

**Supplement to the agenda for**

# **Licensing Sub-Committee**

**Monday 23 March 2026**

**10.00 am**

**Online meeting / Conference Room 2 - Herefordshire Council,  
Plough Lane Offices, Hereford, HR4 0LE**

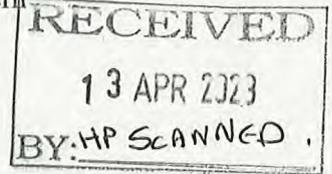
	<b>Pages</b>
<b>5. REVIEW OF A PREMISES LICENCE IN RESPECT OF: OUT TO GRASS, WOODEND FARM, CRADLEY, HEREFORDSHIRE, WR13 5JW - LICENSING ACT 2003</b>	<b>3 - 110</b>



**AGENDA ITEM 5**

Ian Johnson  
Out To Grass Leisure Limited  
Woodend Farm  
Cradley, Malvern  
WR13 5JW

Licensing Section  
Herefordshire Council  
8 St. Owen Street  
Hereford  
HR1 2PJ



10<sup>th</sup> April 2023

To whom it may concern,

In accordance with our license conditions please find enclosed our schedule of events for the forthcoming season.

28<sup>th</sup> – 30<sup>th</sup> April Mr B.N. Birthday Celebration

12<sup>th</sup>-14<sup>th</sup> May S.D. Collaboration Gathering

19<sup>th</sup>-20<sup>th</sup> May Amber Corporate Event

25<sup>th</sup> – 28<sup>th</sup> May B. Van Gathering

2<sup>nd</sup> -4<sup>th</sup> June Camp Aram Gathering

23<sup>rd</sup> – 25<sup>th</sup> June Solstice Camping Shindig

30<sup>th</sup> June – 2<sup>nd</sup> July N.A.C. Function

7<sup>th</sup> – 9<sup>th</sup> Malvern Magic Gathering

14<sup>th</sup> -16<sup>th</sup> July Camping Shindig

28<sup>th</sup> – 30<sup>th</sup> July K.& D. Gathering

4<sup>th</sup>-6<sup>th</sup> August Sandwich Fest

11<sup>th</sup>-13<sup>th</sup> August Stargazing

18<sup>th</sup>-20<sup>th</sup> August K. & G. Anniversary Celebration

25<sup>th</sup>-28<sup>th</sup> August Bank Holiday Shenanigans

31<sup>st</sup> August -2<sup>nd</sup> September O.& N. Gathering

8<sup>th</sup>-10<sup>th</sup> September B.D. Birthday Celebration

16<sup>th</sup>-18<sup>th</sup> September Otg Autumn Celebration

Kind Regards,

Ian Johnson



Director, Out to Grass Leisure Limited

CC: Ledbury Police Station





# ***Out To Grass Leisure Ltd***

Woodend  
Cradley  
Malvern  
Worcester  
WR13 5JW

09 May 2024

To Herefordshire Council Licensing Dept and Ledbury Police.

Re: Proposed events at Out To Grass 2024

Dear Sir or Madam,

In accordance with our license conditions here is our intended event schedule for the 2021 season. The site will open on Fridays, Saturdays and Sundays only. All events will operate within our normal licensed hours, and we seek no extensions.

24 - 26 May Bank Holiday Weekend workshops and training

21 -23 June K` s Solstice Weekend Retreat

28 -30 June D` s Birthday Celebration

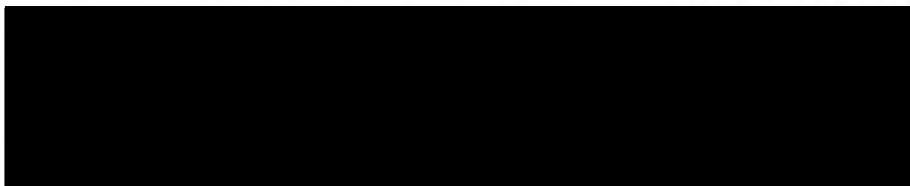
12 14 July J. & C. Birthday Celebration

26 -28 July C.` s 60` s Birthday Celebration

16 - 18 August A` s 30` s Birthday Celebration

30 Aug -1 September SD Crew Gathering

6 -8 Sept End of Season Gathering (Provisonal)

tion.

Ian Johnson (Director, Out To Grass Leisure Ltd. License Number PL2659)





Ian Johnson  
Out To Grass Leisure

Limited  
Licensing Section  
Herefordshire Council  
8 St. Owen Street  
Hereford  
HR1 2PJ

Woodend Farm  
Cradley, Malvern  
WR13 5JW

29<sup>th</sup> April 2025  
To whom it may concern,

In accordance with our license conditions please find enclosed our schedule of events for the forthcoming season.

23<sup>th</sup> – 25<sup>th</sup> May Mr D.S. Birthday Celebration  
29<sup>th</sup> May -1st June Camp Aram Gathering

6<sup>th</sup> -8<sup>th</sup> June Camping Shenanigans  
13<sup>th</sup> -15<sup>th</sup> June N.A.C. Crew camping  
20<sup>th</sup> -22<sup>nd</sup> June N. & B. Wedding  
27<sup>th</sup> -29<sup>th</sup> June K. & J. Gathering

4<sup>th</sup> -6<sup>th</sup> July N.A.C. Function  
11<sup>th</sup> -13<sup>th</sup> July S. & J. Wedding  
18<sup>th</sup> -20<sup>th</sup> Malvern Magic Gathering  
24<sup>th</sup>-26<sup>th</sup> July O. & N. Gathering

1<sup>st</sup> -3<sup>rd</sup> August Camping  
7<sup>th</sup> -10<sup>th</sup> August AUK Pagan gathering  
15<sup>th</sup> – 17<sup>th</sup> August C. Birthday Celebration  
22<sup>nd</sup> -25<sup>th</sup> August Bank Holiday Shenanigans  
29<sup>th</sup> -31<sup>st</sup> Camping

5<sup>th</sup> -8<sup>th</sup> September S.D. Collaboration Gathering  
12<sup>th</sup> -14<sup>th</sup> September Birthday Camping tbc  
19<sup>th</sup> -21<sup>st</sup> September Charity sleep Out fundraising

Kind Regards,

Ian Johnson

Director, Out to Grass Leisure Limited

CC.: Ledbury Police Station



## OUT TO GRASS - NOISE COMPLIANTS HISTORY

Year	Date received	Complaint Category	Complaint details
2010	21-Jul-10	Noise-Music	Loud music played over the last two Saturday nights
2011	28-Jun-11	Noise-Music	Loud Music
2013	03-Jan-13	Noise-Music	Loud Music
2013	14-May-13	Noise-Music	Loud music
2013	25-Sep-13	Noise-Music	loud music/festival
2013	26-Sep-13	Noise-Music	Noise Music
2014	17-Apr-14	Noise-Music	loud music/festival
2014	22-Apr-14	Noise-Music	Noise Nuisance
2014	22-Apr-14	Noise-Music	Noise from Out To Grass Events.
2015	29-Apr-15	Noise-Music	for info, event taking place this weekend
2015	26-Jun-15	Noise-Music	Anon complaint about Out to Grass
2015	26-Sep-15	Noise-Music	loud music
2015	29-Sep-15	Noise-Music	Loud base noise on Sunday from 10pm-1am
2016	05-Feb-16	Noise-Music	loud music
2016	30-Apr-16	Noise-Music	loud music/festival
2017	17-May-17	Noise-Music	Loud music
2017	26-Aug-17	Noise-Music	Loud music
2017	04-Sep-17	Noise-Music	Noise - loud music
2018	17-May-18	Noise-Music	Noise - loud music
2019	02-Jan-19	Noise-Music	loud music
2019	03-Jan-19	Noise-Music	Rave type party.
2019	14-Jan-19	Noise-Music	Noise from Out to Grass.
2019	01-Jun-19	Noise-Music	Noise - loud music. Ongoing.
2020	25-Aug-20	Noise-Music	Complaint: Music
2021	19-Jul-21	Noise-Music	Complaint: Music
2021	05-Nov-21	Noise-Music	Noise from music events
2022	18-May-22	Noise-Music	Complaint: Music
2022	17-May-22	Noise-Music	Noise from music festival
2022	08-Jul-22	Noise-Music	Complaint: Music
2022	09-Sep-22	Noise-Music	Noise from premises - Out to Grass
2022	27-Feb-23	Noise-Music	Noise from music at Out to Grass
2023	23-Jun-23	Noise-Music	Noise from music emanating from Out to Grass campsite
2023	30-Jun-23	Noise-Music	Ongoing noise from premises - Out to Grass
2023	12-Jul-23	Noise-Music	The music coming from the site starts at 4pm, & doesn't cease until after midnight
2023	26-Sep-23	Noise-Music	Over this weekend we are being keep awake until 2am on Friday and Sat
2025	18-Jul-25	Noise-Music	Noise from premises - Out to Grass
2025	14-Aug-25	Noise-Music	Ongoing Noise complaint from Out To Grass WR13 5JW
2025	05-Aug-25	Noise-Music	Loud music from outdoor festival



**Out to Grass site Visit – Environmental Health – noise nuisance case**

Date :- 30 July 2025

Ref SRU 419474 – Notice 3875 & 3876

Photographs taken by Elisabeth Laughland

1. Woodend Farm - Out to Grass entrance from Road



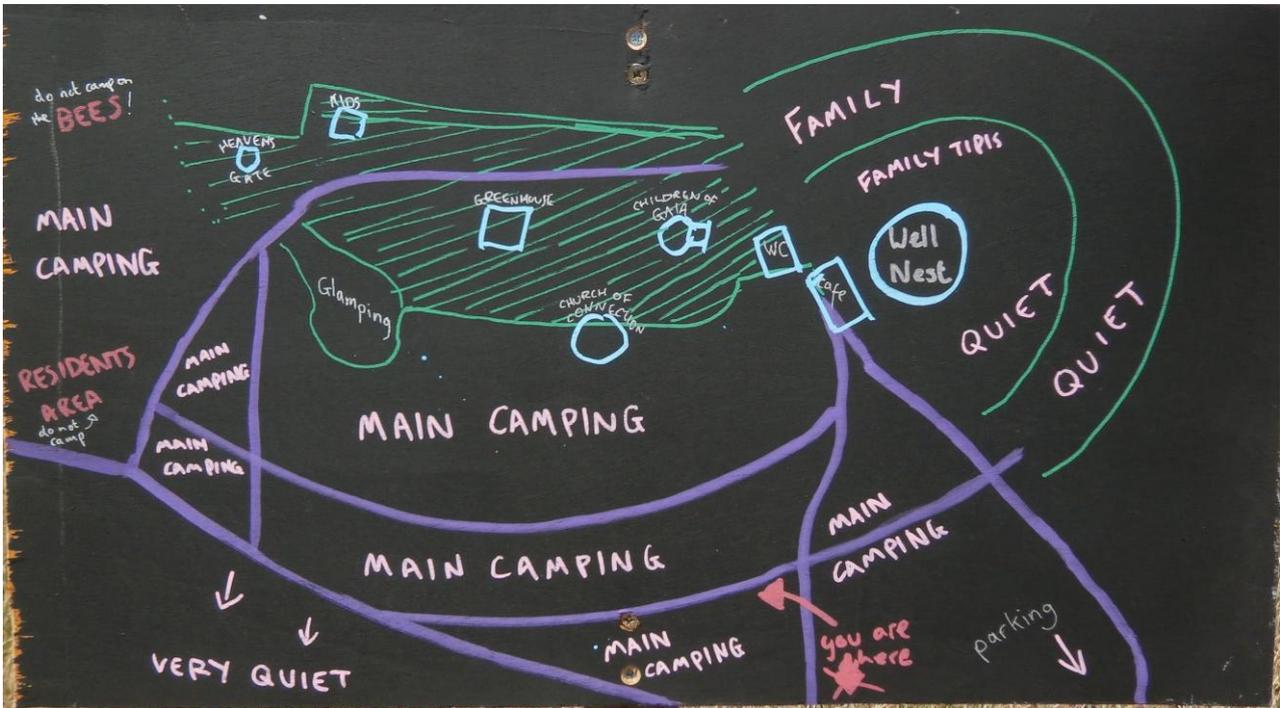
2. Entertainment site as you approach from ticket office entrance.



3. Rural Location panoramic 3 photos from site ticket office/ shed (right to left)



4. Site Plan as displayed near Ticket office entrance



5. Family Camping area & Well nest structure





6. Camp Café and accommodation for event manager. In family camping area



7. Entrance to licensed area from Family camping area



Licensable area

8. View of License area - facing in with Family camping behind.



9. View of License area - facing in with Main camping behind.



10. WC - Toilets and washing up structure



Main Entertainment structures:

11. Green House, Children of Gala dome & Bar, Bar and entrance to Church of Connections Dome





14. Inside entertainment area / main stage speaker system



15. Mixing table area opposite stage with speaker



16. Children of Gala dome & connecting Bar (solid structure)



**Church of Connections – slightly smaller entertainment dome**

17. Church of Connections dome entrance from Licence area



18. Church of Connections dome – Event program on display during visit



19. Rear of Church of Connections dome. Main structure outside of hedge area entrance into Licensable area. Straw bail structure to side of dome. Smaller entertainment Dome.



20. Inside Church of connections entertainment dome



21. Bar between entertainment domes.



22. Green House - Open sided fixed wooden structure & fire walking circle path marked in ground



23. Three tents in Licensing entertainment area



24. View of same tents looking towards entertainment domes



25. View looking towards Glamping pod area. Green area on right also used as outdoor stage area.



26. Main Camping Area opposite side to Family Camping - Glamping mud huts – (work taking place converting structures from wood huts to mud huts ) & wood huts and canvas huts



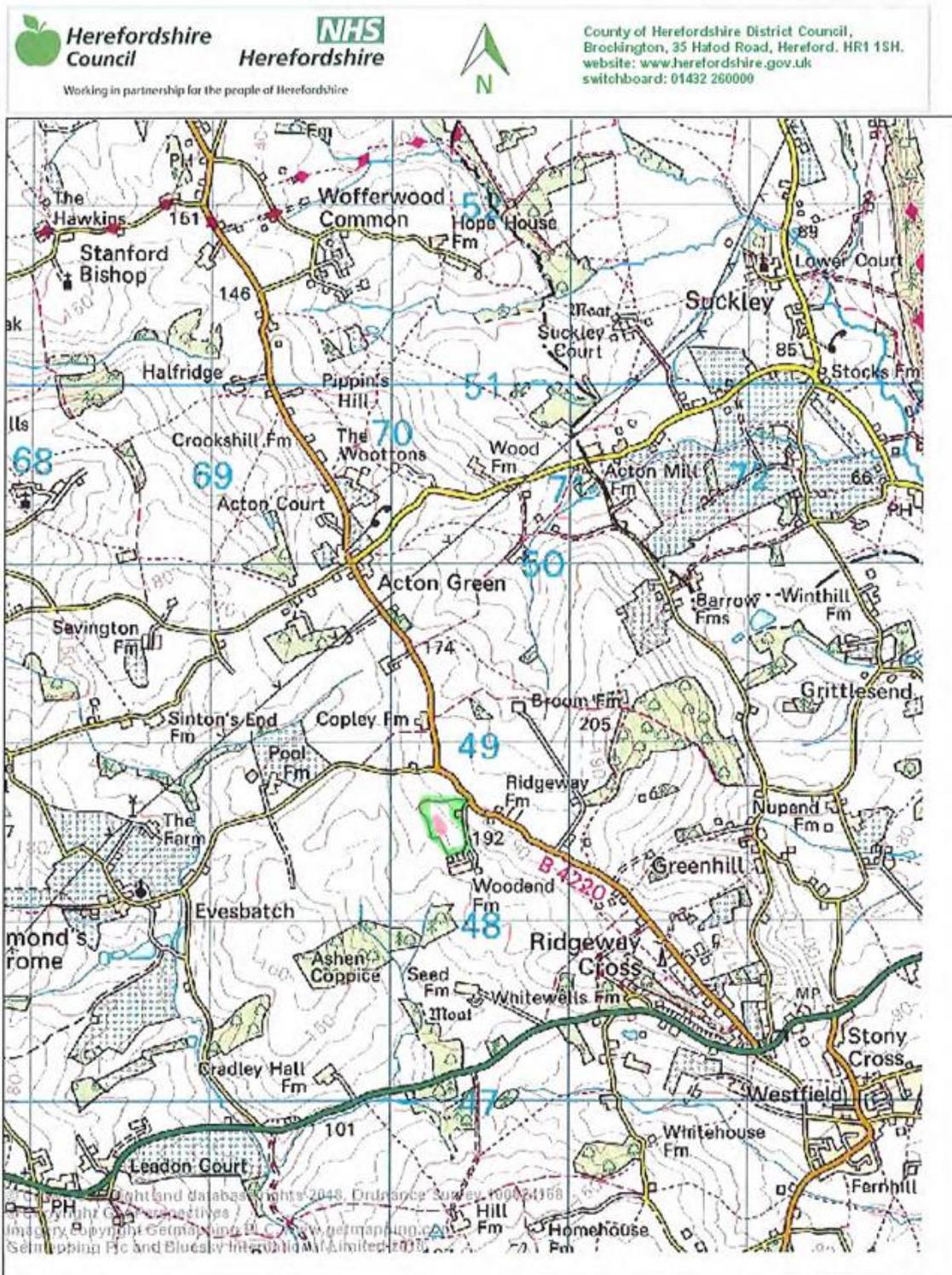






# Out to Grass Events – Area Maps & Google Screen Shots

a) Wider area location map



**Location:** Out To Grass Music Events

**Description:** Noise nuisance investigation

Map Scale 1:30,210 ; Map Centre OS Grid Reference 370,413.9706042:249,304.5471612

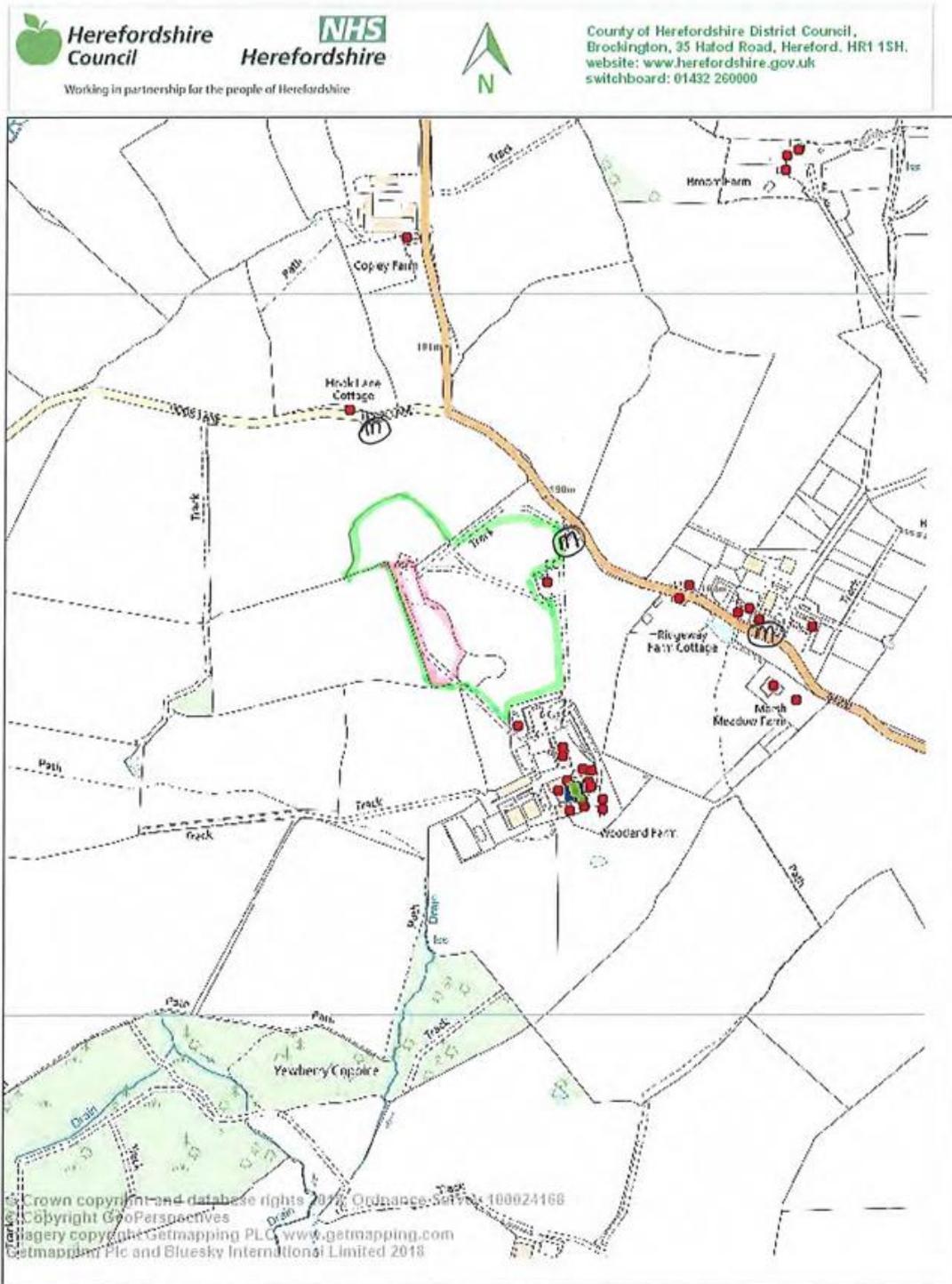
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*General Area - not to scale.*

*OTG Event site*

*OTG licenced area.*

b) Immediate area Location Map & Area monitoring locations



**Location:** Out To Grass Music Events  
**Description:** Noise nuisance investigation

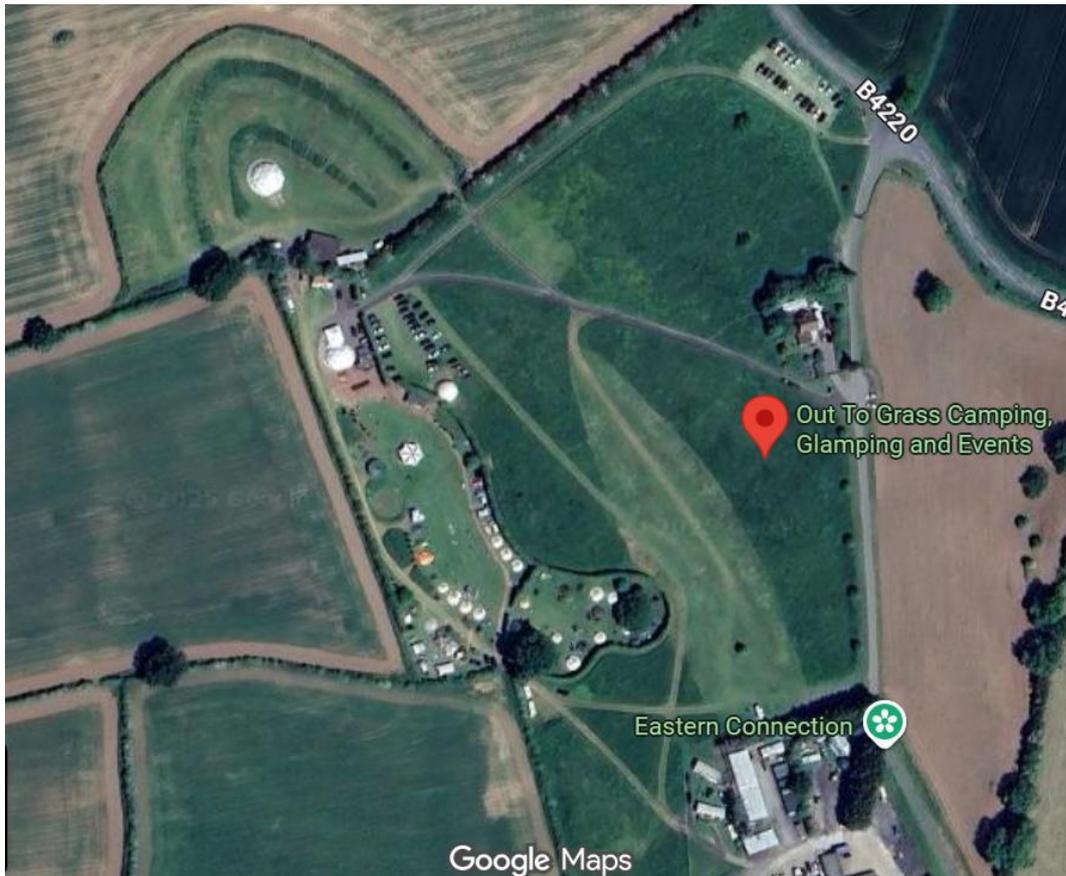
Map Scale 1:7,554 ; Map Centre OS Grid Reference 370,295.3050418:248,451.6390397  
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(M) - HC Area Monitoring Locations

Green - OTG Event site  
 Pink - OTG licensed area.

n.b. not to scale - general outline.

c) Google Aerial Photograph – Photograph copied from Out to Grass Google site – 10/10/2025





News and Blog

## Sound Clip Assessment SUMMARY

### a) Sound Clip Assessment – External areas

Regarding Music events held at **Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

Start Date & Time	Measurement Duration	Name – (SLM 4 – Project No, Location)	LAeq - dB	LZeq - dB	Sound clip Assessment observations
09/07/2022 22:24	00:02:03	M4-P01 OTG Riding Centre area - group of residential property's in this area.	39.8	78.2	Bass beat audible with sound of wind rustling tree noise in immediate area. The bass beat was thumping through the wind noise and the dominant noise and only audible sound other than wind noise.
30/07/2022 23:38	00:02:05	M4-P027 OTG Gate	38.4	64.5	Wind and officer breathing noise then bass beat started. Clearly audible and bassy beat hear coming through the wind in trees noise.
27/08/2022 21:27*	00:02:25	M4-P001 OTG Gate	49.2	75.6	Car passing noise. When quiet people talking noise with faint tune of music audible. Then music started no heavy bass on sound clip audible.
02/09/2022 22:12	00:06:04	M4-P002 OTG Gate	43.9	76.3	Heavy bass noise playing rhythmic tune clearly audible large bass sound. Distant traffic noise just audible. Bass drops and base beat main sound creating monotonous thumping sound with no tune audible.
07/07/2023 22:56	00:02:33	M4-P010 OTG Hook Lane outside residential property	43.5	61.3	Thumping bass beat then stopped for a few seconds then started thumping again. Faint people noise and distant traffic noise but dominant monotonous thumping intermittent bass beat.
07/07/2023 23:40	00:03:05	M4-P012 OTG Farm Cottage – group of residential property's in this area.	36.2	75.1	Bass beat audible in distance. Thumping and monotonous sound with no tune audible.
16/07/2023 00:11*	00:05:04	M4-P022 OTG Hook Lane outside residential property	45.6	68.6	Two tone alternating bass beat with intermittent bass drops thuds. Wind in trees

					but bass noise dominating the sound in area with heavy bass drop beats sounds like the they were creating a vibrating sensation. Thumping bass with no other music sound audible.
20/07/2025 00:50*	00:05:10	M4-P011 OTG Hook Lane Garden outside residential property	43.3	75.6	Clearly audible bass beat thumping over the top of muffled people talking noise and music tune noise. Bass beat intermittent which increases the impact of bass sound when it starts up again. A huge boom of bass starts up creating a dominant thumping sound. Music tune then also becomes very noticeable, and people starts shouting and cheering.
26/07/2025 23:09*	00:03:45	M4-P012 OTG Gate - reception	57.1	75.9	Music very clearly audible rap type tune and bass beat all clearly audible with muffled people noise. The dominant sound is the heavy bass beat. Music sound like it slightly gets louder in waves.
26/07/2025 23:18	00:06:45	M4-P013 OTG village – entrance to riding centre – group of residential property's in this area.	33	60	Trumpet tune and drums clearly audible with rumbling bass beat sounding under the tune. Music sounds like reggae style music. Tune becomes clearly audible, sounds like a compilation of music. Dominant sound in area until car approaches at very end of sound clip.
30/08/2025 23:19	00:05:02	M4-P010 OTG Hook Lane outside residential property	42.2	71.4	Sounds like a windy night - wind in the trees sound. Bass beat audible over wind noise. Only very faint people noise audible mainly thumping bass beat sound and wind noise. Occasional beep noise sounding closer to monitoring location doesn't sound like part of music event noise.
05/09/2025 23:44*	00:02:04	M4-P002 OTG Gate	48.9	75.5	Loud bass dominant sound thumping out over muffled electronic music and people

					noise. Fast drum and booming bass beat and bass drop sound.
05/09/2025 23:50	00:02:01	M4-P003 OTG Hook Lane outside residential property	42.2	70.3	Rumbling bass beat with muffled people noise and intermittent music sounds. A heavy bass and electronic bass rumble of music is the dominant sound.
06/09/2025 00:21	00:02:03	M4-P007 OTG Hook Lane outside residential property	40.3	69.7	Fast drum bass beat with muffled electronic music and people noise audible. Higher tone electronic tune noise then becomes audible to a similar volume sound to the bass beat.
07/09/2025 00:29	00:01:59	M4-P017 OTG OTG Gate entrance to site	45.1	76.2	Heavy bass beat dominant sound with people shouting noise and muffled music. Fast repetitive thumping bass beat dominant sound clearly audible with no other noise audible in surrounding area.
07/09/2025 00:34	00:00:21	M4-P018 OTG Hook Lane outside residential property	43	66.4	Muffled bass beat audible some one approached officers so clip ends.
07/09/2025 01:01	00:04:50	M4-P023 OTG Hook Lane	47.3	75.3	Rumbling bass beat dominant sound with muffled people noise and music audible. Thumping bass beat dominant noise. Occasional low level beeping noise also audible sounds closer not part of event music.

**b) Sound Clip Assessment - Background Noise Readings – No Events In Area 2023**

**In the area of premises:- Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

Start Date & Time	Measurement Duration	Name – (SLM 4 – Project No, Location)	LAeq - dB	LZeq - dB	Sound clip Assessment observations
09/09/2023 22:40	00:05:10	M4-P09 OTG Gate BG	29	60	Very faint traffic noise just audible in far distance. Car door sound for a second. Area very quiet bird noise for a few seconds sounded like mid distance. Car approaching on road audible from a mid-distance and loud when passing but area returned to near silence when passed. Another car passed then back to very quiet.
		M4-P09 OTG Gate BG L90	25.3 dB		

**c) Sound Clip Assessment –Inside Complainants premises**

**Regarding Music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

Start Date & Time	Measurement Duration	Name – (SLM 4 – Project No, Location)	LAeq -dB	LZeq -dB	Sound clip Assessment observations
07/07/2023 23:16:18	00:02:32	M4-P011 Out to Grass Hook CB'Room	31.3	66.6	Heavy thumping bass beat audible in room. A break in bass beat very noticeable as room went quiet then thumping bass beat started again. Brief muffled music and DJ voice sound.
20/07/2025 00:43:40	00:06:02	M4-P010 OTG Bed'r WC	35.7	65.6	Muffled drumbeats and people cheering audible. Then rhythmic heavy bass beat start repeat beat through track is main sound audible in room. Bass beat stops and can then hear DJ voice and people cheering. Room very quiet other than outside event noise. Thumping bass beat starts up again.
05/09/2025 23:55:02	00:02:01	M4-P004 OTG HookLne WC	34.5	66.7	Some rustling noise in the room from person moving in room then quiet. A fast bass beat just audible in room. Room very quiet other than bass beat noise going constantly like a fast heart beat.
05/09/2025 23:57:53	00:01:01	M4-P005 OTG HookLne WO	48.0	69.0	Window opened and fleeting talking inside house. With window open bass beat more clearly audible and some muffled music and people noise from event. Bass beat dominant sound in the room.
06/09/2025 00:14:51	00:02:03	M4-P006 OTG HookLne WPC	26.6	55.6	Fast bass beat audible with moment breaks in beat. Constant thumping of bass beat like a fast heartbeat, the dominant sound in what otherwise sounded like a very quiet room.
07/09/2025 00:46:10	00:07:22	M4-P019 OTG HookLne WO	35.1	62.8	Short sound clip with drums beat and muffled music with a rumbling lower bass beat creating constant drone sound. Muffed people cheering noise also audible.

07/09/2025 00:55:24	00:01:12	M4-P020 OTG HookLne WC	29.5	60.8	Faint bass beat audible sounds like a constant fast heartbeat. No other noise audible in room.
07/09/2025 00:58:13	00:02:00	M4-P021 OTG HookLne WO	30.5	63.6	Faint bass beat audible sounds with breaks in beat, muffled music noise also slightly audible. Bass beat sounds like a constant fast heartbeat. Room noticeably quiet and still when bass beat stops for a second.

**d) Sound Clip Analysis – Sound Level Meter (SLM) installed in complainants’ property – 2023**

**Regarding Music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

Officer	Date	Visit	Installation and sound clip observation notes.
ELA installed and visit	7/07/2023	Installed SLM	M1-001 - Noise equipment installed in complainant’s premises (between 7/7/2023 to 26/07/2023) in bedroom facing OTG event area. Downloaded and assessed info - 6 sound clips recorded on weekend 7/07/23 and one sound clip 15/07/2023 . Low level thump of bass beats audible on all clips no music tune audible and room otherwise very quiet..
ELA - History ANJ installed	28/7/2023	Installed SLM	Noise equipment installed in complainant’s premises (M1-001 10 days – 28/07/2023 to 6/8/2023)– bedroom facing OTG event area. Downloaded and assessed info- no sound clips recorded.
ELA - History ANJ installed	24/8/2023	Installed SLM	Noise equipment installed in complainant’s premises (M1-001 12 days – 24/08/2023 to 5/9/2023) in bedroom facing OTG event area. Downloaded and assessed info - nine sound clips recorded two on weekend 27/08/23 and seven sound clips over weekend 1 <sup>st</sup> and 2 <sup>nd</sup> September day, evening and 1am at night. Low level thump of bass beats audible on all clips, no music tune audible and room otherwise very quiet.

sourceno	detail visit	adate visit date	aofficer	Observations
359742	EO3 Out of hours visit made	#####	JOM	9/ 7/2022 22.15 - 22:42 Calm, dry night with breeze in trees. Local Area visits at gate and residential premises in area. Intermittent traffic noise. Bass of music heard from OTG event.  P001 22.24 (2 minutes) LAeq- 39.8DBa LZeq 50HZ - 59DB LZmax 50HZ-67DB LF range- 40HZ-100HZ.  P002 22.36 2 Minutes LAeq- 43.9DBa LZeq- 50HZ- 58.5DBa LZeq max- 50HZ - 63.9DB
359742	EO3 Out of hours visit made	#####	FSP	30/07/22 at 23:31 Damp, slight breeze OTG. Bass music heard from site. Noise monitoring inside neighbouring property, bass audible.
359742	EO3 Out of hours visit made	#####	CSA	27/08/2022 Sat . 21:30 visit to local area. Music audible but not loud. Not many people heard.  Sound reading P001. 18oC. Clear, still. OONH Visit made, Sat 27/08/2022. CSA and MIJ. 21:30
359742	EO3 Out of hours visit made	#####	CSA	02/09/2022.Fri @ 22:20. Officers attended gateway to OTG Lots of bass - voices

383495	EO3 Out of hours visit made	#####	RRO	07/07/2023 23:00 - 23:40 area visit and property visit - music audible outside event and residents premises - thumping vibrating bass outside and audible inside bedroom. 7/7/23 M4-P11 front bedroom of Hook Cottage 23:18 2:32mins LAeq 31.8dB LZeq 66.6dB Peak at frequency 40Hz 49.5 dB 50Hz 57.3 dB Bass beat of music clearly audible in bedroom. Otherwise room very quiet. 7/7/23 Farm Cottage M4- P12 Farm Cottage 23:43 3.05 mins LAeq 36.2 dB LZeq 75.1 dB third Octave 50Hz LZeq 60.8 dB peak. Bass beat of music audible with some very distant traffic noise. 7/7/23 M4-P10 Noise Survey Hook Lane 22:56 2.33 mins LAeq 43.5 dB LZeq 77.4 dB 50Hz LZeq 67.4dB 63Hz LZeq 66.2 Very loud thumping music very noticeable beat and quiet in gaps. Talking and children screaming noise in the background. No tune audible just heavy beat.
385545	EO3 Out of hours visit made	#####	ELA	16/7/23 Out of hours visit made 00:06 to 00:20 OTG Gate and area. 16/7/23 M4-P22 Hook Lane 00:16 5.04 mins LAeq 45.6 dB LZeq 68.6 dB third Octave 50Hz 63.1 dB Breeze in leaves but bass beat dominant sound with some heavier beat to others - bass drop.
385545	EO3 Out of hours visit made	#####	FSP	21/ 7/2023 22:51 OTG Gate an dArea No event - very quiet

OFFICIAL

383495	EAA Polln - Visit/Insp Complaint	#####	ANJ	26/ 7/2023 09:00 ANJ Arrived at premises at 9:15. Discussed noise at OTG over the past weekends - Mr Ellis said that hasn't been as bad, thinks that the rainy weather has meant less people. Has recorded some clips. Log sheet blank on arrival, Mr Ellis filled out whilst I was there with notes made on another sheet. No spare SD card in SLM01 bag - so packed up noise kit and said would arrange a date and time to install again. Calibration ok and saved to M1-P001 - packed up noise kit.
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383495	EAA PolIn - Visit/Insp Complaint	#####	ANJ	<p>14:29 arrived at Hook Lane Cottage. SLM01 set up in upstairs front bedroom (where previously installed). SLM01 calibrated at 14:34 - calibrated ok - 41.21mv/Pa -0.11dB deviation. Recording on PO01. Spoke to Mr Ellis re. event scheduled for this weekend - doesn't appear to be on OTG website but Mr Ellis came across it on Facebook. Mentioned it was a 'musicals' music event by Shavara Festival at the OTG campsite. Mr Ellis was confident with how to use and record using the noise kit - I did briefly re-cap how to use it and mentioned recording with the windows open and closed - saying this on the recording. Agreed to leave SLM01 at property for 2 weeks - ANJ to email Mr Ellis to confirm date and time for retrieving the noise equipment. Left a logsheet with the noise equipment and made Mr Ellis aware of this and requested this he filled it out when triggering the recording. Left property at 14:46.</p>
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383495	EAA Polln - Visit/Insp Complaint	#####	ANJ	7/ 8/2023 10:25 ANJ Arrived at Hook Lane Cottage at 08:45 to collect SLM01. Spoke to Mr Ellis on arrival, he mentioned that there hasn't been much noise over past few weeks. Weather hasn't been particularly good...? SLM in same place - hasn't been moved/tampered with and still recording ok. Calibration at 08:49 ok. Stored/saved to PO01. Log sheet filled out and new log sheet given to Mr Ellis to continue keeping arecord. Mr Ellis mentioned that the weekend of the 27/7/23 there was abit of loud music as they were setting up but not much, then the Saturday there was an incident/fatality - event closed early. This weekend (4-6/8/23) bad weather so wasn't much loud music. Left property at 09:00.
385545	EO3 Out of hours visit made	#####	ELA	9/9/23 Back Ground noise level taken - no music noise distant traffic noise audible. Quiet rural area. 9/9/23 OTG Gate 22:40 Background reading no event M4-P9 5.10 mins LAeq 52.9 dB L90 25.3 dB Distant traffic noise some cars passed on road but otherwise very quiet rural location and sounds.

419474	EO3 Out of hours visit made	#####	ANJ	25/5/25 OOH Visit ANJ / JJA Weather breezy but mild. Arrived approx. 00:10. Outside OTG entrance. No music or noise audible, string of lights visible down the hill to the right. Monitored outside properties on Hook Lane. No noise or music audible from OTG site. Very quiet residential area, trees rustling was main noise. OTG did not appear to be active. Lights not visible from road on Hook Lane. No noise / music when left area.
420146	EO3 Out of hours visit made	#####	ANJ	25/5/25 OOH Visit ANJ / JJA Weather breezy but mild. Arrived approx. 00:10. Outside OTG entrance. No music or noise audible. Area no noise or music audible from OTG site. Very quiet residential area, trees rustling was main noise. OTG did not appear to be active.
419474	EO3 Out of hours visit made	#####	JBP	20/ 7/2025 00:40 JBP Weather - Slight breeze, little to nil drizzle 00:40 - Hook lane cottage (from 1st floor bedroom front right) windows closed, shouting heard, heard DJ saying "one last song" Noise clip taken P010 LAeq 38.3 db 00:50 - Hook lane cottage (outside property in the garden) light breeze, loud music, screaming, shouting, crowd heard, lyrics clearly heard, Noise clip taken P011 LAeq 43.3 db, LQeq 50 hz hitting 70 db, heard rustling plants in the garden. Noise clip taken P011 LAeq 43.3 db, LZeq 50hz hitting 70db also heard rustling of plants in the garden.

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420146	EO3 Out of hours visit made	#####	JGR	<p>26/ 7/2025 23:11 GHI Weather - warm, dry, cloudy, light breeze Parked at reception. Could hear the music around 200 - 300m away from the event. Took noise clip P012 at location W3W concerning.imparting.trading. P012 Reception Measurement Start Time Stop Time Elapsed Time Total 26/07/2025 23:09:04 26/07/2025 23:12:49 00:03:45 LAeq [dB] LZeq [dB] 57.05 75.89</p>
420146	EO3 Out of hours visit made	#####	JGR	<p>26/ 7/2025 23:11 Weather - warm, dry, cloudy, light breeze. Gate to OTG &amp; Area visit could hear the music, no audible lyrics, could also hear crickets outside of the van. Around 0.4 miles from location. Noise clip taken</p> <p>P012 Reception Measurement Start Time Stop Time Elapsed Time Total 26/07/2025 23:09:04 26/07/2025 23:12:49 00:03:45 LAeq 57.05 [dB] LZeq 75.89 [dB]</p> <p>P013 Outside riding centre Measurement Start Time Stop Time Elapsed Time Total 26/07/2025 23:18:01 26/07/2025 23:24:46 00:06:45 LAeq [dB] LZeq [dB] 61.31 93.88</p>
419474	EAA Polln - Visit/Insp Complaint	#####	ELA	<p>30/ 7/2025 ELA &amp; JGR Met Mr Johnson, Claire Kelly site manager and Andrew Baylass noise consultant (sound engineer). Discussed concerns regarding noise levels, bass number of events and duration of events. Mr Johnson just hired noise consultant to advise on noise issues. He felt it was just one complainant making trouble but had to advise it was more than one and officer had witnessed independently and identified noise nuance concerns. Did a site visit. More camping tent facility, glamping pods, temporary outdoor stage areas also and same main entertainment marquee structures and bar area.</p>

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420146	EO3 Out of hours visit made	#####	JJA	2/ 8/2025 23:20 Weather - Clear skies, gentle breeze, dry weather 16 degrees All quiet, no activities
420146	EO3 Out of hours visit made	#####	LBI	30/08/25 Time: 23:14 Officers: Jackie B-P and Leslie B Weather: Dark skies, rainy night (overcast), gentle breeze. Notes: Audible music from outside Mr Ellis's property (Hook Lane). Not loud mainly Bass audible. Gentle breeze, rustling trees/hedges. Sound measurement taken: P010 Outside Mr Ellis property (hook Lane) Measurement Start Time 30/08/2025 23:19:26 Time Total 00:05:02 LAeq 42.19 [dB] LZeq 71.38 [dB] Rattling of trees is dominant noise. Music just audible, bass beat is noticable. Music becomes more audible when breeze dies down, people noise just audible.
419474	EO3 Out of hours visit made	#####	ELA	05/09/25 Time: 23:50 Officers: Lis L & Jade R Weather: Mild, some cloud cover, dry. Notes: Hook Lane Cottage, Mr and Mrs Ellis. Readings taken inside and outside. Could hear and feel the bass. Assessment inside neighbours property bass audible. P002 - OTG outside front gate Start 23:44:39 duration 00:02:04 LAeq 48.89 [dB] LZeq 75.45 [dB] Bass beat is dominant, people noise just audible in background. Bass dominant and could feel it. P003 – Area Measurement Start Time 23:50:14 duration 00:02:01 LAeq 42.2 [dB] 70.26 LZeq [dB] Music is just audible with people noise also. Bass is present, not as intense as previous clip but loud. P007 clip Area Measurement Start Time 00:21:43 duration 00:02:03 LAeq 40.31 [dB] LZeq 69.72 [dB] Bass clearly audible, consistent beat. People noise (talking) and other music tones are audible, bass is dominant.
420146	EO3 Out of hours visit made	#####	JGR	Date: 07/09/25 Time: 00:27 Mild, some cloud cover, dry. OTG - monitoring outside gate to premises. Bass is loud and dominant noise source. Lyrics of music just audible, not as prominent. Can feel bass.  P017 noise measurement OTG Gate Start Time 00:29:16 duration 00:01:59 LAeq 45.14 [dB] LZeq 76.16 [dB] Bass beat increases (becomes more dominant and consistent), people noise (shouting) audible in background.

420146	EO3 Out of hours visit made	#####	JGR	<p>Date: 07/09/25 Time: 00:34 Weather: Mild, some cloud cover, dry. OTG entrance bass beat increases becomes more dominant and consistent , people noise(shouting) audible. Hook Lane. officers were approached by Peter (independant noise consultant for OTG). Discussed some of findings, said he has been monitoring every hour. Noise better than yesterday. Peter sated they have carried out some adjustments and put bales around speakers. Local resident cam out confirmed better than yesterday but at 16:00 today it was very bad, India type drum music which was excessively loud</p> <p>Sound measurements-</p> <p>P017 Gate OTG Measurement Start 00:29:16 duration 00:01:59 LAeq 45.14 [dB], LZeq 76.16 [dB]</p> <p>P018 Hook Lane Time 00:34:52 Duration 00:00:21 LAeq 43.03 [dB], LZeq 66.38 [dB]</p> <p>P023 top end of Hook Lane Start 01:01:02 duration 00:03:16 LAeq 47.33 [dB] LZeq 75.3 [dB] Bass is dominant. Music is also audible. People noise(cheering/shouting).</p>
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**Table 1 Complaints and Investigation information 2021 to 2025 - Regarding Music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

Date received	Time received	Noise complaint	Complaint details	Premises causing noise complaint	Investigation
12-Jul-21	11.17	Noise-Music	Music has started back up again at the weekend. started midday Saturday all the way through to around midnight, Sunday from lunchtime through to the evening. Drum and bass music which penetrates both garden and house.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW	2021 EH actions - Notifying OTG of complaints, issue and advised - Ian Johnson on 22 July 2021. Advising of complaint and requesting review of noise management. No Out of Hours monitoring that year due to COVID
13-Sep-21	09:18	Noise-Music	This business has events such as festivals and parties from May to October most weekends, involving loud music for at least twelve hours during a 24hour period. Keeps family awake and noisy through the weekends.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW	
03-May-22	10:09	Noise-Music	Experienced many years of noise disturbance from this premises. Noise heard in garden and house through weekends when music events on.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW	2022 EH Investigation - Notifying OTG of complaints, issue and advised. Second advice letter sent. Advised on TENS application which was later withdrawn. Out of Hours team carried out monitoring of area. Two noise warning letters sent to OTG.

14-May-22	00:50	Noise-Music	Out to Grass is holding a festival that we can hear the bass and shouts of people very clearly in our property up the road. The bass can be clearly heard over the TVs in our homes and through earplugs when trying to sleep	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW
02-Jul-22	22:29	Noise-Music	Music venue events run over weekends. intrusive as we can't sit outside our property in the summertime when the music is playing and in the evening you can still hear it inside our property which you are constantly aware of the sound and it affects our sleep.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW
02-Sep-22	21:13	Noise-Music	Noise from premises - Out to Grass Music and musical beat and rowdy voices heard from outside and within my house. This has been a noise issue for 12 years.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW
03-Oct-22	00:03	Noise-Music	Noise from music at Out to Grass Friday night 30th September until 2am, Saturday night all night and throughout Sunday at time of emailing music still playing. Impact on ability to sleep	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW

30-May-23	08:22	Noise-Music	Noise from music emanating from Out to Grass campsite every time they play music we are disturbed by it. They were playing music last weekend (20th/21st May) late into the night and then this weekend there was music on Thursday 25th May at night until approximately midnight, Friday 26th May until 1.30am, Saturday 27th May from approximately 4pm, possibly earlier until at least 1.30 am and again Sunday 28th May from approximately 4pm until 1.55am. Out of the 10 nights between 20th May and 28th May 6 of those have been impacted by the noise.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW	2023 EH Investigation - Notifying OTG of complaints, issue and advised two letters sent. Out of Hours visit to area warning letter sent and Statutory Nuisance guidance sent. Requested visit to discuss Licence activities and noise nuisance. No visit confirmed as end of season and Mr Johnson abroad so not available.
28-Jun-23	14:49	Noise-Music	Ongoing noise from premises - Out to Grass	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW	
03-Jul-23	08:16	Noise-Music	The music coming from the site starts at 4pm, & doesn't cease until after midnight. This has happened from Friday (just gone), till yesterday (Sunday the 2nd July). Same last weekend - you can hear noise from music in particular, shouting etc....Disturbs sleep and going outside	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW	

24-Sep-23	15:17	Noise-Music	Over this weekend we are being keep awake until 2am on Friday and Sat continued Sun extremely loud with heavy bass pounding out nonstop, this affects us while we are indoors with all windows shut.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW	
2024					2024 EH Investigation - No noise complaints received and no Out of hours visits made to area. Not aware of any events taking place at the premises that year.
10-Jul-25	16.08	Noise-Music	Noise from premises - Out to Grass on going noise from out to grass premises on weekends over summer causing noise nuisance inside and outside house	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW	2025 EH Investigation -Notifying OTG of complaints, issue and advised. Out of Hours visit to area warning letter sent and noise management and statutory nuisance information sent. Carried out an advice meeting and visited site. Advice given and requested noise management information with regards Licence activities and noise nuisance. Further officer witness of noise issue from event site served EPA 1990 abatement notice.

27-Jul-25	17:36	Noise-Music	Ongoing Noise complaint from Out To Grass Quiet last 12 months now back. We have endured five full weekends of music out of six consecutive weekends. usually starting mid-day on Fridays and continuing up to Sunday midday, and finishing in the early hours of the morning. We live in a well insulated house with full double glazing, with all doors and windows closed we can clearly hear the sound from out to grass.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW
27-Jul-25	00:36	Noise-Music	Loud music from outdoor festival Loud music being played for the last 7 hours at Out to Grass festival. Loud enough to hear through closed windows. Has been disturbed since middle of July - On Saturdays music starts 5pm and goes through to 01:30am and on Sundays 5pm to 01:30am. Their baby is also being disturbed.	Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW

**Table 2 Herefordshire Environmental Health Visit Investigation information 2021 to 2025 - Regarding Music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

Date	Visit	Monitoring notes.
9/ 7/2022	Out of hours visit made	22.15 - 22:42 Calm, dry night with breeze in trees. Local Area visits at gate and residential premises in area. Intermittent traffic noise. Bass of music heard from OTG event. Sound measurement taken.

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30/07/22	Out of hours visit made	23:31 Damp, slight breeze OTG. Bass music heard from site. Noise monitoring inside neighbouring property, bass audible. Sound measurement taken
27/08/2022	Out of hours visit made	21:30 Sat . visit to local area. Music audible and bass. Not many people heard. Traffic noise. Sound measurement taken
02/09/2022	Out of hours visit made	22:20. Fri. Officers attended gateway to OTG Lots of bass – voices. Sound measurement taken.
07/07/2023	Out of hours visit made	23:00 - 23:40 area visit and property visit - music audible outside event and residents premises - thumping vibrating bass outside. Very loud thumping music very noticeable beat and quiet in gaps. Talking and children screaming noise in the background. No tune audible just heavy beat. Sound measurement taken
16/7/23	Out of hours visit made	00:06 to 00:20 OTG Gate and area. Breeze in leaves but bass beat dominant sound with some heavier beat to others - bass drop. Sound measurement taken
21/ 7/2023	Out of hours visit made	22:51 OTG Gate and Area No event - very quiet
9/9/23	Out of hours visit made	22:40 OTG gate. Distant traffic noise some cars passed on road but otherwise very quiet rural location and sounds. Background Sound measurement taken
25/5/25	Out of hours visit made	00:10. Outside OTG. Weather breezy but mild. No music or noise audible, string of lights visible down the hill to the right. Monitored outside local properties. No noise or music audible from OTG site. Very quiet residential area, trees rustling was main noise. OTG did not appear to be active.
20/ 7/2025	Out of hours visit made	00:40 Weather - Slight breeze, little to nil drizzle – outside properties in area - loud music, screaming, shouting, crowd heard, lyrics clearly heard. Sound measurement taken

26/ 7/2025	Out of hours visit made	23:11 Weather - warm, dry, cloudy, light breeze Parked at OTG reception. Could hear loud music and bass around 200 - 300m away from the event. Area assessment outside local properties music and bass audible. Sound measurement taken
30/ 7/2025	OTG meeting	Met Mr Johnson, Claire Kelly site manager and Andrew Baylass noise consultant (sound engineer). Discussed concerns regarding noise levels, bass levels, number of events and duration of events. Mr Johnson just hired noise consultant to advise on noise issues. Discussed Statutory Buisance and Licensing objective concerns with regards to event noise nuisance impact on surrounding area and residents in locality.
2/ 8/2025	Out of hours visit made	23:20 Weather - Clear skies, gentle breeze, dry weather 16 degrees All quiet, no activities
30/08/25	EO3 Out of hours visit made	23:14 Officers. Weather: Dark skies, rainy night (overcast), gentle breeze. Notes: Audible music from outside neighbouring property. Not loud mainly Bass audible. Gentle breeze, rustling trees/hedges. Music becomes more audible when breeze dies down, people noise just audible. Sound measurement taken.
05/09/25	EO3 Out of hours visit made	23:50 Mild, some cloud cover, dry. Notes: Monitoring outside OTG gate and Area visits outside local residents property. Event taking place. Bass beat is dominant noise and could feel it, people noise just audible in background. Sound measurements taken.
07/09/25	EO3 Out of hours visit made	00:27 Mild, some cloud cover, dry. OTG - monitoring outside gate to premises. Bass is loud and dominant noise source. Lyrics of music just audible, not as prominent. Can feel bass. Officers were approached by Peter (independent noise consultant for OTG). Discussed some of findings, said he has been monitoring every hour. Noise better than yesterday. Peter sated they have carried out some adjustments and put bales around speakers. Local resident came out confirmed better than yesterday but at 16:00 today it was very bad, India type drum music which was excessively loud. Sound measurement taken.

**Table 3 Herefordshire Environmental health Sound Monitoring information 2021 to 2025 - Regarding Music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

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Start Date & Time	Duration	Name	LAeq	LZeq
09/07/2022 22:24	00:02:03	M4-P01 OTG village	39.8	78.2
30/07/2022 23:38	00:02:05	M4-P027 OTG Gate	38.4	64.5
27/08/2022 21:27	00:02:25	M4-P001 OTG Gate	49.2	75.6
02/09/2022 22:12	00:06:04	M4-P002 OTG Gate	43.9	76.3
07/07/2023 22:56	00:02:33	M4-P010 OTG Hook Lane	43.5	61.3
07/07/2023 23:40	00:03:05	M4-P012 OTG village	36.2	75.1
16/07/2023 00:11	00:05:04	M4-P022 OTG Hook Lane	45.6	68.6
20/07/2025 00:50	00:05:10	M4-P011 OTG Hook Lane	43.3	75.6
26/07/2025 23:09	00:03:45	M4-P012 OTG Gate	57.1	75.9
26/07/2025 23:18	00:06:45	M4-P013 OTG village	33	60
30/08/2025 23:19	00:05:02	M4-P010 OTG Hook Lane	42.2	71.4
05/09/2025 23:44	00:02:04	M4-P002 OTG Gate	48.9	75.5
05/09/2025 23:50	00:02:01	M4-P003 OTG Hook Lane	42.2	70.3
06/09/2025 00:21	00:02:03	M4-P007 OTG Hook Lane	40.3	69.7
07/09/2025 00:29	00:01:59	M4-P017 OTG OTG Gate	45.1	76.2
07/09/2025 00:34	00:00:21	M4-P018 OTG Hook Lane	43	66.4
07/09/2025 01:01	00:04:50	M4-P023 OTG Hook Lane	47.3	75.3
09/09/2023 22:40	00:05:10	M4-P09 OTG Gate BG	29 (25.3 L90)	60
		M4-P09 OTG Gate BG L90 25.3 dB		

**INFORMATION REQUEST RESPONSE - ENVIRONMENTAL PROTECTION TEAM (EP)**

**Case Reference:** EIR2025/02243

**Investigating Officer:** Elisabeth Laughland – Principal Environmental Health Officer (EP)

**IAT Officer:** Sarah Smith

**Response Date :** 03/12/2025

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Please see the below request.

**Please see Environmental Protection response to the following FOI request.**

Request for further information under Environmental Information Regulations 2004, and Freedom of information act 2000

Under the Environmental Information Regulations 2004, and Freedom of information act 2000, we request you disclose all information gathered during the investigation that led to the service of The Notice ref: U/003876, dated 24 October 2025. This includes monitoring data, officer reports, internal assessments, and correspondence relevant to the conclusion that a statutory nuisance exists.

We would like to specifically request:

1. Complaint History

- a. A record of all noise complaints received by Herefordshire Council concerning OTG in the last five years.

**Answer - A total 14 opened noise complaints received regarding noise nuisance from Out to Grass music was recorded on the data base over the 5 years. - See Table 1 Complaints and investigation Information below**

- b. For each complaint:
  - i. The date and time it was received
  - ii. Whether it was investigated
  - iii. The outcome of the investigation

**Answer - See Table 1 Complaints and investigation Information below and List of correspondence sent to OTG 2021 to 2025 in relation to noise nuisance complaints and Table 4 List of advice correspondence sent to OTG 2021 to 2025 - Regarding noise concerns from music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW – documents attached.**

- c. The total number of unique complainants (not complaints) over this period. Noise Monitoring and Evidence

**Answer - A total of 8 different neighbouring properties making complaints of noise from Out to Grass activities causing them a disturbance.**

- d. A list of all noise monitoring activities undertaken by the Council relating to OTG in the past five years.
- e. For each instance:
  - i. The date and time
  - ii. The location of monitoring
  - iii. The equipment used
  - iv. The readings recorded (e.g. LAeq, LAmax, LA90 etc.)

**Answer – See Table 2 Herefordshire Environmental Health Visit Investigation information 2021 to 2025 & Table 3 Herefordshire Environmental Health Sound Monitoring information 2021 to 2025.**

- f. Details of any BS 4142 assessments or similar acoustic evaluations carried out, including reports or data collected.

**Answer – Environmental Protection Act 1990 Part 3 Section 79(g) Statutory nuisance assessment – see guidance that explains further – this is primarily a subjective assessment made by an authorised officer of the Local Authority. Note- British Standard BS 4142:2014 'Methods for rating and assessing industrial and commercial sound' specifically excludes noise from 'music and other entertainment.**

- g. The criteria used by Environmental Health to determine whether a statutory nuisance exists (including thresholds such as dB levels above background noise, frequency, duration, etc.).

**Answer - See enclosed Statutory Nuisance leaflet also further information on webpage [Neighbour nuisance or anti-social behaviour issues - Herefordshire Council](#)**

- h. A summary of any evidence that directly links noise complaints to activities occurring at OTG, rather than other nearby premises or sources.

**Answer – See Table 2 Herefordshire Environmental Health Visit Investigation information 2021 to 2025 & Table 3 Herefordshire Environmental health Sound Monitoring information 2021 to 2025**

## 2. Context and reasonableness

- a. Out to Grass (OTG) is a licensed premises operating under the Licensing Act 2003, and runs a very limited events calendar. In that light, we ask the Council to clarify how OTG's activities are considered to fall outside what is reasonably expected for a licensed venue, and to explain how you have determined this statutory nuisance and the standard of reasonability applied, specifically in terms of:
  - i. Regularity of events
  - ii. Volume of events
  - iii. Sensitivity of complainants

**Answer- This is a request for officer analysis information rather than data request. This information forms part of a Court notice appeal process. The first hearing at Court will be a "Directions" hearing where the Court will order disclosure of material. Until the Court process has finished disclosure is strictly controlled and cannot be bypassed by FOI/EIR/DPA requests.**

Tables 1,2, 3 & 4 below:-

**Table 1 Complaints and Investigation information from 2021 to 2025 - Regarding regarding Music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

Date received	Time received	Noise complaint	Complaint details	Investigation
12-Jul-21	11.17	Noise-Music	Music has started back up again at the weekend. started midday Saturday all the way through to around midnight, Sunday from lunchtime through to the evening. Drum and bass music which penetrates both garden and house.	2021 EH actions - Notifying OTG of complaints, issue and advised - Ian Johnson on 22 July 2021. Advising of complaint and requesting review of noise management. No Out of Hours monitoring that year due to COVID
13-Sep-21	09:18	Noise-Music	This business has events such as festivals and parties from May to October most weekends, involving loud music for at least twelve hours during a 24hour period. Keeps family awake and noisy through the weekends.	
03-May-22	10:09	Noise-Music	Experienced many years of noise disturbance from this premises. Noise heard in garden and house through weekends when music events on.	2022 EH Investigation - Notifying OTG of complaints, issue and advised. Second advice letter sent. Advised on TENs application which was later withdrawn. Out of Hours team carried out monitoring of area. Two noise warning letters sent to OTG.
14-May-22	00:50	Noise-Music	Out to Grass is holding a festival that we can hear the bass and shouts of people very clearly in our property up the road. The bass can be clearly heard over the TVs in our homes and through earplugs when trying to sleep	
02-Jul-22	22:29	Noise-Music	Music venue events run over weekends. intrusive as we can't sit outside our property in the summertime when the music is playing and in the evening you can still hear it inside our property which you are constantly aware of the sound and it affects our sleep.	

02-Sep-22	21:13	Noise-Music	Noise from premises - Out to Grass Music and musical beat and rowdy voices heard from outside and within my house. This has been a noise issue for 12 years.	
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30-May-23	08:22	Noise-Music	Noise from music emanating from Out to Grass campsite every time they play music we are disturbed by it. They were playing music last weekend (20th/21st May) late into the night and then this weekend there was music on Thursday 25th May at night until approximately midnight, Friday 26th May until 1.30am, Saturday 27th May from approximately 4pm, possibly earlier until at least 1.30 am and again Sunday 28th May from approximately 4pm until 1.55am. Out of the 10 nights between 20th May and 28th May 6 of those have been impacted by the noise.	2023 EH Investigation - Notifying OTG of complaints, issue and advised two letters sent. Out of Hours visit to area warning letter sent and Statutory Nuisance guidance sent. Requested visit to discuss Licence activities and noise nuisance. No visit confirmed as end of season and Mr Johnson abroad so not available.
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03-Jul-23	08:16	Noise-Music	The music coming from the site starts at 4pm, & doesn't cease until after midnight. This has happened from Friday (just gone), till yesterday (Sunday the 2nd July). Same last weekend - you can hear noise from music in particular, shouting etc....Disturbs sleep and going outside	

24-Sep-23	15:17	Noise-Music	Over this weekend we are being keep awake until 2am on Friday and Sat continued Sun extremely loud with heavy bass pounding out nonstop, this affects us while we are indoors with all windows shut.	
2024				2024 EH Investigation - No noise complaints received and no Out of hours visits made to area. Not aware of any events taking place at the premises that year.
10-Jul-25	16:08	Noise-Music	Noise from premises - Out to Grass on going noise from out to grass premises on weekends over summer causing noise nuisance inside and outside house	2025 EH Investigation - Notifying OTG of complaints, issue and advised. Out of Hours visit to area warning letter sent and noise management and statutory nuisance information sent. Carried out an advice meeting and visited site. Advice given and requested noise management information with regards Licence activities and noise nuisance. Further officer witness of noise issue from event site served EPA 1990 abatement notice.
27-Jul-25	17:36	Noise-Music	Ongoing Noise complaint from Out To Grass Quiet last 12 months now back. We have endured five full weekends of music out of six consecutive weekends. usually starting mid-day on Fridays and continuing up to Sunday midday, and finishing in the early hours of the morning. We live in a well insulated house with full double glazing, with all doors and windows closed we can clearly hear the sound from out to grass.	
27-Jul-25	00:36	Noise-Music	Loud music from outdoor festival Loud music being played for the last 7 hours at Out to Grass festival. Loud enough to hear through closed windows. Has been disturbed since middle of July - On Saturdays music starts 5pm and goes through to 01:30am and on Sundays 5pm to 01:30am. Their baby is also being disturbed.	

**Table 2 : Herefordshire Environmental Health Visit Investigation information 2021 to 2025 - Regarding Music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

<b>Date</b>	<b>Visit</b>	<b>Monitoring notes.</b>
9/ 7/2022	Out of hours visit made	22.15 - 22:42 Calm, dry night with breeze in trees. Local Area visits at gate and residential premises in area. Intermittent traffic noise. Bass of music heard from OTG event. Sound measurement taken.
30/07/22	Out of hours visit made	23:31 Damp, slight breeze OTG. Bass music heard from OTG site. Sound measurement taken
27/08/2022	Out of hours visit made	21:30 Sat . visit to local area. Music audible and bass from OTG site. Sound measurement taken
02/09/2022	Out of hours visit made	22:20. Fri. Music audible and bass from OTG site. Lots of bass – voices. Sound measurement taken.
07/07/2023	Out of hours visit made	23:00 - 23:40 Music audible and bass from OTG site. Very loud thumping music very noticeable beat and quiet in gaps. Talking and children screaming noise in the background. No tune audible just heavy beat. Sound measurement taken
16/7/23	Out of hours visit made	00:06 to 00:20 OTG Gate and area. Music audible and bass from OTG site. Breeze in leaves but bass beat dominant sound with some heavier beat to others - bass drop. Sound measurement taken
21/ 7/2023	Out of hours visit made	22:51 OTG Gate and Area No event - very quiet
9/9/23	Out of hours visit made	22:40 OTG gate. Distant traffic noise some cars passed on road but otherwise very quiet rural location and sounds. Background Sound measurement taken
25/5/25	Out of hours visit made	00:10. Outside OTG. Weather breezy but mild. No noise or music audible from OTG site. Very quiet residential area. OTG did not appear to be active.

20/ 7/2025	Out of hours visit made	00:40 Weather - Slight breeze, little to nil drizzle – Music audible and bass from OTG site - outside properties in area - loud music, screaming, shouting, crowd heard, lyrics clearly heard. Sound measurement taken
26/ 7/2025	Out of hours visit made	23:11 Weather - warm, dry, cloudy, light breeze Music audible and bass from OTG site. Parked at OTG reception. Could hear loud music and bass around 200 - 300m away from the event. Area assessment outside local properties music and bass audible. Sound measurement taken
30/ 7/2025	OTG meeting	Met Mr Johnson, Claire Kelly site manager and Andrew Baylass noise consultant (sound engineer). Discussed concerns regarding noise levels, bass levels, number of events and duration of events. Mr Johnson just hired noise consultant to advise on noise issues. Discussed Statutory Buisance and Licensing objective concerns with regards to event noise nuisance impact on surrounding area and residents in locality.
2/ 8/2025	Out of hours visit made	23:20 Weather - Clear skies, gentle breeze, dry weather 16 degrees All quiet, no activities heard from OTG site.
30/08/25	Out of hours visit made	23:14 Officers. Weather: Dark skies, rainy night (overcast), gentle breeze. Notes: Music audible and bass from OTG site . Audible music from outside neighbouring property. Not loud mainly Bass audible. Music becomes more audible when breeze dies down, people noise just audible. Sound measurement taken.
05/09/25	Out of hours visit made	23:50 Mild, some cloud cover, dry. Notes: Monitoring outside OTG gate and Area visits outside local residents property. Event taking place. Bass beat is dominant noise and could feel it, people noise just audible in background. Sound measurements taken.
07/09/25	Out of hours visit made	00:27 Mild, some cloud cover, dry. OTG - monitoring outside gate to premises. Music audible and bass from OTG site Bass is loud and dominant noise source. Lyrics of music just audible, not as prominent. Can feel bass. Officers were approached by Peter (independent noise consultant for OTG). Discussed some of findings, said he has been monitoring every hour. Noise better than yesterday. Peter sated they have carried out some adjustments and put bales around speakers. Local resident came out confirmed better than yesterday but at 16:00 today it was very bad, India type drum music which was excessively loud. Sound measurement taken.

**Table 3 Herefordshire Environmental health Sound Monitoring information 2021 to 2025 - Regarding Music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

Start Date & Time	Duration	Name	LAeq	LZeq
09/07/2022 22:24	00:02:03	M4-P01 OTG village	39.8	78.2
30/07/2022 23:38	00:02:05	M4-P027 OTG Gate	38.4	64.5
27/08/2022 21:27	00:02:25	M4-P001 OTG Gate	49.2	75.6
02/09/2022 22:12	00:06:04	M4-P002 OTG Gate	43.9	76.3
07/07/2023 22:56	00:02:33	M4-P010 OTG Hook Lane	43.5	61.3
07/07/2023 23:40	00:03:05	M4-P012 OTG village	36.2	75.1
16/07/2023 00:11	00:05:04	M4-P022 OTG Hook Lane	45.6	68.6
20/07/2025 00:50	00:05:10	M4-P011 OTG Hook Lane	43.3	75.6
26/07/2025 23:09	00:03:45	M4-P012 OTG Gate	57.1	75.9
26/07/2025 23:18	00:06:45	M4-P013 OTG village	33	60
30/08/2025 23:19	00:05:02	M4-P010 OTG Hook Lane	42.2	71.4
05/09/2025 23:44	00:02:04	M4-P002 OTG Gate	48.9	75.5
05/09/2025 23:50	00:02:01	M4-P003 OTG Hook Lane	42.2	70.3
06/09/2025 00:21	00:02:03	M4-P007 OTG Hook Lane	40.3	69.7
07/09/2025 00:29	00:01:59	M4-P017 OTG OTG Gate	45.1	76.2
07/09/2025 00:34	00:00:21	M4-P018 OTG Hook Lane	43	66.4
07/09/2025 01:01	00:04:50	M4-P023 OTG Hook Lane	47.3	75.3
09/09/2023 22:40	00:05:10	M4-P09 OTG Gate BG	29	60
		M4-P09 OTG Gate BG L90 25.3 dB		

**Table 4 List of advice correspondence sent to OTG 2021 to 2025 - Regarding noise concerns from music events held at Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern, Herefordshire, WR13 5JW**

-  2021 complaint letter to OTG 22 Jul 21
-  2022 2nd complaint letter to OTG 8 Jul 22
-  2022 Complaint letter to OTG 26 May 22
-  2022 OTG Warning letter 30 Jul 22
-  2022 OTG Noise Warning letter 14 Jul 22
-  2022 TEN event noise advice letter 1 Apr 21
-  2023 Complaint letter to OTG 23 Jun 23
-  2023 Letter to OTG 21 Jul 23
-  2023 OTG Noise warning letter & visit request 26 Oct 23
-  2023 Stat Nuisance Leaflet
-  2025 12 Nov email FW Out To Grass Noise consultant engagement
-  2025 12 Nov email Managing Entertainment Noise & Plan Guidance
-  2025 12 Nov email Statutory nuisance leaflet
-  2025 12 Nov email U3875 Mr Ian Johnson Home S80 Oct 2025
-  2025 12 Nov email U3876 Mr Johnson OUT Ltd S80 24 Oct 2025
-  2025 14 Aug email FW Out to Grass Noise complaints and visit to premises Ref 419474
-  2025 24 Jul email FW OTG Noise complaints and visit 30 July Ref 419474
-  2025 24 Jul email Managing Entertainment Noise & Plan Guidance
-  2025 24 Jul email Noise Complaint - warning letter & visit appointment
-  2025 24 Jul email Statutory nuisance leaflet
-  2025 OTG Noise Warning letter 24 Jul 25



FAO: Richard Roberts  
Environmental Health and Trading Standard  
Plough Lane  
Hereford  
HS4 OLE  
Sent: 12/11/25

To Elizabeth Laughland, Richard Roberts and/or whom it may concern,

**Request for further information under Environmental Information Regulations 2004, and Freedom of information act 2000**

Under the Environmental Information Regulations 2004, and Freedom of information act 2000, we request you disclose all information gathered during the investigation that led to the service of The Notice ref: **U/003876**, dated 24 October 2025. This includes monitoring data, officer reports, internal assessments, and correspondence relevant to the conclusion that a statutory nuisance exists.

We would like to specifically request:

1. Complaint History
  - a. A record of all noise complaints received by Herefordshire Council concerning OTG in the last five years.
  - b. For each complaint:
    - i. The date and time it was received
    - ii. Whether it was investigated
    - iii. The outcome of the investigation
  - c. The total number of unique complainants (not complaints) over this period.  
Noise Monitoring and Evidence
  - d. A list of all noise monitoring activities undertaken by the Council relating to OTG in the past five years.
  - e. For each instance:
    - i. The date and time
    - ii. The location of monitoring
    - iii. The equipment used
    - iv. The readings recorded (e.g. LAeq, LAmx, LA90 etc.)

- f. Details of any BS 4142 assessments or similar acoustic evaluations carried out, including reports or data collected.
  - g. The criteria used by Environmental Health to determine whether a statutory nuisance exists (including thresholds such as dB levels above background noise, frequency, duration, etc.).
  - h. A summary of any evidence that directly links noise complaints to activities occurring at OTG, rather than other nearby premises or sources.
2. Context and reasonableness
- a. Out to Grass (OTG) is a licensed premises operating under the Licensing Act 2003, and runs a very limited events calendar. In that light, we ask the Council to clarify how OTG's activities are considered to fall outside what is reasonably expected for a licensed venue, and to explain how you have determined this statutory nuisance and the standard of reasonability applied, specifically in terms of:
    - i. Regularity of events
    - ii. Volume of events
    - iii. Sensitivity of complainants

We respectfully request a written response within 20 working days as per Regulation 5(2), EIR 2004, including any available documents, policies, reports, or correspondence relevant to the above. If some of the requested information is held by the Licensing Department or any other team, please forward the relevant parts accordingly.

Best Regards,

**Clare Kelly** - Events Manager - Out To Grass Leisure Ltd.

(on behalf of **Ian Johnson** - Director of OutTo Grass )

Out To Grass Leisure Ltd,  
Woodend Farm, Bromyard Road,  
Worcestershire  
WR13 5JW  
**infoouttograss@gmail.com**

**A COPY OF THIS LETTER HAS BEEN ATTACHED TO APPEAL LETTER POSTED TO HEREFORD JUSTICE COURT, ENVIRONMENTAL HEALTH AND BY EMAIL TO [ethelpline@herefordshire.gov.uk](mailto:ethelpline@herefordshire.gov.uk) AND [elaughland@herefordshire.gov.uk](mailto:elaughland@herefordshire.gov.uk)**

Directorate/Division: Economy and Environment  
 Team: Environmental Protection  
 Please ask for: Duty Officer  
 Our Ref: RRO/419474  
 Direct line: 01432 261668  
 Email: rroberts@herefordshire.gov.uk  
 Date: 24/07/2025

Mr Johnson  
 Out To Grass,  
 Woodend Farm  
 Bromyard Road  
 Cradley  
 Malvern  
 WR13 5JW

Email - [REDACTED]

Dear Mr Johnson,

**ENVIRONMENTAL PROTECTION ACT 1990  
 LICENSING ACT 2003 – LICENSING OBJECTIVE ‘PREVENTION OF PUBLIC NUISANCE’  
 WARNING LETTER- OFFICERS WITNESSED LOUD AMPLIFIED MUSIC  
 OUT TO GRASS, WOODEND FARM, BROMYARD ROAD, CRADLEY, MALVERN, WR13 5JW  
 SITE VISIT ON WEDNESDAY 30 JULY AT 12:30**

I write to inform you that on the 19/07/2025 at 00:50 our night-time noise team witnessed amplified music emanating from your entertainment area, which was excessive in volume for music, vocals and bass levels. I note from your event list you had a Malvern Magic event booking on this weekend.

My purpose in writing to you at this stage is to remind you that noise of this type can amount to a Statutory Nuisance, which the above legislation is designed to control. As the manager / license holder of the property you have a duty to ensure that residents of neighbouring premises do not suffer nuisance from any activity at your premises. Therefore, I would advise you to review and monitor the noise issue and take appropriate action to ensure noise shall not emanate from the premises so as to cause a nuisance. See enclosed leaflet and web site <https://www.herefordshire.gov.uk/environmental-health/problem-neighbours/3> for advice on preventing noise nuisance at events and licensed premises.

Having assessed the information gathered we would require a site visit to discuss this noise nuisance concern and assess the current site set-up and noise controls with regards to your entertainment activities. It is noted you have a number of events booked for the rest of the summer, so it is important we carry out this visit next week. I confirm myself and Mr Josh Greeves will conduct a site visit next **Wednesday 30<sup>th</sup> July 2025 at 12:30**. If you are unable to attend this appointment please confirm a suitable time and date for next week or arrange for someone to be available on your behalf.

In addition to officer observations of noise concerns, I confirm the area officer Mr Richard Roberts has received complaints regarding noise from this premises causing a nuisance to other residents in the neighbourhood not just for this last weekend, but also from previous events held this year. They have been issued a log sheet with instructions to provide more information if there is continuing problems following this letter and how it is affecting them in their property e.g. time, duration and impact.

Our night-time noise team will continue to monitor your premises when they are in the area. This may involve carrying out noise monitoring using one or more of the following methods; personal observations, noise level measurements and sound recordings. Please note if a Statutory Nuisance issue is identified then formal action, under the above legislation, will be considered.

Furthermore, I would remind you that under Section 136 of the Licensing Act 2003 it is an offence to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation (Premises Licence or a Temporary Event Notice). The Council's Licensing team have been made aware of this incident. The Council's licensing team may consider further action should there be any breach of the licence conditions.

Please can you confirm who will attend the proposed **site visit on Wednesday 30 July at 12:30** or provide an alternative date and time for next week. If we do not hear from you we will continue with visits as planned. The case officer Mr Richard Roberts is currently on leave until the 6<sup>th</sup> August so if you have any queries or wish to discuss the contents of this letter further, please do not hesitate to contact Josh Greeves 01432 261603 or myself on 01432 261676. Our reference number is detailed at the top right of this letter and should be quoted when contacting us.

Yours sincerely

**ELISABETH LAUGHLAND**  
**REGULATORY SERVICE MANAGER (ENVIRONMENTAL HEALTH)**

Enclosed leaflets :

- Managing Entertainment Noise & Plan guide
- Statutory nuisance leaflet

## Statutory Nuisance

Residents have a legal right to be protected against statutory nuisance, as defined in legislation. Statutory nuisances tend to be property based issues from one premises to another. Therefore an issue which disturbed a person whilst walking on a public footpath, or whilst a visitor somewhere, could not generally be a statutory nuisance.

### What is a statutory nuisance?

A statutory nuisance is 'an unlawful interference with a person's use or enjoyment of land or some right over, or in connection with it' or evidence of a significant impact on the health and/ or wellbeing. It is more than a mere annoyance. Statutory Nuisance is defined by Part Three of the 1990 Environmental Protection Act and includes the following matters:

- **Smoke, fumes or gases:** emitted from premises, or from a vehicle, machinery or equipment in a street and bonfires
- **Odour, dust, steam:** from industrial, trade or business premises
- **Noise:** coming from premises, or from a vehicle, machinery or equipment in the street
- **Light:** from badly adjusted security lights or floodlights illuminating complaints property
- **Insects:** from any industrial, trade or business premises
- **The physical state of any premises:** to be in such a state as to be prejudicial to health or a nuisance
- **Accumulations:** anything which could cause a nuisance or present a health risk for humans, for example an accumulation of rotting food which attracts rats or mice

Issues not covered by statutory nuisance law are:

- Aircraft noise
- Odour from domestic premises
- General road traffic noise
- Neighbor's arguing
- Issues occurring on a premises occupied by the Crown for military or Ministry of Defence purposes.

### Assessing a Statutory Nuisance.

Nuisance is assessed as much by the reaction of an average reasonable person as by any technical equipment. An authorised investigation officer from Environmental Health decides whether a particular complaint meets the definition of a Statutory Nuisance. Sometimes measurements may be made to support the officers' assessment of a nuisance, however, there are no specific levels detailed within the legislation. The ultimate assessment is an officers' subjective assessment on the impact. The following points give some guidance:

- The problem must be considerable - for legal action a nuisance needs to be more than an annoyance.
- No account can be taken of particular sensitivities, problems of life-style of the complainant.
- Isolated acts cannot usually be taken into account; the nuisance needs to be regularly recurring.
- The Council (and ultimately the Court) has to be satisfied that the problem is an unreasonable and substantial interference with the enjoyment of the complainant's property.

When assessing the potential for nuisance the investigating officer will need to base their judgement on a number of factors. These include:

- How long it lasts \_ noise how loud it is.
- How intrusive it is
- How frequent the intrusion is
- Whether it is a one-off or continuing problem
- The time of day / night
- Whether it is deliberate or not
- The nature of the area you live in (e.g. rural or urban)

- What steps the perpetrator has taken to avoid or reduce the nuisance
- The use of the activity causing the noise to the public

N.B. Relevant guidance documents and standards can be used to support the officer assessment. E.g. When investigating a noise of an industrial nature, noise measurement assessments can be used to help indicate whether there is a likelihood of complaints occurring, which can be carried out to assist the officer in their subjective assessment of a statutory nuisance e.g. 'BS4142 -Method for rating industrial noise affecting mixed residential and industrial areas', 'University of Salford, Procedure for the assessment of low frequency noise complaints. NANR 45- Criteria'.

### **Action available to the Local Authority.**

All incoming complaints received by Herefordshire Council Environmental health are assessed and case history checks made. Generally for first enquiries, the initial action is to inform the person / business responsible for alleged statutory nuisance of the complaint, and advice given. Additionally, the complainants will be requested to provide evidence of any further occurrences of the matter and its impact on them in their property. This is usually requested in the form of a log sheet. The log sheets aim is to provide the case officer with sufficient information to demonstrate the on-going problem (time, duration and impact of problem). On receipt of this additional information an officer will assess the data to establish the next course of action. This log information is essential to the investigation as evidence of the nuisance being experiencing and assist the officer in carrying out a suitable, efficient and effective investigation.

If a full statutory nuisance investigation is deemed necessary, then this may involve the following methods relevant to the investigation; carrying out monitoring visits (personal observations), taking photographs, noise level measurements, sound recordings, using or installing monitoring equipment etc. In addition to any evidence provided by the complainant.

If the Local Authority is satisfied that a 'statutory nuisance' exists, or is likely to exist, then it can issue an abatement notice under the Environmental Protection Act 1990 to require the statutory nuisance ceases from continuing. Hence, the vast majority of cases that are presented to the local authority are on-going issues (rather than one-off issues) where a state of affairs exists.

If a served abatement notice is not complied with and the nuisance continues, further evidence of this breach needs to be established by the Local Authority and legal action would be instigated. If found guilty this will result in a criminal conviction and a fine of up to £5,000 for domestic premises and up to £20,000 for commercial premises (and costs).

The Council on identifying a breach of notice can also take action to stop or restrict the nuisance by:

- carrying out works and making the person given the notice pay for them (this can include seizure and confiscation of equipment)
- applying to the High Court for an injunction (if a prosecution is not adequate)

If, however, the Local Authority investigation identifies no Statutory Nuisance or insufficient evidence of a likelihood of a Statutory Nuisance, then there are no further powers available to insist on any improvements and the case will be closed.

### **Action available to complainant.**

An individual can take their own action direct to the Magistrates Court under Section 82 of the Environmental Protection Act 1990. The Magistrates Court will need to be persuaded that the nuisance problem amounts to a statutory nuisance. For further information on this action it is recommend further legal advice is sort or contact Citizens Advice.

Alternatively mediation may be considered. An independent third party will listen to the views of both parties and can help them to reach an agreed compromise. For a list of local mediation services visit webpage <http://www.civilmediation.justice.gov.uk/> .

## **A Simple Guide for Managing Entertainment Noise & Noise Management Plan**

This advice information is intended to provide a simple, non-technical guide for the managers of pubs, clubs and other venues who provide entertainment, such as live music, DJs, karaoke etc., to help manage noise and avoid complaints from neighbours. If you intend to hold a large-scale event or are thinking of installing a sound system to provide regular entertainment you may need to obtain specialist advice, although the advice here will still be relevant.

### **Managing Noise from Events / Licensed premises**

There are three basic concepts to managing noise:

1. Reduce noise at source.
2. Prevent noise escaping.
3. Noise Management.

#### **1. Reduce noise at Source**

- Choose speakers that are right for the premises size, type of venue and the entertainment that you wish to provide. For smaller venues or outside areas it is often better to have more, lower-power speakers positioned and directed into the entertainment area to achieve the best result for the audience and noise control, rather than one or two powerful speakers at one end.
- Ensure the bass level are minimised and not excessively heard over main music. Bass sound will carry over distance and through walls easier and cause greater disturbance. Sound checks from inside and outside of premises boundary will be required to suitably assess bass levels.
- PA systems and Karaoke – Carryout sound checks to ensure vocals are not excessively louder than music levels. Clearly audible vocal / announcement noise can cause greater annoyance than just music noise and leads to complaints quicker.
- Turn general volume down to a reasonable level e.g. identify acceptable noise levels to set on your sound system, so music and bass is not clearly audible in neighbouring residential areas compared to the general noise in the area. (This may require changes over the evening and into the night).

#### **2. Prevent noise escaping from Premises**

- Choose suitably located entertainment areas e.g. inside premises or away from neighbouring premises or in walled / fenced enclosed areas.
- Position speakers so they are directed away from windows, doors and other openings and don't mount directly on walls or other parts of the structure – use proper mounting-stands wherever possible.
- Close doors and windows to the event area / premise after 23:00 or during amplified music events. This can significantly reduce noise breakout.
- Look for acoustically weak areas in the structure: usually windows, doors, vents, roof and other openings, especially ones that open on to residential properties. For regular entertainment sites you may need to improve the sound attenuation of these areas – specialist advice is recommended to ensure money is spent wisely.

### 3. Noise Management

- Ensure appropriate Bands, Acts and DJ's are hired / work for the venue. Some will try to insist on playing at their preferred volume rather than the appropriate volume for the venue. Larger bands and speakers (if Acts bring their own sound system) are likely to be loud. Consider restricting performances to only using venues sound system and could install noise limiter devices. Ensure a good line of communication with regards to expected volume level and finish times are established prior to event starting. Plan the playing of more gentle tracks at the end of the performance as this can help with reducing volume, calm the mood and mean patrons will be less noisy as they leave.
- Make appropriate performance content checks and provide clear guidelines to the performers at the time of booking. Please note if Acts have adult content or swearing this is very likely to cause offence and distress to locals in the area if it is audible outside the venue.
- Number and duration of noisy events have a significant impact on how the noise affects neighbours. Please keep both to a minimum if entertainment noise is audible outside in neighbouring residential properties. Sensitivity and noise impact becomes greater in late evenings, night-time and early mornings, so will cause increased disturbance and distress to neighbours the later it goes.
- During events regularly monitor outside premises in the general vicinity to assess noise levels (entertainment & people noise) and the impact on local residents. Monitor noise to ensure the levels aren't creeping up and excessively loud (including bass levels & vocals) in the neighbourhood and that levels are reducing suitably if going later into the night. Ensure the person monitoring hasn't been desensitised by internal event volume. The purpose of the assessment is to compare event noise against normal background noise levels and audibility/impact in the general area.
- Implement a clear complaints investigation, actions and response procedure.
- Occasional Marquee, outside events or Licensing TENs – Notify neighbours of planned one-off, or occasional events detailing start and finish times and contact details. It is recommended the music and people move inside the main premises or if in an outdoor / marquee area reduce the noise levels later in the evenings after 23:00 (both music and people noise).

#### **Further Noise control Advice**

- **Noise council Guide on Noise from Pop Concerts 1995** (for all types of outdoor events and festivals taking place up to 23:00hrs). This document has been identified as requiring outdating by the IOA. [Code of Practice on Environmental Noise \(lambeth.gov.uk\)](http://www.lambeth.gov.uk)

#### **Other noise guidance – H&S noise at work guidance:**

- HSE Sound advice: Control of noise at work in music and entertainment - [Sound advice \(hse.gov.uk\)](http://www.hse.gov.uk)
- **British Beer & Pub Association Guide: H&S Guidance for Pub and Bar Operators** : web link - [THE NOISE AT WORK REGULATIONS 2005 \(beerandpub.com\)](http://www.beerandpub.com)

#### **Professional Services:**

Association of Noise Consultants: <http://www.association-of-noise-consultants.co.uk/>  
Institute of Acoustics: <http://www.ioa.org.uk/home/default.asp>

### **Example of Key Elements of a Noise Management Plan (NMP)**

**The NMP needs to be site specific and event specific and should include (but not exclusively) the following areas:**

- **Event Details** - Overview of Location, Venue and Event (including times and duration)
- **Premises Details** – Type of premises / structures the event will be taking place in – e.g. open outdoor event, Marquee, enclosed building and its structure in relation to noise breakout.
- **Location** - Identify noise sensitive receptors in the area and understand background noise levels of area - local residents, other noise sources in area and any changes to noise environment over proposed event duration, after 23:00 classed as night-time therefore increasing sensitivity to noise later into the night the event runs.
- **Noise Management Responsibilities** – Detail lines of responsibility for noise management for the event / entertainment activity.
  - Detail person who has overall noise management control – who has the ultimate responsibility to ensure music is turned down when required or stopped at the end of the event time as specified in plan.
  - Details of noise consultants/ appointed suitably qualified and experienced person in noise control.
  - Detail Stage and Environmental noise control hierarchy.
- **Event Noise Sources** - The identification of the range of potential noise sources relating to the premises (including peripheral activities e.g. generators, bottling out, customers leaving event) and the acceptable levels of noise arising from all specified events.
- **Noise Controls** - A detailed list of steps taken to manage noise pollution:-
  - layout, speaker systems, and orientation of speakers,
  - Vetting of artist/ DJ should including consideration of the music genre and the premises structure. For example heavy bass travels further.
  - event programme design; louder music earlier in evening with set time to reduced volume & base later in the evening and specified stop time.
  - Pre-start sound checks to establish acceptable levels - noisy activity controls and maximum noise levels set, inside event and at the external monitoring points etc.
- **Noise Monitoring Procedure** - Detail the noise monitoring procedure to assess noise levels throughout the event, including sound tests.
  - Detail noise monitoring equipment specifications.
  - The identification of environmental noise monitoring locations to effectively monitor environmental noise impact of even on the area.
  - Defined programme of noise measurement to check that compliance has been achieved through monitoring and testing.
  - Detail subjective noise assessment checks to be made by competent person during monitoring and testing.
  - Design and include noise monitoring record form to be completed throughout the event and made available to LA officer if requested.
  - Detail lines of communication and follow-up actions.
  - Documentation to be kept and made available to Local Authority staff on request.

- **Noise Complaints Procedure:** Detail the noise Complaints Procedure, to include
  - Informative letter / notice to local residents and parish councils etc., which should detail event telephone number for complaints, start time and end time of music.
  - Detail actions required to investigate noise complaint.
  - Record of complaints and actions taken; including corrective action and follow-up assessment.
  - Documentation to be kept and made available to Local Authority staff on request.
  
- **Customer noise awareness information:** Procedure to make customers aware of the consequences of late night noise and to be proactive in dealing with the problem. E.g.
  - Notices displayed on exits and verbal announcements prior to dispersal asking customers to leave the premises in a quiet and orderly fashion to show respect to local neighbours

It is recommended the event Noise management plans be made available to the Environmental Health Protection Team at the event management stage / prior to start of entertainment activity to detail how the event organisers intend to promote the 'Prevention of Public Nuisance' objective. Through the licensing process a time for submission of this finalised document are usually detailed in the condition.

**Example Noise monitoring form:-**

<b>Event :</b> e.g <i>Hereford Summer event – venue details</i>		
<b>Date:</b> _____ <b>Event Start Time</b> _____ <b>End times:</b> _____		
<b>Nominated Noise manager</b>		<b>Noise Assessor(s)</b>
<b>General weather conditions and area observations for the evening:</b> <i>e.g Warm evening 10°C, partial cloud cover 30%, slight SW breeze, dry. Road traffic from the A499 quite busy and audible in area. Built up city centre location with residential premises within 20m of the venue.</i>		
<b>Date / time &amp; Sound levels</b>	<b>Location details, observations &amp; monitoring Information – change in weather.</b>	<b>Assessor comments &amp; Follow-up action</b>
Date /Time:- <i>01/7/22</i> <i>18:30 to 18:40</i>  Noise level <i>(if relevant)</i>	Location:- <i>Pavement outside gate of 1 Town Square.</i>  Observations:- <i>Music from event audible, muffled words of song '.....'. No dominant bass detected. Traffic noise more dominant from passing vehicles. Intermittent traffic, so music dominant sound in the area for most of the time. Gulls also heard in area and people talking and walking past.</i>	Actions <i>Sound levels acceptable and although music is audible this is deemed acceptable for this event and time. No concerns identified.</i>  Sign xxxxxxxx
Date /Time:-	Location:-  Observations:-	Actions  Sign
Date /Time:-	Location:-  Observations:-	Actions  Sign

**From:** Laughland, Elisabeth  
**Sent:** 24 July 2025 18:40  
**To:** 'infoouttograss@gmail.com' <infoouttograss@gmail.com>  
**Cc:** Roberts, Richard <Richard.Roberts@herefordshire.gov.uk>; Greeves, Josh <josh.greeves@herefordshire.gov.uk>  
**Subject:** Out to Grass - Noise complaints and visit to premises Wednesday 30 July at 12:30 Ref 419474

Dear Mr. Johnson,

**ENVIRONMENTAL PROTECTION ACT 1990  
LICENSING ACT 2003 – LICENSING OBJECTIVE ‘PREVENTION OF PUBLIC NUISANCE’  
WARNING LETTER- OFFICERS WITNESSED LOUD AMPLIFIED MUSIC  
OUT TO GRASS, WOODEND FARM, BROMYARD ROAD, CRADLEY, MALVERN, WR13 5JW  
SITE VISIT ON WEDNESDAY 30 JULY AT 12:30**

I am writing to bring to your attention there are ongoing noise nuisance concerns from your entertainment site, Out to Grass, located at Woodend Farm, Bromyard Road, Cradley, Malvern, WR13 5JW. As you are aware, we have been addressing these concerns for several years, and it has become necessary to conduct a site visit to assess your site noise management controls and discuss the issue further.

Our site visit is scheduled for Wednesday, 30th July, at 12:30 PM. If you are unable to attend this meeting at the proposed time, please let us know your availability for that week, or arrange for a representative to be present on your behalf. We want to ensure that this visit is convenient for you and that we can address the noise nuisance concerns effectively.

Attached to this email, you will find the letter detailing the ongoing noise nuisance concerns, as well as noise management and statutory nuisance advice information to assist you in reviewing your entertainment activities on-site. Please take the time to go through these documents to better understand the issue at hand.

Should you have any queries or wish to discuss the contents of the letter further before our meeting, please do not hesitate to contact me at 01432 261676, or Josh Greeves at 01432 261603. Additionally, please quote our reference number, which is detailed at the top right of the letter, when contacting us.

We look forward to working with you and your cooperation in this matter.

Kind regards,

Elisabeth Laughland

**Herefordshire.gov.uk**

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**Elisabeth Laughland B.Sc.(Hons), M.Sc., MCIEH CEnvH, MIOA**

Regulatory Service Manager (Environmental Health)  
Economy and Environment Directorate

**Personal Contact Details:**

Email: [elaughland@herefordshire.gov.uk](mailto:elaughland@herefordshire.gov.uk)

Direct Tel: 01432 261676 Office Tel: 01432 261761

Mail: EHTS, Herefordshire Council | Plough Lane | Hereford | HR4 0LE



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**From:** Laughland, Elisabeth  
**Sent:** 14 August 2025 23:41  
**To:** 'infoouttograss@gmail.com' <infoouttograss@gmail.com>  
**Cc:** Roberts, Richard <Richard.Roberts@herefordshire.gov.uk>; Greeves, Josh <josh.greeves@herefordshire.gov.uk>  
**Subject:** RE: Out to Grass - Noise complaints and visit to premises Ref 419474

Dear Mr Johnson

I wanted to follow up on our site visit on 30th July 2025, where Josh Greeves and I had the opportunity to discuss your noise management practices and events at the Out to Grass site. Firstly, thank you for meeting us and it was good to see firsthand how the events are managed at your site.

As we discussed during our meeting, we have been receiving complaints regarding noise from this year's events. These concerns were also confirmed by letters sent separately to our meeting. Additionally, our officer monitoring the area identified music that was clearly audible both in the surrounding area and inside the properties of local residents during your events. This has raised significant noise nuisance concerns, which is why we requested the meeting.

The meeting provided us with reassurance that you are taking these noise issues seriously. It was agreed that you would send us a comprehensive noise management plan, along with copies of your noise readings from this year's events. This will allow us to further review and address the noise nuisance concerns. Please could you provide this information by next Friday, 22nd August 2025, and ensure that you copy in the case officer, Richard Roberts, as well as Josh Greeves.

During our meeting, you also requested information on the complaints received by our service over the past ten years. Below is a table summarizing the number of noise complaints received each year:

Year	Noise complaints
2015	4
2016	2
2017	3
2018	1
2019	4
2020	1
2021	2
2022	5
2023	4
2025	2
Grand Total	28

We appreciate your cooperation and hope to work together to resolve these issues effectively. Should you have any questions or need further clarification, please do not hesitate to contact us.

Kind regards

Elisabeth

**Herefordshire.gov.uk**

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**Elisabeth Laughland B.Sc.(Hons), M.Sc., MCIEH CEnvH, MIOA**  
Regulatory Service Manager (Environmental Health)  
Economy and Environment Directorate

**Personal Contact Details:**

Email: [elaughland@herefordshire.gov.uk](mailto:elaughland@herefordshire.gov.uk)

Direct Tel: 01432 261676 Office Tel: 01432 261761

Mail: EHTS, Herefordshire Council | Plough Lane | Hereford | HR4 0LE



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**From:** Laughland, Elisabeth  
**Sent:** 24 July 2025 18:40  
**To:** 'infoouttograss@gmail.com' <[infoouttograss@gmail.com](mailto:infoouttograss@gmail.com)>  
**Cc:** Roberts, Richard <[Richard.Roberts@herefordshire.gov.uk](mailto:Richard.Roberts@herefordshire.gov.uk)>; Greeves, Josh <[josh.greeves@herefordshire.gov.uk](mailto:josh.greeves@herefordshire.gov.uk)>  
**Subject:** Out to Grass - Noise complaints and visit to premises Wednesday 30 July at 12:30 Ref 419474

Dear Mr. Johnson,

**ENVIRONMENTAL PROTECTION ACT 1990  
LICENSING ACT 2003 – LICENSING OBJECTIVE ‘PREVENTION OF PUBLIC NUISANCE’  
WARNING LETTER- OFFICERS WITNESSED LOUD AMPLIFIED MUSIC  
OUT TO GRASS, WOODEND FARM, BROMYARD ROAD, CRADLEY, MALVERN, WR13 5JW  
SITE VISIT ON WEDNESDAY 30 JULY AT 12:30**

I am writing to bring to your attention there are ongoing noise nuisance concerns from your entertainment site, Out to Grass, located at Woodend Farm, Bromyard Road, Cradley, Malvern, WR13 5JW. As you are aware, we have been addressing these concerns for several years, and it has become necessary to conduct a site visit to assess your site noise management controls and discuss the issue further.

Our site visit is scheduled for Wednesday, 30th July, at 12:30 PM. If you are unable to attend this meeting at the proposed time, please let us know your availability for that week, or arrange for a representative to be present on your behalf. We want to ensure that this visit is convenient for you and that we can address the noise nuisance concerns effectively.

Attached to this email, you will find the letter detailing the ongoing noise nuisance concerns, as well as noise management and statutory nuisance advice information to assist you in reviewing your entertainment activities on-site. Please take the time to go through these documents to better understand the issue at hand.

Should you have any queries or wish to discuss the contents of the letter further before our meeting, please do not hesitate to contact me at 01432 261676, or Josh Greeves at 01432 261603. Additionally, please quote our reference number, which is detailed at the top right of the letter, when contacting us.

We look forward to working with you and your cooperation in this matter.

Kind regards,

Elisabeth Laughland

**Herefordshire.gov.uk**

---

**Elisabeth Laughland B.Sc.(Hons), M.Sc., MCIEH CEnvH, MIOA**  
Regulatory Service Manager (Environmental Health)

Economy and Environment Directorate

**Personal Contact Details:**

Email: [elaughland@herefordshire.gov.uk](mailto:elaughland@herefordshire.gov.uk)

Direct Tel: 01432 261676 Office Tel: 01432 261761

Mail: EHTS, Herefordshire Council | Plough Lane | Hereford | HR4 0LE



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Council's Homepage [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk) or follow environmental health on twitter @hfdSEH

Mr I D Johnson  
Out To Grass Leisure Limited  
Woodend Farm  
Bromyard Road  
Cradley  
Malvern  
Worcestershire  
WR13 5JW

Dear Mr Ian Johnson

**ENVIRONMENTAL PROTECTION ACT 1990  
SECTION 80 NOTICE IN RESPECT OF STATUTORY NOISE NUISANCE – REF U/003875  
PREMISES: OUT TO GRASS, WOODEND FARM, BROMYARD ROAD, CRADLEY,  
MALVERN WR13 5JW**

Following complaints regarding music and bass disturbance from your premises activities. I confirm officer visits were made to assess noise impact to the area over the summer including 20/7/2025 & 05/09/2025, a noise warning letter was sent to you on 24/7/25 and a site meeting was carried out by Elisabeth Laughland and Josh Greeves with yourself on 30/07/2025 to discuss noise management controls connected to your business activities. Having assessed all the information gathered during this investigation please find enclosed a notice in respect of a statutory nuisance arising at the above premises.

Please be advised that, as the Notice places a legal requirement to take actions in compliance with the Notice, it is an offence not to comply with the Notice, for which the Council can take prosecution proceedings and / or undertake works in default including seizure of equipment. It is advisable to read through the attached carefully and contact this office if you have any queries.

To assist in compliance with this Notice a copy of the attached will be sent to all parties identified as having an interest in the premises. If you anticipate any difficulties in complying with the Notice, you are advised to contact this division at the earliest opportunity.

If you need any further information, or would like to discuss this further, please do not hesitate to contact me at this office.

Yours sincerely



**Mr Richard Roberts  
ENVIRONMENTAL HEALTH OFFICER  
ENCLOSURE**

# Environmental Protection Act 1990: Section 80 Notice in Respect of Statutory Nuisance

Reference: U/003876

Date: 24 October 2025

To: Mr Ian Dennis Johnson

of: Out To Grass Leisure Limited, Woodend Farm, Bromyard Road, Cradley, Malvern  
WR13 5JW

**TAKE NOTICE** that under the provisions of Section S.79(1)(g) of the Environmental Protection Act 1990 The Herefordshire Council is satisfied of the existence and Likely recurrence of a statutory nuisance at the premises known as :

**Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern WR13 5JW**

which is within the Council's area, arising from:

**NOISE FROM AMPIFIED MUSIC BEING PLAYED AT SUCH A VOLUME AND TONE AS TO BE A NUISANCE**

As the person responsible for the said nuisance of the said premises **you are required IMMEDIATELY** from the service of this notice **TO ABATE THE NUISANCE** and **THEREAFTER NEITHER TO CAUSE, PERMIT NOR OTHERWISE ALLOW THE RECURRENCE** of the same and for that purpose require you to:

**ADEQUATELY CONTROL THE VOLUME AND BASS LEVEL OF THE MUSIC SO THAT IT DOES NOT MATERIALLY INTERFERE WITH THE USE AND ENJOYMENT OF NEIGHBOURING RESIDENTIAL PROPERTIES**

If you wish to appeal against this notice you may do so, within 21 days from date of service, to a Magistrates' Court. The grounds of appeal prescribed in the Regulations are attached.

This is a Notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and in consequence, in the event of an appeal, this notice shall **NOT** be suspended until the appeal has been abandoned or decided by the Court, as in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any Appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

**THIS NOTICE WILL NOT BE SUSPENDED PENDING DETERMINATION OF AN APPEAL**

If you do not stop causing a nuisance, or contravene without reasonable excuse any requirement of this notice, you will have committed an offence under Section 80(4) of the Environmental Protection Act 1990. On summary conviction **you will be liable to a fine not exceeding £5,000 (five thousand pounds)**, together with a further fine not exceeding £500 (five hundred pounds)\* **for each day** the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000 (twenty thousand) pounds. The Council may also take proceedings for securing the

abatement, prohibition or restriction of the nuisance. If you fail to execute all or any of the works in accordance with this notice, the Council may execute those works and recover from you the necessary expenditure incurred.



**Dated: 24<sup>th</sup> October 2025**

**Signature: .....**  
**(Authorised Officer)**

This matter is being dealt with by Mr Richard Roberts, Environmental Health Officer who can be contacted at:

Environmental Health & Trading Standards,  
Plough Lane,  
Hereford.  
HR4 0LE

## Notes

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:

### Appeals under section 80(3) of The Environmental Protection Act 1990 (“the 1990 Act”).

- 2 (1) The provisions of this regulation apply in relation to an appeal brought by any person under Section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under Section 80(3) on any one or more of the following grounds that are appropriate in the circumstances of the particular case:-
- (a) that the abatement notice is not justified by Section 80 of the 1990 Act (summary proceedings for statutory nuisances);
  - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
  - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
  - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
  - (e) where the nuisance to which the notice relates:-
    - (i) is a nuisance falling within Section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
    - (ii) is a nuisance falling within Section 79(1)(b) of the 1990 Act and the smoke is emitted from a chimney, or
    - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial trade or business purposes, that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;
  - (f) that, in the case of a nuisance under Section 79(1) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of Section 80(1)(a) of that Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
    - (i) any notice served under Section 60 or 66 of the 1974 Act, or
    - (ii) any consent given under Section 61 or 65 of the 1974 Act, or
    - (iii) any determination made under Section 67 of the 1974 Act;
  - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the 1993 Act (loudspeakers in streets or roads);
  - (h) that the abatement notice should have been served on some person instead of the appellant, being:-
    - (i) the person responsible for the nuisance, or
    - (ii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
    - (iii) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
  - (i) that the abatement notice might lawfully have been served on some person instead of the appellant being:-
    - (i) in the case where the appellant is the owner of the premises, the occupier of the premises, or
    - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises, and that it would have been equitable for it to have been so served.
  - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being:-
    - (i) a person also responsible for the nuisance
    - (ii) a person who is also an owner of the premises, or
    - (iii) a person who is also an occupier of the premises, or
    - (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in connection with, any copy of the notice served under Section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any

appeal to which this regulation applies he may serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which this regulation apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.

- (5) On the hearing an appeal the court may:-
- (a) quash the abatement notice to which the appeal relates, or
  - (b) vary the abatement notice in favour of the appellant in such manner as it thinks fit to
  - (c) dismiss the appeal,
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of appeal the court may make such order as it thinks fit:-
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
  - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.
- (7) In exercising its powers under paragraph (6) above the court:-
- (a) shall have regard as between an owner and an occupier to the terms and conditions whether contractual or statutory of any relevant tenancy and to the nature of the works required and
  - (b) shall be satisfied before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

## Suspension of Notices

- 3 (1) Where:-
- (a) an appeal is brought against an abatement notice served under Section 80A of the 1990 Act, and
  - (b) either:-
    - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of works before the hearing of the appeal, or
    - (ii) in the case of a nuisance under Section 79(1)(g) or (ga) of the 1990 Act the noise to which the abatement notice relates is noise caused in the course of the performance of some duty imposed by law on the appellant, and
  - (c) either paragraph (2) does not apply or if it does apply but the requirements of paragraph (3) have not been met the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where:-
- (a) the nuisance to which the abatement notice relates:-
    - (i) is injurious to health, or
    - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
  - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice:-
- (a) shall include a statement that paragraph (2) applies and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
  - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.



Mr I D Johnson  
Woodend Farm  
Bromyard Road  
Cradley  
Malvern  
Worcestershire  
WR13 5JW

Dear Mr Ian Johnson

**ENVIRONMENTAL PROTECTION ACT 1990  
SECTION 80 NOTICE IN RESPECT OF STATUTORY NOISE NUISANCE – REF U/003875  
PREMISES: OUT TO GRASS, WOODEND FARM, BROMYARD ROAD, CRADLEY,  
MALVERN WR13 5JW**

Following complaints regarding music and bass disturbance from your premises activities. I confirm officer visits were made to assess noise impact to the area over the summer including 20/7/2025 & 05/09/2025, a noise warning letter was sent to you on 24/7/25 and a site meeting was carried out by Elisabeth Laughland and Josh Greeves with yourself on 30/07/2025 to discuss noise management controls connected to your business activities. Having assessed all the information gathered during this investigation please find enclosed a notice in respect of a statutory nuisance arising at the above premises.

Please be advised that, as the Notice places a legal requirement to take actions in compliance with the Notice, it is an offence not to comply with the Notice, for which the Council can take prosecution proceedings and / or undertake works in default including seizure of equipment. It is advisable to read through the attached carefully and contact this office if you have any queries.

To assist in compliance with this Notice a copy of the attached will be sent to all parties identified as having an interest in the premises. If you anticipate any difficulties in complying with the Notice, you are advised to contact this division at the earliest opportunity.

If you need any further information, or would like to discuss this further, please do not hesitate to contact me at this office.

Yours sincerely



**Mr Richard Roberts  
ENVIRONMENTAL HEALTH OFFICER**

**ENCLOSURE**

# **Environmental Protection Act 1990: Section 80 Notice in Respect of Statutory Nuisance**

Reference: U/003875

Date: 24 October 2025

**To: Mr Ian Dennis Johnson**

**of: Woodend Farm, Bromyard Road, Cradley, Malvern WR13 5JW**

**TAKE NOTICE** that under the provisions of Section S.79(1)(g) of the Environmental Protection Act 1990 The Herefordshire Council is satisfied of the existence and Likely recurrence of a statutory nuisance at the premises known as :

**Out To Grass, Woodend Farm, Bromyard Road, Cradley, Malvern WR13 5JW**

which is within the Council's area, arising from:

**NOISE FROM AMPIFIED MUSIC BEING PLAYED AT SUCH A VOLUME AND TONE AS TO BE A NUISANCE**

As the person responsible for the said nuisance of the said premises **you are required IMMEDIATELY** from the service of this notice **TO ABATE THE NUISANCE** and **THEREAFTER NEITHER TO CAUSE, PERMIT NOR OTHERWISE ALLOW THE RECURRENCE** of the same and for that purpose require you to:

**ADEQUATELY CONTROL THE VOLUME AND BASS LEVEL OF THE MUSIC SO THAT IT DOES NOT MATERIALLY INTERFERE WITH THE USE AND ENJOYMENT OF NEIGHBOURING RESIDENTIAL PROPERTIES**

If you wish to appeal against this notice you may do so, within 21 days from date of service, to a Magistrates' Court. The grounds of appeal prescribed in the Regulations are attached.

This is a Notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and in consequence, in the event of an appeal, this notice shall **NOT** be suspended until the appeal has been abandoned or decided by the Court, as in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any Appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

**THIS NOTICE WILL NOT BE SUSPENDED PENDING DETERMINATION OF AN APPEAL**

If you do not stop causing a nuisance, or contravene without reasonable excuse any requirement of this notice, you will have committed an offence under Section 80(4) of the Environmental Protection Act 1990. On summary conviction **you will be liable to a fine not exceeding £5,000 (five thousand pounds)**, together with a further fine not exceeding £500 (five hundred pounds)\* **for each day** the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000 (twenty thousand) pounds. The Council may also take proceedings for securing the abatement, prohibition or restriction of the nuisance. If you fail to execute all or any of the works

in accordance with this notice, the Council may execute those works and recover from you the necessary expenditure incurred.



**Dated: 24<sup>th</sup> October 2025**

**Signature: .....**  
**(Authorised Officer)**

This matter is being dealt with by Mr Richard Roberts, Environmental Health Officer who can be contacted at:

Environmental Health & Trading Standards,  
Plough Lane,  
Hereford.  
HR4 0LE

## Notes

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:

### Appeals under section 80(3) of The Environmental Protection Act 1990 ("the 1990 Act").

- 2
- (1) The provisions of this regulation apply in relation to an appeal brought by any person under Section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
  - (2) The grounds on which a person served with such a notice may appeal under Section 80(3) on any one or more of the following grounds that are appropriate in the circumstances of the particular case:-
    - (a) that the abatement notice is not justified by Section 80 of the 1990 Act (summary proceedings for statutory nuisances);
    - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
    - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
    - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
    - (e) where the nuisance to which the notice relates:-
      - (i) is a nuisance falling within Section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
      - (ii) is a nuisance falling within Section 79(1)(b) of the 1990 Act and the smoke is emitted from a chimney, or
      - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial trade or business purposes, that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;
    - (f) that, in the case of a nuisance under Section 79(1) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of Section 80(1)(a) of that Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
      - (i) any notice served under Section 60 or 66 of the 1974 Act, or
      - (ii) any consent given under Section 61 or 65 of the 1974 Act, or
      - (iii) any determination made under Section 67 of the 1974 Act;
    - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the 1993 Act (loudspeakers in streets or roads);
    - (h) that the abatement notice should have been served on some person instead of the appellant, being:-
      - (i) the person responsible for the nuisance, or
      - (ii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
      - (iii) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
    - (i) that the abatement notice might lawfully have been served on some person instead of the appellant being:-
      - (i) in the case where the appellant is the owner of the premises, the occupier of the premises, or
      - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises, and that it would have been equitable for it to have been so served.
    - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being:-
      - (i) a person also responsible for the nuisance
      - (ii) a person who is also an owner of the premises, or
      - (iii) a person who is also an occupier of the premises, or
      - (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
  - (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in connection with, any copy of the notice served under Section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
  - (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which this regulation applies he may serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which this regulation apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.

- (5) On the hearing an appeal the court may:-
- (a) quash the abatement notice to which the appeal relates, or
  - (b) vary the abatement notice in favour of the appellant in such manner as it thinks fit to
  - (c) dismiss the appeal,
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of appeal the court may make such order as it thinks fit:-
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
  - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.
- (7) In exercising its powers under paragraph (6) above the court:-
- (a) shall have regard as between an owner and an occupier to the terms and conditions whether contractual or statutory of any relevant tenancy and to the nature of the works required and
  - (b) shall be satisfied before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

## Suspension of Notices

- 3 (1) Where:-
- (a) an appeal is brought against an abatement notice served under Section 80A of the 1990 Act, and
  - (b) either:-
    - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of works before the hearing of the appeal, or
    - (ii) in the case of a nuisance under Section 79(1)(g) or (ga) of the 1990 Act the noise to which the abatement notice relates is noise caused in the course of the performance of some duty imposed by law on the appellant, and
  - (c) either paragraph (2) does not apply or if it does apply but the requirements of paragraph (3) have not been met the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where:-
- (a) the nuisance to which the abatement notice relates:-
    - (i) is injurious to health, or
    - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
  - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice:-
- (a) shall include a statement that paragraph (2) applies and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
  - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.



## Statutory Nuisance

Residents have a legal right to be protected against statutory nuisance, as defined in legislation. Statutory nuisances tend to be property based issues from one premises to another. Therefore an issue which disturbed a person whilst walking on a public footpath, or whilst a visitor somewhere, could not generally be a statutory nuisance.

### What is a statutory nuisance?

A statutory nuisance is 'an unlawful interference with a person's use or enjoyment of land or some right over, or in connection with it' or evidence of a significant impact on the health and/ or wellbeing. It is more than a mere annoyance. Statutory Nuisance is defined by Part Three of the 1990 Environmental Protection Act and includes the following matters:

- **Smoke, fumes or gases:** emitted from premises, or from a vehicle, machinery or equipment in a street and bonfires
- **Odour, dust, steam:** from industrial, trade or business premises
- **Noise:** coming from premises, or from a vehicle, machinery or equipment in the street
- **Light:** from badly adjusted security lights or floodlights illuminating complaints property
- **Insects:** from any industrial, trade or business premises
- **The physical state of any premises:** to be in such a state as to be prejudicial to health or a nuisance
- **Accumulations:** anything which could cause a nuisance or present a health risk for humans, for example an accumulation of rotting food which attracts rats or mice

Issues not covered by statutory nuisance law are:

- Aircraft noise
- Odour from domestic premises
- General road traffic noise
- Neighbor's arguing
- Issues occurring on a premises occupied by the Crown for military or Ministry of Defence purposes.

### Assessing a Statutory Nuisance.

Nuisance is assessed as much by the reaction of an average reasonable person as by any technical equipment. An authorised investigation officer from Environmental Health decides whether a particular complaint meets the definition of a Statutory Nuisance. Sometimes measurements may be made to support the officers' assessment of a nuisance, however, there are no specific levels detailed within the legislation. The ultimate assessment is an officers' subjective assessment on the impact. The following points give some guidance:

- The problem must be considerable - for legal action a nuisance needs to be more than an annoyance.
- No account can be taken of particular sensitivities, problems of life-style of the complainant.
- Isolated acts cannot usually be taken into account; the nuisance needs to be regularly recurring.
- The Council (and ultimately the Court) has to be satisfied that the problem is an unreasonable and substantial interference with the enjoyment of the complainant's property.

When assessing the potential for nuisance the investigating officer will need to base their judgement on a number of factors. These include:

- How long it lasts \_ noise how loud it is.
- How intrusive it is
- How frequent the intrusion is
- Whether it is a one-off or continuing problem
- The time of day / night
- Whether it is deliberate or not
- The nature of the area you live in (e.g. rural or urban)

- What steps the perpetrator has taken to avoid or reduce the nuisance
- The use of the activity causing the noise to the public

N.B. Relevant guidance documents and standards can be used to support the officer assessment. E.g. When investigating a noise of an industrial nature, noise measurement assessments can be used to help indicate whether there is a likelihood of complaints occurring, which can be carried out to assist the officer in their subjective assessment of a statutory nuisance e.g. 'BS4142 -Method for rating industrial noise affecting mixed residential and industrial areas', 'University of Salford, Procedure for the assessment of low frequency noise complaints. NANR 45- Criteria'.

### **Action available to the Local Authority.**

All incoming complaints received by Herefordshire Council Environmental health are assessed and case history checks made. Generally for first enquiries, the initial action is to inform the person / business responsible for alleged statutory nuisance of the complaint, and advice given. Additionally, the complainants will be requested to provide evidence of any further occurrences of the matter and its impact on them in their property. This is usually requested in the form of a log sheet. The log sheets aim is to provide the case officer with sufficient information to demonstrate the on-going problem (time, duration and impact of problem). On receipt of this additional information an officer will assess the data to establish the next course of action. This log information is essential to the investigation as evidence of the nuisance being experiencing and assist the officer in carrying out a suitable, efficient and effective investigation.

If a full statutory nuisance investigation is deemed necessary, then this may involve the following methods relevant to the investigation; carrying out monitoring visits (personal observations), taking photographs, noise level measurements, sound recordings, using or installing monitoring equipment etc. In addition to any evidence provided by the complainant.

If the Local Authority is satisfied that a 'statutory nuisance' exists, or is likely to exist, then it can issue an abatement notice under the Environmental Protection Act 1990 to require the statutory nuisance ceases from continuing. Hence, the vast majority of cases that are presented to the local authority are on-going issues (rather than one-off issues) where a state of affairs exists.

If a served abatement notice is not complied with and the nuisance continues, further evidence of this breach needs to be established by the Local Authority and legal action would be instigated. If found guilty this will result in a criminal conviction and a fine of up to £5,000 for domestic premises and up to £20,000 for commercial premises (and costs).

The Council on identifying a breach of notice can also take action to stop or restrict the nuisance by:

- carrying out works and making the person given the notice pay for them (this can include seizure and confiscation of equipment)
- applying to the High Court for an injunction (if a prosecution is not adequate)

If, however, the Local Authority investigation identifies no Statutory Nuisance or insufficient evidence of a likelihood of a Statutory Nuisance, then there are no further powers available to insist on any improvements and the case will be closed.

### **Action available to complainant.**

An individual can take their own action direct to the Magistrates Court under Section 82 of the Environmental Protection Act 1990. The Magistrates Court will need to be persuaded that the nuisance problem amounts to a statutory nuisance. For further information on this action it is recommend further legal advice is sort or contact Citizens Advice.

Alternatively mediation may be considered. An independent third party will listen to the views of both parties and can help them to reach an agreed compromise. For a list of local mediation services visit webpage <http://www.civilmediation.justice.gov.uk/> .

## **A Simple Guide for Managing Entertainment Noise & Noise Management Plan**

This advice information is intended to provide a simple, non-technical guide for the managers of pubs, clubs and other venues who provide entertainment, such as live music, DJs, karaoke etc., to help manage noise and avoid complaints from neighbours. If you intend to hold a large-scale event or are thinking of installing a sound system to provide regular entertainment you may need to obtain specialist advice, although the advice here will still be relevant.

### **Managing Noise from Events / Licensed premises**

There are three basic concepts to managing noise:

1. Reduce noise at source.
2. Prevent noise escaping.
3. Noise Management.

#### **1. Reduce noise at Source**

- Choose speakers that are right for the premises size, type of venue and the entertainment that you wish to provide. For smaller venues or outside areas it is often better to have more, lower-power speakers positioned and directed into the entertainment area to achieve the best result for the audience and noise control, rather than one or two powerful speakers at one end.
- Ensure the bass level are minimised and not excessively heard over main music. Bass sound will carry over distance and through walls easier and cause greater disturbance. Sound checks from inside and outside of premises boundary will be required to suitably assess bass levels.
- PA systems and Karaoke – Carryout sound checks to ensure vocals are not excessively louder than music levels. Clearly audible vocal / announcement noise can cause greater annoyance than just music noise and leads to complaints quicker.
- Turn general volume down to a reasonable level e.g. identify acceptable noise levels to set on your sound system, so music and bass is not clearly audible in neighbouring residential areas compared to the general noise in the area. (This may require changes over the evening and into the night).

#### **2. Prevent noise escaping from Premises**

- Choose suitably located entertainment areas e.g. inside premises or away from neighbouring premises or in walled / fenced enclosed areas.
- Position speakers so they are directed away from windows, doors and other openings and don't mount directly on walls or other parts of the structure – use proper mounting-stands wherever possible.
- Close doors and windows to the event area / premise after 23:00 or during amplified music events. This can significantly reduce noise breakout.
- Look for acoustically weak areas in the structure: usually windows, doors, vents, roof and other openings, especially ones that open on to residential properties. For regular entertainment sites you may need to improve the sound attenuation of these areas – specialist advice is recommended to ensure money is spent wisely.

### 3. Noise Management

- Ensure appropriate Bands, Acts and DJ's are hired / work for the venue. Some will try to insist on playing at their preferred volume rather than the appropriate volume for the venue. Larger bands and speakers (if Acts bring their own sound system) are likely to be loud. Consider restricting performances to only using venues sound system and could install noise limiter devices. Ensure a good line of communication with regards to expected volume level and finish times are established prior to event starting. Plan the playing of more gentle tracks at the end of the performance as this can help with reducing volume, calm the mood and mean patrons will be less noisy as they leave.
- Make appropriate performance content checks and provide clear guidelines to the performers at the time of booking. Please note if Acts have adult content or swearing this is very likely to cause offence and distress to locals in the area if it is audible outside the venue.
- Number and duration of noisy events have a significant impact on how the noise affects neighbours. Please keep both to a minimum if entertainment noise is audible outside in neighbouring residential properties. Sensitivity and noise impact becomes greater in late evenings, night-time and early mornings, so will cause increased disturbance and distress to neighbours the later it goes.
- During events regularly monitor outside premises in the general vicinity to assess noise levels (entertainment & people noise) and the impact on local residents. Monitor noise to ensure the levels aren't creeping up and excessively loud (including bass levels & vocals) in the neighbourhood and that levels are reducing suitably if going later into the night. Ensure the person monitoring hasn't been desensitised by internal event volume. The purpose of the assessment is to compare event noise against normal background noise levels and audibility/impact in the general area.
- Implement a clear complaints investigation, actions and response procedure.
- Occasional Marquee, outside events or Licensing TENs – Notify neighbours of planned one-off, or occasional events detailing start and finish times and contact details. It is recommended the music and people move inside the main premises or if in an outdoor / marquee area reduce the noise levels later in the evenings after 23:00 (both music and people noise).

#### **Further Noise control Advice**

- **Noise council Guide on Noise from Pop Concerts 1995** (for all types of outdoor events and festivals taking place up to 23:00hrs). This document has been identified as requiring outdating by the IOA. [Code of Practice on Environmental Noise \(lambeth.gov.uk\)](http://www.lambeth.gov.uk)

#### **Other noise guidance – H&S noise at work guidance:**

- HSE Sound advice: Control of noise at work in music and entertainment - [Sound advice \(hse.gov.uk\)](http://www.hse.gov.uk)
- **British Beer & Pub Association Guide: H&S Guidance for Pub and Bar Operators** : web link - [THE NOISE AT WORK REGULATIONS 2005 \(beerandpub.com\)](http://www.beerandpub.com)

#### **Professional Services:**

Association of Noise Consultants: <http://www.association-of-noise-consultants.co.uk/>

Institute of Acoustics: <http://www.ioa.org.uk/home/default.asp>

### **Example of Key Elements of a Noise Management Plan (NMP)**

**The NMP needs to be site specific and event specific and should include (but not exclusively) the following areas:**

- **Event Details** - Overview of Location, Venue and Event (including times and duration)
- **Premises Details** – Type of premises / structures the event will be taking place in – e.g. open outdoor event, Marquee, enclosed building and its structure in relation to noise breakout.
- **Location** - Identify noise sensitive receptors in the area and understand background noise levels of area - local residents, other noise sources in area and any changes to noise environment over proposed event duration, after 23:00 classed as night-time therefore increasing sensitivity to noise later into the night the event runs.
- **Noise Management Responsibilities** – Detail lines of responsibility for noise management for the event / entertainment activity.
  - Detail person who has overall noise management control – who has the ultimate responsibility to ensure music is turned down when required or stopped at the end of the event time as specified in plan.
  - Details of noise consultants/ appointed suitably qualified and experienced person in noise control.
  - Detail Stage and Environmental noise control hierarchy.
- **Event Noise Sources** - The identification of the range of potential noise sources relating to the premises (including peripheral activities e.g. generators, bottling out, customers leaving event) and the acceptable levels of noise arising from all specified events.
- **Noise Controls** - A detailed list of steps taken to manage noise pollution:-
  - layout, speaker systems, and orientation of speakers,
  - Vetting of artist/ DJ should including consideration of the music genre and the premises structure. For example heavy bass travels further.
  - event programme design; louder music earlier in evening with set time to reduced volume & base later in the evening and specified stop time.
  - Pre-start sound checks to establish acceptable levels - noisy activity controls and maximum noise levels set, inside event and at the external monitoring points etc.
- **Noise Monitoring Procedure** - Detail the noise monitoring procedure to assess noise levels throughout the event, including sound tests.
  - Detail noise monitoring equipment specifications.
  - The identification of environmental noise monitoring locations to effectively monitor environmental noise impact of even on the area.
  - Defined programme of noise measurement to check that compliance has been achieved through monitoring and testing.
  - Detail subjective noise assessment checks to be made by competent person during monitoring and testing.
  - Design and include noise monitoring record form to be completed throughout the event and made available to LA officer if requested.
  - Detail lines of communication and follow-up actions.
  - Documentation to be kept and made available to Local Authority staff on request.

- **Noise Complaints Procedure:** Detail the noise Complaints Procedure, to include
  - Informative letter / notice to local residents and parish councils etc., which should detail event telephone number for complaints, start time and end time of music.
  - Detail actions required to investigate noise complaint.
  - Record of complaints and actions taken; including corrective action and follow-up assessment.
  - Documentation to be kept and made available to Local Authority staff on request.
  
- **Customer noise awareness information:** Procedure to make customers aware of the consequences of late night noise and to be proactive in dealing with the problem. E.g.
  - Notices displayed on exits and verbal announcements prior to dispersal asking customers to leave the premises in a quiet and orderly fashion to show respect to local neighbours

It is recommended the event Noise management plans be made available to the Environmental Health Protection Team at the event management stage / prior to start of entertainment activity to detail how the event organisers intend to promote the 'Prevention of Public Nuisance' objective. Through the licensing process a time for submission of this finalised document are usually detailed in the condition.

**Example Noise monitoring form:-**

<b>Event :</b> e.g <i>Hereford Summer event – venue details</i>		
<b>Date:</b> _____ <b>Event Start Time</b> _____ <b>End times:</b> _____		
<b>Nominated Noise manager</b>		<b>Noise Assessor(s)</b>
<b>General weather conditions and area observations for the evening:</b> <i>e.g Warm evening 10°C, partial cloud cover 30%, slight SW breeze, dry. Road traffic from the A499 quite busy and audible in area. Built up city centre location with residential premises within 20m of the venue.</i>		
<b>Date / time &amp; Sound levels</b>	<b>Location details, observations &amp; monitoring Information – change in weather.</b>	<b>Assessor comments &amp; Follow-up action</b>
Date /Time:- <i>01/7/22 18:30 to 18:40</i>  Noise level <i>(if relevant)</i>	Location:- <i>Pavement outside gate of 1 Town Square.</i>  Observations:- <i>Music from event audible, muffled words of song '.....'. No dominant bass detected. Traffic noise more dominant from passing vehicles. Intermittent traffic, so music dominant sound in the area for most of the time. Gulls also heard in area and people talking and walking past.</i>	Actions <i>Sound levels acceptable and although music is audible this is deemed acceptable for this event and time. No concerns identified.</i>  Sign xxxxxxxx
Date /Time:-	Location:-  Observations:-	Actions  Sign
Date /Time:-	Location:-  Observations:-	Actions  Sign

**From:** Laughland, Elisabeth  
**Sent:** 12 November 2025 19:20  
**To:** Out to Grass <infoouttograss@gmail.com>  
**Cc:** Reynolds, Jade <jade.reynolds2@herefordshire.gov.uk>; Roberts, Richard <Richard.Roberts@herefordshire.gov.uk>  
**Subject:** FW: Out To Grass - Noise consultant engagement (EP SRU 419474 & notice 3875 & 3876

Dear Mr Johnson,

I confirm I have received an email below from Malcom at Coppice Audio, introducing himself as being engaged by your, – 'Ian Johnson at Out To Grass to assist with the issues' raised. I assume this is regarding the noise nuisance issues and attached noise Abatement Notices served on you and 'Out to Grass Leisure Limited'. I am not aware of your contracting this person to liaise with us on your behalf so writing to your direct for this confirmation. Once confirmed, I can send the detailed information in this email directly to Malcolm or you can forward it yourself.

Regarding the questions raise in Malcom's email below about Statutory Nuisance and your licensable activities, please refer to the attached leaflet for further clarification. I confirm under Part III of the Environmental Protection Act 1990, noise complaints or concerns identified by the local authority must be investigated to determine if they constitute a 'statutory nuisance.' For an issue to be established as a statutory nuisance, it must either unreasonably and substantially interfere with the use or enjoyment of a home or other premises or injure health or be likely to injure health. The leaflet provides more detailed guidance on this matter.

When assessing potential nuisances, our investigating officers consider several factors, including duration, intrusiveness, frequency, whether the issue is a one-off or recurring, time of day, the nature of the area, the structure where the event is taking place, steps taken to avoid or reduce the nuisance, and the reasonableness of the activity causing the noise.

Environmental Health concerns regarding your site, noise nuisance, and the current license's suitability to meet the 'Prevention of Public Nuisance' objective are as follows: frequently the event music, especially the bass levels, is clearly audible in the area through the day and especially later in the evenings. Due to the bowl topography of the land and the quiet rural location, complaints have been received both locally and from further afield. Our Out of Hours noise team has witnessed bass music audible outside and inside local residents' properties on several occasions this year. Noisy events witnessed on the 20/ 7/2025 Time: 00:40, 26/ 7/2025 Time: 23:11, 30/08/25 Time: 23:14 and 05/09/25 Time: 23:50. The main entertainment structures at Out to Grass are geodomes (marquee type structures) with limited sound attenuation, supplemented by straw bales forming a limited noise barriers on one side. Additional external entertainment areas have little to no sound attenuation properties. The typical music events span several days, mainly from Thursday to Sunday, creating a noise impact especially with bass levels, throughout the day and late evenings.

The current license conditions, agreed upon in 2013, were for two main music events in May and September. However, the number of music events has significantly intensified. The site now operates as a commercial event/festival, glamping, and camping site, with events most weekends running from April to September. A site meeting on 30<sup>th</sup> July 2025, with myself, Josh Greeves, you, event manager Claire Kelly, and sound engineer Andrew Baylass, confirmed that these events/festivals were a main business activity necessary to supplement farm income.

During this meeting, we discussed noise management and the suitability of the current license. We recommended reviewing event activities and noise management controls to ensure

compliance with the 'Prevention of Public Nuisance' objective and consider varying the license to reflect current and proposed event use. We requested noise monitoring records for this year's events, which have yet to be received. The noise control documents provided identified there was an awareness of the noise impact, however there was little specific detail on controls and monitoring. The documents appeared to be incomplete and in draft form.

There has been a long history of noise complaints and subsequent investigations, actions, and enforcement related to music events at your premises, with Noise Abatement Notices served in 2001 and 2015. Despite short-term improvements or breaks in events over COVID and 2024, noise issues have repeatedly returned with little change in premises structure, and noise levels. There has been an increase in events and site development to expand into a private hire event/festival venue, camping, and glamping site. Following our assessment of this summer's music events a further Abatement Notices have been served (see attached).

Considering the significant change and intensification of events at the site, it is the opinion of the Environmental Health service that the licensing objective 'Prevention of Public Nuisance' is not being met with the current license conditions. We have not received sufficient information from Out to Grass to indicate these concerns are being addressed, nor have we received any proposed variation to the premises license. We are now considering calling a Licensing review to request that the Licensing committee consider proposed changes to the license conditions to better protect the area from event music causing a public noise nuisance. Proposals to consider:-

1. Restrict the number of large festival events e.g. two a year, with requirements for full noise management plan to be provided and approved prior to events.
2. Restrict entertainment days to a maximum of 15 days a year, and condition to ensure the events are suitably spread out over the summer period to ensure residents have suitable respite from noise.
3. Request the Live Music Act 2012 is disapplied and require shorter time periods where amplified entertainment music can be played on site - namely during the smaller events.
4. Review the current site entertainment area – consider including Geodome in quiet family camping area.

Please consider the points raised in this email, particularly regarding ensuring your licensable activities meet the 'Prevention of Public Nuisance' objective. Please provide a response detailing your noise control proposals and timescales for implementation by 24 November 2025. Please send your response to Mr. Richard Robert the case officer and copy myself and Jade Reynolds, the Principal EHO for the team.

I look forward to your response and cooperation in this matter.

Kind regards,

Elisabeth Laughland

**Herefordshire.gov.uk**

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**Elisabeth Laughland B.Sc.(Hons), M.Sc., MCIEH CEnvH, MIOA**  
Regulatory Service Manager (Environmental Health)

Economy and Environment Directorate

**Personal Contact Details:**

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Council's Homepage [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk) or follow environmental health on twitter @hfdsEH

**From:** Coppice Audio [REDACTED]  
**Sent:** 11 November 2025 19:37  
**To:** Laughland, Elisabeth <[Elisabeth.Laughland@herefordshire.gov.uk](mailto:Elisabeth.Laughland@herefordshire.gov.uk)>; [infoouttograss@gmail.com](mailto:infoouttograss@gmail.com); [REDACTED]  
**Subject:** Out To Grass

You don't often get email from [coppiceaudio@gmail.com](mailto:coppiceaudio@gmail.com). [Learn why this is important](#)

Dear Ms Laughland,

Coppice Audio have been engaged by Ian Johnson at Out To Grass to assist with the issues you have raised.

We have met with Claire and Ian to get some background but need some more information from yourself before we can make recommendations and design an appropriate solution.

There are a variety of approaches and techniques we can use and to help whittle this down we have prepared a list of questions which we would appreciate your response to.

- 1) We understand that it is not all of the events that have resulted in complaints, can you confirm which events caused issues?
- 2) What exactly is causing the complaints - ie music or general site noise? After speaking with Claire and Ian our feeling is that the sound system is the main issue.
- 3) If the music is the issue, is it all of the frequencies that are carrying or just the bass?
- 4) What directions are the complaints coming from? Our site survey suggests there are two main areas, one cottage at the top of Hooks lane and the second is two? properties near the top of the Farm drive, our preliminary design is focusing on these areas and does cover 360 degrees around the main stage however if there are areas that are not causing an issue we can use allocated materials from those areas to further reinforce the problem areas.
- 5) One of the conditions of the OTG license states that music from the site must not be heard in the neighbouring properties with the windows closed, I understand that you feel that this does not apply and that nuisance laws overrule this. Can you tell us what levels we need to be achieving at the perimeter of the site?

Once we have this information we can confidently move forward with a solution.

We are commencing bench tests on a variety of materials with a view to fabricate removable acoustic panels for the main stage dome, we can if required get our designs verified at the Acoustic Test Laboratories at the University of Salford and may involve them for the design process should it be more complex than it initially appears.

Regards,

Malcolm.



### **Environmental Health Proposed changes to Out To Grass Licence.**

1. Request the Live Music Act 2012 is disapplied and require shorter time periods where amplified entertainment music can be played on site - namely during the smaller events.
2. Reduce entertainment timings: -

#### Live music .Recorded Music

##### Current on timings :-

Sunday – Thursday 12:00 to 24:00

Friday – Saturday 12:00 to 02:00

##### Proposed changes:-

#### Live music .Recorded Music

Thursday - 12:00 to 24:00

Friday – Saturday 12:00 to 02:00

Sunday –12:00 to 22:00

Christmas eve and boxing day and bank holidays 12:00-02:00 if they fall on Monday to Wednesday.

3. Licenced areas- Request the site entertainment area to include dome tent in family camping area - See attached plan

### **Section - For Events of less than 500 people (including staff etc)**

#### **Remove Current - The prevention of Public Nuisance**

Noise or vibration shall not emanate from the premises so as not to cause a nuisance.

The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'

Remove condition –

'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'

Add conditions: -

The applicant must provide a Noise Management Plan to the Environmental Health Department at Herefordshire Council prior to the event taking place. Noise limits and background levels to be used must be agreed with Environmental Health Officers and incorporated into the plan.

## **Section - FOR ANY EVENT OF 500 PEOPLE OR MORE**

### **Current - Prevention of Public Nuisance**

The applicant must provide a Noise Management Plan to the Environmental Health Department at Herefordshire Council prior to the event taking place. Noise limits and background levels to be used must be agreed with Environmental Health Officers and incorporated into the plan.

The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.

### **Remove Condition**

Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.

### **Add conditions**

The Premises Licence will only permit a maximum of fifteen (15) days of amplified music entertainment per calendar year to take place on the premises. For the purposes of this licence a music entertainment day or event shall be defined as an entertainment where the primary purpose is a programmed act / performance featuring amplified music.

The Premises Licence will only permit a maximum of two (2) ticketed entertainment events open to the general public per calendar year to take place on the premises. For the purposes of this licence an event is where there is an organized, scheduled gathering for performances or acts over a specified period of time.

The Premises Licence holder must appoint an appropriate noise control expert to draft a Noise Management Plan (NMP) for the amplified music activities held on the site. Within 2 months of issuing this licence or 28 days prior to the first sites amplified event activity of the year the draft NMP must be submitted to Environmental Health for review. Environmental Health shall communicate any issues with the NMP to the premises licence holder in writing within one calendar month of receipt and agree any amendments with the Premises Licence holder or DPS. Where notification of any issues is not received within one month of receipt of the NMP the draft NMP shall be deemed to be agreed.

The final NMP will be submitted to the Licensing Authority and Environmental Health least 14 days prior to the first amplified music entertainment day.

The Premises Licence holder must comply with the Noise Management Strategy as set out in the NMP and shall ensure that the promoter or organiser, the sound system supplier and all individual sound engineers are informed of any sound control limits.

The Premises Licence holder must review the NMP on an annual basis or in the event that further amendments are made to the NMP after submission of the final NMP, the Premises Licence holder or the DPS shall notify the Licensing Authority and Environment Health of the change prior to the start of the season or event.

The Noise Management Plan will include confirmation that noise levels will be monitored throughout the event at specified external locations to ensure that no noise nuisance is being caused. A written record shall be kept on the premises detailing the name of the person carrying out the monitoring, the monitoring locations, the date and time and the result obtained. Such record shall be made available on demand of an "authorised person" (as defined by Section 134 of the Licensing Act 2003) or the police.

For the ticketed entertainment events open to the general public, an appropriate noise control expert shall be appointed. The noise control expert shall advise on the content of the Noise Management Strategy to be included in the NMP and shall liaise with the Environmental Health Department prior to and during the event, as necessary.

For any event that is not a ticketed entertainment events open to the general public, a noise control expert shall be appointed if deemed necessary by the licence holder.

All music (other than background music that is not audible from the nearest noise sensitive premises) shall stop by 02:00 hrs.

The date of any ticketed entertainment events event, together with the details of the event organiser will be notified Environmental Health at least 28 days prior to the event.

The Premises License Holder will maintain a noise log, and this will be kept on the Licence site and will be available at all times for inspection by officers of Herefordshire Council.

A noise hotline will be installed and publicised so that local residents can report any noise issues directly to the Festival. All calls will be logged by time, location and contact number and address will be requested. The log will be kept in the site Office.

The log will be available at all times for inspection in the Site Office. The noise hotline number will be operational throughout the hours of regulated entertainment.

The premise licence holder or his nominated person will communicate with Local Residents and Local Businesses to ensure they are aware of contact numbers to hotline and general office and contact names. Make public a program of planned amplified music entertainment days and events no less than 28 days of the event.

Google Area Picture – 10/10/2025

