

# Agenda

## Licensing Sub-Committee

Date: **Friday 3 May 2024**

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Time: **10.00 am**

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Place: **Online Meeting/Conference Room 1, Herefordshire  
Council Offices, Plough Lane, Hereford, HR4 0LE**

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Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

**Matthew Evans**

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If you would like help to understand this document, or would like it in another format, please call Matthew Evans on 01432383690 or e-mail [matthew.evans@herefordshire.gov.uk](mailto:matthew.evans@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the Meeting of the Licensing Sub-Committee**

## **Membership**

**Councillor Polly Andrews (Chairperson)**  
**Councillor Dave Davies**  
**Councillor Stef Simmons**

## Agenda

		Pages
<b>PUBLIC INFORMATION</b>		
<b>THE NOLAN PRINCIPLES</b>		
<b>1. APOLOGIES FOR ABSENCE</b>	To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b>	To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
<b>3. DECLARATIONS OF INTEREST</b>	To receive declarations of interest in respect of items on the agenda.	
<b>4. APPLICATION TO GRANT AN ANNUAL PREMISES LICENCE IN RESPECT OF HOW THE LIGHT GETS IN FESTIVAL (2024 - 2028) – LICENSING ACT 2003</b>	To consider an application for a grant of an occasional premises licence in respect of How the Light Gets In Festival 2024 under the Licensing Act 2003.	11 - 92
<b>5. EXCLUSION OF PUBLIC AND PRESS</b>	In the opinion of the Proper Officer, the following item will not be, or is likely not to be, open to the public and press at the time it is considered.	
<b>RECOMMENDATION:</b>	<b>that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</b>	
	<b>1 Information relating to any individual.</b>	
<b>RECOMMENDATION:</b>	<b>that under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the meeting as it is considered that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public.</b>	
<b>6. APPLICATION TO TRANSFER THE PREMISES LICENCE IN RESPECT OF SKYBLUE LIQUOR, 60 COMMERCIAL ROAD, HEREFORD, HR1 2BP - LICENSING ACT 2003</b>	To consider an application to transfer the premises licence in respect of Skyblue Liquor, 60 Commercial Road, Hereford, HR1 2BP under the Licensing Act 2003.	93 - 116



## **The Public's Rights to Information and Attendance at Meetings**

### **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

### **RECORDING OF THIS MEETING**

Please note that the council will be making a recording of this public meeting. These recordings form part of the public record of the meeting and are made available for members of the public via the council's website.

To ensure that recording quality is maintained, could members and any attending members of the public speak as clearly as possible and keep background noise to a minimum while recording is in operation.

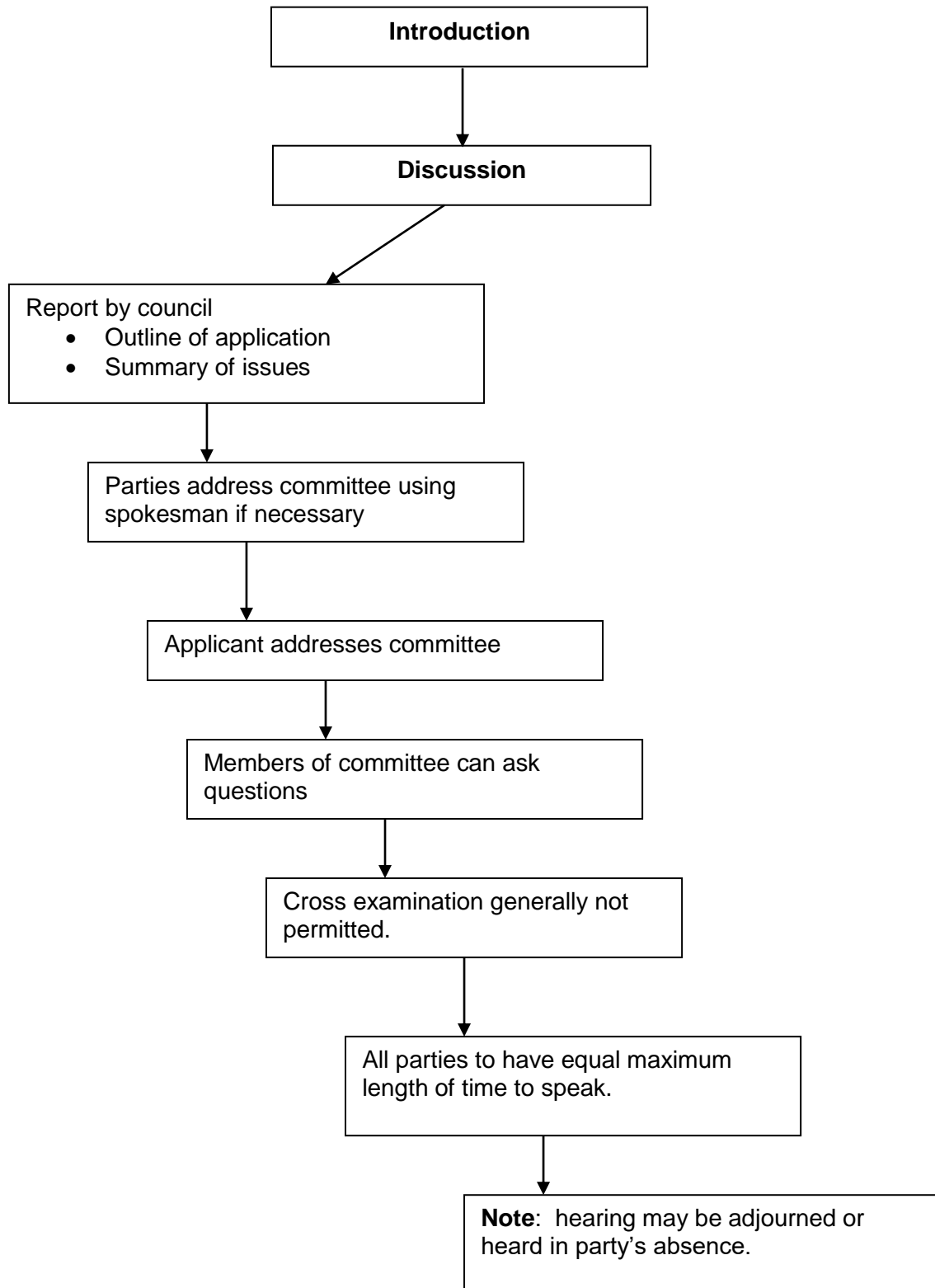
Please also note that other attendees are permitted to film, photograph and record our public meetings provided that it does not disrupt the business of the meeting.

If you do not wish to be filmed or photographed, please identify yourself so that anyone who intends to record the meeting can be made aware.

Please ensure that your mobile phones and other devices are turned to silent during the meeting.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

## Licensing Hearing Flowchart







**The Seven Principles of Public Life  
(Nolan Principles)**

**1. Selflessness**

Holders of public office should act solely in terms of the public interest.

**2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**6. Honesty**

Holders of public office should be truthful.

**7. Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.





## **Application to Grant an Annual Premises Licence in respect of How the Light Gets In Festival (2024 - 2028) – Licensing Act 2003**

**Meeting: Licensing sub-committee**

**Meeting date: Friday 3 May, 10:00 a.m.**

**Report by: Senior Licensing Technical Officer**

### **Classification**

Open

### **Decision type**

This is not an executive decision

### **Wards affected**

Golden Valley North

### **Purpose**

To consider an application for a grant of an occasional premises licence in respect of How the Light Gets In Festival 2024 under the Licensing Act 2003.

### **Recommendation(s)**

That:

The sub committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- a) The steps that are appropriate to promote the licensing objectives,
- b) The representations (including supporting information) presented by all parties,
- c) The guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- d) The Herefordshire Council Statement of Licensing Policy 2020 – 2025.

### **Reasons for Recommendations**

Ensures compliance with the Licensing Act 2003

## Alternative options

1. There are a number of options open to the sub-committee:
  - a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
  - b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
  - c) To exclude from the scope of the licence any of the licensable activities to which the application relates
  - d) To refuse to specify a person in the licence as the premise supervisor, or
  - e) To refuse the application

## Key considerations

### Licence Application

2. The application for the grant of an occasional premises licence has received relevant representations and is therefore brought before the sub-committee for determination.
3. Herefordshire Council Statement of Licensing Policy 2020 to 2025 states “All representation must be ‘relevant’ in that the representation relates to one or more of the licensing objectives, for example they must be about the likely effect of the grant of the application”. This followed paragraph 8.13 in the s182 Guidance which uses the same wording.
4. Paragraph 8.13 states *‘As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be ‘relevant’, in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.’*
5. The details of the application are:

Applicant	TVF Limited
Agent	TLT Solicitors

Type of application:	Date received:	28 Days consultation ended:
Grant	8 March 2024	4 April 2024
	28 day consultation started:	
	8 March 2024	

### Summary of Application

6. The application (appendix 1) requests the grant of a premises licence to allow the following licensable activities, during the hours shown, as follows:

Time limited premises licence, for five (5) years from 2024 to 2028  
(One event per year over 4 days)

Films, Live Music, Plays, Recorded Music, Performance of Dance, Anything Similar  
(Indoors/Outdoors) Friday 13:00 – 01:00 Saturday & Sunday 09:00 – 01:00  
Monday 09:00 – 17:00

Late Night Refreshment (Indoors/Outdoors)  
Friday – Sunday 23:00 – 01:00

Sale/Supply of Alcohol (consumption on and off the premises)  
Friday 13:00 – 00:45 Saturday & Sunday 11:00 – 00:45, Monday 11:00 – 16:45

### Summary of Representations

7. One representation offering conditions was received from Environmental Protection who act as a responsible authority. The conditions were agreed with the applicant. (Appendix 2).
8. Nine (9) relevant representation have been received from members of the public that the licensing authority have accepted as being relevant. (Appendix 3).
9. In summary only, the relevant representations broadly relate to the following:
- a. Prevention of Public Nuisance – noise from the site, particularly amplified music
  - b. Prevention of Crime and Disorder – Disorderly Conduct
  - c. Public Safety – Management and Supervision of the camp site
10. A number of relevant public representations contained information that was not relevant eg: increased traffic, management and supervision of the campsite. These cannot be considered in determining the application in accordance with the Licensing Act 2003.
11. Two (2) letters of support were received from members of the public during the consultation period (appendix 4).

## History

12. In 2018, the festival was run on temporary event notices. In 2019 and 2020 the festival was licenced under an occasional premises licence, although, due to the COVID pandemic, the 2020 festival was cancelled.
13. The application in 2019 received public representation and was therefore brought before the licensing sub-committee, where the decision was made to grant the licence subject to the inclusion of added conditions in relation to a Prevention of Public Nuisance and Protection of Children from Harm.
14. The application in 2020 received an objection from a responsible authority but the hearing was cancelled due to the applicant agreeing to proposed conditions under the four licensing objectives.
15. The application in 2022 received one (1) representation from a responsible authority (West Mercia Police) and the conditions have been agreed by the applicant. Five (5) relevant representations were received from members of the public in line with the licensing objective Prevention of Public Nuisance. The Sub-Committee's decision was to grant the licence as applied for.
16. The application in 2023 received no representations from any of the responsible authorities, four (4) representations from members in line with the licensing objective Prevention of Public Nuisance, seven (7) letters of support were received from members of the public during that consultation period mainly stating that they have not experienced any noise nuisance in the past. The Sub-Committee's decision was to approve the application as applied for.

## Community impact

17. Any decision may have an impact on the local community.

## Environmental Impact

18. This report is in relation to a premises license under the Licensing Act 2003 and as such there are minimal environmental impacts for the council.

## Equality duty

19. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
20. There are no equality issues in relation to the content of this report.
21. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
22. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

## **Resource implications**

23. This report is in relation to a premises license under the Licensing Act 2003 and as such there are minimal resource implications for the council.

## **Financial implications**

24. There are unlikely to be any financial implications for the council as licensing authority at this time.

## **Legal implications**

25. As relevant representations have been received, the sub committee must determine the application under Section 3.5.7 (c) of the Herefordshire Council constitution. The representations must relate to the licensing objectives and the sub committee must determine the likely effect of the grant of the premises licences on the promotion of the licensing objectives.
26. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the Council's own statement of licensing policy. The options available to the licensing authority are set out in section 1 of this report.
27. The sub committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

28. The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black. In this case it was summed up that: -
29. A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.
30. Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.
31. This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:  
  
*'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'*.
32. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

## Right of Appeal

33. Schedule 5 of the Licensing Act 2003 gives a right of appeal which states:

Schedule 5 Part 1

### Rejection of applications relating to premises licences

1 Where a licensing authority—

- (a) rejects an application for a premises licence under section 18,
- (b) rejects (in whole or in part) an application to vary a premises licence under section 35,
- (c) rejects an application to vary a premises licence to specify an individual as the premises supervisor under section 39, or
- (d) rejects an application to transfer a premises licence under section 44,

the applicant may appeal against the decision.

### Decision to grant premises licence or impose conditions etc.

2(1) This paragraph applies where a licensing authority grants a premises licence under section 18.

(2)The holder of the licence may appeal against any decision—

- (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or



(b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).

(3) Where a person who made relevant representations in relation to the application desires to contend—

(a) that the licence ought not to have been granted, or

(b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,

he may appeal against the decision.

34. Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

## **Risk management**

35. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

## **Consultees**

36. All responsible authorities and members of the public living within Herefordshire.

## **Appendices**

Appendix 1 - Application Form  
Appendix 2 – Environmental Protection Representation  
Appendix 3 – Public Representations  
Appendix 4 – Letters of Support

## **Background papers**

None Identified



**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**I/We** TVF Limited

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description HowTheLightGetsIn Greenfield Site Newport Street Hay on Wye			
<b>Post town</b>	Herefordshire	<b>Postcode</b>	HR3 5EW

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as appropriate

Please tick as

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name TVF Limited
Address 375 City Road London EC1V 1NB
Registered number (where applicable) 02830019
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	4	052024

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
		2028

Please give a general description of the premises (please read guidance note 1)

Greenfield site which lies along the bank of the River Wye, behind Huws Gray and the Coop on Newport Street for the hosting of HowTheLightGetsIn philosophy, music and entertainment festival.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)



**Supply of alcohol** (if ticking yes, fill in box J)



**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon		01:00						
	09:00	17:00						
Tue								
Wed						<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur								
Fri								
	13:00							
Sat		01:00						
	09:00							
Sun		01:00						
	09:00							



**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon		01:00						
	09:00	17:00						
Tue								
Wed						<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur								
Fri								
	13:00							
Sat		01:00						
	09:00							
Sun		01:00						
	09:00							

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Wed			
Thur			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon		01:00						
	09:00	17:00						
Tue								
Wed						<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur								
Fri								
	13:00							
Sat		01:00						
	09:00							
Sun		01:00						
	09:00							

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take <b>place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon		01:00			
	09:00	17:00			
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
	13:00				
Sat		01:00			
	09:00				
Sun		01:00			
	09:00				

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input checked="" type="checkbox"/>		
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)			
Mon		01:00				
	09:00	17:00				
Tue						
Wed					<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)	
Thur						
Fri						
	13:00					
Sat		01:00				
	09:00					
Sun		01:00				
	09:00					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon		01:00		Outdoors	<input type="checkbox"/>
	09:00	17:00		Both	<input checked="" type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat		01:00	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
	09:00				
Sun		01:00			
	09:00				

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon		01:00						
Tue								
Wed						<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur								
Fri						<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		
	23:00							
Sat		01:00						
	23:00							
Sun		01:00						
	23:00							



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)					
Mon		00:45						
	11:00	16:45						
Tue								
Wed								
Thur						<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri								
	13:00							
Sat		00:45						
	11:00							
Sun		00:45						
	11:00							

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Amanda Houghton	
Date of birth [REDACTED]	
Address  [REDACTED]	
[REDACTED]	[REDACTED]

Personal licence number (if known) 00NN/B/000134
Issuing licensing authority (if known) Powys County Council

□□□□

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon		01:30	
	08:00	17:00	
Tue			
Wed			
Thur			
Fri			
			<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)

	12:00		
Sat		01:30	
	08:00		
Sun		01:30	
	08:00		

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

1. There will be one event per year lasting a maximum of 4 days on each of the following years
  - Year 1 2024
  - Year 2 2025
  - Year 3 2026
  - Year 4 2027 and
  - Year 5 2028
2. The event in year 1 will take place on the 24<sup>th</sup> to the 27<sup>th</sup> May 2024
3. The Premises Licence Holder will provide the Licensing Authority and SAG with no less than 6 months of the proposed dates of the events in years 2 – 5 inclusive
4. The total capacity of the event will not exceed 4,999, excluding staff, crew, artists and performers and will be subject to a fire risk assessment
5. The premises shall maintain a live Event Safety Management Plan ('ESMP') that shall contain all the document that is required and necessary to operate a safe premises. This shall be risk assessed, reviewed and revised as is necessary, and shared with the licensing authority and responsible authorities on request.
6. This shall include but not limited to policies relating to the following: -
  - a. Site plan
  - b. Premises licence
  - c. Health and Safety Responsibilities

- d. Venue and Site Design
- e. Fire Risk Assessment
- f. Major Incident Planning (Emergency planning)
- g. Communication
- h. Crowd Management (including steward and security numbers and their roles)
- i. Transport
- j. Management Structures
- k. Barriers
- l. Electrical Installations and Lighting
- m. Food and Alcohol
- n. Sanitary Facilities
- o. Waste Management
- p. Sound: Noise and Vibration
- q. Special Effects, Fireworks and Pyrotechnics
- r. Camping
- s. Facilities for People with disabilities
- t. Medical, Ambulance and First Aid Management
- u. Information and Welfare
- v. Children - including Lost Children's Policy

7. The premises licence holder shall comply with the ESMP.
8. A draft ESMP will be circulated to the Safety Advisory group, or similar, (SAG) at least 2 months prior to the event. This will include roles and responsibilities of the event management team particularly relating to event safety.
9. Updates will be circulated as necessary and final versions issued at least 2 weeks prior to the event.
10. Major incident and emergency procedures will be discussed with emergency services and agreed at least 2 weeks prior to the event.
11. A written schedule shall be provided at least 1 month prior to the start of the event, of the number and position of SIA Security personnel to be employed on site by hour of day, during the period the premises is licensed for licensable activities.
12. At the request of the Licensing Authority or SAG, the Premises Licence holder will attend an event de-brief after each event

#### **b) The prevention of crime and disorder**

1. A personal licence holder, or suitably trained individual, will be on site at all times
2. An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) seizures of drugs or offensive weapons
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service

#### **c) Public safety**

1. The name and contact details of the Event Safety Co-ordinator will be supplied via the Safety Advisory Group no later than 14 days prior to the start of the event.
2. The maximum permitted numbers of persons in the premises including staff shall not exceed the numbers set within the fire risk assessment for the site.
3. The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke/foam producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority. A detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the above equipment is to be used.
4. Paper lanterns will not be sold on site and will be listed within the ticketing terms and conditions as items that may not be brought to the venue.
5. Details of any temporary demountable structures will be given in the ESMP. The event management team will request appropriate documentation from structure contractors including structural calculations, wind loadings and wind management and monitoring policies where appropriate.
6. A competent electrical contractor will be appointed and used to provide any distribution from existing mains supply or generators. Cable routing will be considered so as to minimise trip hazards.

**d) The prevention of public nuisance**

1. Noise or vibration shall not emanate from the festival site so as to cause a nuisance.
2. The Noise Levels are to be checked at the intervals and locations as agreed within the Noise Management Strategy.
3. Any testing of sound equipment will not take place before 09.00hrs and will last for no more than 2 hours on any one day.
4. The person responsible for noise management (or noise consultant) shall be available for daily meetings with Environmental Health Officers from Herefordshire Council, if required.
5. The Premises License Holder will maintain a noise log which will be available at all times for inspection by Herefordshire Council.
6. A noise hotline will be installed and publicised so that local residents can report any noise issues directly to the Festival. All calls will be logged by time, location and contact number and address will be requested and will include details of any remedial action taken. The log will be kept on site and be readily available at the request of a duly authorised Council officer.
7. The noise hotline number will be operational throughout the hours of regulated entertainment.
8. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

**e) The protection of children from harm**

1. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises.
2. Clear and legible signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

3. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
  
4. No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. - Online
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**HowTheLightGetsIn**  
**Greenfield Site**  
**Newport Street**  
**Hay on Wye**  
**Herefordshire**  
**HR3 5EW**

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## **Operating Schedule**

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### **Opening Hours**

- Friday – 1200 to 0130
- Saturday and Sunday – 0800 to 0130
- Monday – 0800 to 1700

### **Licensable Activities**

Films, Live Music, Plays, Recorded Music, Performance of Dance, Anything Similar

- Friday 13:00 – 01:00
- Saturday & Sunday 09:00 – 01:00
- Monday 09:00 – 17:00

Late Night Refreshment (Indoors/Outdoors)

- Friday – Sunday 23:00 – 01:00

Sale/Supply of Alcohol (consumption on and off the premises)

- Friday 13:00 – 00:45
- Saturday & Sunday 11:00 – 00:45
- Monday 11:00 – 16:45



## Operating Schedule

### General

1. There will be one event per year lasting a maximum of 4 days on each of the following years
  - Year 1 2024
  - Year 2 2025
  - Year 3 2026
  - Year 4 2027 and
  - Year 5 2028
2. The event in year 1 will take place on the 24<sup>th</sup> to the 27<sup>th</sup> May 2024
3. The Premises Licence Holder will provide the Licensing Authority and SAG with no less than 6 months of the proposed dates of the events in years 2 – 5 inclusive
4. The total capacity of the event will not exceed 4,999, including staff, crew, artists and performers and will be subject to a fire risk assessment
5. The premises shall maintain a live Event Safety Management Plan ('ESMP') that shall contain all the document that is required and necessary to operate a safe premises. This shall be risk assessed, reviewed and revised as is necessary, and shared with the licensing authority and responsible authorities on request.
6. This shall include but not limited to policies relating to the following: -
  - a. Site plan
  - b. Premises licence
  - c. Health and Safety Responsibilities
  - d. Venue and Site Design
  - e. Fire Risk Assessment
  - f. Major Incident Planning (Emergency planning)
  - g. Communication
  - h. Crowd Management (including steward and security numbers and their roles)
  - i. Transport
  - j. Management Structures
  - k. Barriers

- l. Electrical Installations and Lighting
  - m. Food and Alcohol
  - n. Sanitary Facilities
  - o. Waste Management
  - p. Sound: Noise and Vibration
  - q. Special Effects, Fireworks and Pyrotechnics
  - r. Camping
  - s. Facilities for People with disabilities
  - t. Medical, Ambulance and First Aid Management
  - u. Information and Welfare
  - v. Children - including Lost Children's Policy
7. The premises licence holder shall comply with the ESMP.
8. A draft ESMP will be circulated to the Safety Advisory group, or similar, (SAG) at least 2 months prior to the event. This will include roles and responsibilities of the event management team particularly relating to event safety.
9. Updates will be circulated as necessary and final versions issued at least 2 weeks prior to the event.
10. Major incident and emergency procedures will be discussed with emergency services and agreed at least 2 weeks prior to the event.
11. A written schedule shall be provided at least 1 month prior to the start of the event, of the number and position of SIA Security personnel to be employed on site by hour of day, during the period the premises is licensed for licensable activities.
12. At the request of the Licensing Authority or SAG, the Premises Licence holder will attend an event de-brief after each event

**Prevention of crime and disorder**

13. A personal licence holder, or suitably trained individual, will be on site at all times
14. An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:
- (a) all crimes reported to the venue

- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service

### **Public safety**

15. The name and contact details of the Event Safety Co-ordinator will be supplied via the Safety Advisory Group no later than 14 days prior to the start of the event.
16. The maximum permitted numbers of persons in the premises including staff shall not exceed the numbers set within the fire risk assessment for the site.
17. The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke/foam producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority. A detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the above equipment is to be used.
18. Paper lanterns will not be sold on site and will be listed within the ticketing terms and conditions as items that may not be brought to the venue.
19. Details of any temporary demountable structures will be given in the ESMP. The event management team will request appropriate documentation from structure contractors including structural calculations, wind loadings and wind management and monitoring policies where appropriate.
20. A competent electrical contractor will be appointed and used to provide any distribution from existing mains supply or generators. Cable routing will be considered so as to minimise trip hazards.

### **Prevention of public nuisance**

21. Noise or vibration shall not emanate from the festival site so as to cause a nuisance.

22. The Noise Levels are to be checked at the intervals and locations as agreed within the Noise Management Strategy.
23. Any testing of sound equipment will not take place before 09.00hrs and will last for no more than 2 hours on any one day.
24. The person responsible for noise management (or noise consultant) shall be available for daily meetings with Environmental Health Officers from Herefordshire Council, if required.
25. The Premises License Holder will maintain a noise log which will be available at all times for inspection by Herefordshire Council.
26. A noise hotline will be installed and publicised so that local residents can report any noise issues directly to the Festival. All calls will be logged by time, location and contact number and address will be requested and will include details of any remedial action taken. The log will be kept on site and be readily available at the request of a duly authorised Council officer.
27. The noise hotline number will be operational throughout the hours of regulated entertainment.
28. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

#### **Protection of children from harm**

29. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises.
30. Clear and legible signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
31. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

32. No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Ewen Macgregor One Redcliff Street			
Post town	Bristol	Postcode	BS1 6TP
Telephone number (if any)	03330061251		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Ewen.Macgregor@TLT.com			

**DPS CONSENT FORM**

**Consent of Individual to being specified as premises supervisor**

I Amanda Houghton.....  
(full name of prospective premises supervisor)

of

.....  
(home address of prospective premises supervisor)

.....  
(date of birth)

.....  
(place of birth)

British.....  
(nationality)

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premises Licence

.....  
(type of application)

By

TVF Limited.....  
(name of applicant)

Relating to premises licence N/A  
.....  
(number of existing licence, if any)

For

HowTheLightGetsIn

Greenfield Site

Newport Street

Hay on Wye

Herefordshire

HR3 5EW

.....  
(name and address of premises to which the application relates)

and any premises licence to be granted or varied in respect of this application made by

TVF Limited.....  
(name of applicant)

Concerning the supply of alcohol at

HowTheLightGetsIn

Greenfield Site

Newport Street

Hay on Wye

Herefordshire

HR3 5EW

.....  
(name and address of premises to which application relates)

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence Number

00NN/B/000134.....  
(insert personal licence number, if any)

Personal Licensing issuing Authority

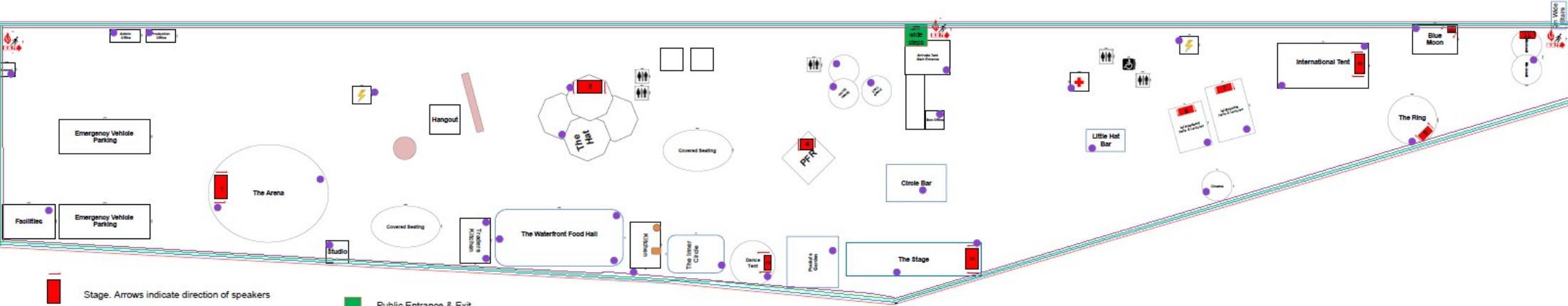
Powys County Council.....  
(insert name and address and telephone number of personal licence issuing authority, if any)

Signed .....  .....

Name (please print) Amanda Houghton.....

Date 08/02/24 .....





- Stage. Arrows indicate direction of speakers
- Fire Exit from site
- site boundary and area for the provision of licensable activities
- Stage Heights (metres)**

1. 1.2m	7. 0.5m
2. 1.2m	8. 1.2m
3. 0.6m	9. 0.6m
4. 0.33m	10. 0.33m
5. 0.9m	11. 0.33m
6. 0.6m	

- Public Entrance & Exit
- Toilets
- Generator
- Fire Extinguisher Powder
- Fire Extinguisher Wet Chemical
- Fire Blanket

- Area for sale of alcohol and consumption
- Area for regulated entertainment
- Area for late night refreshments



## MEMORANDUM

To : LICENSING OFFICER

From : ██████████

Tel : 01432 261668                      My Ref : RRO/399276/

Date : 26/03/2024                      Your Ref : PR02082

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**LICENSING ACT 2003**  
**APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE**  
**How the Light Gets In Festival Wye Meadow, Newport Street, Hay-on-Wye, HR3 5BZ**

Having assessed the above application, I would like to make the following representation:

As well as the applicants proposed measures with regard to the licensing objectives for prevention of public nuisance in the application, which I support. I have added one more representation no 9 if the licence is granted.

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE 1. Noise or vibration shall not emanate from the festival site so as to cause a nuisance.  2. The Noise Levels are to be checked at the intervals and locations as agreed within the Noise Management Strategy  3. Any testing of sound equipment will not take place before 09.00hrs and will last for no more than 2 hours on any one day  4. The person responsible for noise management (or noise consultant) shall be available for daily meetings with Environmental Health Officers from Herefordshire Council, if required.  .	

5. The Premises License Holder will maintain a noise log which will be available at all times for inspection by Herefordshire Council.

6. A noise hotline will be installed and publicised so that local residents

Can report any noise issues directly to the Festival. All calls will be logged by time, location and contact number and address will be requested and will include details of any remedial action taken. The log will be kept on site and be readily available at the request of a duly authorised Council officer.

7. The noise hotline number will be operational throughout the hours

Of regulated entertainment.

8. Prominent, clear and legible signage (in not less than 32 font bold)

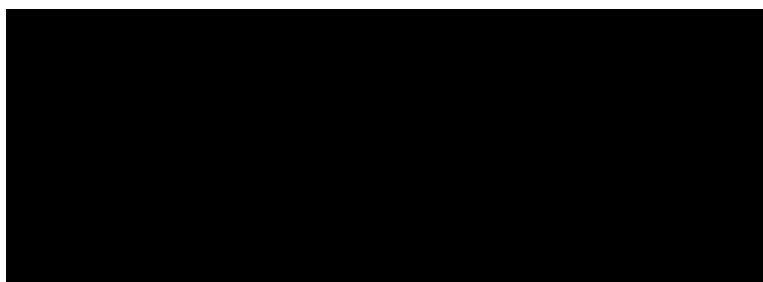
shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

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

<del>PROTECTION OF CHILDREN FROM HARM</del>	

**REFERENCES**

Please Reference the industry guidance from which your representation has been sourced.



**ENVIRONMENTAL HEALTH OFFICER  
HEREFORDSHIRE COUNCIL**



RECEIVED  
21 MAR 2024  
BY: \_\_\_\_\_

RECEIVED  
21 MAR 2024  
BY: \_\_\_\_\_

Please return this form, and any additional information within the statutory period to:  
The Licensing Section,  
Herefordshire Council,  
8 St Owen Street,  
Hereford,  
HR1 2PJ  
licensing@herefordshire.gov.uk

HEREFORDSHIRE COUNCIL  
Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name:	Contact Telephone No.
[REDACTED]	[REDACTED]
	E-mail address:
	[REDACTED]
	Please state your interest in the premises you are making a representation about: adjoining resident/business

Name & Address of premises you are making a representation about:  
NOW THE LIGHT GETS IN FESTIVAL 2024 - 2029  
GREENFIELD SITE  
NEWPORT ST. HAY ON WYE

DATA PROTECTION ACT 1998. Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .


A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance SEE ADDITIONAL INFORMATION ENCLOSED
To Protect Children from Harm

If you have any queries about this form or are



**Representation Form – Interested Parties**  
**Suggested Conditions**

Premises: By the Wye Your name: 

It would help us with this application if you could suggest conditions you would be happy for the premises to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder
Public Safety
Prevent Public Nuisance <i>SEE ADDITIONAL INFORMATION PROVIDED.</i>
Protect Children from Harm

Signed 

Date: 19/3/24  
2

ELI REPRES – 1 Representation Form – Interested Parties

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761



Additional information - Points to be considered by the licensing authority

I wish to make this representation to the authority regarding the licensing application from HTLGI to highlight my concerns over the application. I live and operate a tourism accommodation business directly opposite the proposed site and have been directly impacted by this event over the years. Many changes have occurred in the area, namely more businesses and housing accommodation since they first started using the site, this needs to be taken into consideration.

Point 1 of the submitted Prevention of Public nuisance page states that 'noise or vibration shall not emanate from the festival site so as to cause nuisance' - well, historically, it has every year. Because of cross border issues and the fact that I live and work in Powys, last year I got Laura Lewis, Powys Environmental Health dept to place a noise monitoring system on my property, results and email trail enclosed, where it clearly shows that the upper limit of 45dbls after 11pm, as stated in the HTLGI Noise management plan 2023, was exceeded every night and was in fact between 56-58 dbls between 12am and 1am. I shared this information with Herefordshire and Powys Environmental Health, No action was ever taken as a result of this breach.

If the event were to finish at 11pm there would be no nuisance caused to any neighbours. Hay Festival, a much larger event finishes at this time and is of no problem to the town.

If it is not possible to bring forward the closing time, can I suggest the following solutions-

No amplified music after 11pm this would greatly reduce the noise level.

A sound baffle could be placed around the site as in some festivals to contain or absorb the noise.

One of the events each night is a disco/house music set, this could be a silent disco thus reducing some of the noise level.

Each evening there are 7 or 8 different stages all having different but simultaneous performances this number could be reduced to 1 performance after 11pm, again reducing the noise level.

Can I ask that HTLGI monitoring station be moved from the Boatside location, where it has been historically, to my address directly opposite the site, as I am the nearest neighbour. This would mean when the levels were exceeded by their own enforcement they would have to turn it down.

Lighting is another issue we have, our land is SSSI/SAC with many protected species -as is the HTLGI site. Can I ask you to consider the light pollution caused by the event and ask that there will be no permission given for laser lights, pyrotechnics or excessive stadium style lighting pointed at our river bank, which has happened in previous years.

Finally I also wish you to consider the length of time the application is for, being 5 years. Granting this now will mean the festival organisers have carte blanche over what they do each year going forward. It appears from previous years even when they are in breach of their license no action is taken by any authority for breaches either at the time or in subsequent applications.

Thankyou

HTLGI 2023 Noise Recording Results from  
Powys EHO.

[REDACTED]  
Subject: Re: How the light gets in Powys EH contact

Date: 17 Jul 2023 at 17:17:48  
[REDACTED]

[REDACTED]  
Wow - Thankyou  
[REDACTED]

On 17 Jul 2023, at 16:24, Laura Lewis <[laura.lewis@powys.gov.uk](mailto:laura.lewis@powys.gov.uk)> wrote:

[REDACTED]  
That was the approximate figures between 12am and 1am on the 3 nights.

Kind regards  
[REDACTED]  
[REDACTED]

Swyddog Iechyd yr Amgylchedd (Gwarchod yr Amgylchedd) Environmental Health Officer  
(Environmental Protection)  
(Gwarchod yr Amgylchedd) – Cyngor Sir Powys (Environmental Protection) – Powys County  
Council

Please note my working days are Monday, Tuesday and Friday  
[REDACTED]

Croeso i chi gysylltu a ni yn Gymraeg. Byddwn yn ymateb yn Gymraeg heb oedi.  
You are welcome to contact us in Welsh. We will respond in Welsh, without delay.

<image001.jpg>

Follow us on Twitter @PowysEnvHealth

Er mwyn cyflenwi gwaith Gwasanaeth Iechyd yr Amgylchedd, mae angen prosesu data  
personol yn unol â'r ddeddfwriaeth berthnasol. Bydd y wybodaeth hon yn cael ei chadw yn

unol â'r ddeddfwriaeth, a rhestr cadw gwybodaeth y Cyngor. Os oes gennych unrhyw bryder ynghylch y defnydd a wneir o'ch data personol cysylltwch â'r Swyddog Diogelu Data trwy anfon e-bost at [Information.Compliance@powys.gov.uk](mailto:Information.Compliance@powys.gov.uk) <<mailto:Information.Compliance@powys.gov.uk>> neu ffoniwch [01597 826400](tel:01597826400). Sylwch fod modd dod o hyd i ragor o wybodaeth am Ddiogelu Data a Phreifatrwydd yn y cyfeiriad gwe canlynol: <http://www.powys.gov.uk/privacy>

In order to deliver the Environmental Health Service, it is necessary to process personal data in accordance with the relevant legislation. Information held will be retained in accordance with the legislation and the Councils retention schedule. If you have any concerns regarding the use of your personal data please contact the Data Protection Officer by email at [Information.Compliance@powys.gov.uk](mailto:Information.Compliance@powys.gov.uk) or by phone at [01597 826400](tel:01597826400). Please note that further information on the Data Protection and Privacy can be found at the following address: <http://www.powys.gov.uk/privacy>

[REDACTED]  
Sent: Monday, July 17, 2023 4:15 PM

[REDACTED]  
Subject: Re: How the light gets in Powys EH contact

[REDACTED]  
Thankyou for that I'm assuming that's before 11pm, can you tell me what the levels were like between 11 and 1am please  
Thankyou

[REDACTED]  
On 17 Jul 2023, at 15:49, [REDACTED]

[REDACTED]  
Please accept my apologies for the delay in getting back to you.

I have listened to the recordings and the noise levels on all nights were between LAeq 56-58 dB.

↓  
*Should have been 45 db/s*



I hope this assists you when speaking to Herefordshire CC.

---

Kind regards

[REDACTED]  
Swyddog Iechyd yr Amgylchedd (Gwarchod yr Amgylchedd) Environmental Health Officer  
(Environmental Protection)  
(Gwarchod yr Amgylchedd) – Cyngor Sir Powys (Environmental Protection) – Powys County  
Council.

Please note my working days are Monday, Tuesday and Friday

[REDACTED]  
[REDACTED]  
Croeso i chi gysylltu a ni yn Gymraeg. Byddwn yn ymateb yn Gymraeg heb oedi.  
You are welcome to contact us in Welsh. We will respond in Welsh, without delay.  
<image001.jpg>

Follow us on Twitter @PowysEnvHealth

Er mwyn cyflenwi gwaith Gwasanaeth Iechyd yr Amgylchedd, mae angen prosesu data personol yn unol â'r ddeddfwriaeth berthnasol. Bydd y wybodaeth hon yn cael ei chadw yn unol â'r ddeddfwriaeth, a rhestr cadw gwybodaeth y Cyngor. Os oes gennych unrhyw bryder ynghylch y defnydd a wneir o'ch data personol cysylltwech â'r Swyddog Diogelu Data trwy anfon e-bost at [Information.Compliance@powys.gov.uk](mailto:Information.Compliance@powys.gov.uk) <<mailto:Information.Compliance@powys.gov.uk>> neu ffoniwch 01597 826400. Sylwch fod modd dod o hyd i ragor o wybodaeth am Ddiogelu Data a Phreifatwydd yn y cyfeiriad gwe canlynol: <http://www.powys.gov.uk/privacy>

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**HEREFORDSHIRE COUNCIL**  
**Licensing Act 2003**

**REPRESENTATION FORM – INTERESTED PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

**When completing this form please print clearly and legibly.**

Please return this form, and any additional information within the statutory period to:  
**The Licensing Section,**  
**Herefordshire Council,**  
**8 St Owen Street,**  
**Hereford,**  
**HR1 2PJ**  
[licensing@herefordshire.gov.uk](mailto:licensing@herefordshire.gov.uk)

<b>Your Name:</b> [Redacted]	[Redacted]
<b>Address:</b> [Redacted]	<b>Please state your interest in the premises you are making a representation about</b> Local resident
<b>Name &amp; Address of premises you are making a representation about:</b> How The Light Gets In Festival (HTLGI) in Cusop run by The Globe, Newport Street, Hereford HR3 5BG	

**DATA PROTECTION ACT 1998. Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .**

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b> I am a resident living 80 yards from the campsite of HTLGI. Last year there were two disturbances in the field abutting my house from campers from the festival. I reported this to the organisers. Further, there were people at the bottom of my garden in the early hours one night. There seems to be no security for the campsite and, as a man in my 70s, I feel vulnerable to being robbed.
<b>Public Safety</b> The area surrounding the festival is normally littered with broken bottles and glasses. Walking around my neighbourhood during the festival feels unsafe with so many inebriated people. Curtailing the hours during which alcohol is available would decrease this potential for loss of public safety.
<b>To Prevent Public Nuisance</b> The noise from the festival and then from the campsite (into the early hours of the morning) is a major public nuisance which I suffer every year - along with the above worry about trespass onto my property. A curtailment of the license would enhance local safety and diminish nuisance.
<b>To Protect Children from Harm</b>



[Redacted box]

Signed:  
Date:



If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

### Representation Form – Interested Parties Suggested Conditions

Premises: How The Light Gets In Your name: [Redacted]  
[Redacted]

It would help us with this application if you could suggest conditions you would be happy for the premises to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

**To Prevent Crime and Disorder**

The problems I am experiencing all emanate from inebriation due to the late licensing hours at this festival. Can I suggest that the license be granted but only until 11.30 or 12.00pm. This is the same answer to the questions below.

**Public Safety**



**Prevent Public Nuisance**



**Protect Children from Harm**

Signed: [Redacted]

Date: 21-03-2024

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761



**REPRESENTATION FORM – INTERESTED PARTIES**

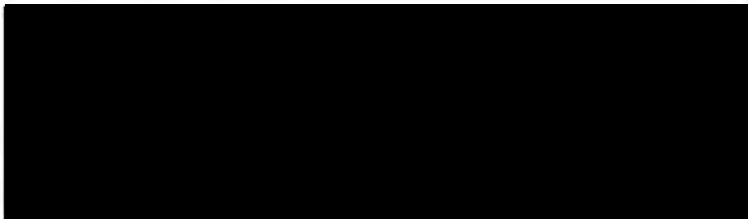
**AN ADDENDUM**

I have made representation to the Licensing Department at Herefordshire CC over the HTLGI festival for a number of years without making any impact. At a Parish Council meeting last night I discovered that at the licensing meeting for this festival in 2023, Hilary Lawson, the festival director, had hired a barrister who told the meeting that representations from individuals were not allowed as they were not 'governmental organisations'. This contrasts with the information from Herefordshire CCs website which states:

**Responsible Authorities (such as the police, fire authorities, and environmental health) and Interested Parties (local residents and local businesses), under the Licensing Act 2003, are able to make representations to the licensing authority where it is considered that the activities proposed by an application are likely to effect the promotion of the four licensing objectives,**

As I understand, this meeting did not demur from the statement made by Hilary Lawson's barrister. If this is the feeling of this particular licensing authority is there any point in making complaints. I cannot believe that this is the case and I would like the legality of my right to complain to be upheld by Herefordshire CC.

Yours sincerely



**HEREFORDSHIRE COUNCIL**  
**Licensing Act 2003**

**REPRESENTATION FORM – INTERESTED PARTIES**

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**Herefordshire Council,**  
**8 St Owen Street,**  
**Hereford,**  
**HR1 2PJ**  
**licensing@herefordshire.gov.uk**

<b>Your Name:</b> [REDACTED]	<b>Contact Telephone No.</b> [REDACTED]
<b>Address:</b> [REDACTED]	<b>E-mail address:</b> [REDACTED]
	<b>Please state your interest in the premises you are making a representation about:</b> <b>Local Resident:</b>
<b>Name &amp; Address of premises you are making a representation about:</b> <b>How the Light Gets in Festival, Newport Street, Hay on Wye, HR3 5EW</b>	
<b>IMPORTANT: Ostensibly, this is the location of the premises, but the festival website presents the event as an experience offering not just entertainment but also, for those requiring it, parking and camping facilities. These latter are provided in fields on the opposite side of Newport Street from the festival site and adjacent to the Bookers Edge residential estate.</b>	

**DATA PROTECTION ACT 1998. Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .**

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:



**To Prevent Crime & Disorder**

In previous years, particularly after the end of the festival events at 1.00 a.m., there have been many examples of disorderly conduct by participants making their way along Newport Street or returning to the camping site. In the case of the latter, this disorderly conduct has continued well into the early hours.

I am concerned that this application is for a five year licence. This is too long a period without public consultation.

**Public Safety**

1. Bookers Edge, where I live, is a small housing estate just across Newport Street from the festival site. The roadways are private, not having been adopted by Herefordshire Council. Part of the covenant signed by residents prohibits us residents from parking vehicles anywhere other than in the two spaces adjacent to each property. In previous years, during the HTLGI festival, some participants have parked their vehicles on the roadways in Bookers Edge, thereby potentially impeding access by emergency vehicles and thus endangering public safety.
2. The festival website makes it clear that for obvious health and safety reasons, cars must not be left parked beside tents and that tents must not be pitched in the parking field. In previous years these rules have not been adequately enforced by the organisers and have been broken thus potentially endangering campers. Furthermore, some of the properties in Bookers Edge are adjacent to the fields designated for festival parking and camping and residents and their properties have also been put at risk.

I am concerned that this application is for a five year licence. This is too long a period without public consultation.

**To Prevent Public Nuisance**

This event is a cuckoo in the Herefordshire nest. It is promoted by principals based in London and managed from The Globe in Hay on Wye which is in Powys. The local Herefordshire community of Cusop derives no benefit – only nuisance. The festival site and associated camping and parking are within a few metres of the residential properties of Bookers Edge. Indeed this small residential development is almost surrounded by the combined facilities and thereby subjected to considerable nuisance.

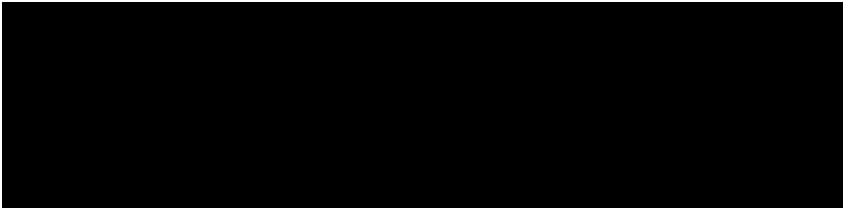
The public nuisance impacting on the parts of Cusop closest to the site, comes from: the noise emanating from the festival site and from the associated camping facilities as well as anti-social behaviour by some patrons coming and going from the site and using the camping. The nuisance is made worse by the fact that the licence for music ends at 1.00 am and 12.45 am for alcohol. Noise from the campsite has in previous years continued into the early hours of the morning.

I am concerned that this application is for a five year licence. This is too long a period without public consultation.

**To Protect Children from Harm**

No comment.

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline on 01432 261761**



## Representation Form – Interested Parties Suggested Conditions

### Premises\_How the Light Gets in Festival

Your name: 

It would help us with this application if you could suggest conditions you would be happy for the premises to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<p><b>To Prevent Crime and Disorder</b></p> <p>Limit the period of any licence issued to one year only, not the 5-year licence applied for. This would require the applicants to go through the process of consultation and engagement with the local community each year in order to mitigate potential disorderly conduct.</p> <p>Limit the licence to allow performance and sale of drinks to a period more in line with the concurrent Hay Festival, were events and the consumption of food and alcohol end at 11.00 pm each day.</p> <p>Require the organisers to provide adequate staff to police the associated campsite to prevent disorderly conduct during the night.</p>
<p><b>Public Safety</b></p> <p>Limit the period of any licence issued to one year only, not the 5-year licence applied for. This would require the applicants to go through the process of consultation and engagement with the local community each year to ensure public safety.</p> <p>Require the organisers to provide No Parking cones for the roads within the small Bookers Edge estate for the duration of the festival</p> <p>Require the organisers to provide adequate staff to police the associated campsite and parking in order to enforce the festival's own rules regarding parking of vehicles near tents.</p>
<p><b>Prevent Public Nuisance</b></p> <p>Limit the period of any licence issued to one year only, not the 5-year licence applied for. This would require the applicants to go through the process of consultation and engagement with the local community each year to mitigate public nuisance.</p>

Limit the licence to allow performance and sale of drinks to a period more in line with the concurrent Hay Festival, were events and the consumption of food and alcohol end at 11.00 pm each day.

Require the organisers to provide adequate noise monitoring arrangements, including monitoring stations closer to the festival site. Arrangements for 2023 were better than those for 2022 but should be improved further.

Require the organisers to make regulations on behaviour and noise levels at the campsite during the night which are appropriate to a site that is immediately adjacent to a quiet residential area.. Also require the organisers to provide adequate staff to ensure these regulations are adhered to.

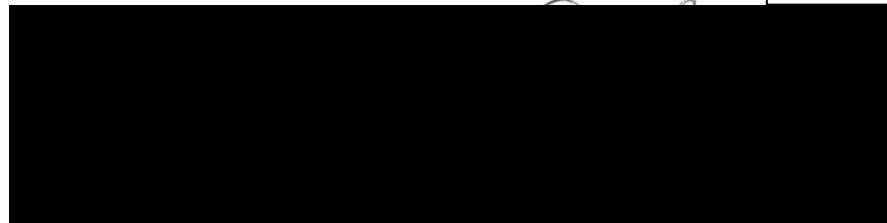
Require, or at the very least encourage, the organisers to make a contribution to the Cusop Parish ambience and the well-being of Cusop residents.

**Protect Children from Harm**

No comment.

Signed:

Date:



If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline on 01432 261761**

**HEREFORDSHIRE COUNCIL**  
**Licensing Act 2003**

**REPRESENTATION FORM – INTERESTED PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

**When completing this form please print clearly and legibly.**

Please return this form, and any additional information within the statutory period to:  
**The Licensing Section,**  
**Herefordshire Council,**  
**Plough Lane, Hereford.**  
**HR4 0LE**  
**licensing@herefordshire.gov.uk**

<b>Your Name:</b> [REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
	<b>Please state your interest in the premises you are making a representation about:</b> <b>LOCAL RESIDENTS</b> <small>eg local resident/local business</small> <b>LOCAL LOCAL</b>
<b>Name &amp; Address of premises you are making a representation about:</b> <b>HOW THE LIGHT GETS IN FESTIVAL Greenfield site. Hay on Wye</b>	

**DATA PROTECTION ACT 1998. Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .**

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>
<b>Public Safety</b> The 2023 festival campsite had vehicles and tents side by side in certain areas, a clear violation of health and safety guidelines.
<b>To Prevent Public Nuisance</b> There are two clear areas of public nuisance. One is the noise levels running into the early morning. The noise monitoring was improved last year but noise levels still exceeded the limits set by the licence.  Second is the nuisance of rowdy behaviour and noise from the campsite following the late end of the festival at 1am each night. Alcohol is served to 12.45 and festival goers return to the campsite with little consideration to the disturbance they cause to local residents.  In addition we fear that a five year license will make future oversight of the festival more difficult given the problems it has created for local residents in the past.

<b>To Protect Children from Harm</b>

Signed:  
Date:



If you have any queries about this form or are unsure of when the statutory period ends please contact **Licensing** on [licensing@herefordshire.gov.uk](mailto:licensing@herefordshire.gov.uk)

## Representation Form – Interested Parties Suggested Conditions

**Premise:** \_\_\_\_\_ **Your name:** \_\_\_\_\_

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<b>To Prevent Crime and Disorder</b>
<b>Public Safety</b> Better control over parking and the layout of the campsite.
<b>Prevent Public Nuisance</b>  <b>It is completely unreasonable to allow the festival to continue to 1am. The Hay Festival ends at 11pm and causes no disturbance to the town. The late night drinking exacerbates local disturbances. The music and drinking should end at 11pm. A slightly earlier finish time would not have a significantly detrimental effect on the festival.</b>  <b>The set decibel limits for the music should be respected and adhered to at all times.</b>

**We object strongly to this event being given a five year license given the history of nuisance and late night disturbance to local residents. Previous application maps did not even show the Bookers Edge housing development opposite the festival site and adjoining the festival campsite.**

**More security staff monitoring behaviour on the campsite throughout the night.**

**Protect Children from Harm**

Signed: 

Date: 02.04.2024

If you have any queries about this form or are unsure of when the statutory period ends please contact  
**Licensing at [licensing@herefordshire.gov.uk](mailto:licensing@herefordshire.gov.uk)**

**HEREFORDSHIRE COUNCIL**  
**Licensing Act 2003**

**REPRESENTATION FORM – INTERESTED PARTIES**

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**Herefordshire Council,**  
**8 St Owen Street,**  
**Hereford,**  
**HR1 2PJ**  
licensing@herefordshire.gov.uk

<b>Your Name:</b> [REDACTED]	<b>Contact Telephone No.:</b> [REDACTED]
<b>Address:</b> [REDACTED]	<b>E-mail address:</b> [REDACTED]
<b>Please state your interest in the premises you are making a representation about: eg local resident/local business</b>	
<b>Name &amp; Address of premises you are making a representation about:</b> Greenfield Site Newport Street, HAY ON WYE.	

**DATA PROTECTION ACT 1998. Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .**

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>  The incident of vandalism and public nuisance increase during the duration of this event.
<b>Public Safety</b> This site is served only by a single footpath which is only 4 feet wide. When this event is taking place there is a continual procession of people going to and from the site, often carrying and consuming alcoholic drinks as they do so. The elderly and the infirm find it near impossible to walk along the footpath during this event.
<b>To Prevent Public Nuisance</b> I have personally reported raucous singing outside our bedroom window at 3.00am on previous occasions, with no reaction from the Council. The attitude of the Licensing Authority was that if the nuisance takes place outside of the site, it is nothing to do with the License holder. Last year we were assured that there would only be folk music played during the event. However, my wife and myself were still kept awake to the small hours with the heavy bass beat vibrations on the Friday and Saturday night. As one who was once in favour of the event taking place, all the goodwill felt toward the event locally has been used up by the broken promises and misinformation that has been supplied by the organisers. To serve alcohol for nearly 14 hours is unnecessary and invites nuisance to residents, this being a residential area with 50 houses directly

affected by the nuisance cause by this event. The organisation that operates the event has no affiliation to Herefordshire whatsoever, its only contribution to Herefordshire is the nuisance and upset that it brings to Herefordshire residents.

To Protect Children from Harm

Signed: [REDACTED]

Date: [REDACTED]

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

P

## Representation Form – Interested Parties Suggested Conditions

Premises: Greenfield Site, Newport Street, Hay on  
Wye \_\_\_\_\_ Your name: [REDACTED]

It would help us with this application if you could suggest conditions you would be happy for the premises to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

Public Safety

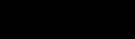
Prevent Public Nuisance

Restrict music and the sale of alcohol until 11.00pm at night and insist on the site being cleared by 11.30pm, as are the conditions for the Literary Festival.



<b>Protect Children from Harm</b>

Signed:



Date: 2/4/2024

If you have any queries about this form or are unsure of when the statutory period ends please contact the <b>Licensing Helpline</b> on <b>01432 261761</b>
---



**HEREFORDSHIRE COUNCIL**  
Licensing Act 2003

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**The Licensing Section,**  
**Herefordshire Council,**  
**8 St Owen Street,**  
**Hereford,**  
**HR1 2PJ**  
licensing@herefordshire.gov.uk

**REPRESENTATION FORM – INTERESTED PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

**When completing this form please print clearly and legibly.**

<b>Your Name:</b> [REDACTED]	<b>Contact Telephone No.</b> [REDACTED]
<b>Address:</b> [REDACTED]	<b>E-mail address:</b> [REDACTED]
	<b>Please state your interest in the premises you are making a representation about:</b> Local resident <input type="checkbox"/> or Local Residential business <input type="checkbox"/> Local business <input type="checkbox"/>
<b>Name &amp; Address of premises you are making a representation about:</b> How the Light Gets in Festival, organised by Amanda Houghton of TVF Ltd, Institute of Art on land bordering the River Wye , behind the Co-op and other commercial premises in Newport Street, Cusop, Hay on Wye HR3 5BZ. OS map refs SO2243,SO 2343, SO2242 and SO 2342	

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A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

**To Prevent Crime and Disorder**

More Policing . Which should be paid for by the festival organisers and not local Council tax payers  
Proper regulation and inspection of the campsite with security always present.  
Moving the campsite and event site further away from residential housing...as in sites such as Malvern Showground , Eastnor Castle etc

**Public Safety**

Better traffic planning and enforcement.

**Prevent Public Nuisance**

No late drinking . It should end the same time as the main Hay Festival.  
Police presence

**Protect Children from Harm**

Children under 14 not allowed to attend the event or campsite. If allowed to attend a safe area to play away from vehicles.

Signed: 

Date: 26/3/24

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

**To Prevent Crime & Disorder**

There are violations of the Highway Code in parking by visitors to the Festival , especially making it unsafe for residents of Nantyglasdwr Lane to turn onto Newport Street.  
There are also people who have had too much to drink and under a state of substance abuse walking in the road , being a danger to themselves and others.  
Unsocial behaviour near to local houses with noise and sexual activity on view.

**Public Safety**

As previous mentioned , dangers of road accidents.  
The site appears to be poorly regulated with tents parked next to cars. A safety barrier of a single rope between cars and tents . Cooking in a close proximity to vehicles and tents with poor access for emergency vehicles.  
Also campervans on site, which last year the organisers had said would not be there.  
Small children playing between cars as there was no designated parking only area.

**To Prevent Public Nuisance**

We are unfortunate in having no bedroom facing away from the site so even on a hot evening windows have to be closed . Noise, particularly vibration of deep base notes come from the site. Last year this made me feel very ill and I rang the noise complaint line but as this is a Bank Holiday it is not well manned.



**To Protect Children from Harm**

The harm to children from exposure to disorderly behaviour.  
No safe place to play on the campsite.  
My own grandchildren get very upset by people in close proximity to the garden very late at night... after 1:30pm . I also have to stop them looking from the bedroom windows due to the inappropriate behaviour on site. I frequently have to care for children under 10 during the school holidays.

Signed: [Redacted]

Date: 26/3/24

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

**Representation Form – Interested Parties  
Suggested Conditions**

Premises: Home address as above Your name: [Redacted]

It would help us with this application if you could suggest conditions you would be happy for the premises to operate under to rectify the problems you are experiencing.



**HEREFORDSHIRE COUNCIL**  
Licensing Act 2003

Please return this form, and any additional information within the statutory period to:  
**The Licensing Section,**  
**Herefordshire Council,**  
**8 St Owen Street,**  
**Hereford,**  
**HR1 2PJ**  
licensing@herefordshire.gov.uk

**REPRESENTATION FORM – INTERESTED PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: <p align="center">LOCAL RESIDENT</p>
Name & Address of premises you are making a representation about: HOW THE LIGHT GETS IN GREEN FIELD SITE, NEWPORT STREET, HAY-ON-WYE HR3 5EW	

**DATA PROTECTION ACT 1998.** Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>
Public Safety NEWPORT STREET IS A BUSY ROAD WITH ONLY A NARROW PAVEMENT ON ONE SIDE AND NO STREET LIGHTING, LARGE NUMBERS LEAVING THE FESTIVAL LATE AT NIGHT ARE AT GREATER RISK OF INJURY
<b>To Prevent Public Nuisance</b> NEWPORT STREET IS A RESIDENTIAL AREA WITH FAMILY HOUSING ALONG ITS FULL LENGTH. IF A LICENSE IS GRATED FOR EVENTS / SALE OF ALCOHOL IS GRANTED FOR 01.00 AND 00.45 THIS WILL RESULTS IN CROWDS MILLING ABOUT THE STREET AT 02.30+ CAUSING NOISE / DISRUPTION TO LOCAL RESIDENTS. I HAVE PASSED EXPERIENCE OF THIS!
<b>To Protect Children from Harm</b>

Signed: [REDACTED]  
Date: 02-04-2024

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761



**Representation Form – Interested Parties**

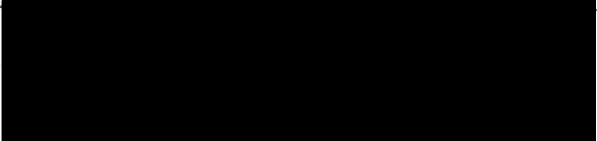
HOW THE LIGHT GETS IN  
GETS IN Suggested Conditions

Premises: GREENFIELD SITE Your name: 

It would help us with this application if you could suggest conditions you would be happy for the premises to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<b>To Prevent Crime and Disorder</b>	
<b>Public Safety</b>	HOW THE LIGHT GETS IN FESTIVAL OPERATES ON TWO SITES: THE GLOBE AND THE GREENFIELD SITE. (IN POWYS) (HEREFORD) THEY ARE 200YDS APART. THE NUMBER OF VISITORS CAN EXCEED 5,000. THIS IS ALSO TAKING PLACE AT SAME TIME AS THE HAY LITERARY FESTIVAL
<b>Prevent Public Nuisance</b>	LIVE EVENTS AND SALE OF ALCOHOL SHOULD BE IN LINE WITH THE HAY LITERARY FESTIVAL (23.30 AND 22.00 RESPECTIVELY) HEREFORD LICENSING SHOULD LIASE WITH POWYS LICENSING AS CO-ORDINATION VITAL IN THIS
<b>Protect Children from Harm</b>	SMALL RURAL TOWN.

Signed: 

Date: 02-04-2024

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

Please  
return  
this form, and any additional  
information within the  
statutory period to:  
**The Licensing Section,  
Herefordshire Council,  
8 St Owen Street,  
Hereford,  
HR1 2PJ**  
licensing@herefordshire.gov.uk

**HEREFORDSHIRE COUNCIL  
Licensing Act 2003**

**REPRESENTATION FORM – INTERESTED PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

**When completing this form please print clearly and legibly.**

<b>Your Name:</b> [REDACTED]	<b>Contact Telephone No.</b> [REDACTED]
<b>Address:</b> [REDACTED]	<b>E-mail address:</b> [REDACTED]
	<b>Please state your interest in the premises you are making a representation about:</b>  This is the Council of the Parish in which this event occurs.
<b>Name &amp; Address of premises you are making a representation about:</b>  HOW THE LIGHT GETS IN FESTIVAL The Globe Hay-on-Wye HR3 5BG	

**DATA PROTECTION ACT 1998. Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .**

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>  Records and reports show a degree of disorder affecting the residents close to the Festival Site.
---

<b>Public Safety</b>  Many concerns about the level of supervision of the site surrounds and the associated campsite.  Many concerns about the organisation of the campsite, the density and the presence of vehicles.
<b>To Prevent Public Nuisance</b>  Significant complaints about the proper monitoring and control of noise, both of music and people, within the festival and the campsite and surrounds, especially at night.
<b>To Protect Children from Harm</b>  n/a



## Representation Form – Interested Parties Suggested Conditions

Premises: **HTLGI Festival, Cusop, Hay-on-Wye**

Your name: [REDACTED]

It would help us with this application if you could suggest conditions you would be happy for the premises to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

### **To Prevent Crime and Disorder**

An improved and realistic steward- led supervision plan around the festival site, surrounds and especially the camping ground.

### **Public Safety**

Ditto

Risk analysis, safety plan, site evacuation plan to be presented and reviewed.

### **Prevent Public Nuisance**

Undertakings to observe, record and publish records of the set noise limits.

Consideration of moving the campsite to a less intrusive place (which is possible) or, failing that, attempts to shield residents from the noise and intrusion of the campsite.

Consider the licencing times permitted against the rights of the local residents rather than just the request of the festival.

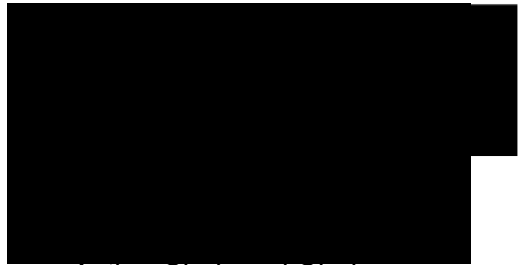
Consideration to be given as to the licencing times permitted. Terms require the licensee to be responsible for the venue and also surrounding area and access and egress of patrons. With that in mind it takes time to clear site and an earlier finish time, say midnight, would allow the licensee to honour their obligations.

Resiting of the car park – also feasible.

Unequivocal written and detailed undertaking with regard to traffic management and the appropriate use and siting of parking cones.

**Protect Children from Harm**

n/a



Acting Chair and Clerk  
on behalf of Cusop Parish Council

25<sup>th</sup> March 2024

# Cusop Parish Council

Licensing Section, Herefordshire Council,  
Licensing Department,  
Plough Lane,  
Hereford  
HR4 0LE

25<sup>th</sup> March 2024

Dear Sirs,

## **The How The Light Gets In Festival**

Comments with regard to the current licensing application

[Current licensing applications – Herefordshire Council](#)

This should be taken alongside the Representation Form completed on behalf of Cusop Parish Council. It provides further relevant information which can not presented within that form.

The How The Light Gets In Festival(HTLGI) takes place annually in Cusop, on the outskirts of Hay-on-Wye, coinciding with The Hay Literary Festival. It is a very different festival in terms of what it offers.

HTLGI has been the source of considerable complaint from local residents over many years, mainly relating to the excessive noise, the extended opening hours during which music is played and the nocturnal noise and nuisance associated with the campsite.

It should be recognised that the site is within a residential area, unlike the Hay Festival which occurs on land set away from the town. Thus the impact of HTLGI is far greater although the attendance is much lower. It might also be considered that the application for such a significant event could perhaps have been submitted much earlier than two months beforehand.

The Parish Council receives complaints from residents each year and can provide records that suggest that the festival organisers fail to uphold some of the obligations time after time.

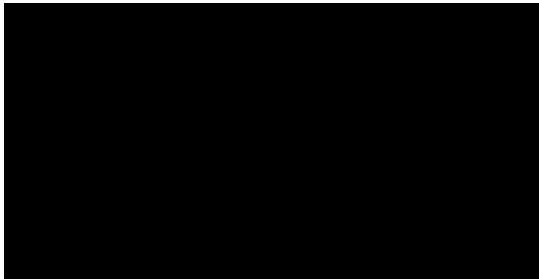
Of particular concern to the Parish Council against this background is that the application is for a five year licence. This would create a situation whereby it would be more difficult to hold the festival to account than if they were to have to apply annually, at which point their conduct the previous year would be scrutinised.

Cusop Parish Council is of the opinion that with certain practicable changes to the organisation it would be possible to significantly reduce the nuisance caused by this festival.

The Parish Council requests that the licencing authority:

1. takes evidence upon the manner in which the festival is organised and managed and the issues that have arisen.
2. sets licencing conditions that are fair to all parties
3. considers whether a five year licence is appropriate

Yours faithfully,



Acting clerk and chair.

**06/24**  
**CUSOP PARISH COUNCIL**

**EXTRACT FROM THE Minutes of the Parish Council Meeting held on  
Tuesday 13<sup>th</sup> March 2024 at 19.00 at Cusop Village Hall**

**Present**

Councillors: Nick Blayney (in the Chair), Christopher Kemp, John Levers and David Evans.

**1.1.**

**1.2. Representations from the Public:**

**1.2.1.** Several concerns were raised by multiple attendees about the ‘How the Light Gets in’ festival. Concerns were raised about:

1.2.1.1. The 5-year duration of the licence application – considered too long

1.2.1.2. Noise emanating from the campsite after the festival had ended and the subsequent disturbance for residents, particularly residents of Bookers Edge

1.2.1.3. Current licensing to 1.30am – considered too late

**07/24**

1.2.1.4. Parking on the private road at Bookers Edge by festival goers and obstruction for emergency vehicles

1.2.1.5. Lack of supervision of campsite leading to socially unacceptable behaviour

1.2.1.6. Location of campsite so close to residents (noise, overlooking issues, antisocial behaviour)

1.2.1.7. Health and Safety concerns about cars parked too closely to tents

1.2.1.8. Noise monitoring stations – to be moved closer to venue

1.2.1.9. Light pollution from use of lasers

1.2.1.10. Organisers haven’t fulfilled their assurance to contribute something back into the community

In response, a representative from the festival answered questions about the licence and pledged to provide cones for Bookers Edge; to investigate the possibility of moving the cars closer to the village and the campsite further away; to increase supervision of the campsite with two security guards supporting the night porter; and that no lasers, special effects or pyrotechnics will form part of the festival.

**It was RESOLVED:** to call an Extra Ordinary Meeting of the Parish Council to consider a response to the concerns raised and a formal response to the licence application.

**CUSOP PARISH COUNCIL****EXTRACT FROM THE Minutes of the Parish Council Extraordinary Meeting held on Thursday 21<sup>st</sup> March at 19.00 at Cusop Village Hall****Present**

Councillors: Nick Blayney (in the Chair), Christopher Kemp, John Levers, David Evans, Paul Elkington

**1. Open Session:**

3.1 The Chair reminded the meeting that as per the agenda he reserved the right to limit the open session to 15 minutes. He then presented some introductory remarks with regard to the process by which objections to licences are handled and the manner therefore in which the parish council (PC) would proceed. He drew attention to two draft documents that had been posted with the agenda on the website and also to the information available on the Hereford Council website. The chair drew attention to an extract of the draft minutes of the previous meeting (13/3/24) that had been tabled: this consisted solely of item 3.3, a list of the concerns raised at the previous meeting. He then opened the floor to the public.

3.2 Several concerns were raised by those attending.

3.3 Some previous complaints raised had not been dealt with appropriately, in the opinion of some present. Complaints had been dismissed as not being presented appropriately or not being relevant. Formal complaints about the conduct of council employees had been rejected without investigation.

3.4 The need to present supporting evidence such as photographs.

3.5 The value of involving various relevant departments and council officials and district councillors.

3.6 Agreement that it was essential to use the appropriate forms to submit objections.

3.7 One resident who had submitted a representation had only that morning received notification that she would be invited to attend the hearing. She had attended hearing in previous years via the same process.

3.8 It was reported that in 2023 Hfds Environmental Health Department (EHD) had not been informed of the licence application, had not made a representation and therefore did

not receive an invitation to attend the hearing. Others had already contacted Hfids EHD to make them aware of events this year and it was suggested that the PC might choose to do this as well.

3.9 The PC was informed that 4 local residents had attended the hearing in 2023. They had made their representations but then Counsel for the applicant had advised the licensing committee that the representations were out of order because they were not from the appropriate government body. This advice was accepted without challenge. It was observed that the residents had been invited to speak in the first place, which made the subsequent decision to exclude their representations questionable.

3.10 It was agreed by those present that a greater number of complaints would be of strength to the case, rather than relying on the representation by the PC.

3.11 There was extensive discussion about the finishing time, with particular regard to the impact this had on when the noise levels actually died down. It takes a period of time for the site to clear after entertainment has stopped. The different finish times for HTLGI and the Hay Festival was noted and considered to be a point worth pursuing.

3.12 Reference was made to the meeting in Jul 23 (minutes published on PC website) and some suggestions that had been aired that which have clearly not been actioned. The 24 programme had already been published and included late night amplified music.

3.13 It was observed that the programme has been published in advance of a licence being issued.

3.14 The PC was informed that Powys licencing officers had expressed concern with regard to the safety of some aspects of the festival. This contact would be followed up.

3.15 The meeting was informed about a change in the law with regard to the licencing of campsites which would come into force after the 24 festival. Campsites of over 50 people would no longer be considered to be 'permitted development'. The conflict between this and the issue of the 5 year licence application was considered.

3.16 It was agreed that the campsite and its operation was a significant part of the nuisance problem caused by the festival.

3.17 Positioning of sound monitoring equipment. A resident reported that she had received conflicting information with regard to where the sound monitoring equipment should be installed, with Hfids EH saying that HTLGI chooses the site and HTLGI saying that they are told by Hfids EH where to install it. This needed to be resolved, it was recognised by councillors.

3.18 It was understood that HTLGI had to obtain an independent report and record of the sound levels annually. It was suggested that the PC should obtain a copy.

3.19 There was widespread concern about the application being for a five year licence and about the consequences of such.

At this point the public session was closed (and attending residents all left)

4. Councillors addressed the issues as per the agenda but in one block. The following conclusions were agreed:

4.1 It was considered essential to determine exactly who was entitled to make a representation.

4.2 There is clear evidence that they are still exceeding the noise level although improvements had been noted anecdotally. It was important that Hfds EHD honoured their obligations in this regard.

4.3 The importance of unequivocal evidence and data was recognised.

4.4 The PC was firmly of the view that a representation should be made by the PC on behalf of the residents. This had not happened in previous years.

4.5 The car parking and campsites are ancillary and yet are significant contributors to the public nuisance created.

4.6 The festival has a duty of care with regard to the immediate surrounds of the festival site.

4.7 Notwithstanding the results of licencing this year, the collection of evidence would assist in addressing concerns in future years.

4.8 It was accepted that undertakings from HTLGI would not be sufficient on the basis of experience that undertakings are not kept. A change in the licencing requirements would be essential.

4.9 Copies of the relevant parts of the two PC meetings should be submitted as evidence.

4.10 The representation document should contain all relevant points as are in the covering letter, in case the latter be disregarded.



**4.11 It was resolved:**

4.11.1 that a representation form be submitted to the Licensing Department on behalf of the PC with an accompanying letter with regard to the issue of a five year licence.

4.11.2 that a wide range of other relevant or interested authorities would be contacted

4.11.3 a copy of the noise report be obtained from HTLGI

4.11.4 the question of who is allowed to make a representation is pursued.



**From:**

**Sent:** 15 March 2024 10:19

**To:** Licensing <licensing@herefordshire.gov.uk>

**Subject:** Premises Licensing Application - Greenfield Site, How The Light Gets In Festival, Cusop

Good morning,

I note the application for a 5 year premises licence for the 'How The Light Gets In' festival in Cusop <https://www.herefordshire.gov.uk/downloads/file/26284/application-to-grant-a-time-limited-premises-licence-2024-2028-how-the-light-gets-in-festival-consultation-ends-4-april-2024> and I would like to make a few points in support of the application.

The first HTLGI festival was held in 2010. Each successive event has learned and successfully implemented lessons from the one before. A public meeting, held in The Globe in Hay on 25 Jul 23 to discuss the most recent festival stated that " the Festival was an asset to the town".

This view is supported by hard evidence. Last year I was told by the organisers that they had sold over 1,000 tickets under their 'Discount For Locals' scheme. This shows that 20% of those attending the festival came from nearby, so we can safely conclude that there is strong local support for the festival - not to mention the support that it evidently enjoys from around the UK as a whole.

There is a small but vocal minority in Cusop who seem opposed to the festival. That is understandable. However, given the level of support examined above, it would be profoundly un-democratic to allow a noisy few to detract from the enjoyment of the majority. This is particularly important because those attending the festival from elsewhere in the UK will bring footfall and spending to Herefordshire and Powys to the benefit of both communities.

To sum up, I would urge the committee to support this application and secure the medium term future of a cultural gem.

Yours Sincerely,

---

From:

Sent: 25 March 2024 10:41

To: Licensing <licensing@herefordshire.gov.uk>

Subject: The Globe - How the light gets in festival

Dear Sirs,

I note the application for a 5 year premises licence for the 'How The Light Gets In' festival in Cusop <https://www.herefordshire.gov.uk/downloads/file/26284/application-to-grant-a-time-limited-premises-licence-2024-2028-how-the-light-gets-in-festival-consultation-ends-4-april-2024> and I would wish to raise a few points in support of the application.

The first HTLGI festival was held in 2010. At the end of each festival the organisers have listened to any local complaints or praise and subsequently year on year the festival organisers have improved the event.

The HTLGI festival are also very generous to the local community in offering reduced entrance fees.

Unfortunately, since the housing development at Bookers Edge on Newport Street is now fully occupied some of the residents appear not to be happy about:-

Road being very busy

Road surface causes water to splash up from lorries and needs more drainage

No zebra crossing

Pavements too narrow

also, every year complaints about HTLGI festival

All the above can be viewed on the minutes of Cusop Parish Council.

In many ways HTLGI festival is better for the prosperity of Hay on Wye than the Literary Festival. It is in the town and not a long walk along the Brecon Road. Most people attending the Literary Festival stay on the site all day using their many catering outlets so do not venture into the town.

There is a small but vocal minority in Cusop who seem opposed to the festival, I do hope the views of a few negative people do not spoil the future of our cultural gem.

Yours faithfully,

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