

# A.1 - APPENDIX B

**From:** Katie Wesley-Smith <[kwesley-smith@tendringdc.gov.uk](mailto:kwesley-smith@tendringdc.gov.uk)>  
**Sent:** Friday, June 7, 2024 2:43 PM  
**To:** 'james@intersonic.co.uk' <[james@intersonic.co.uk](mailto:james@intersonic.co.uk)>  
**Cc:** Licensing Section <[licensingsection@tendringdc.gov.uk](mailto:licensingsection@tendringdc.gov.uk)>; Michael Cook <[mcook@tendringdc.gov.uk](mailto:mcook@tendringdc.gov.uk)>; John Fox <[jfox@tendringdc.gov.uk](mailto:jfox@tendringdc.gov.uk)>; Grant Fenton-Jones <[gfenton-jones@tendringdc.gov.uk](mailto:gfenton-jones@tendringdc.gov.uk)>  
**Subject:** Temporary Event Requests: Left Field, High Birch Road, Weeley

Mr KINGSTON - I refer to my previous emails and formal conversations with you in relation to the expectation this Service has in regard to the management of noise from your events.

Mr Fox has spoken to me following your conversation and highlighted that you are now considering undertaking the assessment of background levels and in addition said to Mr Fox that you would be prepared to ensure noise would not be audible at the boundary after 11pm although music would continue and you wished to continue serving alcohol until 2am. You did however highlight that you may wish to have an earlier start time of 10 or 11am, and I now respond to this setting out our overall position below.

As per my email to you dated 20<sup>th</sup> May 2024, we agreed to withdraw our objection to your initial three-day event, giving you the opportunity to evidence the noise from the event could be managed in such a way so as not to cause unreasonable interference with the use and enjoyment of nearby residential premises. We also discussed the relevant guidance in respect of noise for outdoor events. The guidance also considers factors such as location and the number of events being held. We provisionally advised (as outlined in my emails to you), that the "overall" level of the noise was not to exceed +15dB(A) above background. As you were unable to provide us with this information, we then also advised that a level of 65dB(A) for an LAEQ (15mins) (in line with relevant guidance) may be acceptable but given the rural location and having local knowledge of the area, no matter what measures are put in place there will still be some impact to residents. You were advised at the time, in our communications that achieving this level does not negate complaints being likely, nor did it confirm we would accept these levels in future.

In addition to the above, during our meeting this week, Monday 3<sup>rd</sup> June 2024, I tried to explain that quoting a level of 45dB as being achieved was a slightly moot point, as we did not have information of the existing background levels, and even if we had evidence of the background levels, the issue was the bass. Octave analysis would be required to identify where reduction is necessary. I will caveat all of this by also reminding you that regardless of levels achieved, if duly appointed officers perceive the noise from the event to be causing a statutory nuisance, action may be taken accordingly.

I do not necessarily feel I need to go over the ground already covered in our meetings and communications as I have clearly set out our position already. I understand you are now proposing to amend your times – of which means you wish to start earlier in the morning (10am or 11am) and then you have stated no music will be audible within an NSR (with window open for ventilation) from 11pm although I understand this is not necessarily the finishing time which may remain at 2am. I am also concerned about events starting even earlier on the site, given the number of events you are wanting to run.

Having consideration for the location, the times and the type of events being run, I did provisionally say that we would not look to object to your next TEN's for 15<sup>th</sup> June 2024 – as this is a one day event. In light of this, we will honour this for your next event and depending on the outcome of this and our assessment, we will then review our position. However, I have concerns over the three-day events and the frequency of those and the impact they will have on local, nearby residents. And on

# A.1 - APPENDIX B

that basis, I will be looking to object to those events, in line with the relevant Licencing Objective in regard to Public Nuisance.

I am aware Mr Fox has spent a considerable amount of time liaising with you and trying to organise meetings and provide responses to you; however, please be aware that Mr Fox's input as the Head of Health and Community is that he chairs our Safety Advisory Group which would cover a wide variety of issues. As this is becoming a very specific issue particularly relating to licensing and noise then you may find it more helpful to liaise direct with Licensing who link closely with Environmental Protection.

Of course, you do not necessarily have to undertake our suggested approach and I understand you are somewhat frustrated by this process and the responses you have received from this service.

We will not look to object to your next TEN (Deep Street on 15<sup>th</sup> June 2024), on the basis that the timings are in line with your original request: 12pm to 11pm. Please be aware we will be monitoring this event also and further assessment of our position will be performed the week after the event has taken place. However, I understand you are also wishing to hold a three-day event the following weekend for FUMP between 21<sup>st</sup> June 2024 to midnight on 23<sup>rd</sup> June 2024. Given our concerns on the last three-day event and the subsequent complaints received from residents, depending on what evidence you can provide us, and the outcome of our monitoring for the 15<sup>th</sup> June, we may consider not objecting; but as I have stated numerous times we are uncomfortable with the three day events and the frequency of them.

I have also queried the number of days you wish to hold events in a calendar year, as I am of the belief that in relation to TENs applications, no more than 21 days can be covered for the premises in question, during a calendar year. The number of events you have indicated you wish to hold on the site are in excess of 21 and are in fact 25 days. I will ask Licencing to confirm this, as I may be wrong; but if I am not you will need to look at a reduction in your event requests.

I would also like to confirm that this Service are only addressing concerns relating to noise from the event and as you are aware there were a number of other factors relating to the event that were questioned at the Safety Advisory Group. Given you are wishing to sell food on site as well as alcohol, and there will be camping on site, other relevant internal teams and external agencies may also wish to discuss this with you.

I hope the above outlines the position of this service.

Regards

Katie W Smith BSc (Hons) MCIEH CEnvH  
Chartered Environmental Health Practitioner  
Environmental Protection Manager  
Tel: 01255 686 763 / 686 767  
Email: [kwesley-smith@tendringdc.gov.uk](mailto:kwesley-smith@tendringdc.gov.uk) / [environmental.services@tendringdc.gov.uk](mailto:environmental.services@tendringdc.gov.uk)