

Tracy Caddy

From: Jennifer Whittle
Sent: 17 August 2023 11:31
To: Generic - Licensing
Cc: Jack Twomey; Wibbly Woods; licensinghq@staffordshire.pnn.police.uk
Subject: **OBJECTION NOTICE** TEN 24/00004/LATENS Wibbly Woods 25-28 July 2024
Attachments: Application.pdf

Dear Licensing

As a Responsible Authority I would like to object to this TEN on behalf of the Environmental Protection team on the grounds of Prevention of Public Nuisance.

I believe allowing the premises to be used in accordance with the TEN applied for will undermine that licensing objective of Prevention of Public Nuisance. The reasons for my beliefs are:

- The first Wibbly Woods event took place in 2021. We had concerns about the event due to the proximity to residential properties, the early morning finish time of 4am and the event running over several nights. As it was the first event we did not object and instead undertook monitoring. The results of the event were that it was VERY loud and we received multiple complaints from local residents, as well as residents 1.4 miles away as the crow flies. The event organiser at the time was advised that any future events of this nature would be objected to on the basis of the findings from the monitoring that had taken place.
- In 2022 the event organiser changed to Bertie Benson of Wibbly Woods Limited. Due to an oversight within the Environmental Protection team, the objection to the 2022 event did not get copied to the event organiser or the Police Licensing team and as a result it was considered invalid. The event was therefore permitted to go ahead. Due to the problems from the previous year we served a Nuisance Abatement Notice on the organiser on the basis of 'likelihood of a nuisance'. This Abatement Notice was not appealed and still stands.
- Noise levels during the 2022 event were excessive. On one night in 2022 the noise was audible in Elmhurst, some 1.6 miles from the event and at such a level the tune being played was identifiable. We again received numerous complaints from residents in the area. Including complaints from Wychnor (2.6 miles away) and Alrewas (2.4 miles away). It was determined that the event breached the Noise Abatement Notice, however, it was not considered in the Public Interest to prosecute at that time. The event organiser was once again advised that future events would be objected to and it was hoped that the event would be moved to a more appropriate location or time.
- When considering the noise level from such an event we have regard for the "Code of Practice on Environmental Noise Control at Concerts". The code suggests noise limits for such events, but the noise limits only relate to music noise up to 11pm. In relation to noise from events after 11pm section 3.2 of the code states "*For events continuing or held between the hours of 23:00 and 09:00 the music noise should **not be audible** within noise-sensitive premises with windows open in a typical manner for ventilation*". The proposed event will continue for a further 5 hours after 11pm for 3 nights. Due to the reasons outlined in this Objection Notice, we do not feel the event organiser will be able to meet the expectation of the event being inaudible within noise-sensitive properties after 11pm.
- We objected to the TEN for the event this year, where it ran until 4am. This was heard by the licensing committee who determined that such an event would undermine the licensing objective and should not take place. This was then appealed to the Magistrates' Court, who upheld licensing committee's decision.
- A further TEN was applied for an event in 2023, where the event would run until midnight. An objection to this event was made by the Environmental Protection team and the licensing committee allowed the licensable activities to go ahead.
- Monitoring of the 2023 event took place by the Environmental Protection team, we found that the music exceeded the licensable hours applied for. The first night, where music should have stopped at 11pm, continued until after midnight. Jack Twomey emailed the event organisers on 28th July 2023, the Friday, reminding them of their responsibilities and our options for enforcement action. Despite being contacted

music on the Friday and Saturday night, where it should have stopped at midnight, continued 2am. Exceeding the times allowed by the TEN.

- During the 2023 event music was audible near to residential properties after 11pm. Further complaints from residents were received after the event. The event organiser has been invited to attend an interview under the Police and Criminal Evidence Act 1984, to allow us to further investigate breaches in relation to times at Wibbly Woods 2023.

Due to the information provided above, including failure to manage noise levels and confidence in management to complying with the limitations of temporary events notices e.g. timings, it is my belief that this event will undermine the licensing objective of Prevention of Public Nuisance.

If you require any further information please let me know.

Kind regards

Jennifer Whittle (she/her)

Environmental Protection Officer

Operations, Regulation and Enforcement

t: 01543 308736

From: Generic - Licensing <licensing@lichfielddc.gov.uk>

Sent: 16 August 2023 09:54

To: Generic - Pollution Safety <pollution@lichfielddc.gov.uk>; licensinghq@staffordshire.pnn.police.uk

Cc: Jennifer Whittle <Jennifer.Whittle@lichfielddc.gov.uk>

Subject: TEN 24/00004/LATENS Wibbly Woods 25-28 July 2024

Dear Licensing Colleague,

Premises: Fradley Wood

Address: Wibbly Woods

Please find attached a standard TEN for your scrutiny.

The last day for reps is 21/08/2023.

Kind regards



Victoria Mckenzie

Licensing Assistant

Operations, Regulation & Enforcement

t: 01543 308735



