

LICENSING SECTION  
RECEIVED

21 OCT 2019

LEICESTER CITY COUNCIL




Licensing Authority

18/10/2019

Dear Sir/Madam,

Re: Five Nation (Music) UK Ltd  
Victoria Park  
London Road  
LE1 7RY  
14-21<sup>st</sup> June.

I am writing to object to the extension of the Five Nations concert which is scheduled to take place in June.

I live in  very close to Victoria Park and on the last

Occasion we had such an event the noise levels were unacceptable. I cannot believe that the music level was not exceeded. I understand from perusing the application that there is a proposed noise management plan but I do not feel, if other occasions are anything to go by, that it will be followed.

Personally, I feel that a potential crowd of 49,999 capacity is too large to hold on a Park which is so close to dense housing. Quite apart from the late night finish, amplified music there are the rehearsals and soundchecks during the day.

Public nuisance manifests itself in a number of ways. There may be

public conveniences but it is not unusual to find people urinating in our front gardens!

Parking of course becomes impossible. I have R.A. and trying to park as close as possible to my house is important to me.

Continual noise is wearing and the cumulative effect of yet another event of the past is demoralising. All things in moderation! I feel that the existing programmed events on the park and PNH grounds is already too large! I feel it a great shame that by ~~extending~~ extending this application you will be keeping more misery on us — an erosion of our citizens rights

Yours sincerely

## Amy Day

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**From:** Licensing  
**Sent:** 21 October 2019 11:27  
**To:** Amy Day  
**Subject:** FW: Victoria Park event June 2020

**From:** [REDACTED]  
**Sent:** 21 October 2019 11:16  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Victoria Park event June 2020

Re: Proposed event on Victoria Park, June 2020

I note that an application has been made for holding an event from 19-21 June 2020 on Victoria Park. As a nearby resident I am concerned that two aspects of the application seem likely to cause unreasonable noise pollution unless appropriate conditions are set and enforced:

1. Music/PA continuing after 10:30 pm
2. Ditto on Sunday morning, interfering with the 10:30-11:30 service at the church opposite on London Rd (St James)

Regards,

[REDACTED]

## Amy Day

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**From:** Licensing  
**Sent:** 28 October 2019 14:43  
**To:** Amy Day  
**Subject:** FW: Objections to 3 day event permit on Victoria Park

-----Original Message-----

**From:** [REDACTED]  
**Sent:** 28 October 2019 13:56  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Objections to 3 day event permit on Victoria Park

I'm writing from st James the greater to request restrictions be put in place to prevent our building becoming unusable due to noise levels. Last summer we had services disrupted by much smaller events. We already have concerts and a wedding in the diary which were booked months ago. Please advise the proper way go about this. If noise levels are kept so that music is not audible in the church and parking is not restricted then there wouldn't be an issue but this hasn't been the case in the past (de Montfort hall outside events used to not have music between 6.30&7.30pm to allow evensong to not be disrupted. To cancel the existing reservations on the Saturday will cost thousands potentially.



## Amy Day

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**From:** Licensing  
**Sent:** 30 October 2019 09:06  
**To:** Amy Day  
**Subject:** FW: Premises Licence Application 120663 - Live Nation - Kasabian (Victoria Park)  
**Attachments:** Licensing - Victoria Park - Kasabian Solstice II - 2020 06 20 - FCP Briefing.pdf

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**From:** [REDACTED]  
**Sent:** 29 October 2019 19:02  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Premises Licence Application 120663 - Live Nation - Kasabian (Victoria Park)

Dear Licensing,

See below for FCP's representation on this premises licence application, which is included in the attached briefing document that we are sending to our members.

### FCP REPRESENTATION

**Application process:** The applicant applied for a 2-day event in 2014, subsequently delivering a 1-day event.; this time they have applied for a 3-day event but have already advised they plan to deliver a 1-day event. Tactics of this sort should not be mistaken for any sort of concession.

**Event duration:** If such an event was held on a Friday, it would create serious traffic management issues, particularly during the evening rush hour; if held on a Sunday, it would disrupt the many church services held in the neighbourhood. Saturday is the only day on which it would be feasible to hold an event of this sort at this venue.

**Noise regulations:** For venues such as Victoria Park, the Noise Council's [Code of Practice on Environmental Noise control at Concerts \(1995\)](#) says that the Music Noise Level (MNL) should not exceed **65dB(A)** over a 15 minute period. Also, LCC's [Terms and Conditions for the hire of Leicester City Council Parks and Open Spaces](#) requires the hirer to agree not to exceed noise levels of **65dB** at any residential monitoring locations.

**Noise limits:** For the Kasabian – Solstice event in 2014, LCC agreed MNLs of **70dB(A)** for support acts and **73dB(A)** for the main act as Live Nation said they 'could not run the event with lower limits'; these agreed limits exceed both the Noise Council Code and LCC's T&Cs.

**Noise readings:** LCC's Noise Team's records show that the 2014 support acts limit was exceeded by **2.3dB(A)** and the main act limit by **1.7dB(A)**. As the dB scale is logarithmic, this means that the limits set were ~50% louder than the CoP and T&Cs for the support act and ~80% louder for the main act. On the day, the support act was ~73% louder than the CoP and T&Cs, and the main act was ~97% louder.

**Non-compliance:** The applicant claims a proven track record of complying with all licensing objectives, but LCC's Noise Team's records show that the applicant's 2014 event exceeded even the increased MNLs agreed.

**Venue suitability:** Victoria Park is very open with very little to deflect or attenuate any noise and is surrounded on two sides by dense housing which causes the sound to bounce around. In contrast, the King

Power Stadium is a purpose-built fully-enclosed venue, where Kasabian headlined two events over two consecutive days while not exceeding the 65dB(A) limit at the nearest Noise Sensitive Premises: <https://www.tpimagazine.com/kasabian-live-at-leicesters-king-power-stadium/> A venue such as King Power Stadium would be much more appropriate for commercial events such as this.

**Cumulative impact:** In August this year, there were 10 outdoor concert days on Victoria Park (VP) or at De Montfort Hall (DMH), meaning that residents were subjected to high noise levels on one third of the days that month. The programme of events at DMH is likely to be lower key next year, and while we welcome community events such as Caribbean Carnival and Leicester Pride, commercial events such as this application, Taste of Thailand and Fake Festival unnecessarily add to the cumulative impact, particular on those living nearest to VP.

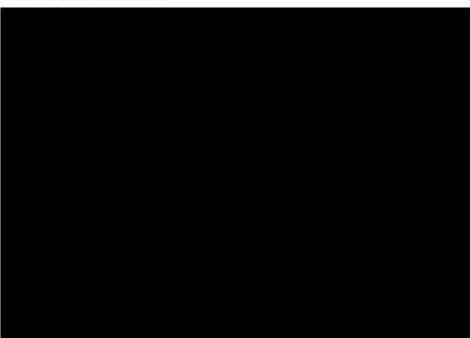
**Helicopter:** An aggravating factor at the 2014 event was that the applicant put up a helicopter to film the event. This was in addition to the (necessary) police helicopter, and created further event-related noise, much of which would not be registered by Noise Monitoring Equipment due to the use of the dB(A) measurements which filter out the lower frequencies. While not strictly covered by the licensing process, this additional noise contributed to the nuisance caused by the event and should not be permitted again.

**Anti-social behaviour:** As well as anti-social behaviour within the premises and on VP outside the premises (such as open public urination by men and women), there were a number of car windows smashed along Victoria Park Road (VPR) and on other roads in the area. There was also the noise of the crowd dispersing at the end of the event but congregating outside bars and takeaways with their own alcohol and 'partying', particularly on Queens Road and London Road, resulting in public urination in the surrounding roads and gardens of residents' properties.

**Acceptability:** For this application to be acceptable from a noise perspective, it would have to adhere to the 65dB(A) limits in the Noise Council's Code of Practice & LCC's own T&Cs for hiring parks. The 65dB(A) limit does not mean that residents won't be able to hear noise from the event (also including crowd noise, generators and other equipment), just that it would not be loud enough to create nuisance. To be acceptable from a timing perspective, it would need to finish earlier to allow the crowds to disperse while public transport is still running and without causing noise nuisance to residents trying to sleep – we suggest the 10pm finish stipulated in the premises licence for Victoria Park (LEIPNA0080).

**Conclusion:** Even the 1-day event currently proposed is not suitable for this venue as, based on the evidence of the almost identical 2014 event, it will create public nuisance, crime and disorder, directly contrary to the licensing objectives and aims. As the owner of the premises that the applicant is applying to licence, LCC could and should take the decision to refuse the use of the premises. It is understood that this would be a political decision, and as the key political decision maker, we urge the City Mayor to put residents first and refuse the use of Victoria Park for this event.

Best regards,



## FCP ADDITIONAL REPRESENTATION

**Victoria Park Licence:** Premises Licence LEIPNA0080 licenses all licensable activities from Mon to Sun from either 7:30am or 9:00am through to 10:00pm, and includes the following conditions attached after a hearing by the Licensing Authority:

- The licence holder shall ensure that the code of practice for bookings of parks and open spaces in Leicester, as circulated to members at the Hearing, be applied to all events on Victoria Park.
- Any events involving more than 1999 people must finish by 20:00, with the exception of one event per year which shall finish at 22:00.

This first condition applies to anyone hiring Victoria Park (whether or not it is included as a condition on their premises licence) by virtue of them having to complete an **Event Application Form** (see below) which in turn requires them to sign and return the **Terms and Conditions Declaration** agreeing to be bound by the **Terms and Conditions for the Hire of Leicester City Council Parks and Open Spaces** (see below).

The second condition should apply to all events on Victoria Park, not just those conducted under LCC's Victoria Park Premises Licence.

**Terms and Conditions for the Hire of Leicester City Council Parks and Open Spaces:** These apply to anyone holding an event on Council land and should be read in conjunction with the Council's **Event Application Form** (see below). The final page is the **Terms and Conditions Declaration**, which is to be returned with the application to the Festivals & Events Unit and states 'I have read and understood these conditions and agree to be bound by them'. The relevant paragraphs from this document are reproduced here:

### Introduction

1. These terms and conditions apply to those wishing to hire Council owned and managed land, in particular those wishing to hold an Event on such land
2. These terms should be read in conjunction with the Council's Event Application Form and Permission letter and any other licences, permits, permissions, risk assessments or agreements that may apply.

### Definitions

In these terms and conditions, the following terms shall have the following meanings:

**"Agreement"** means these terms and conditions together with the Hirer's completed Application Form, any licences, permits, permissions, grant funding agreements and the Permission letter

**"Application Form"** means the 'Event Application Form for Parks and Open Spaces', to which these terms & conditions are attached.

**"Venue"** means the park, open space or highway, or designated areas within a park or open space or on the highway, as specified on the Application Form, or otherwise agreed in writing between the Hirer and the Council.

### 1. Application and approval

1.1 In order for the council to consider an application for approval, the Hirer must complete and submit an Application Form and supply Supplementary Information.

1.7 The Hirer will abide by all the Council policies, byelaws, licensing requirements, in force from time to time copies of which are available on request.

### 4. Noise

4.1 The Hirer shall ensure that no noise nuisance shall be caused to occupiers of properties surrounding the Venue.

4.3 The Hirer agrees not to exceed noise levels of 65dB at any residential monitoring locations.

## 8. Toilets

8.1 The Hirer shall provide at its own expense temporary sanitary accommodation for the number of people attending the Event and having due regard for the nature of the event. Requirements shall be agreed with the Council prior to the Event.

## 11. General Conditions

11.3 The Hirer will not permit the operation or release of any highflying object including but not limited to drones and sky lanterns during the Event. Any breach of this clause will result in cancellation of Permission in accordance with Clause 14 (Cancellation) and Clause 15 (Termination).

**Event Application Form:** this is available at <https://www.leicester.gov.uk/leisure-and-culture/festivals-and-events/booking-a-park-or-public-space/> where there are three options:

- Book a park or open space
- Book a city centre event
- Book a city centre site hire

Whichever of these options are selected, once logged in, the first page of this form includes the following:

### Terms and conditions

Throughout the form, you will see references to our terms and conditions. Please familiarise yourself with this [terms and conditions document](#).

### Conditions on Other Premises Licences:

**22/07/2019 – Magic of Thailand**, Premises Licence LEIPRM1773 includes the following conditions (stage by pavilion, 10:00am to 7:00pm):

- Keep volume levels at a reasonable level including arranging an acceptable level with the Noise Team prior to event commencing and use a sound engineer to assess the impact of wind direction and adjust the amplified music levels if required.
- The site manager will ensure noise complaints are logged and investigated immediately with the sound engineer to resolve. Information on how to contact the site manager will be provided through the letterboxes of nearby properties.
- The licence holder will consider the noise impact when setting up the site and stages.

**03/08/2019 – Caribbean Carnival**, Premises Licence LEIPRM1783 includes the following conditions (stage by tennis courts, funfair by Victoria Park Road, 8:30 am to 9:30pm):

- The licence is subject to permission being granted by the land/building owner for specific use of any events planned. This must be evidenced in writing upon request by the Licensing Authority. The Licence Holder will comply with any local policies or regulations that relate to that land/building/area.
- The licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website [www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)
- A comprehensive noise risk assessment must be completed in consultation with the noise pollution team of the local authority. The authority must be satisfied with this assessment and that it will be adhered to in full.
- The licence holder will take all reasonable steps in order to reduce the chances of any event causing a public nuisance.

**10/08/2019 – Fake Festival**, Premises Licence LEIPRM1738 includes the following conditions (stage by pavilion, noon to 11:00pm)

- No relevant conditions

There is clearly some variation in what conditions are applied to which events, but we believe that the two conditions included in LCC's Victoria Park Premises Licence as identified above should be included in all Premises Licences for Victoria Park, namely:

- The licence holder shall ensure that the code of practice for bookings of parks and open spaces in Leicester, as circulated to members at the Hearing, be applied to all events on Victoria Park.
- Any events involving more than 1999 people must finish by 20:00, with the exception of one event per year which shall finish at 22:00.

**Noise and Pollution Team representation:** this representation includes that:

- This event 'will lead to considerably higher noise levels surrounding the park than local residents are used to from other events'
- Victoria Park is classified as an 'Other Urban Venue' within the Noise Council's Code of Practice, meaning 'The MNL should not exceed 65 dB(A) over a 15 minute period'
- The levels agreed for the 2014 event were 73 dB(A) for the headline act, and 70 dB(A) for all other support acts, but these were breached by both the last support act and the headline act, leading to multiple complaints.

This representation also correctly states that 'Weather conditions do play a part on the day, and wind direction in particular can influence noise levels, and increase them from those predicted'. However, the weather conditions at the 2014 event were warm with a light easterly breeze of ~6mph which would tend to reduce rather than increase the noise levels at Victoria Park Road, meaning that the actual weather conditions can be discounted as an influencing factor.

Our main concern with this representation is that rather than looking to control the noise to an acceptable level it proposes increasing the limit to accommodate the event, effectively reclassifying Victoria Park as 'Urban Stadium or Arena' under the Noise Council's Code of Practice. On this basis it proposes limits for this event of 70 dB(A) for support acts and 75 dB(A) for the headline act. It concludes that 'The noise levels and size of the proposed event will inevitably lead to complaints about noise, however with the use of the conditions listed above, and continuous noise monitoring during the event, these should be kept to as low as possible'.

**Licensing Enforcement representation:** this representation includes that:

- For the 2014 event 'there were a number of concerns and de-brief issues that the Safety Advisory Group were made aware of at the time. These concerns had negative impacts on the Licensing Objectives'.

This representation goes on to suggest applying restrictions and conditions to assist in upholding the licensing objectives. While we support these restrictions and conditions, some of them do not go far enough.

**Police Force Licensing Department representation:** this representation includes that:

- 'the present application fails to promote The Prevention of Public Nuisance, Public Safety, Prevention of Crime and Disorder and the Protection of Children From Harm'.
- The 2014 event 'involved 226 individual officer and staff duties or in the region of 2000 policing hours'. At a conservative estimate of £50 per hour, this equates to a total of £100,000.
- Experience of the 2014 event included 'very heavy alcohol consumption' with a bronze public commanders reporting a 'level of drunkenness unlike anything they have seen in their policing careers' and 'London Road and Queens Road having to be shut to traffic for public safety'.

- '5000 people descended onto Leicester Railway Station for just the last 4-5 services which caused chaos and a significant public safety issue', resulting in 'the station doors being closed in order to prevent crushing within the station'.
- '50,000 people attending the location on one day alone would stretch resources to the limit, have an adverse effect on the local residents, increase the risk of crime and disorder in the area on also cause a large amount of issues on the local road network and public transportation'
- 'granting this application in its present format would be contrary to the intentions and objectives of the four licensing objectives'
- 'bring forward the cease time of both the event and alcohol licence to no later than 9pm'

This representation and its Annexes make for quite alarming reading and we fully support the concerns and recommendations that the police make.

**Conclusion:** It is clear that the **Terms and Conditions for the Hire of Leicester City Council Parks and Open Spaces** apply to everyone who completes an **Event Application** Form in order to book Victoria Park for an event, so limiting the noise levels to **65dB** at any residential monitoring locations. Furthermore, the two conditions above applied to LCC's Victoria Park Premises Licence should be applied to every Premises Licence issued for Victoria Park. This would mean that the event could go ahead as long as complied with the **65 dB** noise level and finished at **10pm** (assuming no other events were utilising the single 10pm finish allowed), otherwise finishing at **8pm**. While events such as this have the potential to bring benefits to the local economy as well as the reputation of the city, they also bring problems as highlighted above. Given that all 50,000 tickets to the event have been sold in advance of a licence for the event having been granted, albeit they are still widely available on secondary ticketing sites, there is clearly demand for such an event. However, given the constraints, Victoria Park is clearly not an appropriate venue for such a large event and the problems it would inevitably cause, so the applicants should look to identify a suitable alternative venue where they can meet noise regulations, licensing conditions and any other conditions of hire.

## Amy Day

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**From:** Licensing  
**Sent:** 30 October 2019 09:08  
**To:** Amy Day  
**Subject:** FW: Kasabian Concert Concerns

-----Original Message-----

From [REDACTED]  
Sent: 29 October 2019 20:52  
To: Licensing <Licensing@leicester.gov.uk>  
Subject: Kasabian Concert Concerns

As a local resident who lives at [REDACTED] i have concerns about the Kasabian Concert. I saw the after math of the last concert and although the park was cleaned quickly there was a massive outfall of issues away from the park. Concert goers got very drunk. There was a lot of vandalism in neighbouring streets like ours. Car windows were smashed and fights took place. Its the kind of all day event that is going to encourage cocaine and alcohol combined use. I have seen this as a trend at such gigs and i don't particularly like my family having to see it. Rubbish and traffic issues were also concerns away from the focal point of the park as well. The decibel level of the concerts over the summer also breached guidelines.

## Amy Day

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**From:** Licensing  
**Sent:** 30 October 2019 10:49  
**To:** Amy Day  
**Subject:** FW: Licence application for Victoria park - Live Nation (Music) UK Ltd - 19 to 21 June 2019

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**From:** [REDACTED]  
**Sent:** 30 October 2019 10:47  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Licence application for Victoria park - Live Nation (Music) UK Ltd - 19 to 21 June 2019

### Licence application for Victoria park

Live Nation (Music) UK Ltd for a 3 day music event between 19 – 21 June 2019

Opening hours Friday to Sunday – 10:00 to 23:30

### Objection to licensing application

Kasabian is a favourite Leicester group and much appreciated when they performed on Victoria Park when City won the championship. However, this licensing application for a major concert on the park is completely different, which is proposed to be for one day, Saturday 20 June (later Live Nation advised to reduce this event to one day) - that is still too long, is too large and disruptive for an event to hold on the park, which is so close to housing.

However, is this a genuine license application process? The City Mayor was tweeting support...tickets sales for the concert began Friday 25/10/2019...weeks before a hearing to consider this application.

Nevertheless, I comment in good faith.

### Excessive Noise

In 2014, there was a one day music event on the park (Kasabian) that caused a great deal of public nuisance. The noise levels exceeded maximum levels agreed in the license causing great disturbance to neighbours living near the park. Afterwards the disruption, anti-social behaviour and noise around Queens Rd and London Road was appalling, especially late after the event finished at 11.30pm.

The code of practice for environmental noise control at concerts recommends a music noise limit of 65dB for 15 minutes at the nearest neighbour, sensitive property. However, at a meeting to discuss this application (City Hall, 24/10/2019) the council's Team Manager for Noise and Pollution stated **twice** the event would not go ahead with a 65dB limit [even though the music could be heard – it would not be loud enough!].

It seems residents in properties close to the park can expect sound levels approaching 73dB while Kasabian are on stage for two hours. This music noise level would be totally unacceptable for neighbours and the code of practice **should** be enforced.

In 2014, a helicopter circled low around the area, pushed up noise levels for a couple of hours in the evening, while filming - should not be allowed.

## **Road closures**

The licence application itself does not refer to the need to close roads and most of the Victoria Park, restrict parking and access for residents. Again back in 2014, the traffic management plans, although meant to help was a caused of great deal of inconvenience and nuisance to local people: closed many roads, restricted parking and some residents had to obtain permits to to enter roads they lived on, or to park in the streets. Buses were diverted which would have caused inconvenience to many passengers. Late at night, Queen's Road had to be closed because the road was blocked by people from the bars and takeaways with their alcohol milling around. It caused a great deal of public nuisance.

## **Crime and disorder**

The application does not consider the implications of the vast numbers of people (approaching 50,000) that descended on areas around the park before, during and after the event in addition to those attending the event, causing crime, anti-social behaviour problems and a public nuisance.

Crime figures saw a surge in June 2014. The police logged 56 crimes for Victoria Park of various form, theft etc including broken car windows on Victoria Park Road in June. But only 5 for the whole month of July (Park User Group minutes, August 2014). There was inconsiderate car parking. Minutes for the User group also refer to the Kasabian event – numbers of person urinating all over the park was a big problem to police or control.

Similarly, a friend emailed in to report over 30 people were urinating (men and women) in their cul-de-sac off Howard Road/Queens Road after the event. In 2014 the late night noise didn't stop until around 1:30am along parts of Queen's Road.

## **Finish time**

Dispersal of crowds and the noise after the event will have a huge potential impact on this area and cause a great deal of noise nuisance. If the event is to proceed, the finishing time should be earlier say 10:20pm (not 11:30pm) with last music finishing earlier at 10:00, which is stipulated for events on the park like the Caribbean Carnival and Pride. This allows time for people to get away with public transport still available with less disruption for residents with some trying to sleep, than a 11:30pm finish.

This event is likely have a huge demand on police resources and on the public purse, with no cost to applicant.

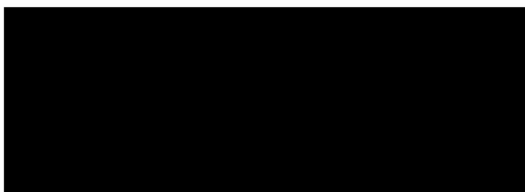
The existing program of events on Victoria Park and in DeMontfort Hall grounds during the summer is already excessive for those living next to the park.

In conclusion, this is a commercial event that is too big and too disruptive for the park. Despite all the assurances given back in 2014 – they didn't keep to agreed noise limits, there was a lot of post-concert crime and disorder which was difficult to police and control, and residents were greatly inconvenienced by road closures, restricted parking, a need to obtain permits and other conditions, so why should residents be persuaded matters would be different this time?

On balance it's better if the event is held elsewhere. Kings Power Stadium has been suggested where Kasabian have performed twice in recent years.

The City Council as owners of the land can refuse the use of the park. But that is consider a political decision which can only be decided by the City Mayor, and many wait to hear what he has to say.

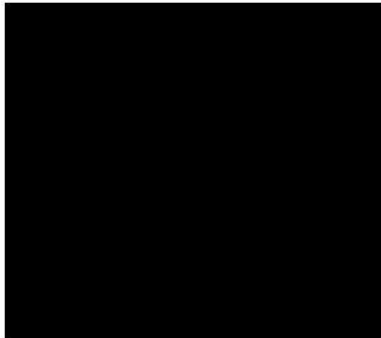
Yours sincerely,



## Amy Day

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**From:** [REDACTED]  
**Sent:** 30 October 2019 14:36  
**To:** Amy Day  
**Subject:** Re: Kasabian gig, 20/6/2020, Victoria Park



> On 30 Oct 2019, at 14:33, Amy Day <Amy.Day@leicester.gov.uk> wrote:  
>  
> Thank you for your email in relation to the Victoria Park application.  
>  
> Can you please provide your address.  
>  
> Once I have received this I will be able to accept your representation.  
>  
> Regards  
>  
> Amy Day  
> Licensing Officer  
> Licensing Authority  
> Leicester City Council  
> Email: amy.day@leicester.gov.uk  
> Telephone: 0116 454 3054  
>  
> [www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)

> -----Original Message-----  
> From: Licensing <Licensing@leicester.gov.uk>  
> Sent: 30 October 2019 09:09  
> To: Amy Day <Amy.Day@leicester.gov.uk>  
> Subject: FW: Kasabian gig, 20/6/2020, Victoria Park

> -----Original Message-----  
> From: [REDACTED]  
> Sent: 30 October 2019 02:57  
> To: Licensing <Licensing@leicester.gov.uk>  
> Subject: Kasabian gig, 20/6/2020, Victoria Park

> I sing with Leicester Bach Choir and our June concert on the above date has been booked at St James the Greater for well over a year. We are opposed to the license being requested for the Kasabian event, and would suggest that Walker's Stadium is a much more appropriate contained setting for it than the residential neighbourhood of Victoria Park. It is unbelievable that tax-paying residents are once again forced to put up with the chaos and disruption caused by big events on Victoria Park, when there is a perfect venue already available.

>

> I urge the council to reconsider, and give residents' concerns the priority they deserve.

>



## Amy Day

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**From:** [REDACTED]  
**Sent:** 30 October 2019 17:00  
**To:** Amy Day  
**Subject:** Re: FW: Proposed event on Victoria Park

[REDACTED]

On Wed, Oct 30, 2019 at 2:28 PM Amy Day <[Amy.Day@leicester.gov.uk](mailto:Amy.Day@leicester.gov.uk)> wrote:

Thank you for your email in relation to the Victoria Park application.

Can you please provide your address.

Once I have received this I will be able to accept your representation.

Regards

**Amy Day**

**Licensing Officer**

Licensing Authority

Leicester City Council

Email: [amy.day@leicester.gov.uk](mailto:amy.day@leicester.gov.uk)

Telephone: 0116 454 3054

[www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)



Leicester  
City Council

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**From:** Licensing <[Licensing@leicester.gov.uk](mailto:Licensing@leicester.gov.uk)>  
**Sent:** 30 October 2019 09:07  
**To:** Amy Day <[Amy.Day@leicester.gov.uk](mailto:Amy.Day@leicester.gov.uk)>  
**Subject:** FW: Proposed event on Victoria Park

**From:** [REDACTED]  
**Sent:** 29 October 2019 20:44  
**To:** Licensing <[Licensing@leicester.gov.uk](mailto:Licensing@leicester.gov.uk)>  
**Subject:** Proposed event on Victoria Park

Hello licensing department

We would like to object to the proposed event being held on Victoria Park.

Excessive noise, antisocial behaviours (vandalism, urination and drunkenness) and traffic disruption are only three of the problems that would affect Clarendon Park for many hours on the day as well as the set-up and breakdown times.

The Clarendon Park area is not suitable for such an influx of people and the related problems.

It would be a much better idea to schedule this event at the King Power Stadium where existing facilities exist for food, drink and toilets and where park and ride buses could keep the traffic disruptions better contained.

There may also be the opportunity for the owners of the King Power Stadium to ensure that some charitable donations towards the Leicester hospitals could be organised as part of this event.

It could be a great day for Leicester if held in the appropriate venue with appropriate facilities and management.

Yours faithfully,

[REDACTED]

## Amy Day

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**From:** Licensing  
**Sent:** 31 October 2019 08:11  
**To:** Amy Day  
**Subject:** FW: objection

**From:** [REDACTED]  
**Sent:** 30 October 2019 17:48  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** objection

I wish to register an objection to the proposed application by Live nation (Music) UK Ltd. for a one day concert on Victoria park on the 20th. June 2020 . I believe that there is the likelihood of considerable public nuisance to the area adjacent to the park. This is due to the very high numbers expected to attend, the traffic implications and the noise levels during the previous days test session and on the day. There is also concern that in the past there has been extra problems after the event has closed and people have drifted into the Queens Rd area for further refreshments as special late opening is granted to the bars and fast food outlets. This means spreading more noisy disruption and low level crime. Urinating in peoples gardens is objectionable. I have found the level of litter in the street following the concerts of this type quite awful due to the food and vomit about the place. It cant be expected of the police to cover all these areas and cleaning up tends to concentrate on the park first which of course is a huge task. I would hope that such events could in future be housed in a more suitable location such as the King Power Stadium where the Police could concentrate resources and there would not be the problem of the high density housing near he Victoria park. .

## Amy Day

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**From:** Licensing  
**Sent:** 31 October 2019 08:11  
**To:** Amy Day  
**Subject:** FW: Kasabian Solstice II 2020.06.20

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**From:** [REDACTED]  
**Sent:** 30 October 2019 18:34  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Kasabian Solstice II 2020.06.20

Dear Sir/Madam

I wish to object to this concert taking place in Victoria Park: one day is too much, three days is an insult!

As you can see from the address below, I live close to Victoria Park. The sound gets funnelled down our street, but also gets reflected from other buildings into our garden and the back of the house at night. The worst thing is the incessant beat of the bass guitar and drums.

There are other more suitable venues in Leicester. Please spare us! Kasabian's music is offensive to me as a musician, too.

Yours sincerely,

## Amy Day

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**From:** Licensing  
**Sent:** 31 October 2019 08:12  
**To:** Amy Day  
**Subject:** FW: Objection to Live Nation Event  
**Attachments:** Objection to application for premises licence by Live Nation for three day event on Victoria Park.docx

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**From:** [REDACTED]  
**Sent:** 30 October 2019 19:37  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Objection to Live Nation Event

Dear Licensing team

I attach my representation to the licence application by Live Nation for an event on Victoria Park in June 2020.

I assume I can add further supporting documents (e.g. photos) at a later date before the hearing?

## Objection to application for premises licence by Live Nation for an event on Victoria Park June 2020

Note: this application refers to a three-day event. I understand Live Nation has now agreed they will only have one event day (plus rehearsals and sound check).

That is not a formal decision and I must make it clear that I think an event of this type on a Sunday (noise disturbing church services etc) or a Friday (traffic management unworkable) would be totally unacceptable.

However, the essence of my objection is that the event proposed **is unsuitable for the venue** (Victoria Park) and would be contrary to the aims of Licensing Act 2003 to prevent public nuisance and crime and disorder. Therefore, my objection remains even for one day.

### Summary of objection

- A performance by Kasabian and others will undoubtedly be welcomed by many. I don't dispute that.
- But the value of an event is not a consideration in assessing impact of nuisance – this is established in case law
- Can it be held at Victoria Park without causing public nuisance and disorder? If not, then it cannot be granted a licence.
- I believe it cannot – due to the size/type of event, the music levels needed and the associated disorder and disruption.
- The open nature of the park and the dense housing surrounding it is key to this.
- Past experience of a similar event in 2014 from this applicant supports this view.
- The cumulative effect of many events on park and De Montfort Hall gardens is important (and relevant to licensing and assessing noise nuisance)
- Is there a better venue for an event of this kind - eg King Power stadium which now has a licence for such events?

I am not suggesting that no music events can be held on the park – it is unreasonable excess that is the problem.

How could a one-day event be acceptable?

- If noise levels were kept to maximum of 65dB – in line with Code of Practice and LCC conditions for events on parks
- And it finished before 9pm, allowing time for people to wind down and disperse using public transport and before residents want to sleep.
- And if maximum numbers were reduced to 20,000

While this would still cause disturbance to residents, these are the levels that have been found tolerable for large events on Victoria Park – beyond that it becomes unreasonable. And it would require other events on the park in summer 2020 to be reduced.

### Noise nuisance

Noise nuisance can have a major impact on people's health. An event of this magnitude interferes significantly with people's everyday activities if they live close to the park as evidenced by the 2014 event by this applicant. People also described having headaches and other symptoms. It can cause mental distress - and the cumulative effect can mean that people become sensitised to future noise. The excessive number of events this summer has

meant that I have had 'anticipation anxiety' for example. When an unexpected marquee appeared on the park it caused alarm. At its worst, noise nuisance can cause people to take their own lives – and I have personal experience of this with a friend.

Assessing when noise becomes nuisance can be subjective. A Code of Practice for Environmental Noise at Concerts (C of P) exists to make this more objective.

This covers music levels, takes into account other noise from an event and the cumulative effect when a number of events are held in the location. NB for residents around the park, both park events and those at De Montfort Hall must be considered together - as embodied in the C of P.

The C of P aims to set levels that prevent 'annoyance' becoming 'public nuisance'. For a location such as an urban park, where there are 1-3 event days a year the levels should not exceed 65dB at nearby homes. This is also reflected in the council's Terms and Conditions for hire of the park – para 4.3 "The Hirer agrees not to exceed noise levels of 65dB at any residential monitoring locations". When Kasabian played at King Power, that was also the maximum set there. The C of P expects that where there are more than 3 event days (as there are on Victoria Park) the noise level should be lower still.

Yet for the 2014 Kasabian event maximum levels were set at 73dB for the main act, and 70dB for support acts. (Note that 73dB is nearly twice as loud as 65dB it is a logarithmic measurement). There is also evidence that these levels were exceeded. It must also be recognised that residents do not hear loud 'music' – what they hear is distorted by the distance and reflection from the tall buildings around. Low frequencies can be particularly disturbing.

In addition, during the main act there was a helicopter continuously circling low filming a promotional video - which meant higher noise levels spread further afield. As this was not expected by residents it added to stress as we didn't know the reason or duration.

In assessing noise nuisance, such sources other than music must also be considered – and while the application intends music to finish by 11pm, with a very large crowd (roused by loud music and alcohol) the direct noise levels associated with their dispersal is high. This is at a time when people are wanting to sleep. 'Clear-up' can also be noisy.

**It is not reasonable to licence noise volumes of nearly double the accepted limits 'because the event cannot be held at lower levels' – just as it wouldn't be acceptable to licence an event at twice a buildings safe capacity. In both cases the event would be unsuitable for the venue.**

It was however possible for Kasabian to play at King Power in 2016 and have the music levels they wanted without excessive noise for its neighbours.

### **Other public nuisance, crime and ASB**

If the music and alcohol doesn't end until 11pm, significant noise and disorder from crowd dispersal occurs at a time when it may disturb sleep.

While most people may disperse towards the City centre, in 2014 large numbers left along Victoria Park Road and Queens Rd, making it difficult to control. There was criminal damage in the area as well as nuisance.

The noise levels near my home did not return to normal until about 1.30am (evidence from my emails at the time). This was because large numbers dispersed this way to the takeaways on the Queens Rd shopping area.

Normally premises are closing and quietening by 11pm, and I expected the 'roar' of the crowd to pass by, but people congregated in the street near a bar and take away – music coming from the bar. People were wandering into the street in front of traffic. Drunk, and without toilets, significant numbers of people came into my street to urinate on walls, gates and gardens.

Some sat on garden walls with their takeaways and others ran up paths and banged on doors. Inside, on my own, I was scared.

An earlier finish would aid dispersal as there is still public transport available and more people can go home rather than 'have a night out' and get taxis, or stay overnight. Hotels are already reported to be sold out and people say they will be sleeping in their cars. Buses from City Centre finish around 11pm – and Loughborough is the only Leics destination served by trains after that time. The last train to Market Harborough and London is at 21.56 and the last Hinckley and B'ham train at 22.20.

This is one of the reasons Victoria Park's licence set finish times earlier.

A police report to Victoria Park User Group meeting in Sep 2014 said there were 56 crimes recorded on the park and perimeter streets in June. In contrast there were 5 crimes for July. These would not include those incidents occurring into the residential areas, nor elsewhere such as rail station and City Centre. Nor of course the incidents that were not reported. Police were required in large numbers – and the event organisers don't pay for this, we do as taxpayers. An event of this size and type is not just a concert as described in the application. Kasabian promise 'the biggest party of 2020'. Getting drunk will be an integral part of this for many.

It seems almost to be accepted that getting drunk will involve people urinating where they will. Live Nation provided some toilets on the park outside the fenced compound as requested. However, in spite of this people were urinating all over the park. This was not a covert activity it was in full view, just yards from users of the park of all ages. It was followed as mentioned above by people urinating in my street and garden. The park and my garden stank for days until we had some good rain. There were reports that similar was happening inside the fenced area – including urinating up people's legs. This is borne out by a tweet following the announcement of the 2020 event in which fans describe this – and one retaliating by urinating in a cup and tipping it over his head.

In 2014 major traffic management was needed. This involved bus diversions, road closures and restrictions on access and parking, for residents as well as visitors. This was essential for public safety – but caused considerable disruption for people living in the area. Without buses, and the late hour of finish I was unable to get away from the event. Local events had to be cancelled. Use of the park for ordinary park activities was restricted for some time either side of the event.

'Game play' by Live Nation doesn't inspire trust. In 2014 we welcomed a pre-application meeting. This discussed a one-day event. Residents were later shocked to find the licence application was for two days – though only one was granted. Promises were made that were not fulfilled. I hoped that the assertion that this was a 'one-off' event was true.

This time there was no pre-application consultation - we were faced with an application for a three-day event. There seems to have been no pre-consultation with responsible authorities either. This creates consternation to everyone – and adds to the stress that residents face. The recent publicity for the Kasabian event as a 'done deal', including selling of tickets, only adds to anger and mistrust.

Is selling tickets before a licence is granted intended to put pressure on the licensing committee - and deter people from objecting? I trust you will resist that.



**Traffic Management – Kasabian (Victoria Park) 21<sup>st</sup> June 2014**

**Letters to Residents;**

**1. Granville Rd;**

Access via University Rd to off street spaces only;  
Access will be limited to times to low activity on the road;  
This road will close at 0600hrs Saturday and reopen in the early hours of Sunday  
On street parking will be prohibited from 0600hrs Saturday.

**2. Salisbury Avenue**

Access via University Road from 0600hrs Saturday.  
Businesses and residents can get access permits to off street spaces (unlimited in number)  
Residents can get access to a limited number of parking bays (15 spaces)

**For the following street names anyone that has waiting restrictions outside their house can apply for an on street space with 3 to 7 numbered below;**

**3. Victoria Park Road (between Queens Road and London Road)**

Access via Welford Road end.  
Access with permit to off street spaces only within the road closure section;

**4. St Marys Road / Knighton Park Road;**

Access via Victoria Park Road from Welford Road;  
Access to off street parking via permit;  
On street permits 61

**5. North Avenue (13)**

**The Avenue (23)**

**East Avenue (54)**

Access via Welford Road, Queens Road and Clarendon Park Road;  
Permits on-street as above;

**6. Howard Road (eastern section) & Orlando Road**

Access via Queens Road  
28 permits on-street

**7. Springfield Road (88) Access via Clarendon Park Road or London Road**

**Cross Street (73) Access as above**

**Avenue Road (112) Access via London Road**

**For the following streets; residents' parking is limited to only those that live in that street;**

8. **Hershall Street 70**  
**Mundella Street 17**  
**Ripon Street 40**  
Normal access;

**Other areas of note;**

**Road Closures;**

Victoria Park Road (between London Road and Queens Road)  
The Avenue  
Granville Road

**One Way Roads**

University Road (towards Welford Road)  
Lancaster Road between University Rd and De Montfort St (towards Waterloo Way)  
De Montfort Street (towards London Road)  
Regent Road between De Montfort St and University Rd (towards University Rd)  
Victoria Park Road between Welford Road and Queen Road (towards Queens Rd)  
Queens Road between Victoria Park rd and Clarendon Park Rd (towards Clarendon Park Road)  
Clarendon Park Road between Queens Rd and London Rd (towards London Rd)  
Clarendon Park Road between Queens Rd and Welford Rd (towards London Rd)  
Knighton Park Road between St Mary Road and London Rd (towards London Rd)

**Waiting Prohibited; 0600hrs and 2359hrs Saturday 21<sup>st</sup> June 2014**

University Road (both sides)  
Regent Road (both sides) between Waterloo Way and Granville Road  
Granville Road (both sides)  
De Montfort Street (both sides)  
Lancaster Road (both sides)  
London Road (both sides) between Clarendon Park Road and Evington Road  
London Road (both sides) between Evington Road and Waterloo Way (from 1800hrs to 2359hrs)

St James Road (both sides) between its junction with London Road and 30 metres north.  
Evington Road (both sides) between its junctions with Beckingham Road and London Road  
Mayfield Road (both sides)  
Beckingham Road (both sides)  
Putney Road (both sides)  
Victoria Park Road (both sides)  
Welford Road (north east side) between its junctions with Victoria Park Road and University Rd  
Queen Road (both sides) between its junctions with Victoria Park Road and 30 metres south of its junction with Clarendon Park Road  
Clarendon Park Road (north side) between its junction with Queens Road and London Road  
Clarendon Park Road (south side) between its junctions with Queens Road Welford Road  
St Marys Road (both sides)  
Knighton Park Road (both sides)

### **Egress**

Parking on London Road from Granville Road and Waterloo Way will cease at 1800hrs on Saturday to prepare for the egress after the concert; this road is expected to close around 2130hrs until around midnight.

Other roads that will be closed include;  
De Montfort Street between London Rd and Regent Rd  
University Road  
and Victoria Park Road.

### **Taxi stand for drop off and pick up.**

1. Victoria Park Road (northwest side) between 30 metres north east and a point opposite its junction with Lytton Street.
2. Lancaster Road (north side) between University Road and De Montfort Street

### **Drop off and Pick up Area**

1. Victoria Park Road (northwest side) between a point opposite its junction with Lytton Street and 10 meters southwest of its Queens Road.
2. University Road (east side) between the entrance to WQE 2 College and a point 20m south of its junction Lancaster Road.

## Kasabian 2014 photos

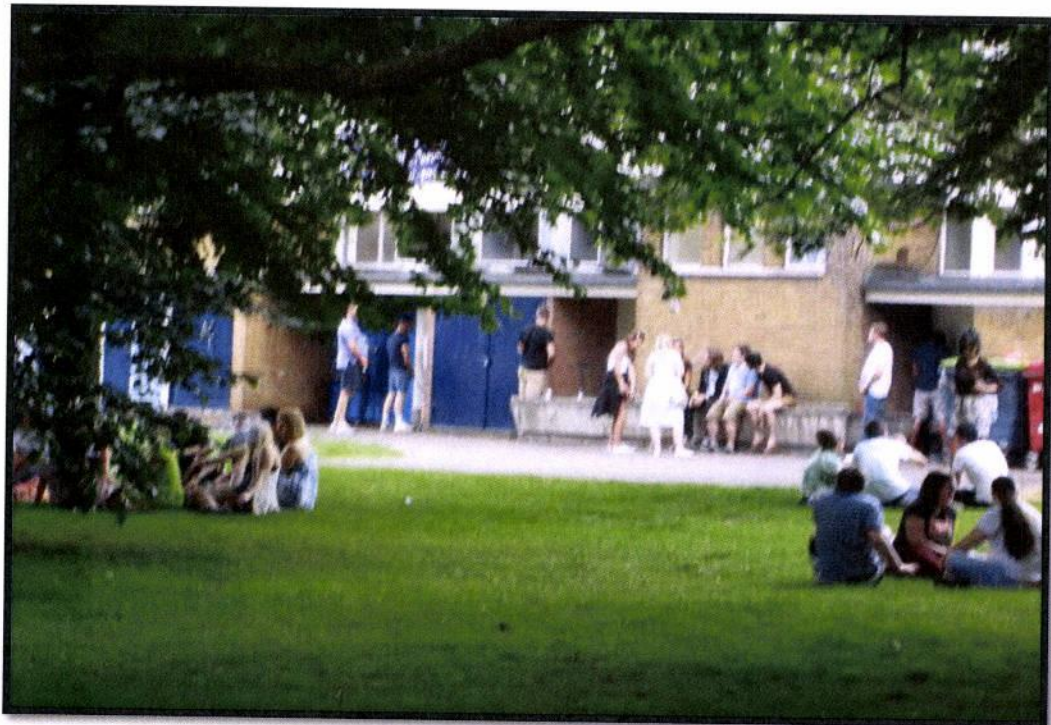
Having to walk in road due to crowds round the bars in Queens Rd. Behaviour became more drunken as time went on. Road eventually closed for safety

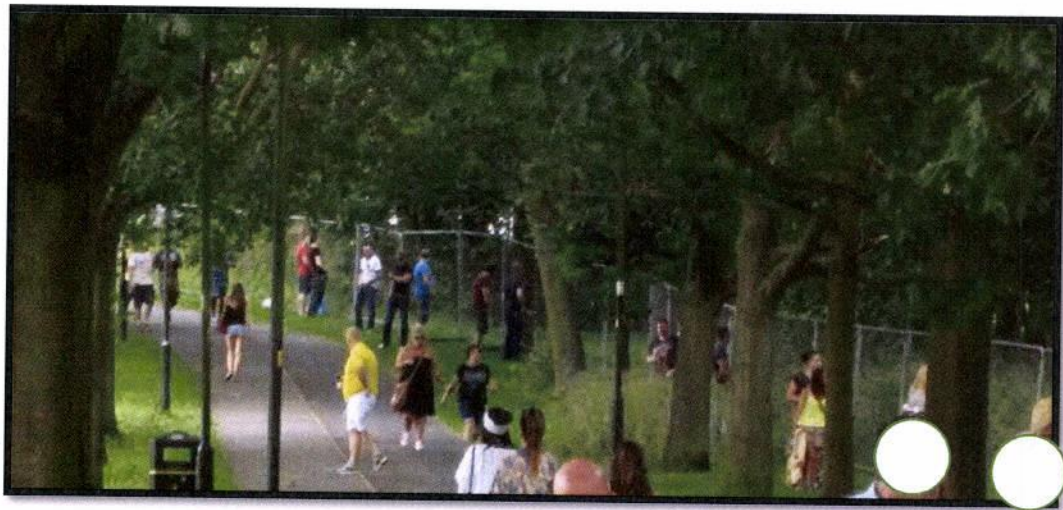




Urinating openly on park

Note – I didn't take photos of the most overt examples.





Toilet queues (outside fence)



After the event around Queens Rd area. Noise continued until 1.30am



Disorder and crowding London Rd before event



Finally – the lack of bladder control seems to have been present within the venue as well.

The last time Kasabian played at Victoria Park someone pissed up the back of my leg. He was really brazen about it. Later on in the night I saw him again, pissed in a cup and poured it all over his head.

I won't be outpissed in my own backyard.

11:21 AM - 21 Oct 2019

2 Retweets 22 Likes

3 2 22

Replying to [redacted]  
I think we've got a winner [redacted]

1

[redacted] - Oct 21  
Replying to [redacted]  
The same happened to me. I was wearing shorts.

## Amy Day

---

**From:** [REDACTED]  
**Sent:** 01 November 2019 09:38  
**To:** Amy Day  
**Subject:** Re: Kasabian concert



On 1 Nov 2019, at 09:11, Amy Day <Amy.Day@leicester.gov.uk> wrote:

Thank you for your email in relation to the Victoria Park application.

Can you please provide your address.

Once I have received this I will be able to accept your representation.

Regards

**Amy Day**  
**Licensing Officer**  
Licensing Authority  
Leicester City Council  
Email: [amy.day@leicester.gov.uk](mailto:amy.day@leicester.gov.uk)  
Telephone: 0116 454 3054

[www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)

<image001.jpg>

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**From:** [REDACTED]  
**Sent:** 31 October 2019 16:33  
**To:** Licensing <[Licensing@leicester.gov.uk](mailto:Licensing@leicester.gov.uk)>  
**Cc:** Patrick Kitterick <[patrick.kitterick@btinternet.com](mailto:patrick.kitterick@btinternet.com)>; Cllr Danny Myers <[Danny.Myers@leicester.gov.uk](mailto:Danny.Myers@leicester.gov.uk)>; TheMayor <[TheMayor@leicester.gov.uk](mailto:TheMayor@leicester.gov.uk)>; Jon ASHWORTH <[jon.ashworth.mp@parliament.uk](mailto:jon.ashworth.mp@parliament.uk)>  
**Subject:** Fwd: Kasabian concert

To whom it may concern,

I was very concerned to learn that an application has been received for a three day plus event in Victoria park. If handled well, such events can be fun, bring Social and environmental benefits

to everyone, and financial benefits to the community and businesses. However, the last time this event took place, noise, environmental damage to the park and streets, and anti social behaviour , were the main rewards for the community. I am not aware, for example, of any money from the event being given specifically to the park and local community.

This event will bring much noise, pollution, and environmental damage to a residential area, and few benefits, if any, to regular park users.

May I object to this event As it currently standson the current terms and ask some questions?

What environmental protections are in place?

What happens to the habitat?

Are the council insisting on with reusable cups? I know some events insist on people paying for. Reusable cup, and using that all day.

What financial reparations for the park and local residents are planned, working with the often ignored by lcc, FriendS of Victoria Park? These would have to be substantial and explicitly and ring fenced (not already much repromised 106 money!!), paying for , eg a new band stand, as well as far more tree planting , the new adult play area and habitat improvements.

As well as anti-social behaviour within the premises and on VP outside the premises (such as open public urination by men and women), there were a number of car windows smashed along Victoria Park Road (VPR) and on other roads in the area. There was also the noise of the crowd dispersing at the end of the event but congregating outside bars and takeaways with their own alcohol and 'partying', particularly on Queens Road and London Road, resulting in public urination in the surrounding roads and gardens of residents' properties.

For this application to be acceptable from a noise perspective, it would have to adhere to the 65dB(A) limits in the Noise Council's Code of Practice & LCC's own T&Cs for hiring parks. The 65dB(A) limit does not mean that residents won't be able to hear noise from the event (also including crowd noise, generators and other equipment), just that it would not be loud enough to create nuisance. To be acceptable from a timing perspective, it would need to finish earlier to allow the crowds to disperse while public transport is still running and without causing noise nuisance to residents trying to sleep.

I we suggest the 10pm finish stipulated in the premises licence for Victoria Park (LEIPNA0080). Even the 1-day event currently proposed is not suitable for this venue as, based on the evidence of the almost identical 2014 event, it will create public nuisance, crime and disorder, directly contrary to the licensing objectives and aims. As the owner of the premises that the applicant is applying to licence, LCC could and should take the decision to refuse the use of the premises. It is understood that this would be a political decision, and as the key political decision maker, we urge the City Mayor to put residents first and refuse the use of Victoria Park for this event. I urge Jonathan Ashworth to support this decision on behalf of his constituents,.

At the very least councillors mp and mayor should insist on vastly improve conditions, reduced environmental costs, plastic and carbon footprint and adequate reparations.

Best wishes,

[Redacted signature]

## Amy Day

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**From:** [REDACTED]  
**Sent:** 31 October 2019 14:06  
**To:** Amy Day  
**Subject:** Re: FW: Objection to licence for Kasabian Victoria Park gig

Sorry Amy.

[REDACTED]

I'd also like to add that when I saw the gig announced, I contacted Live Nation as well as my local councilor. Live Nation told me the license had already been granted. I believe they deliberately lied to prevent me from opposing their application.

[REDACTED]

On Thu, 31 Oct 2019 at 13:49, Amy Day <[Amy.Day@leicester.gov.uk](mailto:Amy.Day@leicester.gov.uk)> wrote:

Thank you for your email in relation to the Victoria Park application.

Can you please provide your address.

Once I have received this I will be able to accept your representation.

Regards

**Amy Day**

**Licensing Officer**

Licensing Authority

Leicester City Council

Email: [amy.day@leicester.gov.uk](mailto:amy.day@leicester.gov.uk)

Telephone: 0116 454 3054

[www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)



Leicester  
City Council

**From:** [REDACTED]  
**Sent:** 31 October 2019 13:18  
**To:** Licensing <[Licensing@leicester.gov.uk](mailto:Licensing@leicester.gov.uk)>  
**Subject:** Objection to licence for Kasabian Victoria Park gig

To whom it may concern

I write to you to raise an objection to the proposed license for the Kasabian Gig on Victoria park on 20/6/20.

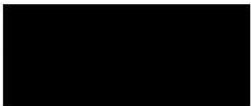
I'm a local resident who lives on [REDACTED] not far from the proposed stage area. During the 2014 Kasabian gig, the noise exceeded the levels set by LCC by a substantial amount. The property I live in has single glazed windows and poor insulation. Even with the windows all closed (on a potentially warm day) there's no barrier in-between me and the sound and there is nothing I can do to escape intrusive noise all day. The gig going ahead would mean that I'd be stuck in my flat all day with no respite from the loud gig that will be going on less than 100 m from my window. The acceptable level of 65dB(A) from the noise councils best code of practice and the councils own Ts and Cs for hiring parks, will be impossible to achieve with this scale of event and the proximity to local residents. In addition to that there's the noise from the crowd of 50k people along with construction, machinery and last time, they had helicopters too.

In addition to that there was a lot of anti-social behaviour in the area during the last event. People used my front garden as a bathroom and partied on the streets until after 1am after the last solstice gig. With the proposed start time of 10am and an end time of 11:30, the streets will be full of loud drunk people who will add to the disturbance already caused in the local area.

There are more suitable venues for such a huge gig. Kasabian have played at the King Power Stadium in the past, and as the venue is purpose built there was much less disruption. It's better for local residents and it's better for the fans of the band.

Please consider the impact on residents of [REDACTED] It isn't fair for us to be forced to live on, what will essentially be, a festival site. Especially when it's a commercial event that offers no benefit for the local communities.

Yours faithfully



## Amy Day

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**From:** Licensing  
**Sent:** 01 November 2019 08:35  
**To:** Amy Day  
**Subject:** FW: Representation - Live Nation Application for Victoria Park Concert June 2020  
**Attachments:** Representation from Dr Douglas Smith 31 October 2019 Final.docx; Supplementary Representation from Dr Douglas Smith 31 October 2019 Final.docx

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**From:** [REDACTED]  
**Sent:** 31 October 2019 17:50  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Representation - Live Nation Application for Victoria Park Concert June 2020

Attached are two representations in respect of the Live Nation application for a premises licence for Victoria Park.



**Representation from [REDACTED]**  
**Licence application for 3 day music event Victoria Park Leicester June 2020**

**Summary of main points**

1. The Live Nation Kasabian event on Victoria Park held in 2014 is the best guide to the impact which will arise from the proposed 2020 event.
2. The noise limits set for the 2014 event were 70dB(A) and 73 dB(A). All the noise records taken on the residential section of Victoria Park Road exceeded these limits.
3. The maximum worst-case predicted noise level for Victoria Park Road was 70.8dB(A). The actual noise levels were at least 30-40 per cent higher.
4. A low flying helicopter making a video of the event created considerable additional noise disturbance over a wide area. The planned appearance of the helicopter was not made known to the Licensing Committee, or anyone else. The relevant Code of Practice states that activities associated with an event need to be taken into account when setting the noise limits. This was not done.
5. The noise limits set for the 2014 event were considerably higher than is normal, or permitted, for events on Victoria Park. The actual noise from the event was double that normally allowed. This inevitably created considerable noise disturbance which extended throughout nearby houses meaning normal occupation of them was impossible. No explanation was given in support of these higher limits except that the event could not take place without them. This is not a sufficient explanation. The additional noise impact from these higher levels must also be considered, and their acceptability in terms of the additional noise fully explained in terms of their impact on people's lives.
6. The standard measure used for setting noise limits is based on an average noise level over 15 minutes. In any music sound level average reading, for half the time the noise levels will be above the average, usually considerably so. Two charts in the representation below show this. The maximum noise levels recorded by the city council noise team approached twice the average level. It is these higher levels which create a significant part of the noise impact. This needs to be taken in account in the setting of any average noise levels for any events.
7. In addition to the public nuisance caused by noise disturbance there are many other factors related to the other licensing conditions, although these are not considered in detail in this representation.
8. The overall conclusion is that Victoria Park is not a suitable location the proposed event in relation to the licensing objectives. From this representation this is primarily in terms of the inevitable public nuisance created by noise, but also other aspects of the event. There are also significant risks in relation to crime and disorder, and public safety.
9. This representation supports the refusal of this application.

**Representation from [REDACTED]**  
**Licence application for 3 day music event Victoria Park Leicester June 2020**

**Introduction**

The current licence application for three days (now apparently reduced to one day) is a repeat of an application made in 2013 for a similar event in Victoria Park in 2014. The 2013 application was for an event over two days which, following representations, was approved for one day only. A series of conditions, particularly regarding noise, were attached to and included in the licence. These were the conditions which the 2014 event had to meet. As the proposed 2020 event will be a more or less direct repeat of the 2014 event, the best way of assessing the proposed 2020 event is to examine the extent to which it met the 2013 licence conditions as this will show what can be expected from a repeat event in 2020. This representation is primarily concerned with the noise conditions which fall within the licencing objective of the prevention of public nuisance. It will also touch upon some aspects of the other licencing objectives.

**Prevention of Public Nuisance – noise and the 2014 event licence**

Following a representation from the City Council noise team a number noise related conditions were attached to the licence in 2013. For the purposes of this representation the important ones drawn from page 4 of the 2013 licence are:

*The licence holder will ensure a residential facade level not to exceed 73 dB(A) for the headline act, and a residential facade level of 70 dB(A) for all support acts.*

*The licence holder will ensure monitoring of noise levels will be for a music event level (MEL) of fifteen minutes, however levels over a shorter duration will also be undertaken to ensure that high levels can be reduced as quickly as possible.*

In addition, documents were also submitted to the licensing committee which identified an agreement that the licence holder would create a continuous sound log at a nearby residential property which would be made available to the different parties for debriefing purposes. This sound log would show music levels throughout the event. It was an agreement, but it was not a licence condition.

**Noise and the 2014 event**

In accordance with the above agreement with the licence holder, Live Nation, equipment was installed at a residential property on Victoria Park Road approximately 20m from the event boundary. There are 68 households registered for council tax purposes on this section of Victoria Park Road and probably more if HMOs are included which are not sub-divided for council tax purposes. Therefore this sound log would be representative of the facade levels experienced by a large number of the households nearest to the event.

The equipment was removed at the end of the event but unfortunately the sound log which was created was never made available. The only indication of its content is that the

technicians who installed it expressed concern at the levels which were showing at the time it was installed, and the resident, who was present at that time, also saw they were high. The committee may wish to draw its own conclusions about the reasons why this continuous record of the event was not made available as agreed.

### The Noise Team Records of the 2014 event

Following a recent request the City Council noise team very kindly provided details of their noise measurement readings for the 2014 event. The relevant ones in the vicinity of Victoria Park Road are listed below. All the measures are of 15 minutes duration except for the 21.49 reading which was for three minutes.

Start Time	LAeq	LA Max	Place of measurement
18.44	72.3	82.9	Victoria Park Road flats car park wall
21.14	74.7	81.7	Victoria Park Road flats car park wall
21.29	74.4	81.6	Victoria Park Road flats car park wall
21.49	71.8	79.7	Victoria Park Road Sports clinic (3 min)
21.56	54.8	67.9	Howard Road top end
22.06	73.8	82.1	Victoria Park Road flats car park wall
22.22	73.7	81.7	Victoria Park Road flats car park wall
22.39	74.1	81.0	Victoria Park Road flats car park wall

The very first point that needs to be made is to remind the committee that the dB(A) scale is a base 10 logarithmic scale. This means that sound levels increase logarithmically as the scale increases, which for a base 10 scale is a doubling for every 10 point increase on the scale. ***In practice this means that sound levels double between 65dB(A) and 75dB(A), or between 70dB(A) and 80dB(A).*** This is extremely important in assessing the noise impact of different scale measurements.

The second point to note is that every record taken on Victoria Park Road at the flats car park wall, which is around 200 metres from the main stage, is over the noise limit. The readings may not appear very much over, but when seen logarithmically working down the list they exceed the noise limits by the following approximate amounts – 23% (70dB(A) for support act), 17%, 14%, 8%, 7%, and 11%. It seems not unreasonable to expect that if there is a noise limit, the noise should be contained within the limit, not by an amount exceeding it. It should also be noted that ***the maximum worst-case predicted noise level for Victoria Park Road was 70.8dB(A).*** When assessed against this prediction the actual noise levels shown above were up to nearly 40% higher than claimed, and generally about a third higher. It follows that the predicted noise levels gave no useful indication whatsoever about the actual noise which the event would create, and the same will apply to any predicted levels submitted in support of the current application.

The third point is to question the specific location which was chosen for the noise checks. It is not clear why the flats car park wall was chosen as the monitoring spot on Victoria Park Road. At that point the residential buildings end, and it is part way round the corner from Victoria Park Road where there is the open space provided by the St. Mary's Road junction,

the flats car park, and the triangle park just across the road, all of which would allow for noise to disperse and become less intense. As the limit is set for the facades of noise sensitive premises, the area in which the checks should more correctly have been made is the section between the Mayfield Road roundabout and numbers 32 or 34 Victoria Park Road. In this area the tall houses would contain and reflect the noise, and it would almost certainly measure higher. Measurements on this section of the road would have given more valid measures of noise impact on the residents closest to the event, and they would have been higher than those taken elsewhere.

When Live Nation technicians installed the sound monitoring equipment at number 34 they expressed concern at how high the readings were. For that concern to have been expressed, those readings must have been significantly higher than the current readings taken further away. ***The current noise records taken on Victoria Park Road will understate the impact on the main housing block further along the road nearer to the event.***

The fourth point is to wonder why no shorter time checks were carried out in this section of Victoria Park Road when the evidence showed the limits were being exceeded. Shorter time checks of less than 15 minutes were included in the licence conditions for the 2014 event as a way of quickly detecting and responding to high noise levels. It is very likely that some short checks would have shown much higher levels as the 15 minute checks smooth out and conceal periods when the noise levels are much higher (see further discussion of this point later). The absence of shorter time checks suggest that no interventions were made to control noise levels, even though the limits were being exceeded. There is a strong case for arguing that interventions should be made when the noise level approaches but does not exceed the limits. If a significant margin above the limit is allowed before an intervention is made, then the *de facto* limit is higher than the stated limit. In this case the working limit appears to have been 75dB(A) rather than 73dB(A) – which is about 20 per cent higher, and double the normal limit for events on the park.

The final point about these noise records concerns the appearance of a helicopter making a video of some of the event. The records identify a helicopter for some readings and the noise team have stated that this increased the noise level readings. The records themselves don't appear to support this claim. The two main readings identifying the helicopter are lower than earlier readings, yet it is known that noise levels almost invariably increase in the later stages of music events. It appears that the helicopter made no difference to the recorded noise levels, probably due to the noise profile of the helicopter and the filters used in the noise measurements, ***but it made a considerable difference to the noise disturbance and noise impact for those on the ground.***

Whether or not the helicopter noise is a licensable issue, and that is arguable, the later appearance of the helicopter was known in advance by Live Nation and by the local authority but no one was advised of this. Local residents, the licensing committee, and others, should have been informed of the planned appearance of the helicopter, and the noise it would make should have been taken in to account in assessing the noise impact. Not to do so made a nonsense of noise control for this event.

## The Higher Limits Set for the 2014 Event

The standard noise limit for events on Victoria Park or at De Montfort Hall is 65dB(A) at the facades of noise sensitive premises. This is a recognised limit and it is routinely applied in agreements between event organisers and the city council noise team. It is also specified at paragraph 4.3 of the terms and conditions for hiring parks which states, "The hirer agrees not to exceed noise levels of 65dB(A) at any residential monitoring locations." It is set at 65dB(A) to avoid an excessive noise impact on local residents and to avoid the creation of a noise nuisance.

The noise limits set for the 2014 event by the licensing committee on the recommendation of the noise team were 70dB(A) and 73 dB(A), although in practice noise was permitted up to 75dB(A), and much higher for maximum or peak levels. The limits set by the committee for 2014 permitted noise levels to be 50 per cent higher than normal for support acts, and 80 per cent higher than normal for the main act. In practice at 75dB(A) the noise levels for both were double the normal permitted levels. Noise levels of this magnitude enter every room of nearby houses making normal occupation of them impossible.

The noise team recognised that the mixing desk levels required for this event *"..will lead to considerably higher noise levels surrounding the park than local residents are used to from other events, particularly for the headline act which finish the event."* (Noise team representation to the Licensing Committee in 2013). It follows from this that the event cannot be staged at the normal noise control levels for the park, they must be much higher and up to double the normal noise level. But in setting them much higher to allow the event to take place the authority is effectively reversing the normal procedure of establishing acceptable noise levels and requiring event holders to conform to them. This is a very important point.

The increasing of event noise levels to enable events to take place appears effectively to ignore the responsibilities the authority has to prevent and control noise pollution and noise nuisance. Those responsibilities are expressed through the normal limit of 65dB(A) for events, supported by conformity with the Noise Council Code of Practice which sets limits for different types of venue. If there is a proposal to increase those limits for any event then there needs to be a clear and detailed examination of both the reasons for this, and for the implications which follow from it in terms of noise pollution, noise nuisance, and the impacts it will have on the local population. It is not sufficient to say, as in 2014, the event cannot take place unless the levels are higher, and this will lead to considerably higher noise levels surrounding the park than local residents are used to from other events, and then just go ahead with the event. Those who propose higher limits must also explain what the additional noise impacts will be on the local community, how these impacts will remain within agreed parameters for noise disturbance, and why the higher limits should be considered acceptable in noise pollution terms. Those who propose higher noise limits must also explain why they did not arrive at the simpler and more obvious conclusion which is that if an event requires the normal noise limits to be doubled, the event is not one which is suitable for the proposed venue – Victoria Park.

## The Limitations of LAeq15 for Measuring Noise Impact

LAeq15 has been adopted as a standard measure for the control of noise which is why it forms the basis of the noise teams recommendations about maximum noise limits. However, LAeq15 conceals much of the true impact of noise on local populations.

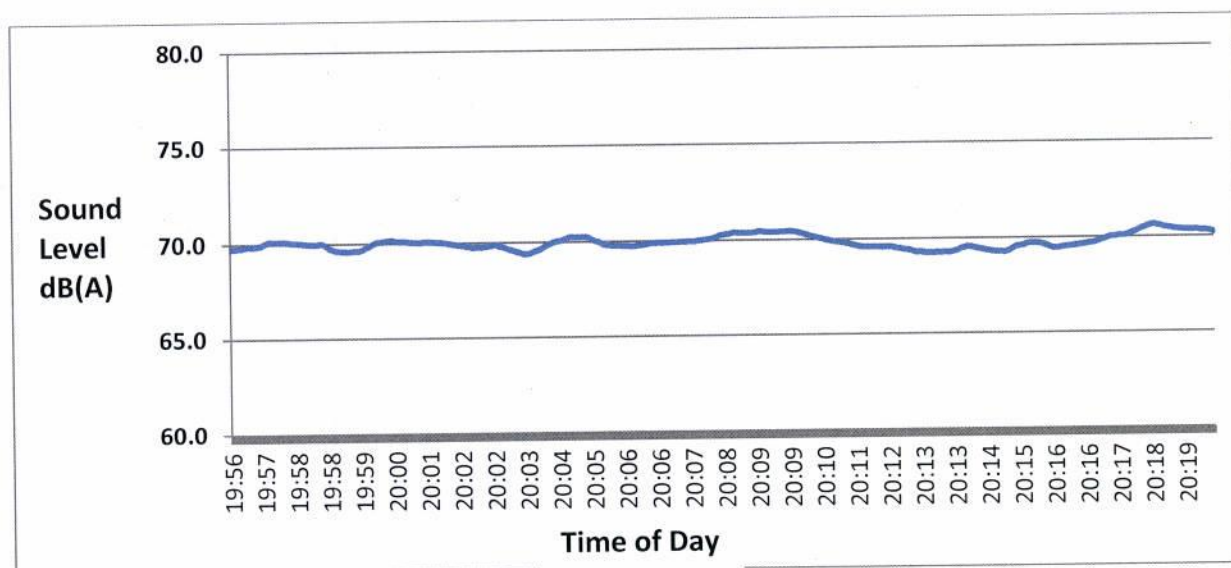
LAeq, also known as the time-average sound level, is the A-weighted equivalent continuous sound level in decibels over a stated period of time. The stated period of time for LAeq15 is 15 minutes, so LAeq15 is the time-average sound level measured over 15 minutes.

The problem with a time-average taken over 15 minutes is that it conceals the true pattern of the noise as experienced by people, and it is misleading as a measure of noise disturbance. It smoothes out the variations in noise levels and in effect takes out the louder periods which are representative of how music is actually performed, and heard. The following two charts show this quite clearly.

The first chart shows part of an event on Victoria Park with the sound profile represented as LAeq15 – so this is a measure of the time-average sound level taken over 15 minutes. Represented this way the sound level is relatively stable and constant. If this event had a maximum sound level of 70dB(A), when represented this way it appears that it very largely conformed to the set limit. The overall average sound level is 69.8dB(A).

The problem with this chart is that it conceals the variations in sound level that occur in all music performances. Music doesn't have a steady and stable sound level, and this does not represent how people experience noise.

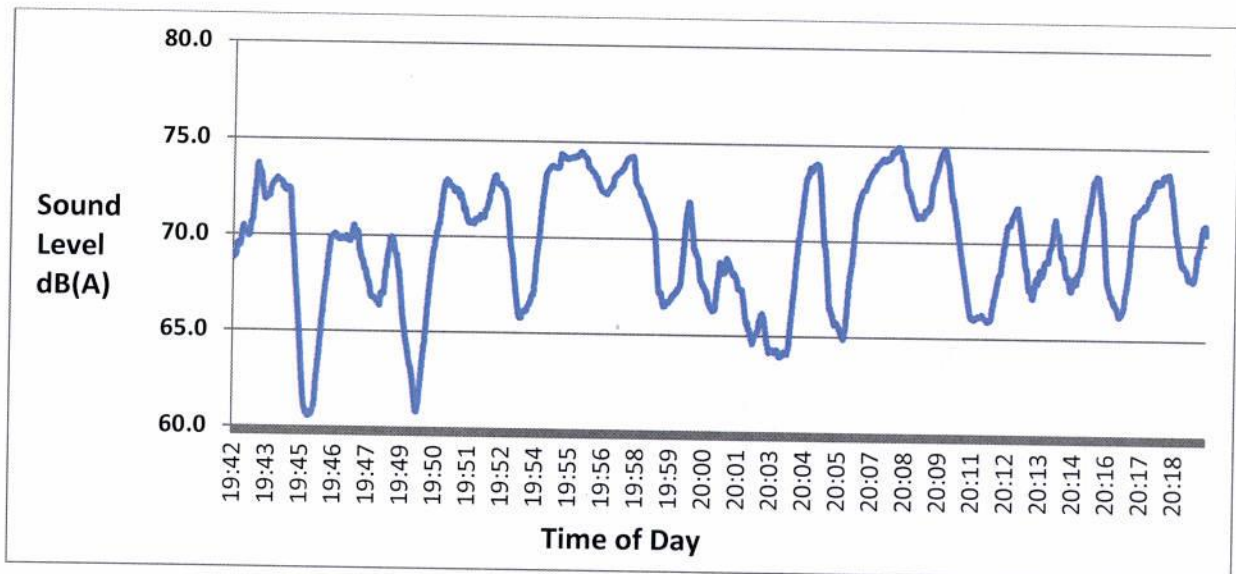
### Sound Profile Represented as LAeq15



If a different and shorter time is chosen for measuring the time-average then a different picture emerges with very different implications for the impact of the noise on local people.

The next chart shows the same part of the same event but measured to a time-average of one minute, or LAeq1. (Note that the period covered in the chart above is 14 minutes later than for the chart below to allow for the first 15 minute average to be calculated.)

### Same Sound Profile Represented as LAeq1



When represented this way the potential noise impact looks completely different. Rather than a more or less steady sound level of around 70dB(A) it now covers a range between about 60dB(A) and 75dB(A). The average remains the same at 69.8dB(A) but a good 50 per cent of the noise is within the range 70dB(A) to 75dB(A). The same pattern can be seen within the noise teams own figures which give a LA Max figure as well as an LAeq15. LA Max is the maximum sound pressure level recorded over the 15 minute period.

In the noise teams figures for Victoria Park Road shown above the LA Max covers a range from 82.9dB(A) to 81.0dB(A). At its highest this is 10.6dB(A) above the LAeq15 measure, and 12.9dB(A) over the set limit applying at the time – in other words about 130 per cent higher than it should have been in terms of a 70dB(A) limit.

Returning to the chart above, can this event now be said to be within the noise limits? It can if averaged over 15 minutes for LAeq15, but not if averaged over one minute. And the same can be said for the 2014 event when taking account of the LA Max figures and the likely overall distribution of sound levels to achieve the LAeq15 figures. Around half of the event would be significantly higher than allowed by the limits when measured over a shorter time period.

*The purpose of setting this out in this form is to enable the Licensing Committee to be more fully aware of the real noise implications of any limit it sets using LAeq15. It does not mean the event is conducted at a noise level at or below that limit, even if controlled properly. It means the average level of that event would be at this limit, but around half of it would be higher, often substantially so. But people don't experience music in 15 minute averages, they hear it as it is happening, and that is what creates the impact, the disturbance, and the nuisance.*

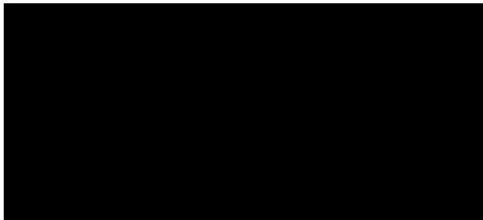
### **Other considerations relating to the Licensing Objectives**

In addition to the direct impact of noise there are other considerations arising from the 2014 event which relate to the licensing objectives. These include cumulative noise from the totality of events on Victoria Park, the incidence of crime and disorder, the large scale disruption created by the need for an extensive traffic management design which prevented residents from parking, and created problems in them accessing their own houses through roads being closed and permits being required to reach their own homes. The detail of these is not included in this representation to avoid repetition with other representations, but the wider objections to the event on these grounds are also supported by this representation.

### **Overall Conclusion**

Victoria Park is not a suitable venue for the proposed event. Based on experience of the 2014 event it cannot be held at noise levels which are acceptable; it will put local people at risk of significant crime and disorder; it will create local access problems and traffic and transport disruption across the southern side of the city extending over a much wider area than Victoria Park; and it will pose a significant and unnecessary burden on the emergency services at a time when their resources are both diminished in size and stretched by ordinary local demand.

This representation supports the refusal of this application.



**Supplementary Representation** [REDACTED]  
**Licence application for 3 day music event Victoria Park Leicester June 2020**

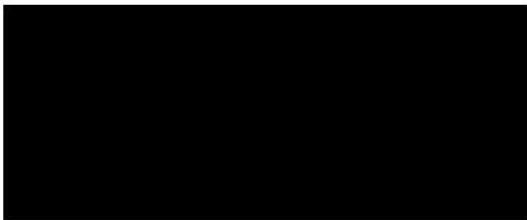
**Procedural Matters of the Licence Application**

The Licensing Committee will no doubt be aware that Live Nation have announced this event in advance of the licensing hearing, and have already sold all the tickets. This has resulted in considerable publicity surrounding the event. The City Mayor has also used Twitter to express his support for the event and provided a link to Live Nation for ticket purchase. Both of these actions appear to disregard the normal licensing procedure.

Although it is said to be a common practice, it is not clear why Live Nation have chosen to act in this way. With 8 months remaining before the event would be held, if licensed, there does not appear to be any commercial or market related reason for doing this. It is also not clear whether the City Mayor considered the implications of acting in support of an event not licensed by the appropriate authority.

It would be wrong to speculate on the motives of the various parties involved, but the actions taken do appear to pre-suppose the outcome of the licensing hearing. These actions, as well as the considerable publicity now associated with this proposed event, may well be seen as extraneous factors, both internal and external, which might have an influence on the eventual outcome of the hearing.

It is extremely regrettable that actions such as these should have been taken by those who should, and do, know better. As an objector to the event taking place I, like others who have concerns, have concentrated on placing evidence before the Committee to better enable members to arrive at an informed decision regarding this event. If these actions by other parties are an attempt to unduly influence the Committee they can safely be disregarded in their entirety as having no relevance to the matter at hand. The only relevant concerns are the licensing objectives and we trust the Committee will make its decision accordingly.



**Second Supplementary Representation from [REDACTED]  
Licence application for 3 day music event Victoria Park Leicester June 2020**

**Summary of Main Points**

1. The noise levels specified in the licence for the 2014 event were breached. The LCC Noise and Pollution Team (NPT) and Live Nation claim that this was due to weather conditions and the presence of an overflying helicopter. The available evidence does not support either of these claims. The music noise levels breached the 2014 licence conditions because of failures to control the music levels which were too loud.
2. Live Nation also claim that their noise records (not disclosed to date) show that the licence noise limits in 2014 were not breached. Evidence of the noise records was requested but have not been supplied. The records of a sound log of the 2014 event which was agreed before the event has also never been supplied. Live Nation have been requested to present their evidence to the Committee hearing and explain why it differs from the records taken by the NPT.
3. The NPT state that as this is a one-off event, under the Code of Practice the permitted noise levels can be higher. This is not a one-off event, it is one of a programme of events on the park. The Code of Practice states that in these circumstances the noise levels should be lower, not higher.
4. Promises have been made that if this event goes ahead, other events will be removed from the park. This promise has been made in previous years due to excessive noise from events on the park. That promise has not been kept in the past, and will not provide a remedy in the future.
5. In 2014 the music noise levels caused considerable noise disturbance and nuisance to local residents. The NPT now propose higher noise limits because of the difficulty of keeping within the limits, and the failure to control noise in 2014. This reasoning fails to take account of the noise impact of their proposed higher limits and is perverse.
6. The NPT have stated that they do not know what the impact of their proposed limits will be, and it is not their concern. It is for residents to make their concerns about noise impact known. This appears to be in neglect of their statutory duties to prevent noise nuisance from occurring. The NPT is effectively inviting the Committee to licence a noise nuisance.
7. Victoria Park is not a suitable venue for this proposed event. Assessment of the evidence of the 2014 event in relation to the licensing objectives shows this. If, notwithstanding this evidence, the Committee is minded to approve a license for 2020 additional noise related conditions for this licence are requested and specified.

**Second Supplementary Representation from [REDACTED]**  
**Licence application for 3 day music event Victoria Park Leicester June 2020**

This second supplementary representation provides additional information to points already made in the first representation. It follows from receipt of the representation made by one of the responsible authorities, the Noise and Pollution Team (NPT), and discussion during the mediation meeting of Wednesday 13<sup>th</sup> November 2019.

It needs to be said at the outset that the representation from the Noise and Pollution control team does not conform with what might be expected from a body with a statutory duty to control noise pollution. The approach adopted appears to be one in which the primary concern is enabling the event to happen rather than controlling the noise it makes and preventing a noise nuisance from occurring.

### **1. Music noise levels at the 2014 event**

The NPT accept that their noise records for the 2014 event show that the specified noise levels for that event were exceeded. However they then attempt to explain these breaches of the licence conditions by reference to factors other than the music noise levels, specifically weather conditions and the presence on an overflying helicopter.

#### **Did weather conditions increase recorded noise levels?**

The NPT representation implies that the reason why the recorded music noise levels for Victoria Park Road were higher than the licence conditions allowed, and much higher than predicted, was due to weather conditions on the day and particularly wind levels, although they offer no evidence to support this assertion.

Residents memory of the day and evening is of warm weather with patchy cloud cover and no noticeable wind. This is supported by photographs from the late evening showing people wearing shorts and tee-shirts without apparent discomfort. It is further supported by weather records of the day which show evening temperatures between 18C and 20C and an easterly wind of around 6mph. Wind from the East would blow music noise away from Victoria Park Road across the wider park rather than towards Victoria Park Road from the main stage.

The implication that weather conditions on the day increased the recorded music levels on Victoria Park Road can confidently be discarded as inaccurate and misleading. It is not clear why this claim, without any evidence, should even be made in a representation to the Licensing Committee. If the weather conditions made any difference, which is unlikely, they would have reduced the recorded noise levels, not increased them.

#### **Did the presence of an overflying helicopter increase recorded noise levels above the levels permitted by the license conditions?**

In their representation the NPT state there were, '...breaches of this level by the last support act (Jagwar Ma) and also the headline act (Kasabian) with levels reaching

74.7dB(A) on Victoria Park Road at 21.14 hours, and also later with levels of 74.1dB(A) at 22.39 hours on Victoria Park Road. The latter readings were influenced by a helicopter flying directly overhead recording the event.'

During the mitigation meeting the NPT claimed again that the helicopter influenced recorded noise levels, and Live Nation representatives repeatedly returned to this claim to explain the breaches of the license conditions in 2014. However, none of the available evidence supports these claims.

The way in which the NPT representation extract above is written using the plural term 'latter readings' appears to imply that both the cited readings were influenced by helicopter noise. There is no reference to helicopter noise in the cited 21.14 record of 74.7dB(A) because there was no helicopter present at that time, yet this is the highest music noise level recorded for the event. The next highest is 74.4dB(A) at 21.29, but also with no helicopter present. The third highest is 73.7dB(A) at 22.06, again with no helicopter present. The 22.22 record of 73.7dB(A) with the helicopter claimed to be present was lower than the 22.06 record when it wasn't present. And finally, the 22.39 record of 74.1dB(A) when the helicopter is recorded as present is lower than previous records when it wasn't present.

It is quite clear from these records that noise levels were higher during periods when there was no helicopter present. It follows from this that the presence of the helicopter cannot be used to explain the breaches to the licence conditions set for music noise levels. These claims, again, can confidently be discarded as inaccurate and misleading.

It is not clear why both the NPT and Live Nation repeatedly claim that the helicopter noise influenced the noise level records, and increased them, when the NPT evidence shows this was not the case. It can only be assumed that this is to distract attention away from the fact that the music noise levels were too high, and were in breach of the licence conditions. The reason why the noise records show that the music noise levels breached the limits set in the license conditions is because the music noise created by the event was too high. It is as simple as that, and that is what the evidence shows.

#### **Undisclosed evidence about noise levels held by Live Nation**

During the mitigation meeting Live Nation eventually claimed that their own noise consultants, Vanguardia, had taken noise readings which showed the music level conditions for the 2014 event were not breached. This was a surprising claim as it would be expected that these records would have formed part of the debriefing exercises after the 2014 event to be considered alongside the NPT's own records. It was also surprising that the NPT appeared to have no knowledge of these records, and also appeared to have no interest in inspecting them. It was left to the residents present to request that these records be made available before the closing date for this supplementary representation in order that they could be taken into account. They have not been made available at the time of this representation.

It was also requested also that these records be made available to the Licensing Committee, and that Vanguardia be requested to attend the hearing, present their evidence showing the noise limits were not breached, and explain why it shows the opposite of the what the NPTs records show. It would be expected that the NPT would also wish to examine these records and account for the apparent difference compared with their own evidence about noise levels.

The Committee may wish to recall that the sound log created for this event by Vanguardia was never made available, despite the agreement to do so. Had it been made available it would have been very important evidence from which the Committee could have drawn informed conclusions about the noise levels for the event. It is unfortunate that Live Nation appear reluctant to make any evidence available for inspection. At this stage, with no evidence publicly available, the claim Live Nation make about not breaching the noise limits in 2014 must be treated as an unsupported assertion which should have no bearing on the outcome of the Committee's deliberations.

## **2. Considerations for the proposed 2020 event**

### **The number of events on Victoria Park**

In discussing the proposed 2020 event the NPT suggest the relevant Code of Practice allows for higher levels for one-off events, implying that this is a one off event so music levels can be higher. This, again, is a misleading statement. This is not a one off event on Victoria Park, it forms part of all the events on the park and at De Montfort Hall – the two venues are considered together for noise purposes. The Code of Practice effectively states that as the number of events increases the noise levels should be lower, not higher.

At the mitigation meeting it was said that if this event went ahead the City Mayor would ensure that there would be no noisy events for the weekends each side of the proposed event, and that the authority would look to relocating some events normally held on the park to other venues.

The first part of this statement has no meaning as no other large noisy events are normally held in June anyway. In response to excessive noise from events in previous years there have also been commitments to move events to other venues to reduce the total noise exposure for local residents. The total of events previously relocated is one event, on one occasion, and it was not an event associated with high noise levels anyway. No remedy is likely to be achieved by commitments to reduce the number of events on the park.

### **The appropriate noise levels for this event**

The standard noise limit for events on Victoria Park is 65dB(A), and this limit is applied to all parks in the city. There are good reasons why this limit is specified. It is to prevent

noise nuisance and to protect local residents from exposure to excessive noise. The noise limit for public parks of 65dB(A) is also specified in the Code of Practice. The NPT representation accepts that this normal limit cannot be met by this proposed event. It also accepted this in 2014 and proposed higher limits of 70dB(A) and 73dB(A) as conditions of the licence, which were accepted by the Committee at the time.

The NPT now says that the 2014 event demonstrated the difficulty of meeting these higher limits, particularly on Victoria Park Road. It was shown above that these higher limits in the licence conditions were breached. It might be thought that a reasonable conclusion to draw from this was that this event was not suitable for the proposed venue as it could not satisfy even the greatly increased noise limits in the licence conditions, and that in consequence it imposes an unacceptable noise burden on local residents. However, this is not the NPT conclusion. Their conclusion is that the noise limits should be raised even further to 75dB(A) to allow the event to be held. They acknowledge that this is not compliant with the Code of Practice, but say it would be compliant for an Urban Stadia or Arena. As Victoria Park is an urban park and not an Urban Stadia or Arena the NPT is effectively saying that if the event was held elsewhere it would be compliant. A view shared by this objector and many others.

#### **The assessment of the impact of higher noise levels on local residents**

It would be reasonable to assume that in suggesting higher noise levels one of the major concerns for the NPT would be the increased noise impact on local residents. This matter was raised with them at the mediation meeting as there is no reference whatsoever to the noise impact implications of their proposals. It was assumed that in carrying out their statutory duties their concern would be in assessing acceptable noise levels with reference to the likely impact in terms of the noise disturbance and nuisance this would create.

The response of the NPT was one which astonished the residents present. The NPT did not know what the impact would be from the noise levels they were proposing, they had not considered this, and it was not their concern. The impact on local residents was a matter for the local residents, not for the NPT. Therefore, they had nothing to say on the matter.

This is a strange response for two reasons. First, the statutory duties of the NPT would appear to require them to consider the impact of noise on local people from the proposed event. And second, in other cases they appear to do exactly that. In a recent objection to a TEN they stated that *'The provision of outdoor events involving amplified music in the city centre is particularly problematic because of the number of residential units in very close proximity. If the Temporary Event is allowed to on [sic] ahead it is most likely to result in complaints of noise nuisance.'*

The impact of the above event is clearly a significant consideration which has led to the NPT objecting to it. But in the present application although there are upwards of 70 households in immediate proximity to the proposed event with many more in the surrounding area, and the proposed event will certainly result in complaints of noise

nuisance from them, and from others further away, it is not considered a concern of the NPT. The only response to this is to ask, why not? It should be.

### **The impact on local residents**

Given the reluctance of the noise team to consider the impact on local residents, the following description of the impact of the 2014 event will help the Committee understand the implications of the higher noise levels being requested for this event. In 2014 the noise from the event intruded into every room of local houses. It prevented the enjoyment of everyday activities such as watching television, reading a book, or even being able to hold normal conversations. It is not possible to go outside into gardens because it is even louder there. The only remedy is to leave the area completely, if private or public transport is available, or be trapped at home if it isn't. The houses become uninhabitable for normal living. This was the immediate noise impact of the 2014 event when the permitted noise levels were increased to 73dB(A). If they are increased further, the impact will be greater.

### **Concluding comments**

The shortcomings of the NPT representation have been identified above. It was said earlier that the approach adopted by the NPT appears to be one in which the primary concern is enabling the event to happen rather than controlling the noise it makes and preventing a noise nuisance from occurring. Of particular concern is their apparent reluctance to consider the impact of the event on local residents, and the additional impact which will be created by proposing even higher noise levels, simply to allow the event to take place without breaching the licence conditions. This is the only explanation they offer for their proposals.

Live Nation themselves state that this event cannot be held at the normal limit of 65dB(A). The evidence from 2014 shows that it was in breach of the higher limits at 73dB(A), which is around an 80 per cent increase in noise level over the normal limit. The proposal now to increase the limit to double the normal level is not the solution to the noise problem. It is not intended to control noise, it is simply intended to legitimise it. It amounts to an invitation to the Committee to licence a noise nuisance. This event has been tried once in 2014 and all the measures introduced to control noise failed, as the evidence above shows. If the event is held again in 2020 the control measures will fail again, because there will be nothing new or additional in the proposals. It is time to acknowledge that Victoria Park is not a suitable venue for this event. This event belongs in a stadium or arena which can accommodate the crowds and the noise. King Power, for example, has a limit of 65dB(A) at LAeq5 and similar events have been held there at those music noise levels without a problem to either concert goers or local residents. The use of LAeq5 is also a standard measure of assessment which is much more sensitive to fluctuations in noise level and it should be introduced as the normal standard for all parks events.

Victoria Park is not a suitable venue for this event. There are alternative venues available which could accommodate this event without difficulty. The availability of alternative

venues may not be a matter for Licensing Committee considerations, but the suitability of the venue in relation to the licensing objectives most certainly is. For these reasons the application should be refused. If the Committee is minded to approve the license for the event, notwithstanding the evidence against it, then it is requested that the conditions specified below be applied to the licence. These are restricted to additional noise conditions. Other representations, including from responsible authorities, have requested other additional conditions, which this representation would also support.

**Requested conditions if a licence is approved**

1. The normal park limit of 65dB(A) should apply
2. The specified measure should be LAeq5 in line with the limit specified for King Power
3. A continuous sound log taken at the facade of a typical property on Victoria Park Road should be created for the event. The data parameters and their format to be agreed in advance with interested parties. The log data to be made available to LCC officers within 24 hours of the event ending, to be immediately available to other interested parties on request.
4. Noise monitoring locations at noise sensitive premises around the park, and within the local community, to be identified and noise readings taken at specified times. All readings of noise levels to be recorded and made available for debriefing purposes.



## Amy Day

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**From:** Licensing  
**Sent:** 01 November 2019 08:44  
**To:** Amy Day  
**Subject:** FW: Proposed Kasabian - Solstice II Event on Victoria Park

**From:** [REDACTED]  
**Sent:** 31 October 2019 21:01  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Proposed Kasabian - Solstice II Event on Victoria Park

We are writing to object to the one day event on Saturday 20 June 2020. We are objecting principally on three grounds

### Noise Levels:

When Kasabian performed at the same venue in 2014 the City Council agreed minimum noise levels of 70dB(A) for support acts and 73d(B)A for the main act, exceeding the Noise Council's Code of Practice on Environmental Noise control at Concerts (1995) and the City Council's Terms and Conditions for the hire of its parks and open spaces. We are concerned that the same guidelines are are likely to be flouted again.

### Venue Suitability

Victoria Park is an open space surrounded on two sides by dense housing. We live in the neighbourhood and feel that we are already subject to more than enough public noise from events in the park. We believe that the King Power stadium, where Kasabian have successfully performed before, is a more suitable venue as it is enclosed and does not abut on to dense residential accommodation.

### Anti-social behaviour

Previous concerts of this kind have led to a high level of anti-social behaviour in the vicinity of the park after the conclusion of the concert. Visitors tend to congregate in Queens Road with its high level of social and commercial activity on Saturday evenings where people, who have already been drinking for most of the day, continue to party into the small hours, making considerable noise, with some using the neighbouring streets and gardens as a public toilet. Incidents of wanton damage and vandalism can also occur.

We are used to Victoria Park as a public amenity being the venue of musical and other cultural events and we believe, when conducted with moderation, these are a considerable benefit to community life. But, we feel that the proposed Kasabian event, for which we believe 50,000 tickets have already been sold, is excessive.

We therefore want to register our strongest objection to its location in Victoria Park.

Yours sincerely

[REDACTED]