecutive nights audible live music will be heard after 10 pm.
- Recorded music will now be permitted after midnight on Friday and Saturday (until 1 am on Saturday morning and 2 am on Sunday morning)

This application represents a significant incremental creep of the scale of this event both in start and finish times.

I understand that as the Licensing authority, you have policies regarding dispersal procedures as set out in your Statement of Licensing Policy and Guidance:

5.4 Dispersal procedures

5.4.1 Organised dispersal procedures can help to prevent crime and disorder and anti-social behaviour where large numbers of persons leave licensed premises. This is relevant whether persons leave over a period of time or in large numbers, at the premises closing time.

This event already produces a substantial amount of traffic to and from the site, not only during the event itself but in the weeks before and after when the level of HGV movements in the vicinity are significantly increased. Throughout the event itself the amount of traffic using the directed minor roads is at times overwhelming with a continuous stream of traffic at the start and finish of each day, particularly as a result of those leaving the event late at night. The extension of finish times (particularly on Sunday) will mean that this traffic leaving the event will now be passing through residential areas in the early hours when people are resting (often with open windows at the event's time of year) where there is normally no or very little traffic.

I would also like to draw your attention to matters covered in your Pool of Conditions¹ policy document in respect of the prevention of public nuisance; specifically those regarding

Noise and vibration

Specifically sections PN1,PN2, PN3, PN4, PN5, PN6, PN13, PN14, PN23, PN24, PN25

Queue Management and Dispersal Procedures

Specifically section PN27

Light Pollution

Specifically section PN39

In 2014 this event featured a laser display that lit up the night sky and was a very evident source of glare (see photo below taken on Saturday 30 August 2014 at 10.47pm from Lyneham, approximately 2 miles distant).



Having been in contact with Neil Shellard on your Environmental Health team, I understand that WODC has adopted the Code of Practice on Environmental Noise Control at Concerts (commonly known as the Pop Code) in respect of applications where live or recorded music takes place.


¹ See Appendix 1 for full notes

Within this code, I note the following:

1. That for this event: "The MNL (Music Noise Level) should not exceed 65 dB (A) over a 15 minute period" [Table 1]
2. "For events continuing or held between the hours 2300 and 0900 the music noise should not be audible within noise-sensitive premises with windows open in a typical manner for ventilation" [Section 3.2]
3. "The nature of music events means that these guidelines are best used in the setting of limits prior to the event" [Section 3.4]
4. "Assessment of noise in terms of dB(A) is very convenient but it can underestimate the intrusiveness of low frequency noise. Furthermore, low frequency noise can be very noticeable indoors. Thus, even if the dB(A) guideline is being met, unreasonable disturbance may be occurring because of the low frequency noise. With certain types of events, therefore, it may be necessary to set an additional criterion in terms of low-frequency noise, or apply additional control conditions." [Section 3.5]
5. "Complaints may occur simply because people some distance from the event can hear it and that, consequently, they feel the music must be loud even though the guidelines are being met. In fact topographical and climatic conditions can be such that the MNL (Music Noise Level) is lower at locations nearer to the venue." [Section 3.5]
6. "Determine the sound propagation characteristics between the proposed venue and those living nearby who might be affected by noise, and carry out an appropriate background noise survey. This should be undertaken by a competent person who is experienced in noise propagation and control, particularly from music events." [Section 4.2]
7. "The local authority should make use of licensing conditions and statutory powers to implement the procedures described in this Code of Practice." [Section 4.5]
8. "The Noise Consultant should be appointed." [Section 4.6]
9. "Install the loudspeaker system early enough to enable alignment and orientation to be optimized to minimize noise disturbance." [Section 4.7]
10. "Carry out a sound test prior to each event to ascertain the maximum level that can prevail at the monitoring position to enable the guidelines to be met. This effectively calibrates the system, taking into account as far as possible prevailing weather conditions, and, for indoor events, the sound insulation of the venue." [Section 4.8]
11. "Advertise and operate an attended telephone complaint number through which noise complaints can be channeled. This will enable an immediate response to the complaints be given and the Noise Consultant to judge whether or not any adjustment to the music noise level is needed." [Section 4.9]
12. "Carry out noise monitoring within the venue at the noise monitoring position and at sample locations outside the venue throughout the event."

I trust that this letter of objection will be fully circulated to all concerned with deciding this application for their consideration.

Yours sincerely,



Howard Sherwood

Appendix 1 – Extracts from the WODC Pool of Conditions document

Noise and vibration

PN1 The Designated Premises Supervisor/Duty Manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.

PN2 The premises shall be arranged to minimise the risk of noise nuisance to nearby properties.

PN3 Noise from the premises shall not result in exceedences of the following
(see table on page 30, Pool of Conditions)

PN4 Noise emanating from the premises as a result of regulated entertainment shall not exceed [x dBA] as measured 1 metre from any residential dwelling.

PN5 A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music or speech at the premises.

PN6 The noise limiter(s) shall be set so as to maintain the maximum level as follows at all times when regulated entertainment takes place:
(see table on page 30, Pool of Conditions)

PN13 No music or speech shall be relayed via external speakers other than for events with the prior approval of the Licensing Authority.

PN14 Prominent, clear notices shall be displayed at [all exits / in the beer garden] requesting customers to respect the needs of local residents and leave the premises and the area quietly.

PN23 No fireworks or other pyrotechnics shall be used other than with the prior consent of the Licensing Authority.

PN24 The Designated Premises Supervisor or a nominated representative shall have full control at all times over the sound amplification equipment to the main stage. The volume shall be adjusted according to the requirements of the Licensing Authority / Responsible Authority.

PN25 The specification, and orientation of all speakers shall be agreed with the Licensing Authority / Responsible Authority.

Queue Management and Dispersal Procedures

PN27: The premises shall have a written dispersal procedure designed to make the maximum impact immediately before premises close, and directly thereafter, by exercising pro-active measures, to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour, crime and disorder.

Light Pollution

PN39 Any artificial lighting on the premises must not cause nuisance due to glare unless it is considered necessary by the Police to prevent crime and disorder.

Andrea Thomas

From: Michael English <[REDACTED]>
Sent: 03 February 2015 10:51
To: CommunityServices
Subject: FAO Andrea Thomas re "The Big Feastival" at Churchill Heath Farm

Dear Ms Thomas
Application for extension of hours

We would be grateful if you would bring the following comment to the attention of The Licensing Panel.

We are aware that last year's festival brought considerable disturbance to some Lyneham residents and beyond.

With this in mind, we are concerned that this latest application represents an incremental drift towards a much larger music festival which may not sit easily in the locality

Yours sincerely

,
Michael and Sarah English
Dene Cottage
High Street
Lyneham
Chipping Norton
OX7 6QL

01993 [REDACTED]

Andrea Thomas

From: Brian Morphy [redacted]
Sent: 28 January 2015 12:03
To: CommunityServices
Subject: re Churchill Heath Farm Licence extension

Dear Andrea Thomas,

We understand that application has been made to extend the licence for the Music Festival at Churchill Heath Farm.

Please may I register my concern and objection to:

- A. Proposals to extend the sale of alcohol on Friday and Saturday nights to 1.30 am and on Sunday to 11 pm;
- B. The sale of food to 2 am on Friday and Saturday nights;
- C. Playing live music to 10 pm on Sunday and midnight on Friday and Saturday and recorded music for even longer.

The extensions would make the noise of the festival very intrusive into the life of our family, which includes three children under seven, and risk disorder well into the night.

Thank you,

Yours sincerely,

Brian Morphy

Brian Morphy and Jean Ware-Morphy .
The Granary,
3 Izod's Barns,
High Street, Lyneham, Chipping Norton,
OX7 6QL
Tel. 01993 [redacted]

Andrea Thomas

From: Roger Speddy [redacted]
Sent: 02 February 2015 15:19
To: Andrea Thomas
Subject: Re: Variation to Premises Licence

Dear Mrs Thomas,

I wish to object to the request for the extended hours for live and recorded music.

The Licence application indicates a considerable increase in the proposed times by 2 hours each day to times that are out of keeping with the original purpose of the Festival and will significantly impact on properties adjoining the Festival.

I therefore object on the grounds of Public Nuisance due to the resultant noise which will cause nuisance to adjacent residents and the resultant traffic noise past our house in the early hours.

It is completely unnecessary to extend the hours and hence the noise and traffic nuisance which we, in the direct line of the sound from the Live music stage, endure annually with tolerance.

Our property, Cox's Wood, is adjacent to the Festival site and also fronts onto the Lyneham Road which is the main route for entry to the site.

I would also like to add that the proposed consultation process in the application has not taken place with properties adjacent to the Festival in previous years and I believe that this should take place prior to any Licencing decision is made.

Yours Sincerely,

Roger and Linda Speddy

Cox's Wood, Kingham, OX7 6UJ