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18<sup>th</sup> Feb 2021

Hello,

RE: El Dorado Festival 2021 - Licence Application Feedback - OBJECTION

We've received your representation regarding the above Premises Licence application and hereby hopefully provide some further information that may help you to understand why our application has been made as it has, and what procedures and conditions are in place to minimise the impact the event may have on local residents. In addition to these measures, we have a dedicated stakeholder liaison procedure in place, for communications between our management team and local residents. Should the event be permitted to go ahead, we'd be glad to add you to that group to keep you informed of plans.

*Public nuisance: noise.*

- 1. a) This festival occurs in the summer and many people will be in bed with windows open and therefore they will be able to hear noise more obviously than if the event took place in the colder months when windows are less likely to be open. The noise surveys and comments in the application do not take account of windows being open*

We appreciate your concerns around noise disturbance and your comments about the event taking place in the summer when windows are likely to be open. A key Licensing Objective is to ensure that the event does not cause a public nuisance. The guidance we follow states:

"Noise from the festival should not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when accessed by an 'Authorised Person' or the Police with windows and doors closed".

This application (and the Noise Management Plan that will be produced) is in line with the guidance and has also been deemed acceptable by Hereford's Environmental Health Team.

2. *b) The location of noise monitoring is insufficient and does not include anywhere in the Ledbury area, where noise has been heard in previous years (2018 – see article: <https://www.herefordtimes.com/news/ledbury/16338349.el-dorado-causes-sleepless-nights-ledbury/>). The noise monitoring suggested in the application is similar to what has been in place in the past, which clearly didn't work!*

The proposed noise monitoring locations have been suggested by local Environmental Health Officers. However, we appreciate your concerns with regard to noise in the Ledbury area and we are happy to discuss additional or alternative monitoring locations. The licence conditions do offer this flexibility, as it is stated that monitoring can take place “at any other location notified by Herefordshire Council to the PLH or their deputy” thus we could incorporate alternative or additional locations and have these described in the Noise Management Plan (which again must be agreed with Environmental Health).

In 2019 we monitored off-site noise at a further 4 locations to those included in these conditions, 1 of which was in Ledbury (Oakland Drive). During monitoring at this location throughout the weekend, the music was confirmed to be either ‘inaudible’ or ‘barely audible’.

We take on board the information provided in the article from 2018 and hope that you can appreciate that since then, the organisers have taken significant remedial action to help prevent such issues (such as contracting different sound system providers, using different sound system equipment and arrangements and employing a new event management team).

Following 2019's event we also received positive feedback from the Local Authority who confirmed that they had received significantly less calls regarding noise from the event from local residents than in previous years. There was also another article in the local press, following 2019's event:

<https://www.ledburyreporter.co.uk/news/17790476.praise-wellington-heath-el-dorados-consideration/>

It should also be noted that during the 2019 event, the organisers did not receive any complaints from local residents to the dedicated noise hotline which is staffed for the duration of the festival.

3. *c) The License lists noise until 4am each morning of the festival: this is not acceptable – a limit of 12 midnight is more appropriate given the proximity of housing.*

The hours sought by this application are the same as those that were already granted in existing Premises Licence and have been deemed acceptable by the Environmental Health Team.

2) *PROW Access*

a) *There is no reference to the continued open access to a number of PROWs in the Deer Park:*

*LR29 and LR30 both go through the Deer Park, as EA4 and EA9. Access to these should be maintained throughout the setup, event, and pack-down of the festival.*

The event organisers appreciate the needs of the local community in continuing to access key Public Rights of Way throughout the festival build, live and break. Maintaining access to these routes has not been included in this application as access to Public Rights of Way are not considered to be objectives of the Licensing Act 2003.

We would be pleased to discuss the issues you have raised in person, by either a phone call or Zoom/Skype/Teams meeting, if that is of interest to you? Alternatively, you can email us via [community@wearethefair.com](mailto:community@wearethefair.com)

I thought it would be worth noting that no other representations or objections to the application have been made, either by local residents or any of the Responsible Authorities.

Regards,

Robert J Dudley

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