

**How The Light Gets In Festival**

**APPLICATION FOR GRANT OF PREMISES LICENCE**

**HEREFORDSHIRE COUNCIL**

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**MH9 – Pre application consultation email**

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## Matthew May

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**From:** Ewen Macgregor  
**Sent:** 16 January 2024 12:28  
**To:** Spriggs, Fred  
**Cc:** Licensing; Thornett, Bryan; Hustwayte, Alexander; O'Mahony, Jacqueline; Hay, Sophie; Baker, Ian; licensing.herefordshire@westmercia.pnn.police.uk; ethelpline@herefordshire.gov.uk; Cooper, Richard; Laughland, Elisabeth  
**Subject:** HOWTHELIGHTGETSIN 2024 24 to 27 May 2024 (and future years) Licensing Act 2003 - Pre Application Consultation  
**Attachments:** HTLGI OS 2024.docx

Good afternoon, Fred

Firstly, HNY! It probably seems some time ago now, but I hope that you had a good break

I emailed you on the 13 October 2023 about the proposed dates for the HTLGI festival for 2024. The festival is due to take place over the course of the late May bank holiday weekend (as was the case last year) on the 24 – 27 May

I am sending this to the RAs that I have been able to locate from your website (and from previous meetings we have had on this matter) but there may be others who you will wish to share this email with (and which my client is of course happy for you to share) – possibly those at Powys.

If you are able to forward this email, then can you please copy me in so that I have a complete record of consultees.

### **Draft Operating Schedule**

My client is keen to engage with the responsible authorities as part of the pre application process (as they have done in previous years) and I am now in a position to share with you a proposed operating schedule for the festival for the coming years.

This is attached

A few observations from me at this stage:

- The length of the festival remains in line with what was approved last year – 4 days, starting on the Friday at 1300 and closing on the Monday at 1700
- In line with other festival applications that we have made across the country we are seeking a licence for more than one year – in this case we are seeking a permission for 5 years.
- The date of the licence for year 1 has already been communicated to you
- The intention is to give the Licensing authority and SAG at least 6 months' notice of dates for future years.
- The licence in previous years has contained significant number of conditions and you will see from the attached that we have structured the proposed application around an Event Safety Management Plan (**ESMP**)
- The premises licence holder shall comply with the ESMP. and will be shared with the relevant RAs at least 2 months in advance for the proposed event date
- The ESMP will be a living document and will include but not be limited to sections on the following.
  - Site plan
  - Premises licence
  - Health and Safety Responsibilities
  - Venue and Site Design
  - Fire Risk Assessment

- Major Incident Planning (Emergency planning)
  - Communication
  - Crowd Management (including steward and security numbers and their roles)
  - Transport
  - Management Structures
  - Barriers
  - Electrical Installations and Lighting
  - Food and Alcohol
  - Sanitary Facilities
  - Waste Management
  - Sound: Noise and Vibration
  - Special Effects, Fireworks and Pyrotechnics
  - Camping
  - Facilities for People with disabilities
  - Medical, Ambulance and First Aid Management
  - Information and Welfare
  - Children - including Lost Children's Policy
- The OS has bespoke sections attending to the 4 licensing objectives
  - Whilst I appreciate that the authority – and RAs may have a view on the approach being adopted it is an approach that we have adopted (and been accepted by licensing authorities) in recent years for both festivals and large-scale events

### **Layout plan**

I am hoping to be able to share a proposed layout plan with you shortly and will send this on as soon as I have it but was keen to get the draft OS to you as soon as I could

### **Residents**

I will discuss with my client how they are proposing to engage with the local community and will confirm this to you in due course. It seems clear to me that the significant engagement with the residents in advance of last year's festival lead to the significant improvement and positive feedback from local residents and Cusop Parish council" as highlighted in the SAG de brief minutes that took place following the event in 2023.

### **Next Steps**

1. Could I ask that the attached is circulated to any RAs/members of SAG that I have missed off
2. I look forward to receiving any observations or comments that you and the RAs may have on the attached document
3. That if you wish to have a pre app meeting then I am happy to facilitate this online
4. We will send to you an updated plan as soon as received by me
5. That we aim to submit the application no later than the second half of February
6. My client will of course continue to engage with you, the RAs and other relevant members of SAG during both the pre application and statutory consultation process.

If you wish to discuss this matter with me then please do not hesitate to contact me – mobile number below is probably best.

I look forward to hearing from you.

With best wishes

Ewen Macgregor  
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For TLT LLP  
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The Employment (Allocation of Tips) Act comes into force on the 1 July 2024

The Government is consulting to gather views on the [draft statutory Code of Practice](#) on the distribution and allocation of tips

A link to the consultation, which runs through to the 22 February 2024, can be found [here](#)



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

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**Draft Operating Schedule**

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**Opening Hours**

- Friday – 1200 to 0100
- Saturday and Sunday – 0800 to 0100
- 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, 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

### **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).