

MAIDSTONE BOROUGH COUNCIL

HERITAGE, CULTURE AND LEISURE COMMITTEE

**MINUTES OF THE MEETING HELD ON TUESDAY
29 NOVEMBER 2016**

Present: Councillor Pickett (Chairman), and
Councillors Ells, Fort, Mrs Hinder, Lewins, Naghi,
Perry, Revell and Mrs Wilson

Also Present: Councillors Daley and English

85. APOLOGIES FOR ABSENCE

It was noted that apologies had been received from Councillor Mrs Stockell.

86. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Perry was substituting for Councillor Mrs Stockell.

87. URGENT ITEMS

There were no urgent items.

88. NOTIFICATION OF VISITING MEMBERS

Councillor English indicated that he wished to speak on Agenda Item 11 relating to the report of the Head of Commercial and Economic Development – Tourism Destination Management Plan Progress Update and Agenda Item 12 relating to the report of the Head of Commercial and Economic Development - Review of Maidstone Culture and Leisure (MCL) Festivals and Events 2016. Councillor Daley indicated that he wished to speak on Agenda Item 12.

89. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

90. DISCLOSURES OF LOBBYING

It was noted that all Members had been lobbied on Agenda Item 12 – The Review of Maidstone Culture and Leisure (MCL) Festivals.

91. MINUTES OF THE MEETING HELD ON 1 NOVEMBER 2016

RESOLVED: That the minutes of the meeting held on 1 November 2016 be approved as a correct record and signed.

92. PRESENTATION OF PETITIONS

There were no petitions.

93. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

RESOLVED: That the questions from members of the public would be taken when Agenda Item 12, the report of the Head of Commercial and Economic Development relating to the Review of Maidstone Culture and Leisure (MCL) Festivals and Events 2016 is considered as the questions all related to that item.

94. EXEMPT ITEMS

RESOLVED: That the items on the agenda be taken in public as proposed.

95. REPORT OF THE HEAD OF COMMERCIAL AND ECONOMIC DEVELOPMENT - TOURISM DESTINATION MANAGEMENT PLAN - PROGRESS UPDATE

The MCL Marketing and Sales Manager presented the progress report on the Destination Management Plan – Action Plan.

The committee was informed that there had been a meeting of tourism businesses and stakeholders the day before, which was one year on from the launch of the Tourism Destination Management Plan (TDMP). The event included a presentation by Kent County Council on the new cycle path and an update from Visit Kent.

It was noted that figures released from Visit Kent on the economic impact of tourism (based on 2015 data) had revealed the following:-

- 60 million visitors had visited Kent
- There had been 373,000 staying trips in the borough, which equated to 1.241m staying nights
- £67m was spent by staying visitors (with an average spend of £179 per visitor)
- 3.8m day trips were made with a spend of £122m, with an average spend of £32 per day visitor
- The total spend by visitors in the borough was estimated at £189m.

The committee was reminded that the Destination Management Plan (DMP) was adopted by the Committee in July 2015 and the accompanying three year action plan was also endorsed.

The key successes to date were:-

- The Shared Story toolkit (available online)
- The creation of an Online Image Library (available online for tourism businesses to download images and for the media as well)
- Online Events Planning Calendar

- Design and Installation of the new Historic Interpretation Panels in the town

It was noted that more key activities had been added to support the Tourism Destination Management Plan, these included:-

- New iconic photography to support the Shared Story (many more would be added in the future). There were around 150 images still to go on the site which are specifically designed for tourism and marketing purposes.
- Promotional videos showing the attraction of visiting the borough
- Development of a new website, Conference Maidstone to support Business Tourism and the wedding venues
- Development of a new Museum website
- Development of accommodation, events and attractions widgets
- An application has been made to Highways England to change the signage on the M20 from Park and Ride at Junction 6 to tourism signage

The MCL Marketing and Sales Manager also updated Members on the key actions of the four groups that had been established.

During the discussion, the following points were noted:-

- That the committee were pleased with the progress made.
- That a succinct list would be produced by officers to show what activities had been completed/achieved during year one in a future report in order that Members could see the overall position.
- There was a need for Parishes to get more involved in the countryside group. This could be undertaken through Kent Association of Local Councils.
- There were 4 rural information points identified (Staplehurst, Yalding, Lenham and Headcorn). However, there had been difficulties in finding suitable sites as the model used by Tourism South East stated that these should be local businesses/cafés that are open 6/7 days a week which could support tourism and has parking nearby.
- A mobile phone app that tracks visitor movement was being investigated.
- That investigations were ongoing with a view to bringing the Saturday Market up to Jubilee Square and encouraging the stall holders from the Market to come along to the Farmers Market on a Friday as well where appropriate.

RESOLVED: That the update on the progress of the Destination Management Plan three year action plan be noted.

96. REPORT OF THE HEAD OF COMMERCIAL AND ECONOMIC DEVELOPMENT - REVIEW OF MAIDSTONE CULTURE AND LEISURE (MCL) FESTIVALS AND EVENTS 2016

The Chairman advised Members on the process that he intended to take for the item:-

- The Officer would introduce the report
- Councillor Revell would be asked to give a statement and then leave the meeting for the duration of this agenda item due to his Other Significant Interest
- The Committee would receive questions from members of the public
- Statements would be read by Mr Ken Scott from Maidstone Area Arts Partnership and Mr Gurvinder Sandher from the Mela
- Visiting Members would be asked to speak and then the debate would be opened for the Members of the committee.

Councillor Revell informed the Committee that he had been contacted by the legal department earlier in the day who had advised him that they felt he had an Other Significant Interest which should be disclosed as he resided in the Park. For example, the frequency of concerts and the associated noise levels may affect the value of his property. He stated that whilst he did not accept that he had such an interest, he advised that he would leave the room after he had delivered his statement.

The MCL Marketing and Sales Manager introduced her report on the Review of the MCL Events and Festivals 2016. The Officer advised that the report concentrated on two culture and leisure events that the Council supports financially and provides officer resources for and information related to two other major events that were held on Council land.

The committee was informed that festivals and events directly supported the Council's Festivals and Events Policy, Economic Development Strategy and Tourism Development Management Plan and are one of the key growth areas that attract visitors to the borough. It was noted that there were over 638 events registered on the Visit Maidstone website in 2016, 58 of those being main events and over 33 were hires of Mote Park.

The committee was appraised about the large events held in Mote Park which were run by external organisers, these included the Big Day Out and Ramblin' Man.

Councillor Revell was then asked to make his statement which included the following points:-

- That he did enjoy the type of music being played at the Ramblin' Man Concert but the noise levels were a problem. He also declared

that he had received a free ticket for the event.

- That music festivals such as Glastonbury are held in rural locations but the music events in Mote Park are in an urban area surrounded by residential properties on all sides.
- That when sound travelled voices disappear and all that can be heard is the deep thumping of the music beat.
- Could the noise level be set at a lower level, say at 55dB.
- That the independent sound engineer paid for by Ramblin' Man, not the Council and was not invited to the site until it had all been set up and therefore his advice on how the set up should be was irrelevant.
- That in the centre of the location the music could be heard properly and was quite pleasant. The reason he felt was that the speakers were above head height. However, because the speakers were high up, the sound kept on travelling to all four quarters of Maidstone. If the speakers had been tilted slightly forward then the sound would have been directed more to the audience and therefore the sound could have been reduced to 55dB or less as it would have been too loud at 65dB.
- There had been 5 incidences of excessive noise levels on one day, the sound engineer had a very delicate control to change the level of sound. He felt there would have been a temptation when the big act comes on to turn the sound up. On that occasion the sound went up another four times.
- If residents wanted to make a complaint about the noise, the number given went direct through to the organisers. He felt that the Council should take the complaints from residents not the organisers in order that there was better control.
- The stage was sited at the highest point in Mote Park, if it had of been put lower down, the sound would have been contained in the valley.
- There should be more financial information in future reports on these events.

Councillor Revell then left the meeting.

Professor Edward Thompson then asked his question:-

"Are Councillors aware of the helpful suggestions made by the Independent Sound Consultant from the 2016 Ramblin' Man event that "It would cause much less widespread noise if the Main Stage were sited NOT at the top of the hill, but at the bottom, so that the upward sloping ground would absorb much of the force of the sound without in any way

detracting from the audience's appreciation." He also said that the power of the sound system was better suited to Glastonbury than to Maidstone".

In response the Chairman stated that the Safety Advisory Group debrief with the Event Organiser discussed all the noise reports. This was the first year for this event company to run the event since taking on the brand. They are using what they have learned this year about the venue, taking all the information on board and looking at hiring specialist music noise consultants next year who would advise on the stage positioning and equipment.

Professor Edward Thompson asked a Supplementary Question which was:-

"The consultant also said that the official Noise Council Code of Practice which you claim the organisers must follow is "even if the 65dB is met and unreasonable disturbance occurring because of low frequency noise". Is it an OTT annoyance?

Dr Moira Thompson asked her question:-

"On what authority does MBC ignore the Noise Council Code of Practice on the number of days on which noise reaching 65 decibels a kilometre or more away from the event is allowed to be inflicted on residents?

The Noise Council Code of Practice was prepared by the Chartered Institute of Environmental Health in 1995 to avoid disturbance and annoyance from large music events involving high powered amplification. It has been under review for the past six years because 65 decibels is known to cause nuisance, but is still quoted by the Health and Safety Executive in September 2016 and used by independent acoustic consultants. According to this Code events causing noise reaching 65 decibels a kilometre or more away are only allowed in an urban park on three days a year.

However I have been informed verbally by a local councillor and in writing by an MBC officer that an MBC committee has decided to increase the number of days for these events to eight a year.

In my neighbourhood we were disturbed by amplified drum beat on three mid-summer weekends in 2016, Ramblin' Man being the most prolonged and distressing. The prospect that this and more could be the norm for us is appalling.

MBC tax payers are having Statutory Noise inflicted on them by the very organisation which is charged with protecting them from this nuisance. Statutory Noise nuisance was defined by Defra in April 2015 as noise unreasonably and substantially interfering with the use or enjoyment of a home or injuring health or likely to injure health.

In my neighbourhood people not fit to travel are driven from their homes by the noise and at financial expense. A few were made ill and one

immediate neighbour managed to die in peace in her own bed a few hours before the testing noise for Ramblin' Man started on the Friday.

I hesitate to suggest that Ramblin' Man and similar events should be transferred to the site to which Councillor English managed to transfer the 'Social' because noise of this level would probably still disturb residents for miles around. These events which are largely for the pleasure of non MBC or KCC residents should not be held in urban environments, if held at all".

In response the Chairman advised that the report explains the Noise Council Code of Practice on Environmental Noise Control at Council is guidance only that suggests the maximum number of days. MBC's Festival and Events policy proposes a different limit that is manageable whilst retaining commercial viability of the park as a venue.

The review of the Code of Practice has yet to be released. Other local authorities that host music concerts are no longer following the guidance and are setting the number of days and the maximum music noise levels as appropriate to their venue often exceeding the guidance both in number of day and maximum noise levels.

As in the report the Festivals and Events policy that was adopted by Committee in February 2016 did include a maximum number of events as 5 and the number of days as 8. However, the recommended amendment in the report provides a greater breakdown of category of events in to Category A and Category B events. Category A events which are large amplified music concerts are recommended at a maximum of 3 events or up to 6 days in total.

There were only two weekends with amplified music concerts in 2016, not 3. Other events that can cause a disturbance but are not music concerts were the Race for Life and Dragon Boats. The two music events were enjoyed by local people, particularly The Big Day Out which had a local family audience, and Ramblin' Man where 6,700 people were from the local area, 25% of the total audience.

Ramblin' Man and The Big Day Out are not MBC events with the event organiser choosing the location and venue for their event. The Social Festival was already in final discussions with County Showground before the 2015 event in Mote Park took place. It was their intention to move the event as the showground is a more suitable venue with indoor facilities now the event has grown.

Dr Thompson then asked a Supplementary Question:-

"I have lived for 35 years in London Boroughs and lived in Manhattan and Washington DC, I have never experienced such noise and would ask the question if Mrs Dickson or some other officers would like to come and spend 26 hours on my patio the next time there is an event if it is producing noise of 67dB on the side of Mote House".

The Chairman stated that he had also received a question from Mr and Mrs Gould in regard to the Ramblin' Man Concert. They had indicated that they would not be able to address the Committee in person to ask their question. Therefore a written response would be sent to them.

"We live in Mote House, Mote Park directly in the line of fire from the speakers on the stage at the Festival. Positioned as we are, we get the worst of both world, not hearing the music itself but the constant thump, thump of the beat over two days with very little respite. After the first Ramblin' Man weekend, we followed the Council's complaints procedure but its response was aggressively unhelpful, focussing on the money that the festival brought in. There was no evidence that any effort had been made to consider the impact on local residents who live in or close to the Park. This negative response led us to believe that we had no alternative but to get right away from the Park for the duration of the festival. Being forced out of our home was difficult, one of us is disabled with a wheelchair and it was very expensive. We should not have to move out of our home to avoid such events. In our view Mote Park is totally an inappropriate venue for this event surrounded as it is by housing. We know there are alternatives available. Does the Committee share our view that Mote Park is a totally inappropriate for music festivals such as the Ramblin' Man which should be held away from people's homes, if not, how do you justify their view?"

The Chairman advised that Mr Scott from the Maidstone Area Arts Partnership had withdrawn his statement for another night. Mr Sandher was asked to present a statement as the organiser of the Mela Festival.

Mr Sandher addressed the meeting having first disclosed that his wife worked for the Council.

He spoke about how the Mela had evolved over the last 12/13 years but emphasised that it had been more challenging to organise over the last couple of years due to limited funding. He felt that the Mela promoted cohesion and had been particularly successful in bringing together local communities.

He felt that if the Mela was to continue then the Council needed to be realistic of what it wanted and how this could be achieved. He emphasised that there needed to be a community focus, with involvement from local schools. He believed there should be a link from the town to the park, maybe by way of a parade.

The Chairman then advised that the discussion would centre around each recommendation and be dealt with individually.

Proms in the Park

The following points were made by Members:-

- That the Proms in the Park was one of the quality events in Maidstone and was a mirror of the one that takes place in Leeds

Castle.

- It is very dependent on fine weather and it may be that holding it on the May bank holiday is not ideal due to the unpredictability of the weather in May.
- If the event were not free, there could be logistical difficulties in closing down the many entrances to Whatman Park.

In response to questions from Members, the Head of Commercial and Economic Development advised that:-

- The Council did run a successful charged for film event in Whatman Park, issuing tickets at the entrance.
- Funding from the Arts Council was getting more difficult to obtain.
- The budget was £14,000 per year but there was no guarantee that it would be funded in future or that other funding sources could be used.
- Parkwood Leisure is obliged to support the delivery of the Proms in the Park as part of their contract.
- Admission for Children was categorised as those under 12 years of age.
- The Council has an expert on events, who has attended training courses and conferences. However, extra resource may need to be brought in if there are more events than capacity allows for within the team.

Mela

The following points were made by Members:-

- The event needed refreshing, the Street Mela was not deemed a success
- The event needs a large space, such as Mote Park
- There may be other ways to celebrate diversity

Noise Levels

The committee was informed that there had been some confusion over the number of 'noisy' events permitted in Mote Park. The Noise Council Environmental Noise Control at Concerts provided guidance for concerts only. However, there were many other events, not classified as concerts but could cause disturbance and could have an impact on the surrounding area.

In order to differentiate types of events, particularly those that are noisier but not necessarily concerts, an amendment to the approved Festival and Events Policy was proposed as follows:-

Category A events – amplified noise profile which would extend beyond the boundary of the park and would be clearly audible at properties within and/or surrounding the parks and/or significant increase in the number of visitors to the parks; a change to the normal use and operational matters in the parks; and the impact on the surrounding area. Examples would be Music Concerts, VIP Visits, high profile events

Category B events – where the number of participants required changes to normal use of the park and the surrounding infrastructure. Much lower noise profile but utilising amplified noise to communicate to audiences or with live/recorded music as part of the entertainment. Examples would be charity runs or cultural festivals.

Category C events – events with little or no impact on the surrounding area and no amplified noise. Examples would be Nature talks and smaller community events.

The committee noted that the benefits of introducing the categories would be to help balance the impact of the different types of events and provide clarification to stakeholders of the amount of event days that can be expected and their likely impact on the surrounding community.

The proposed limits per year were as follows:-

Mote Park

Category A – Up to 3 events, maximum of 6 days, music noise level of 65dB LAEQ (15 minutes)

Category B – Up to 8 events, maximum of 12 days, should not exceed 15dB LAEQ (15 minutes) above the normal background levels

Category C – Unlimited, maximum number of days not applicable and music noise level not applicable

Whatman Park

Category A – Up to 1 event, maximum of 2 days, music noise level of 65dB LAEQ (15 minutes)

Category B – Up to 2 events, maximum of 4 days, should not exceed 15dB LAEQ (15 minutes) above the normal background levels

Category C – Unlimited, maximum number of days not applicable and music noise level not applicable

Comments made by Members included:-

- That three events being held in a densely populated area such as Mote Park was too intense in the restricted timeframe and that it should be reduced to two.

- That should an extraordinary event be offered, such as another Radio 1 Big Weekend or Tour de France set off, then the Council could still consider it.
- That should the maximum noise levels for events in Mote Park be set at 55dB.

In response, the Officer advised that the noise level was calculated in logarithmic units and although the event was set at 65dB, at the front of the stage it would have been 95-105 decibels. This would have ensured that the music could be heard by those at the back. This was done for safety reasons as there could be a crushing effect where people strain to hear the music properly and start to move forward.

The committee noted that the organisers of the Ramblin Man had said that if the level of the event was set at lower than 65 dB, it then would not be able to have the event at Mote Park.

RESOLVED:

- 1) To continue to support Proms in the Park but look for alternative funding to reduce the Council's contribution and delay the decision on the introduction of ticketing for the next 12 months;

Voting: 8 – For

- 2) To develop a new 2-3 days multi-cultural event and food festival and outsource it to an external provider with a reducing subsidy over 3 years so it becomes self-financing and potentially profitable to the Council; and

Voting: 7 – For Against – 0 Abstentions: 1

- 3) To approve the amendments to the Festivals and Events Policy relating to the noise levels and frequency of events with the proviso that Category A is reduced to up to 2 events a year for a maximum of 6 days, but should an additional significant opportunity arise the Chairman and Vice-Chairman be consulted with a view to bringing it to the Committee for approval.

Voting: 5 – For Against – 0 Abstentions 0

Councillors Fort, Hinder and Perry left the meeting at 9.50 p.m. before the item was concluded and recommendation 3 was voted on.

97. **DURATION OF MEETING**

6.30 p.m. to 10 p.m.