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Technical Note:

SouthBeats Festival 2019

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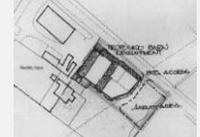
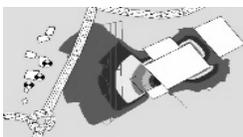
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I write with respect to the representations raised by the EHO's regarding the above event and look to not only address these, but to clarify my client's position with a view to the agreement of suitable conditions. I'd firstly stress that there appears to be two main issues which need to be addressed.

Event Timings

The event timings remain subject to discussion albeit at this time my client has looked to make concessions to the original proposal, whilst providing for a safe and secure event. In fact, documentation prepared by Proud Events and accepted by the regulatory authorities acknowledges that there needs to be a managed egress and provision of some form of entertainment within the campsite area to prevent public disturbance. I'd stress that this is outside the scope of simply noise disturbance but looking at the event as a whole and taking on board discussions with relevant parties.

In fact, it is proposed that this is provided for as is typical of many festivals by a phased stage closure and provision of an ambience within the campsite to encourage a gradual dispersal. This is through a combination of refreshment, food and ambient music beyond the operating hours of the main arena.

The revised operating schedule is therefore:

FRIDAY	Main Arena	No Activity
	Campsite	Arrival from 3pm with ambient music until 02.00hrs
SATURDAY	Main Arena	Main Stage Closure 23.00hrs Managed closure of remaining two stages until 00.00hrs
	Campsite	Provision of ambient music operating until 02.00hrs within a marquee type structure to supplement other activities and provision of refreshments.
SUNDAY	Main Arena	Main Stage Closure 10.30hrs Managed Closure of remaining two stages until 23.00hrs
	Campsite	Provision of ambient music operating until 01.00hrs within a marquee type structure to supplement other activities and provision of refreshments.

With regards to the campsite the intention is to not only slow egress from the main arena but also to provide some form of light entertainment including ambient music in a big top structure. This is not atypical of other festivals and the aim is to allow for greater control of the audience, by encouraging them to participate in refreshment and entertainment in a defined area, where all such provision can be controlled and managed. It is not simply about the music, but rather the whole experience and the dressing of the venue will also be key to achieving this.

This is in direct contrast to a situation where the festival goers simply return to the campsite and make arrangements for their own entertainment, whether that be through personal music systems, shouting and other forms of disorder, all of which are more difficult to control and from experience are likely to lead to greater community disturbance. It should also be noted that personal music systems will not be allowed into the festival and will be communicated to all ticket holders pre-event.

Permitted Noise Levels

MAIN ARENA NOISE

The officers in both instances have requested that the music noise level from the event shall not exceed $65\text{dB}_{\text{LAeq},15\text{min}}$, a figure which has typically been used throughout the UK based on the Guidance stipulated in the Code of Practice for Noise from Concerts 1995. That said and as stated in the Noise Management Strategy the Code of Practice has been formally withdrawn and indeed it predates the Licensing Act and does not consider the deregulation that it brought about.

Indeed, within last few years whilst the overall approach detailed in the Code has remained relevant there has been a departure across the UK with regards to the number of permitted days and an increase in permitted levels. Likewise, there had been wide ranging criticism of the Code for many years, and its use was issued by way of caution by the Chartered Institute of Environmental Health prior to its withdrawal.

Deviation away from the permitted levels was also supported by DEFRA research in the form of NANR 292 which looked at attitudes of communities to festivals and to a large extent supported the increase from levels from 65dB to 75dB. We in fact have justified and provided examples of other locations where this has been achieved and indeed believe that it is relevant to this location and justifiable given the existing noise climate is dominated by traffic noise from the M20 motorway.

To be more specific as a company we operate a significant number of festivals along with other industry leaders up to a level of 75dB. Relevant examples are as follows:

Tramlines, Sheffield	$75\text{dB}_{\text{LAeq},15\text{min}}$
Croxteth Hall, Liverpool	$75\text{dB}_{\text{LAeq},15\text{min}}$
Higginson Park, Marlow	$75\text{dB}_{\text{LAeq},15\text{min}}$
Olympic Park, London	$75\text{dB}_{\text{LAeq},15\text{min}}$
Grovesnor Square, London	$75\text{dB}_{\text{LAeq},15\text{min}}$

With regard to the proposal in the noise management plan you will also note that we propose a target of $65\text{dB}_{\text{LAeq},15\text{min}}$, but with an upper limit of $70\text{dB}_{\text{LAeq},15\text{min}}$. In fact, it is not our intention to use the upper limit and you will note from the calculations (an approach which are conservative based on years of application) that we should operate at or around the target value. In fact, the only reason we propose the 70dB upper limit is that this is the first year of the event in this location, there are always inherent risks with any

calculations and it is in fact of us wishing to proceed in a precautionary manner which prevents both us and the Local Authority been in a position, should there may be a minor exceedance of the target being in breach of a license for which my client is may be considered to be committing an offence. Likewise, the Local Authority officers may be placed in a difficult situation where a minor breach may occur. I stress that this is a trial year, from which data will be obtained to justify limits in future years and as stated in the Noise Management Plan we look to work with the regulatory authorities to deliver this event.

In terms of the proposed 70dB upper limit I also stress that this is below the 75dB limit which is used across the UK at similar events. Deviation away from the permitted levels was also supported by DEFRA research in the form of NANR 292 which looked at attitudes of communities to festivals and to a large extent supported the increase from levels from 65dB to 75dB.

CAMPSITE NOISE

With regards to the operation of the campsite the EHO has suggested a limit of 45dB(A) and indeed we feel that this is both justifiable and typical of limits applied elsewhere across the United Kingdom. Such activities will take place until 02.00hrs from 15.00hrs Friday, 00.00hrs Saturday and 23.00hrs Sunday.

Specific examples where such limits apply include:

Y NOT Festival, Derbyshire	Limit of 45dBLAeq,15min
South Central Festival, Portsmouth	Limit of 56dBLAeq,15min
Donnington Park Race Circuit	Limit of 45dBLAeq,8hr
Bath Racecourse	Limit of 45dBLAeq,15min

LOW FREQUENCY NOISE

The final issue is that of low frequency noise and indeed there is no formal guidance or mechanism for accurately predicting such impact on the community. In fact, is not practical nor helpful to try and predict low frequency noise over distance and across the UK this is largely dealt with by professional judgement.

With regard to the officers proposal of a 70dB limit for low frequency noise , whilst it is expected that this could be achieved it is not compliant with established approaches and as advised in the NMP, we will aim to achieve 70dB with an upper limit of 80dB where we understand community annoyance may take place.

These were the levels referred to (but not forming part of the guidance within the withdrawn Code of Practice) and I'd stress once again that annoyance is not the licensing objective, rather public nuisance is and there is a significant difference between the two terms.

In fact we have experienced as a company many examples of where the individual 1/1 octave frequencies exceed 80dB with no known impact, rather it be the frequency imbalance in the 1/3 octaves which requires control to minimise impact. Therefore, professional judgement and monitoring is the key to such control.

I'd also stress that we have not seen an approach in the UK as suggested by the EHO where levels will decrease as the event progresses, as such would be counterproductive to an event where it is reasonably expected that levels will increase during the performance to permit headline acts.

I therefore propose the following conditions to manage noise.

- During operation of the main arena (subject to agreed timings) the music noise level shall aim to achieve a level of 65dBLAeq,15min and at no time shall not exceed a level of 70dBLAeq,15min as measured at any noise sensitive receptor.
- During operation of the campsite (subject to agreed timings) the music noise level shall not exceed 45dBLAeq,15min as measured at any noise sensitive receptors.
- Up to 2300 hours music noise levels in 63Hz or 125Hz octave frequency bands shall not exceed 70dB in any 15-minute period at 2km and beyond. The monitoring points will be agreed with the Environmental Enforcement Team prior to an event. Beyond 23.00hrs levels will be actively managed to minimise impact on the Local Community.

Other Outstanding Matters

The officers have raised a number of other matters in relation to the Noise Management Strategy and these are dealt with individually below:

ACCURACY OF CALCULATIONS (ORIENTATION AND BARRIER EFFECT)

Within the Strategy we include calculations about the orientation and barrier effects of the site and positioning of the stages. In fact, these calculations have been used multiple times for well over 1000 different events by Joynes Nash and have been proven to provide a good but conservative estimate of the levels of attenuation offered by such. In fact, the site layout was revised multiple times using these calculations in order to minimise the impact on local communities.

There is no indication that these assumptions are not applicable to this site and event.

PROVISION OF REAL TIME MONITORING

The NMP clearly demonstrates how we intend to ensure compliance from monitoring and the provision of such both onsite and offsite data capture. The approach we have set out is proactive and I'd stress that it is not typical for events of this size to have real time monitors within the community. Likewise, with such installation in an existing high background environment it may be difficult to differentiate the Music Noise Level contribution. That said it is agreed to install a remote monitor within the community at an appropriate position to be discussed the Licensing Authority.

METEOROLOGICAL CONDITIONS

Meteorological conditions will be accounted for but in the very rare instance such impact on the event there is very limited actions that can be taken, beyond reducing site levels to as low as reasonably practicable. Likewise, if we were to reduce levels too far to comply then we would have crowd safety issues. This is a risk which is accepted across the UK at all events and it will be professionally managed and during the event a weather station will be installed on site to measure any such contribution.

THIRD PARTY AMPLIFICATION EQUIPMENT

Traders / Fairgrounds will be inspected, and any found to have noise making equipment advised accordingly in terms of its use and monitored throughout the event. However, such equipment is largely insufficient to contribute to the overall levels from the main stages.

MANAGEMENT AND CONTROL OF MUSIC NOISE LEVELS

As consultants we have only an advisory role and whilst typically engineers and stage managers will reasonable comply with all requests, should that not be achieved then the license holder has ultimate responsibility and if they don't comply with their licence then they bare the criminal responsibility. The responsibilities and procedures for management are clearly set out within the Noise Management Strategy.

MONITORING AND MEASUREMENT DURATION

Industry standard is a 15minute measurement period and has been since 1995. If we are comfortably compliant then we may drop to 5 minutes to assess compliance and allow more data to be gathered but the request by the EHO for 5min monitoring is unacceptable as the limits are expressed as 15min L_{Aeq} 's and indeed have been since the provision of the Code of Practice was first Published in 1995.

In Conclusion

It is stressed once again that Proud Events and its professional advisors are committed to delivering this event in a controlled and organised manner with minimal impact on the Local Community. At all times our approach has been to follow the relevant Codes of Practice and established principles throughout the UK. Indeed, our approach remains cautious and we are committed to providing a post event debrief where all matters can be discussed and appropriate limits and controls revised for future years from what is a trial event for the venue, but one which our client wish to secure for future years.