

HowTheLightGetsIn Festival

APPLICATION FOR GRANT OF PREMISES LICENCE

HEREFORDSHIRE COUNCIL

STATEMENT OF MANDY HOUGHTON

1. I, **MANDY HOUGHTON**, make this statement in support of an application for a premises licence for HowTheLightGetsIn Festival which is due to take place between the 26th and 29th May 2023 at Riverside Festival Site (Hay-on-Wye).

2. This statement is true to the best of my knowledge, information and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

3. This statement is structured as follows:
 - Executive Summary
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 - Event Management Plan and Noise Management Plan
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Executive Summary

- HowTheLightGetsIn is a unique philosophy and music festival
- It has been held in Hay since 2009 and at its current location since 2018
- The applicant carried out significant pre application consultation in advance of submitting the application
- The application is supported by a significant schedule of conditions

- An Event Management Plan and Noise Management Plan have been developed which will be the subject of on-going scrutiny from the Safety Advisory Group
- The application has received support from local business and residents
- There are no representations to the application from any of the responsible authorities
- HowTheLightGetsIn provides significant financial and cultural benefit to the Local Community

Personal Background

4. I have been a local resident to Hay since 1987 and prior to working at the Globe at Hay which happened in 2008, I owned and operated a local delicatessen, Hay Deli, for ten years.
5. My role and responsibilities include being:
 - Festival Manager at all previous HowTheLightGetsIn Festivals, i.e. across 2009-2022.
 - Manager of the Globe at Hay, an arts and events venue located in the centre of Hay, which was also the site for the first HowTheLightGetsIn Festivals in Hay.

HowTheLightGetsIn – Ethos

6. HowTheLightGetsIn has a unique identity. It is a philosophy and music festival. It sets out to provide a forum like no other for the discussion of the big ideas of our time. In this respect it is very different from literary festivals like Cheltenham and the Hay Literary Festival. These events are an opportunity for authors to promote their recent books and for the public to meet their favourite authors and get a signed copy of their book. While HowTheLightGetsIn is instead focussed on the ideas and the atmosphere on the festival site.
7. While there are many famous speakers at HowTheLightGetsIn all of the debates and talks do not lead on the celebrity speakers taking part but, on the idea, and topic of the debate or talk. In order to create a positive atmosphere of conversation and debate we do not charge for individual events but encourage people to come for the whole weekend during which they are able to develop friendships and explore contemporary ideas. In addition, we avoid VIP areas for speakers and encourage them to mix with the public enhancing the freewheeling character of the event.
8. Literary festivals in contrast charge by event and since their aim is to sell as many tickets as possible their festival sites avoid offering alternative entertainment during the bulk of the events in the day. While at HowTheLightGetsIn our aim has always been to create a wonderful atmosphere on the festival site offering a whole range of different activities throughout the day and evening in addition to the core philosophy programme.
9. This is why the music and the atmosphere of the festival site is so important and central to the festival. If the provision of music was further restricted the unique character and purpose of the festival would be undermined.

10. Please see below quotes supporting the uniqueness of the festival:

- *"The best two days of my year"*. Michael Crick, Broadcaster
- *"Really important ... Lots of policy ideas for government ... These opportunities are rare and they're becoming even rarer"*. Jess Phillips, Labour MP
- *"I am on record as being against travel. The only reason I ever travel is to come to HowTheLightGetsIn"*. Stanley Fish, Legal Scholar and Literary Critic
- *"Asking real questions ... orchestrated much more precisely than is usual in our field"*. Gerard T'Hooft, physicist and Nobel Prize winner
- *"A stunning event ... so engaged, so well informed, so switched on"*. Shoshana Zuboff, Psychologist and Author

HowTheLightGetsIn - Background

11. HowTheLightGetsIn was founded in 2008 by Hilary Lawson to encourage public awareness and discussion of big ideas.
12. The first HowTheLightGetsIn Festival took place in Hay in 2009 and it's been held annually in Hay across 2009-2022 (other than a fallow year in 2017 as well as 2020 & 2021 not being possible due to the pandemic). At no point has the festival been profitable. Its deficits have been covered by the wider TVF group and donations from other individuals.
13. The first HowTheLightGetsIn Festivals in Hay were run exclusively at the Globe at Hay, an arts and events venue located in the centre of Hay. During this time there was some disruption to the residential neighbours immediately adjacent to the Globe at Hay, but we looked to take all steps possible to reduce disturbance and we continued to receive support from the community as a whole.
14. As the festival got more popular, in order to minimise disruption to neighbours, we looked for a site with no immediate residential neighbours but also close enough to Hay to benefit the community. After temporarily splitting the festival across the Globe at Hay and a new field adjacent to Hay Bridge, we moved to our current Riverside location from 2018. We also restructured the festival to reduce its duration from 10 days to 4 days.
15. Since we have been at Riverside we have received very few complaints. Nevertheless, we have been proactive about putting in place further measures to minimise any disruption, including a review of the close time of the festival for 2022 where despite it being 2am across 2009-2019, for 2022 we moved it to an earlier close time of 1am.
16. In every festival we have carefully considered impact on our neighbours, including through consultation with Environmental Health Officers.

HowTheLightGetsIn - Plan for 2023

17. I have attached at **MH 1** a copy of the HowTheLightGetsIn 2023 Programme showcasing over 250 individual events of the festival spanning debates, music and other entertainment.
18. As explained in the Ethos section above, evening music and events are critical to the character of the festival and they are part of what makes it unique and different to the Hay Literary Festival. They are also a key component of what our festivalgoers expect and therefore vital to the overall revenue potential and financial feasibility of the festival in Hay.
19. As a result, a requirement to bring forward the close time of the festival earlier than the 1am it was reduced to in 2022, would force us to consider the overall viability of the festival in Hay. Such a change would also create substantial immediate financial and reputational damage to the festival as we have already been marketing the festival based on the earlier close time put in place for 2022.

HowTheLightGetsIn - Benefit to Local Community

20. HowTheLightGetsIn has a major positive impact on Hay, and this ties in with strong positive local support overall for the festival ever since its inception in 2009.
21. In relation to the licence for HowTheLightGetsIn 2023 we are pleased to note letters submitted by some of our nearest neighbours confirming their support of the festival and that they are not disturbed by it. As further evidence of the strength of local support we also know of a number of people that have moved to Hay due to the Globe at Hay and the Festival.
22. To appreciate the Economic impact of HowTheLightsGetsIn on Hay and the local area, please see our Economic Impact Assessment (EIA) at **MH 2**. The EIA shows Direct, Indirect and Induced Economic Impact of £1.26 million, £400,000 and £1 million, leading to a combined total impact of £2.66 million per year (the majority of which is with local businesses and individuals) as well as the direct and indirect employment of 43 people, with hundreds affected through employment in the period of the festival itself.
23. The EIA has been put together by the financial director of TVF, Jazz Bhakar, and is based on our actual expenditures from previous festivals together with budgets for 2023 and estimates of resulting indirect and induced further economic impact, based on fair and conservative assumptions.
24. Aside from the economic impacts described in the EIA, there are also important wider impacts on the tourist industry of Hay as well as the cultural & education impact.
25. A vibrant tourist industry is central to the economic wellbeing of Hay. HowTheLightGetsIn Festival supports this by putting on a festival with unique character that hosts internationally renowned speakers and performers. Many people first visit Hay because of the festival and then return year on year as well as at other times to enjoy the town.

26. The value to the town is also demonstrated by comments in a letter of support received by longstanding local business, the Hay Cinema Bookshop.
27. Aside from economic and financial benefits, the festival itself delivers a significant cultural and educational event to a rural area for all the residents to benefit from and enjoy, and in order to make the festival accessible to as many local people as possible, the festival additionally offers festival tickets at a 50% discounted rate to local people.

Event Management Plan and Noise Management Plan

28. I have attached at **MH 3** and **MH 4** copies of the current Event Management Plan (EMP) and the Noise Management Plan (NMP) respectively. The Committee will appreciate that these are living documents and are the subject of on-going discussion, development and scrutiny by the Safety Advisory Group (SAG) of the licensing authority.
29. Each of these documents have been developed in conjunction with our professional Health and Safety Consultant, Calvin Hanks. Calvin has been closely involved with HowTheLightGetsIn in Hay since 2017 and so is familiar not only with the nature of the festival but the application site. Full detail of Calvin Hanks experience can be found at Appendix 9 to the NMP.

The Event Management Plan

30. The EMP has been designed in accordance with the Purple Guide, a nationally recognised guide to assist event organisers manage all aspects of health and safety in the setting up and running of events. The Purple Guide has been developed by the Events Industry Forum in consultation with the UK events industry including representatives from regional and national government and other agencies including the Health and Safety Executive.
31. At page 6 of the EMP is an organogram that sets out the Event Safety roles and responsibilities, and on the subsequent pages details for what each of these roles involves. The overall management of the event during the festival is co-ordinated from the Event Control centre which will comprise festival managers, head of security and the safety advisor (Calvin Hanks). Calvin Hanks will be attending the hearing on the 19 April and can assist in answering any questions in relation to the EMP and NMP.
32. A first draft of the EMP, along with the security plan and steward plan was sent to the Licensing Authority on 15 March. A second and updated draft was sent to the Licensing Authority on 6 April.

Noise Management Plan

33. The NMP is referenced in the EMP at page 43 and along with a number of other management plans is the subject of its own standalone plan.

34. A copy of the NMP can be found at **MH 4**. The author of the NMP is Calvin Hanks.
35. Calvin Hanks attended a call with the EHO from the licensing authority on the 1 February 2023. Present at his meeting were other representatives from both Herefordshire Council and Powys County Council. Following this meeting a number of revisions were made to the NMP, not least the development of the section in relation to the Complaints Procedure which can be found at section 11 of the NMP. Also included in the NMP at Appendices 1 and 2 are the Noise Complaint Form and Noise Monitoring Form. At Appendix 3 to the NMP is the noise management action flow on receipt of a noise complaint.
36. For the duration of the festival there will be a dedicated noise complaint hotline. This will remain in the Event Control Room for the duration of the festival and will be staffed for the duration of the festival. All members of staff who will be working in the Event Control Room will be provided with training on the Noise Complain Procedure which will include what action to take on receipt of a noise complaint; who to contact in the event of a noise complaint; to record what remedial action is taken in the event of a complaint and record any follow up action as required.
37. A copy of the noise complaint log will be kept on site and made available to members of the authority on request and will be provided to the licensing authority at the end of the festival.
38. When we undertook the resident's engagement in advance of submitting the application, we made it clear that this letter was the initial communication that local businesses and residents would receive about the festival. The initial engagement letter included the following:
- We have commissioned an acoustician to prepare a Noise Management Plan – this work has already started - which we will be submitting to Herefordshire Council by no later than 30 March 2023, and the overall management of the event will be subject to an event management plan.*
- Part of the noise management plan will include the requirement to provide a noise hotline which will be manned during the course of the festival. Details about this hotline will be circulated to local community shortly before the event*
39. A copy of this letter (see Appendix 7 of the NMP) was forwarded to the Licensing Authority (and neighbouring licensing authority) as part of the pre application consultation process.
40. At Appendix 8 of the NMP is a copy of the 2nd residential engagement letter. This is currently shown as being in draft form awaiting the outcome of the licensing application hearing. This second letter will provide, amongst other things, details of the contact number that any resident is to call in the event that they experience any noise complaints.
41. A copy of the initial draft NMP was sent to, amongst others, the EHO for the licensing authority, on the 16 February 2023 and asked for “any comments and observations that you may have at this time.”

42. On the 10 March 2023 Jacqueline O'Mahony, EHO, responded with a number of observations on the NMP. Ms O'Mahony also commented that "*the NMP needs a specific letter to residents outlining the procedures in the event of a noise complaint. I would like sight of this letter. I would include residents of Wyeford Road (POWYS) in any letter sent out, and a monitoring location there also.*"
43. A copy of this email and attachment was sent on to Calvin Hanks and a revised NMP, taking in to account the observations that she had made, was sent to Ms O'Mahony on the 16 March via our solicitors. Amongst the changes made to the NMP was the inclusion the 2nd residents and business engagement letter (see Appendix 8 of the NMP). The updated NMP also included the additional noise monitoring position at Wyeford Road (Powys) as requested and we will make sure that the 2nd residents and business engagement letter – with details of the noise complaints hotline – is also circulated to residents at this location
44. No comments were received on the updated draft NMP and on the 29 March, and in line with the proposed agreement with the authority (and conditions offered with the licence application) the draft NMP was resent to the EHO.
45. We will of course continue to work with the EHO, other responsible authorities and members of the SAG up to, and during, the event itself, making such amendments to the EMP and NMP as may be deemed necessary.

Pre-Application Consultation

46. In advance of submitting the application for the premises licence, we engaged in pre application consultation with both the licensing authority (and the neighbouring licensing authority of Powys County Council) as well as circulating a residents engagement letter.
47. On the 1 February 2023 I met with representatives from Herefordshire Council and Powys County Council. Our Noise and Event Management consultant Calvin Hanks, and our solicitor Ewen Macgregor were present at the meeting. Following this call the EHO, Jacqueline O'Mahony, made a number of recommendations and suggestions in relation to the Noise Management Plan (NMP). The EHO also confirmed that we were required to submit a draft NMP to her by 30 March 2023, with a response back from the EHO by 30 April.
48. On the 16 February 2023 a copy of the draft application, including the proposed operating schedule, NMP and residents' letter were sent to the officers who attended the call on 1 February 2023, as well as other responsible authorities from Herefordshire Council, seeking any comments on the proposed application. A further email was sent on the 20 February 2023, advising that it was our intention to carry out a letter drop later that week and welcoming any comments on the draft residents engagement letter,

with a further email being sent the following day advising that it was our intention to distribute the residents and business engagement letter the following day.

49. The residents and business engagement letter was distributed on the 23 February 2023 to the Bookers Edge housing development, the businesses and houses on Newport Street, the Millbank housing development and the houses directly adjacent to the Globe at Hay. I emailed a copy to Cusop Parish Council, Hay Chamber of Commerce, Hay Town Council and Wye Glamping.
50. A copy of the residents' engagement letter can be found at Appendix 7 in the NMP.

Submission of the Application

51. The application for the premises licence was finally submitted and accepted by Herefordshire Council on the 6 April 2023.
52. The application was advertised in the Herefordshire Times on the 9th March 2023.
53. I also displayed 17 notices around the perimeter of the premises and photographs of the notices in place – both at the start and end of the consultation period - were sent to the Licensing Authority.

Response to Representations

54. We have looked carefully at the 4 representations against the application and 7 letters of support (one of which is from Cusop Parish Council) which have been received in relation to the licence. We are pleased to note that a number of the local community have taken the time to write in with letters of support for the application.
55. Please see below a list of the issues and suggestions raised by the 4 representations and our response in each case:

- a) Noise

Throughout the history of HowTheLightGetsIn Festival in Hay, we have sought to minimise noise disruption to residents around the Festival site.

The current Riverside location of the festival reflects a deliberate move to a site with no immediately adjacent residential dwellings. In addition, the nearest residential dwellings are separated from the festival site by a series of industrial/commercial buildings. Not only that, but the site is on a lower level to the industrial/commercial buildings so there is natural protection which substantially reduces the level of sound that can leave the site. The current festival location compares to where the festival began at the Globe at Hay where there were residential neighbours immediately adjacent to the festival site.

Whilst the current Riverside location of the festival provides strong mitigation to noise issues, we continue to take sound monitoring seriously and employ a specialist consultant to carry this out. There are claims contained within the representations that we are not responsible about our noise monitoring. This is not true, and is at odds with our noise monitoring report sent to EHO after the 2022 festival.

In response to specific issues raised in relation to noise monitoring and decibel levels, please see statement from Noise Monitoring Consultant, Calvin Hanks, included at **MH 5** – in particular points 9, 10, 13, 14, 16 and 17. In summary the claims being made are unsupported. We would additionally add that in our view noise readings referenced by individuals in the representations have likely not been done properly, as sound monitoring is complex - it needs to be done in a specific way with the correct equipment.

We note that 3 of the 4 representations make reference to noise disruption to residents at Bookers Edge, which is a new residential development. Whilst Bookers Edge homes were completed 2 years after our first HowTheLightGetsIn Festival at the current site, we appreciate that these homes are now occupied and so remain part of our Noise Management Plan (see **MH 4**), as they were for the 2022 HowTheLightGetsIn Festival.

Alongside the 3 representations which raise concern regarding noise levels at Bookers Edge, we note 4 of the 6 letters of support are from residents at Bookers Edge and every one of these indicate they have not been disturbed by noise from previous HowTheLightGetsIn Festivals held at the current site, for example the comment made by one of the Bookers Edge residents that lives at the front of the estate which is nearest the festival site: *“Having experienced the 2022 festival, I can confirm that I experienced no noise disturbance whatsoever”*.

In addition to all of the points noted above, following discussions with and EHO, we have strengthened our Noise Management Plan.

b) Closing time

Each of the 4 representations include the suggestion that the closing time should be brought forward from 1am to 11pm, on the grounds of

- (i) preventing crime and disorder; and/or
- (ii) preventing public nuisance due to noise from the festival site and/or those leaving the site.

Taking these in turn:

Crime and disorder

- If we were to close at the same time as Hay Literary Festival, this would potentially create a much greater problem for Hay in terms of anti-social behaviour as there will be more people exiting both festivals at the same time

- Throughout the 3 years the festival has been on the Riverside site (2018, 2019 and 2022) there has been no cases of crime and disorder on Newport Street. Where there is some disturbance is in the town of Hay itself where people congregate following the end of the Hay Literary Festival, in search of things to do in the late evening.
- We are careful to deploy late night stewards to manage those leaving the festival, as noted in section 3.2 of our Event Management Plan included at **MH 3**.
- The Police have not made a representation to the application.

Preventing public nuisance due to noise from the festival site and/or those leaving the site

- We already have lower decibel levels after 11pm as part of our proposed licence conditions and we deliver against this through our Noise Management Plan at **MH 4**.
- If there is loud conversation when festivalgoers are leaving the site, our late-night stewards ask people to lower their voices, and to ensure there is a positive atmosphere.
- There are no representations to the application from the any of the responsible authorities.
- As described in the HowTheLightGetsIn Festival Background section above, many steps have already been taken over the years - with regards to the location, duration and closing time of HowTheLightGetsIn Festival - with minimisation of disturbance to local residents in mind.
- The current festival site is further out from the centre of Hay than the Globe at Hay which is where HowTheLightGetsIn started. The duration of the festival is just 4 days (and 3 nights) (and the last of those has an afternoon closing time, so in practice its just the first 3 days of the festival which is in question here). That compares to the 10 day festival that HowTheLightGetsIn was previously. In 2022 the closing time was already brought forward to 1am vs the 2am it was for the preceding 10 years, 2009-2019.
- As explained in the Overview section above, should the closing time be brought forward further from 1am, it would damage the character of the festival. This would inevitably restrict ticket sales, as the unique atmosphere of HowTheLightGetsIn would be undermined, and the offering to those festivalgoers particularly interested in the evening music would be weakened. In addition, it would put downward pressure on achievable ticket prices as the overall scale and offering of the festival is reduced. In combination therefore a further pulling forward of the closing time would lead to a substantial reduction in revenue.
- As a result, and given that HowTheLightGetsIn Festival in Hay already runs at a deficit, bringing the closing time forward from the current time of 1am would force us to consider the overall financial viability of the festival.

c) 20mph speed limit

We have applied for a temporary reduction to 20mph from the Dulas Brook to beyond the festival vehicle entrance.

Whilst highways are not the responsibility of the festival we do deploy late night stewards to manage people leaving the site.

There has been no report of any injury to anyone on Newport Street from previous festivals at the site.

d) Wildlife / Environmental

Whilst wildlife/environmental goals are not Licensing Objectives, we are of course sensitive to and keen to protect the environment as far as possible, such as through our waste management and provision of recycling bins, and use of compostable plates and cutlery.

One of the representations refers to negative impact on nesting swans and bats caused by “bright lights shone across the river”. Our festival site lighting/décor plan for HowTheLightGetsIn 2023 does not include any laser beams and any change to this will first be communicated to the Licensing Authority as noted in section 5 of the Event Management Plan.

e) Parking

One of the representations queries the provision of parking and how this is communicated. We provide parking for over 400 cars within easy walking distance to the HowTheLightGetsIn Festival site. This parking is advertised on the festival website as well as through physical signage during the festival. Our provision of parking is also referred to our Event Management Plan (section 9.1 of the Event Management Plan at **MH 3**). In practice, the parking provided is used not only by festivalgoers to HowTheLightGetsIn but also to the Hay Literary Festival.

Two of the representations recommend the use of No Waiting / No Parking cones on Newport Street. Ultimately this is not our decision and as mentioned in section 9.1 within the Event Management Plan, we already, as part of pre-event information, inform festivalgoers to HowTheLightGetsIn to park only on the approved event car parks and not to park on public highways.

We will of course continue to work with the Police and Highways in relation to the issue of parking

f) Silent Disco

One of the representations suggests introducing a silent disco to evening events. This sounds like an interesting thought however it reflects a misunderstanding of the structure and format of the festival where we have a large number of different stages all of which have some music, and we couldn't possibly turn the entire site into a silent event. At the same time, a central component of the unique character of the festival is the atmosphere we create and the interaction it encourages between attendees – all of that would be seriously undermined by silent events.

g) Glamping business opposite festival site

One of the representations is from By The Wye Glamping site which is located on the opposite side of the river to the HowTheLightGetsIn Festival site.

Creation of the By The Wye glamping site came after the festival was first held at its current location, hence the By The Wye glamping site was built in the knowledge that it was opposite a site used for a festival which took place annually.

Whilst By The Wye glamping site is not one of the agreed noise monitoring locations for the HowTheLightGetsIn Festival, during the 2022 festival considerable time was spent responding to their concerns including attendance by our noise management consultant.

Despite the points above we have on several occasions sought to engage with By The Wye Glamping in the light of their concerns.

In the lead up to HowTheLightGetsIn 2022, we enquired about purchasing their accommodation as part of what we provide to our speakers. However, we were informed that wasn't possible as their accommodation had already been booked. Following issues raised by By The Wye Glamping after the 2022 festival, in June 2022 we expressed interest in purchasing all their accommodation for the next festival (2023), however this offer was not taken forward.

Conclusion

56. HowTheLightGetsIn is a philosophy and music festival with unique character which over the years has built up a significant following and reputation being able to attract high profile speakers and performers to the event.
57. We are confident that with the robust procedures that we have in place, the enhanced EMP and NMP that the event will be a success, causing minimal if any disruption to the local residents.

58. HowTheLightGetsIn Festival has a substantial positive impact on Hay and the local area. This is demonstrated both through our Economic Impact Assessment and strong local support over many years.
59. The closing time of the festival was already brought forward from 2am to 1am in 2022 and any further requirement to bring the closing time earlier would damage the unique character of the festival and its revenue potential, and would therefore force us to consider the overall viability of the festival in Hay.
60. We have considered the 4 representations made against the licence carefully and responded to all the points made. 3 of the 4 representations raised the issue of noise disturbance to residents at Bookers Edge but at the same time 4 of the 7 letters of support are from residents of Bookers Edge and each of them have confirmed they have not been disturbed by the festival. Bookers Edge is also one of the agreed noise monitoring locations within our Noise Management Plan and we employ a specialist consultant to help carry out that Plan.
61. More widely on the subject of noise disturbance this is something we take seriously and act on wherever possible as can be seen by the changes made in previous years to the location, duration and closing time of the festival.
62. We will continue to work with the Licensing Authority, SAG and local residents in bringing to Hay a festival that will benefit the wider community and one that Hay can be proud to host.

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Mandy Houghton

Dated the 13th day of April 2023