

# Public Document Pack



County Hall  
Rhadyr  
Usk  
NP15 1GA

Tuesday, 11 March 2025

## Notice of meeting

### Licensing and Regulatory Sub Committee

Wednesday, 19th March, 2025 at 10.00 am  
The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with  
remote attendance

### AGENDA

Item No	Item	Pages
1.	Apologies for Absence.	
2.	Declarations of Interest.	
3.	Application for a temporary Premises Licence - Devauden Festival, Upper Meend Farm, Penalt, Monmouth.	1 - 68

**Paul Matthews**  
Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillor Tudor Thomas  
County Councillor Tony Easson  
County Councillor Jackie Strong

Park;  
Dewstow;  
Caldicot Cross;

Welsh Labour/Llafur Cymru  
Welsh Labour/Llafur Cymru  
Welsh Labour/Llafur Cymru

## Public Information

### Access to paper copies of agendas and reports

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### Watch this meeting online

This meeting can be viewed online either live or following the meeting by visiting [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) or by visiting our Youtube page by searching MonmouthshireCC.

### Welsh Language

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with 5 days notice prior to the meeting should you wish to speak in Welsh so we can accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Our purpose

To become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

## **Objectives we are working towards**

- Fair place to live where the effects of inequality and poverty have been reduced.
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency.
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop.
- Safe place to live where people have a home where they feel secure in.
- Connected place where people feel part of a community and are valued.
- Learning place where everybody has the opportunity to reach their potential.

## Our Values

**Openness.** We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

**Fairness.** We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

**Flexibility.** We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

**Teamwork.** We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

**Kindness:** We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.



## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>Application for a temporary Premises Licence – Devauden Festival, Upper Meend Farm, Penalt, Monmouth</b>
<b>DIRECTORATE:</b>	<b>Social Care, Safeguarding and Health</b>
<b>MEETING:</b>	<b>Licensing &amp; Regulatory Sub-Committee</b>
<b>COMMITTEE DATE:</b>	<b>19<sup>th</sup> March 2025</b>
<b>WARDS AFFECTED:</b>	<b>Mitchel Troy and Trellech</b>

### 1. PURPOSE:

To consider an application for a temporary premises licence under the Licensing Act 2003 for Devauden Festival, Upper Meend Farm, Penalt, Monmouth. A copy of the application and plan is attached as Appendix A.

### 2. RECOMMENDATION:

It is recommended that members consider and determine the application referred to in 3.1 below, based on the information provided.

### 3. KEY ISSUES

- 3.1 An application for a temporary premises licence under the Licensing Act 2003 was received from Devauden Festival, Devauden Hall, Devauden on the 23<sup>rd</sup> January 2025 for the following:

Plays	Friday: 19.00hrs – 23.00hrs Sat/Sun : 10.00hrs – 23.00hrs
Films	Friday: 18.00hrs – 21.00hrs Sat/Sun: 10.00hrs – 21.00hrs
Live and Recorded Music	Friday: 17.00hrs – 23.00hrs Sat/Sun: 10.00hrs – 23.00hrs
Performance of Dance	Friday: 17.00hrs – 23.00hrs Sat/Sun: 10.00hrs – 23.00hrs
Anything of a similar description	Friday: 17.00hrs – 23.00hrs Sat/Sun: 10.00hrs – 23.00hrs
Late Night Refreshment	Friday – Sunday: 23.00hrs – 00.30hrs
Alcohol Sales	Friday: 16.00hrs – midnight Saturday: midday – midnight Sunday: midday – 23.30hrs
Opening Hours	Friday: 09.00hrs – midnight Sat/Sun: 09.30hrs – midnight Monday: 09.00hrs – 17.00hrs

The applicant has described the event as follows in their application:

Operating since 2010, the Devauden Festival is a family-oriented music festival held over three days over the last weekend of May. It hosts established and up-and-coming pop, rock, and folk acts, performing original music with professional staging, sound, and lighting. There are several stages, including the main Anghidi stage, the big top stage, the Tangerine Trees stage, featuring edgy and alternative music, the mainly acoustic House of Roots stage, and the Merry Mari stage, featuring DJ sets, the main Festival field offers a selection of bars located in the main Festival field and Farm Courtyard area The Wonder Burrow features activities for children and entertainers, arts and crafts stalls, food and non-food stalls, and The Peace Field, a wellness area where our customers can watch healing demonstrations and experience treatments first-hand. This next festival will run on the evening of Friday, 23 May 2025, and all day on Saturday, 24, and Sunday, 25 May 2025. After several years of growth, we moved the festival to a new home in 2025 at Humble by Nature, Upper Meend Farm, Monmouth. This year, we expect a maximum of 4999 attendees

- 3.2 A map of where the premises is located within Monmouth and the surrounding area can be viewed as Appendix B.
- 3.3 The applicant has stated the following conditions on their premises licence application when asked in the application to describe the steps intended to take to promote the licensing objectives:

### **General**

The Applicant is highly experienced at organising and delivering large-scale outdoor music and entertainment events and has a proven track record of complying with all the licensing objectives. Parking and camping facilities will be provided on-site as identified on the Site Plan and with more specific details provided in the detailed Event Safety Management Plan (ESMP), which will be provided to the Event Safety Advisory Group as part of the consultation with agencies before the Event

- The Premises Licence Holder (PLH) shall operate and maintain an up-to-date incident book, detailing the time/date/individual involved /incident that has taken place. This shall be made available for inspection by any Responsible Authority under the Licensing Act 2003.
- Fully documented staff training, including training on the premises licence conditions, as well as the premises' Challenge 25 Policy, will be given before any event.
- Staff must sign and date documentation after their training session, acknowledging that they have received and fully understood the training provided to them. This can be made for inspection by any Responsible Authority under the Licensing Act 2003.
- The Premises Licence, as identified on the Plan attached to this licence, is restricted to three event days per annum and for a capacity of less than 5000 persons.
- A detailed Event Safety Management and Operating Plan (ESMP) will be prepared by the licence holder and submitted to the ESAG at least 12 weeks before the start of an Event. The Plan will encompass all aspects of the event planning arrangements, policies and risk assessments relevant to the Event, including (inter alia): Site Plan; Crowd Management and Security Plan; Traffic Management Plan; Noise Management Plan; Event Safety Plan; Health & Safety Policy; Adverse Weather Plan; Show Stop Procedures; Medical Operations Plan; Child &

Vulnerable Person Protection Policy; Welfare Management Plan; Bars and Alcohol Management Plan; Fire Management Plan and Event Risk Assessment.

- The ESMP will be a live document which will be updated following pre-event consultation meetings and discussions with the ESAG and will be finalised and agreed at least 14 days prior to the event. Any change or deviation from the ESMP during the Event must be approved in advance by the relevant ESAG Authorities at an Event Control Meeting.
- All licensable activities provided at the Event will take place in accordance with the relevant approved ESMP which will act as part of the operating plan for the premises.
- A designated member of the management team shall patrol the site ensuring that control measures identified within the risk assessments are implemented. Where there are new risks to safety identified, the designated person will take the necessary steps to reduce and eliminate such risks.
- The final plans will show all temporary structures, stages, sponsor activities, bars, sanitary facilities, car parks and any camping areas will be submitted three months before the event.
- In relation to an Event, the Applicant shall follow the principles within the “Event Safety Guide – A Guide to Health, Safety and Welfare at Work and Similar Events – HSG 195, published by the Health and Safety Executive (HSE) 1999 ISBN 0 7176 2453.” We will operate based on the recommendations of “The Purple Guide”

### **The Prevention of Crime and Disorder**

CCTV shall be installed at the premises covering the main Bar area

- The CCTV equipment shall be maintained in good working order and
- continually record when licensable activity takes place.
- The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the licensing authority and any other authorised person.
- The correct time and date will be generated onto both the recording and the real time image screen.
- The PLH shall be responsible for ensuring that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of any authorised officer of the Licensing Authority or a constable;
- There shall be clear signage indicating that CCTV equipment is in use and recording at the premises
- Where class A, B or C controlled substances under the Misuse of Drugs Act) or weapons being carried, the PLH shall ensure that SIA security staff carry out random searches of the outer clothing, pockets and bags of those trying to enter the premises. In any event where controlled substances or weapons are found, the PLH shall ensure that the staff inform the police as soon as reasonably practicable and record this in the incident book.
- The PLH shall ensure that documented arrangements are in place at the premises to discourage the use and sale of controlled substances. For example, documented checks of toilet areas throughout the event.
- The PLH will operate a zero-drug policy, and all staff will be suitably trained on this policy.
- All crime incidents will be reported to the Police as soon as reasonably practical. Any disorder will be entered into an Incident Log.
- The PLH shall risk assessing events to determine the number of volunteer Security Marshals and SIA security supervisors required for any event

- When an Event is taking place, Volunteer Marshals supplemented by supervisors licensed with the Security Industry Authority will be employed. We undertake to maintain a ratio of one volunteer Marshal per 250 attendees throughout Festival site opening hours.

### **Public Safety**

- Duly authorised officers of the Council, Police Constables and Duly authorised officers of South Wales Fire and Rescue Service shall at all reasonable times have free ingress to the licensed premises and the Licensee or the person in charge in the absence of the Licensee shall comply with any reasonable safety measure that may be required of him by any duly authorised officer of the Council.
- Lighting, Electrical Fittings etc. All electrical fittings, wiring and appliances shall be constructed and maintained in a safe and satisfactory condition and to the satisfaction of the Council and whensoever required to do so by the Council, the licensee shall submit to the Council a certificate given by a qualified Electrical Engineer that the electrical installations have been examined and tested and are in a safe working condition.
- The Licensee shall ensure that socket outlets for use with temporary or portable Electrical Equipment on or in the vicinity of any stage area, and any circuits associated with spotlights or other stage equipment shall be protected by one or more "Residual Current Devices" as necessary, having an adequate load current, rating and a 30 mA Tripping current.
- The Licensee and the staff of attendants shall take due precautions for the prevention of accidents.
- Any small fire outbreak shall be reported immediately to the Fire Brigade.

### **Prevention of Public Nuisance**

- A Noise management plan to be submitted to the Environmental Health Department a minimum of 28 days before the event.
- A letter will be circulated to residents at least 2 weeks before the event, informing them of the details of the event and including start and finish times of both the event and any sound checks. The letter will also include a dedicated telephone number for noise complaints, with the number also to be made available online.
- A telephone complaints line will be made available for the duration of each event. Should any noise complaints be received, a suitably qualified acoustic consultant will investigate the complaint and if noise levels are above those specified in the event-specific the noise management plan, immediate action would be taken to reduce the levels at the noise source.
- A complaints log will be maintained throughout the event, detailing addresses of complaints, times and actions.
- Site design a suitably qualified acoustic consultant will liaise with the The Festival Directors, sound system supplier and local authority to review site plans, find the most appropriate site layout that would minimise the noise impact at off-site locations for any event.
- Sound Systems The appointed acoustic consultant will review the sound systems and other noise sources and work with the promoter and the council to minimise noise disturbance.
- All sound system suppliers will be informed of the requirements of strict noise management and the type and location/orientation of their systems. Their contract



of hire will also specify that the overall control of sound levels will be set by the venue and/or their appointed agent (acoustic consultants).

- A suitably qualified consultant will undertake on-site and Off-site sound monitoring during the festival. We will maintain records for future inspection

### **Protection of Children from Harm**

- The premises licence holder shall operate and maintain an up to date register of refusals of sale of alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by any responsible authority under the Licensing Act 2003. The DPS will sign the book each time it is checked.
  - The premises licence holder shall operate a challenge 25 policy and signage will be displayed to indicate this in operation. The age check shall be made by examining a passport, photographic driving licence or a PASS approved proof of age card. No other form of identification shall be accepted.
  - Children under 16yrs will be allowed on the premises only when accompanied by an adult.
  - The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. All staff will be trained for UNDERAGE SALES PREVENTION regularly. A register of refused sales shall be kept and maintained on the premises.
- 3.5 The applicant has a statutory duty to send copies of their premises licence application to the 'Responsible Authorities' namely Gwent Police, South Wales Fire Service, The Local Health Board, Home Office (Immigration) and departments of Monmouthshire County Council being the Environmental Health Section, Social Services, Planning, Licensing and Trading Standards Department, which was carried out by the applicant. A notice also must be circulated in a newspaper within the area of the premises as well as a notice displayed at the premises to enable businesses and residents to make a representation; again, the applicant duly carried this out. The application is also advertised via the Council's website, which gives details on how a person can make a representation and this was carried out by the Licensing Authority.
- 3.6 Representations were received by Gwent Police, who objected to the application against the licensing objectives, namely prevention of crime & disorder, prevention of public nuisance, public safety. The full representations which have been agreed by the applicant can be viewed at Appendix C.
- 3.7 Representations were also made by Environmental Health and agreed by the applicant and are as follows:

A Noise Management Plan (NMP) will be required to manage noise levels from the premises. Noise limits will be applied depending on the event type, duration, finishing time and informed by discussion with the Environmental Health Section. The NMP shall be submitted to the Environmental Health Section a minimum of 28 days prior to the event; and will be fully implemented during the event. The event shall not proceed until the Environmental Health Section is satisfied that all reasonable conditions put forward to prevent public nuisance can be met.

3.8 Representations were also received from other persons and they are attached as Appendix D. The following is a list of the main representations received in relation to the Licensing Act 2003:

- Noise issues
- Possibility of gate crashers
- Concern for children being lost or in danger

Concerns were raised over traffic management issues. The applicant has devised a traffic management plan with Monmouthshire Highways to ensure public safety and appropriate access for emergency services. Plan attached as Appendix E.

3.9 Concerns were also raised over Curlews nesting within the area of the plan submitted with the application (Appendix A). Therefore the applicant has altered the plan to ensure the probable nesting area of the Curlew (in red) is not currently part of the festival (shown in Appendix F).

3.10 The applicant has also provided a response to objectors giving an overview of how they will be running the event. A copy of this can be seen at Appendix G.

3.11 Representations made under the Licensing Act 2003 must be made under the four key licensing objectives, namely:-

- The prevention of crime and disorder;
- Public Safety;
- The prevention of public nuisance; and
- The protection of children from harm.

However, Section 9.9 of the Guidance issued by the Home Office states:

It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

3.12 When considering their decision members are asked to consider the licensing objectives guidance issued under the revised guidance under section 182 of the Licensing Act 2003 (attached as Appendix H)

3.13 In accordance with 9.2 of the Home Office Guidance issued under Section 182 of the Licensing Act 2003. A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn..... Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed. As such, no agreement was reached with the other persons who made a representation, and a hearing is required.

#### 4. REASONS:

4.1 The determination of an application is considered in accordance with Section 182 of the Licensing Act 2003.

- 4.2 In section 9.4 of the Guidance issued under section 182 of the Licensing Act 2003, the Secretary of State recommends that, a representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.
- 4.3 In section 13.10 of the Guidance issued under Section 182. It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority’s statement of policy and this Guidance.
- 4.4 Monmouthshire County Council’s Policy on Prevention of crime and disorder are set out in Section 10 and read as follows:

#### **Prevention of crime and disorder**

The Licensing Authority will expect operating schedules to satisfactorily address these issues from the design of the premises through to the day-to-day operation of the business. Details of the factors that will need to be considered as part of the operating schedules are given in the Licensing Policies and matters for consideration when deciding applications, which are attached in the annex to this policy and in the Guidance notes for applicants.

The Licensee/applicant should also use their own experience and knowledge of their customers and locations when drafting their operating schedule, which subsequently becomes the basis of conditions on the licence. Failure to do this may lead to a representation from the Authority, a responsible authority or other person. Applicants may wish to consider the following and are advised to refer to the Authority’s ‘Model Pool of Conditions’ when considering an application.

- Is there CCTV, and, if so what are the areas covered, does it have the ability to see clear full face recording of patrons entering, does it record the patron search area at the entrance. What is the retention period of recordings, how easy it to access, produce copies or download images if requested by Police and Licensing.
- Is there ID scanning on entry to the premises? Will there be ‘No ID No Entry’ policy in place?
- Is there a proof of age scheme, do the premises have a challenge 25 policy? Are staff trained regularly on this policy and is it documented?

- 4.5 Monmouthshire County Council’s Policy on Prevention of Nuisance are set out in Section 11 and read as follows:

#### **Prevention of public nuisance**

Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation.

Subject to case law the Licensing Authority interprets 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a licensed premises.

Applicants will be encouraged to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.

The Licensing Authority recommends that licensees apply a high standard of control to minimise the potential for any public nuisance that may arise from their operation of the premises, particularly where:

- they are situated in a residential or noise sensitive area; or
- extended opening hours are proposed.

The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence-holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable in their own right.

When addressing the issue of prevention of public nuisance in their operating schedule, the applicant may identify steps to show that those factors that impact on the prevention of public nuisance objective have been considered

- 4.6 Monmouthshire County Council's Policy on Public Safety are set out in Section 12 and read as follows:

### **Public safety**

The Licensing Authority will expect operating schedules to satisfactorily address issues concerning public safety, and applicants are advised to seek advice from various organisations, such as the health and safety enforcement officers, South Wales Fire and Rescue Service etc., before preparing their plans and schedules, particularly where regulated entertainment is to be provided.

The Licensing Authority will encourage applicants to conduct a risk assessment of the premises and/or activity. The authority recommends that specialists, e.g. a qualified safety officer, should be consulted to assist with the assessment.

- 4.7 Monmouthshire County Council's Policy on Prevention of Nuisance are set out in Section 13 and read as follows

### **Protection of Children from Harm**

Nothing in this statement of policy shall limit or require access of children to premises unless there is an overriding requirement of necessity to prevent harm to children. Areas that will give rise to particular concern are highlighted elsewhere in

this policy.

With the exception of the restrictions specified in Section 145, the 2003 Act does not prohibit children from having free access to any licensed premises. However, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from harm.

The Licensing Authority will not impose any condition that specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual premises or club.

- 4.8 Monmouthshire County Council's licensing policy states at 1.10 that it will not seek to regulate matters which are provided for in any other legislation and will seek to complement such regimes e.g. planning, health and safety, employment rights, fire safety, etc.

**5. RESOURCE IMPLICATIONS:**

Nil

**6. CONSULTEES:**

Heddlu Gwent Police, South Wales Fire Service, Immigration and the following departments from Monmouthshire County Council, namely, Environmental Health, Social Services, Planning, Trading Standards, Licensing and the Local Health Board

**7. BACKGROUND PAPERS:**

Licensing Act 2003 - [Licensing Act 2003 \(legislation.gov.uk\)](https://www.gov.uk/legislation/2003/2003-act)

Guidance issued under Section 182 of the Licensing Act 2003 dated February 2025  
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Monmouthshire County Council's Statement of Licensing Policy dated 1<sup>st</sup> July 2020  
- [Licensing Act Policy - monmouthshire](#)

**8. AUTHOR:**

Mrs Samantha Winn  
Licensing Officer

**CONTACT DETAILS:**

Tel: 01633 644221

Email: [samanthawinn@monmouthshire.gov.uk](mailto:samanthawinn@monmouthshire.gov.uk)

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**Monmouthshire Licensing Section, County Hall, The Rhadyr, Usk,  
Monmouthshire, NP15 1GA**

**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.

We Devauden Festival.

*(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 <b>Devauden Festival Upper Meend Farm, Monmouth</b>			
<b>Post town</b>	Monmouth	<b>Postcode</b>	<b>NP25 4RP</b>

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	<b>£13250.00</b>

**Part 2 - Applicant details**

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i as a limited company/limited liability partnership  please complete section (B)
- ii as a partnership (other than limited liability)  please complete section (B)

- iii as an unincorporated association or  please complete section (B)
- iv other (for example a statutory corporation)  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)

<b>Mr</b> <input type="checkbox"/>	<b>Mrs</b> <input type="checkbox"/>	<b>Miss</b> <input type="checkbox"/>	<b>Ms</b> <input type="checkbox"/>	<b>Other Title</b> (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> or over		I am 18 years old		<input type="checkbox"/> Please tick yes	
<b>Nationality</b>					
<b>Current residential address</b> if different from premises address					
<b>Post town</b>			<b>Postcode</b>		
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-dglt 'share code' provided to the applicant by that service (please see note 15 for information)					



**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 or over</b>		I am 18 years old		<input type="checkbox"/> Please tick yes	
<b>Nationality</b>					
<b>Current residential address if different from premises address</b>					
<b>Post town</b>				<b>Postcode</b>	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**(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.**

<b>Name</b> Devauden Festival C/O Devauden Hall CIO.
<b>Address</b> Devauden, Chepstow NP16 6NX
<b>Registered number (where applicable)</b> 1207141
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b>  Charitable incorporated organisation
<b>E-mail address (optional)</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	3	05 2025

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

DD	MM	YYYY
2	5	05 2025

Please give a general description of the premises (please read guidance note 1)  
 Operating since 2010, the Devauden Festival is a family-oriented music festival held over three days over the last weekend of May. It hosts established and up-and-coming pop, rock, and folk acts, performing original music with professional staging, sound, and lighting.  
 There are several stages, including the main Anghidi stage, the big top stage, the Tangerine Trees stage, featuring edgy and alternative music, the mainly acoustic House of Roots stage, and the Merry Mari stage, featuring DJ sets, the main Festival field offers a selection of bars located in the main Festival field and Farm Courtyard area  
 The Wonder Burrow features activities for children and entertainers, arts and crafts stalls, food and non-food stalls, and The Peace Field, a wellness area where our customers can watch healing demonstrations and experience treatments first-hand.  
 This next festival will run on the evening of Friday, 23 May 2025, and all day on Saturday, 24, and Sunday, 25 May 2025. After several years of growth, we moved the festival to a new home in 2025 at Humble by Nature, Upper Meend Farm, Monmouth. This year, we expect a maximum of 4999 attendees.

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

Less than 5000
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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)  | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

**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**

Plays 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) Occasional theatrical performances in the form of a play may be accompanied by amplified or unamplified music.		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri	18.00	23.00	<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	10.00	23.00			
Sun	10.00	23.00			

**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"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon			The film will be shown in the Wonder Burrow big top and elsewhere in the Wonder Burrow Field as part of Children’s entertainment		
Tue			Film shows or excerpts and pre-recorded videos or montages may be shown as part of performing acts or in-between performances on other stages and areas		
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri	18.00	21.00	<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	10.00	21.00			
Sun	10.00	21.00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4) N/A
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**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4) N/A		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>	
Mon			<p><b>Please give further details here</b> (please read guidance note 4) Live music performances which will include singing and instrumental music by solo artists, groups, choirs, orchestras and bands and may be either amplified or unamplified. There are five stages</p> <ul style="list-style-type: none"> <li>• The Main Stage, a sizeable arch-form outdoor stage playing an eclectic range of original music</li> <li>• Big Top stage A covered stage in a 40M x 28 M Big top, again an eclectic mix of original music</li> <li>• The Tangerine Trees stage, an outdoor stage located in woodland, featuring edgy and alternative music</li> <li>• House of Roots stage, an indoor stage located in a Grand Yurt playing mostly acoustic music</li> <li>• Merry Marl stage, an outdoor stage featuring DJ sets</li> <li>• Farm Courtyard area</li> </ul>			
Tue						
Wed				<p><b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)</p>		
Thur						
Fri	17.00	23.00		<p><b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)</p>		
Sat	10.00	23.00				
Sun	10.00	23.00				

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<p><b>Please give further details here</b> (please read guidance note 4). Playing of amplified recorded music via music system, speakers or console or similar. Five stages may play recorded music. In addition two other areas are listed</p> <ul style="list-style-type: none"> <li>• The Main Stage, a sizeable arch-form outdoor stage playing an eclectic range of original music</li> <li>• Big Top stage A covered stage in a 40M x 28 M Big top, again an eclectic mix of original music</li> <li>• The Tangerine Trees stage, an outdoor stage located in woodland, featuring edgy and alternative music</li> <li>• House of Roots stage, an indoor stage located in a Grand Yurt playing mostly acoustic music</li> <li>• Merry Mari stage, an outdoor stage featuring DJ sets</li> <li>• Wonder Burrow Children's entertainment area</li> <li>• The Peace Field Healing area</li> <li>• Farm Courtyard Area</li> </ul>		
Tue					
Wed			<p><b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)</p>		
Thur					
Fri	17.00	23.00	<p><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) A silent Disco will operate in the main Big Top from 22.00 until 00.30 on Friday 23<sup>rd</sup> and Saturday 24<sup>th</sup> on Sunday 25<sup>th</sup> the Silent Disco will operate from 22.00 until 00.00 This music will not be amplified but fed to individual Headsets via Bluetooth.</p>		
Sat	10.00	23.00			
Sun	10.00	23.00			



**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon				<b>Please give further details here</b> (please read guidance note 4) Dance performances as part of shows or entertainment which may be accompanied by amplified or unamplified music. Will occur on all five stages in addition Wonder Burrow and Farm Courtyard area will feature Dance performance	
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur					
Fri	17.00	23.00	<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	10.00	23.00			
Sun	10.00	23.00			

**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 Any performances similar to live or recorded music and dance (for example, mime performances)		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri	17.00	23.00			
Sat	10.00	23.00	<b><u>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</u></b> (please read guidance note 6)		
Sun	10.00	23.00			

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (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) Sale of hot food and/or hot drinks in various area of the Festival site		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri	23.00	00.30	<b><u>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</u></b> (please read guidance note 6)		
Sat	23.00	00.30			
Sun	23.00	00.30			

**J**

<b>Supply of alcohol Standard days and timings (please read guidance note 7)</b>			<b>Will the supply of alcohol be for consumption – please tick (please read guidance note 8)</b>	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 5)</b> Sale of Alcohol in all areas of the Festival site		
Mon					
Tue					
Wed					
Thur					
Fri	4.00	00.00			
Sat	12.00	00.00			
Sun	12.00	23.30	<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 (please read guidance note 6)</b>		

**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):**


**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).**  
 None

**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) NOTE: Although the premises will be closed for ticket holders by 00.30 the site will remain open for those using the camping facilities within the event site.
Day	Start	Finish	
Mon	09.00	17.00	
Tue			
Wed			
Thur			
Fri	09.00	00.00	<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)
Sat	9.30	00.00	
Sun	9.30	00.00	

**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)**

The Applicant is highly experienced at organising and delivering large-scale outdoor music and entertainment events and has a proven track record of complying with all the licensing objectives. Parking and camping facilities will be provided on-site as identified on the Site Plan and with more specific details provided in the detailed Event Safety Management Plan (ESMP), which will be provided to the Event Safety Advisory Group as part of the consultation with agencies before the Event

- The Premises Licence Holder (PLH) shall operate and maintain an up-to-date incident book, detailing the time/date/individual involved /incident that has taken place. This shall be made available for inspection by any Responsible Authority under the Licensing Act 2003.
- Fully documented staff training, including training on the premises licence conditions, as well as the premises' Challenge 25 Policy, will be given before any event.
- Staff must sign and date documentation after their training session, acknowledging that they have received and fully understood the training provided to them. This can be made for inspection by any Responsible Authority under the Licensing Act 2003.
- The Premises Licence, as identified on the Plan attached to this licence, is restricted to three event days per annum and for a capacity of less than 5000 persons.
- A detailed Event Safety Management and Operating Plan (ESMP) will be prepared by the licence holder and submitted to the ESAG at least 12 weeks before the start of an Event. The Plan will encompass all aspects of the event planning arrangements, policies and risk assessments relevant to the Event, including (inter alia): Site Plan; Crowd Management and Security Plan; Traffic Management Plan; Noise Management Plan; Event Safety Plan; Health & Safety Policy; Adverse Weather Plan; Show Stop Procedures; Medical Operations Plan; Child & Vulnerable Person Protection Policy; Welfare Management Plan; Bars and Alcohol Management Plan; Fire Management Plan and Event Risk Assessment.
- The ESMP will be a live document which will be updated following pre-event consultation meetings and discussions with the ESAG and will be finalised and agreed at least 14 days prior to the event. Any change or deviation from the ESMP during the Event must be approved in advance by the relevant ESAG Authorities at an Event Control Meeting.
- All licensable activities provided at the Event will take place in accordance with the relevant approved ESMP which will act as part of the operating plan for the premises.
- A designated member of the management team shall patrol the site ensuring that control measures identified within the risk assessments are implemented. Where there are new risks to safety identified, the designated person will take the necessary steps to reduce and eliminate such risks.
- The final plans will show all temporary structures, stages, sponsor activities, bars, sanitary facilities, car parks and any camping areas will be submitted three months before the event.
- In relation to an Event, the Applicant shall follow the principles within the "Event Safety Guide – A Guide to Health, Safety and Welfare at Work and Similar Events – HSG 195, published by the Health and Safety Executive (HSE) 1999 ISBN 0 7176 2453." We will operate based on the recommendations of "The Purple Guide"

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

**CCTV shall be installed at the premises covering the main Bar area**

- The CCTV equipment shall be maintained in good working order and
- continually record when licensable activity takes place.
- The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This Image retention period may be reviewed as appropriate by the Licensing authority and any other authorised person.
- The correct time and date will be generated onto both the recording and the real time image screen.
- The PLH shall be responsible for ensuring that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of any authorised officer of the Licensing Authority or a constable;
- There shall be clear signage indicating that CCTV equipment is in use and recording at the premises
- Where class A, B or C controlled substances under the Misuse of Drugs Act) or weapons being carried, the PLH shall ensure that SIA security staff carry out random searches of the outer clothing, pockets and bags of those trying to enter the premises. In any event where controlled substances or weapons are found, the PLH shall ensure that the staff inform the police as soon as reasonably practicable and record this in the incident book.
  - The PLH shall ensure that documented arrangements are in place at the premises to discourage the use and sale of controlled substances. For example, documented checks of toilet areas throughout the event.
  - The PLH will operate a zero-drug policy, and all staff will be suitably trained on this policy.
  - All crime incidents will be reported to the Police as soon as reasonably practical. Any disorder will be entered into an Incident Log.
- The PLH shall risk assessing events to determine the number of volunteer Security Marshals and SIA security supervisors required for any event
- When an Event is taking place, Volunteer Marshals supplemented by supervisors licensed with the Security Industry Authority will be employed. We undertake to maintain a ratio of one volunteer Marshal per 250 attendees throughout Festival site opening hours.

### **c) Public Safety**

• Duly authorised officers of the Council, Police Constables and Duly authorised officers of South Wales Fire and Rescue Service shall at all reasonable times have free ingress to the licensed premises and the Licensee or the person in charge in the absence of the Licensee shall comply with any reasonable safety measure that may be required of him by any duly authorised officer of the Council.

- Lighting, Electrical Fittings etc.

All electrical fittings, wiring and appliances shall be constructed and maintained in a safe and satisfactory condition and to the satisfaction of the Council and whensoever required to do so by the Council, the licensee shall submit to the Council a certificate given by a qualified Electrical Engineer that the electrical installations have been examined and tested and are in a safe working condition.

- The Licensee shall ensure that socket outlets for use with temporary or portable Electrical Equipment on or in the vicinity of any stage area, and any circuits associated with spotlights or other stage equipment shall be protected by one or more "Residual Current Devices" as necessary, having an adequate load current, rating and a 30 mA Tripping current.

- The Licensee and the staff of attendants shall take due precautions for the prevention of accidents.

- Any small fire outbreak shall be reported immediately to the Fire Brigade.

#### **d) The prevention of public nuisance**

- A Noise management plan to be submitted to the Environmental Health Department a minimum of 28 days before the event.
- A letter will be circulated to residents at least 2 weeks before the event, informing them of the details of the event and including start and finish times of both the event and any sound checks. The letter will also include a dedicated telephone number for noise complaints, with the number also to be made available online.
- A telephone complaints line will be made available for the duration of each event. Should any noise complaints be received, a suitably qualified acoustic consultant will investigate the complaint and if noise levels are above those specified in the event-specific noise management plan, immediate action would be taken to reduce the levels at the noise source.
- A complaints log will be maintained throughout the event, detailing addresses of complaints, times and actions.
- Site design a suitably qualified acoustic consultant will liaise with the Festival Directors, sound system supplier and local authority to review site plans, find the most appropriate site layout that would minimise the noise impact at off-site locations for any event.
- **Sound Systems**  
The appointed acoustic consultant will review the sound systems and other noise sources and work with the promoter and the council to minimise noise disturbance.
- All sound system suppliers will be informed of the requirements of strict noise management and the type and location/orientation of their systems. Their contract of hire will also specify that the overall control of sound levels will be set by the venue and/or their appointed agent (acoustic consultants).
- A suitably qualified consultant will undertake on-site and Off-site sound monitoring during the festival. We will maintain records for future inspection

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

32. The premises licence holder shall operate and maintain an up-to-date register of refusals of sale of alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by any responsible authority under the Licensing Act 2003. The DPS will sign the book each time it is checked.

33. The premises licence holder shall operate a Challenge 25 policy and signage will be displayed to indicate this is in operation. The age check shall be made by examining a passport, photographic driving licence or a PASS-approved proof of age card. No other form of identification shall be accepted

34. Children under 16yrs will be allowed on the premises only when accompanied by an adult.

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. All staff will be trained for UNDERAGE SALES PREVENTION regularly. A register of refused sales shall be kept and maintained on the premises.

**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.
- 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 or my share code issued by the Home office online right to work checking service (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.**


**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.**

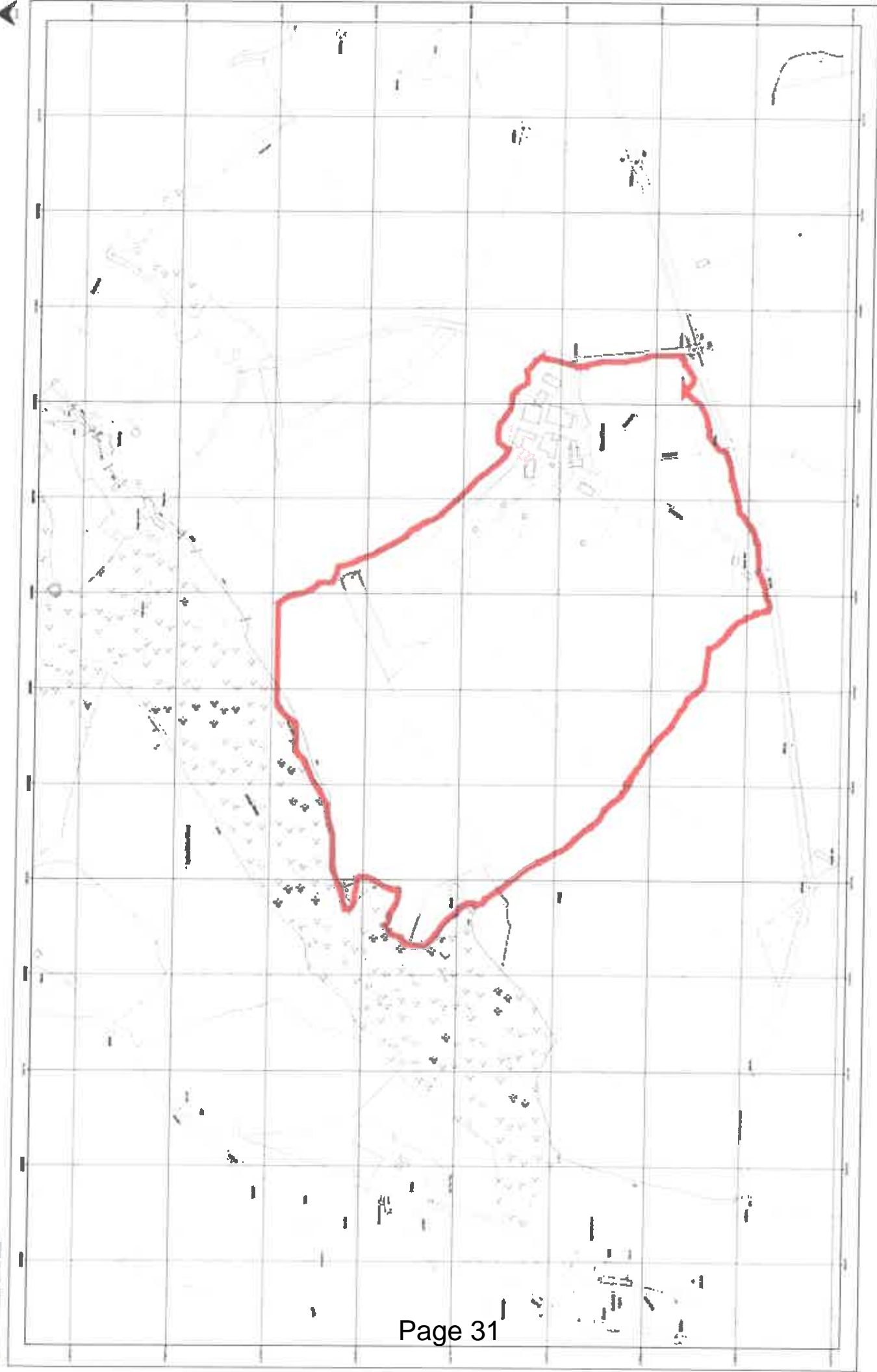
<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
<b>Signature</b>	
<b>Date</b>	6/01/2025

Capacity	Festival Director
----------	-------------------

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	23/01/2025
Capacity	Festival Director

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			







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## **POLICE REPRESENTATIONS**

The applicant Devauden Festival are seeking a temporary premises license to allow the supply of alcohol at the address Devauden Festival Upper Meend Farm, Monmouth NP25 4RP

Included in the application is the provision of live and recorded music, plays, films, performances of dance, late night refreshment and the sale of alcohol.

The applicant already has already suggested conditions to promote the four licensing objectives. Gwent Police would advocate the re-wording of some of the proposed conditions and advocate a small number of additional conditions that would support the applicant in the promotion of the licensing objectives.

**Gwent Police are satisfied with all proposals indicated in the application but would also suggest the following:**

Staff training shall include procedures to deal effectively with emergency incidents, including:

- i) reporting an emergency to the relevant emergency service
- ii) safe evacuation of customers
- iii) dealing with terrorist threats or incidents.

Premises license holder is to ensure that the venue is safe and secure at all times between closing and opening hours, including night staff to monitor this and keep the site secure.

Full briefings and risk assessments to be undertaken prior to the event, liaising with ESAG, SIA trained security and other persons working within the event.

A clear risk assessment shall be provided to Gwent police and Monmouthshire County Council in relation to this event, having regard to the ACT e-learning package.

**Stewards - Security and Marshals**

The Premises Licence Holder and co-coordinator/chief steward shall carry out a risk assessment of the event, to identify the number of stewards necessary to maintain control over the crowds attending the event.

Stewards shall be employed to undertake and assist SIA registered security personnel at the entrances and exits to the site. To conduct fire patrols, the control and marshalling of traffic entering and leaving the site. Stewards will be located at key points, where there are barriers, pit areas, gangways, entrance and exits and mixer desks / delay towers. The Premises Licence holder shall complete a

documented survey to ensure that adequate stewards are employed to undertake and implement these controls.

a) The Premises Licence Holder shall submit a security placement schedule detailing numbers, duties and work locations of all stewards and security personnel to the Licensing Authority / Gwent Police 28 days before the event. The schedule shall include details of the roles of such security personnel where the members of staff involved will be Security Industry Authority licensed.

b) The Premises Licence Holder shall keep records of the full names, addresses and dates of birth of all personnel employed as stewards or security staff and shall provide these details to the Licensing Authority or Gwent Police as soon as is reasonably practicable upon written request.

c) The Premises Licence Holder must provide sufficient individuals licensed by the Security Industry Authority from until the licensed premises is clear of ticket holders to deter vandalism and nuisance.

d) The Premises Licence Holder must ensure that all stewards & security personnel are fit to carry out their allocated duties, aged 18 years or over, and while on duty they should concentrate only on their duties and not on the entertainment with a written policy signed by staff to represent this. The Premises Licence Holder must ensure that stewards & security personnel understand that they should:-

- not leave their place without permission;
- not consume or be under the influence of alcohol or other drugs; and
- remain calm and be courteous towards all members of the audience.

e) All stewards & security personnel shall wear distinctive clothing, such as tabards and be individually identifiable by means of a number which is clearly visible.

f) The Premises Licence Holder must ensure that stewards & security personnel fully understand and adhere to their duties, including:

- understanding their general responsibilities towards the health and safety of all categories of audience (including those with special needs and children), other stewards, security personnel, event workers and themselves;
- carrying out pre-event safety checks;
- being familiar with the layout of the site and able to assist the audience by giving information about the available facilities including first aid, toilet, water, welfare and facilities for people with special needs, etc;
- staffing entrances, exits and other strategic points;
- controlling or directing the audience who are entering or leaving the event, to help achieve an even flow of people into and from the various parts of the site;
- recognising crowd conditions to ensure the safe dispersal of audience and the prevention of overcrowding;
- assisting in the safe operation of the event by keeping gangways and exists clear at all times and preventing standing on seats and furniture;
- investigating any disturbances or incidents



- responding to emergencies (such as the early stages of a fire), raising the alarm and taking the necessary immediate action;
- being familiar with the arrangements for evacuating the audience, including coded messages and undertaking specific duties in an emergency;
- Communication with the incident control centre in the event of an emergency.

g) The Premises Licence Holder must ensure that all stewards & security personnel are effectively trained so that they can carry out their duties. The level of training will depend on the duty to be performed.

h) The Premises Licence Holder shall ensure that all stewards & security personnel are to be trained in fire safety procedures; emergency evacuation and dealing with incidents such as bomb threats.

i) The Premises Licence Holder shall ensure that stewards/security working in the pit area, must be trained and capable so that they are able to lift distressed people out of the audience safely and without risk to themselves.

j) The Premises Licence Holder shall submit a schedule detailing numbers, duties and work locations of all traffic marshals to the licensing authority for approval at least 28 days prior to commencement of the event. The Premises Licence Holder shall ensure that the arrangements are effective during the event.

k) The Premises Licence Holder shall make suitable arrangements to enable people with disabilities to attend the event. Particular attention should be given to means of access and egress and to the means of escape/evacuation in an emergency as well as to the viewing facilities for such people.

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

**Gwent Police are satisfied with all proposals indicated in the application but would also suggest the following:**

Security officers shall be SIA registered, all SIA staff and stewards, the DPS and other committee members running this event shall undertake an Action Counter Terrorism awareness e-learning course and should retain the certificate available at the end of the training for inspection.

To log on and register for ACT e-learning, visit: <https://ct.highfieldelearning.com>

Staff and security shall ensure that any plastic bottles or glasses or any alcoholic product are removed from persons leaving the premises.

A written policy that aims to prevent customers or staff bringing illegal drugs, weapons or other illegal items onto the premises at any time shall be in place and operated at the premises.

No glass drinking vessels or containers (including bottles) of any sort may be provided to, or used by, customers on the premises unless agreed in writing with the Gwent Police Licensing Unit and the licensing authority.

A drug Amnesty bin should be present at the entrance / queuing area of the premises. If drugs are found on a person, they should be confiscated and placed in Amnesty Bin and person refused entry.

In cases where drugs exceed normal personal use (eg: singular items) in addition to the drugs being confiscated, that person will be refused entry and police to be notified.

### **c) Public safety**

**Gwent Police are satisfied with proposals indicated in the application but would also suggest the following:**

Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises.

All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high-visibility [jackets or vests] [armbands].

All licensed door supervisors and staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.

The Premises Licence Holder shall ensure that First Aid cover is provided for the duration of the events by a competent service provider, in line with the level of cover recommended by The Purple Guide.

At least one medical resource trained to deal with problems associated with alcohol and drugs will be on duty when the premises are open for licensable activities.

There shall be at least 1 Medical Facility (first aid unit/room) in located on site. The Premises Licence Holder shall have undertaken a full risk assessment for number of medical staff/ First aiders required on site for each individual event with the use of medical provider for this event.

### **d) The prevention of public nuisance**

**Gwent Police are satisfied with all proposals indicated in the application but would also suggest the following:**

All SIA staff shall wear high visibility armbands clearly displaying their SIA Badge to identify their status. The event is to ensure a ratio of 1-200 persons per SIA trained door staff. Any additional stewarding will be provided at the behest of the license holder on a risk assessment basis

All door supervisors shall be briefed on their responsibilities and relevant company operating procedures before they commence duty.

A written record shall be kept in respect of all door supervisors working at the premises containing the following information:

a) name, address, and telephone number;

b) registration number;

c) name, address, and telephone number of the agency (where the door supervisor in question is not employed directly by the premises);

d) dates and times at which he/she commences and finishes work at the premises details of any incident in which the door supervisor is involved, including calls to police and any police action taken.

This record must be retained at the premises for a period of not less than six months and be available on request by any authorised officer of the Licensing Authority or Police.

e) The protection of children from harm

**Gwent Police are satisfied with proposals indicated in the application.**

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Representations received

**No.1, Lydart**

Please find below the reasons why myself and my husband strongly object to the licensing of the Devauden Festival at the above address. I have attempted to organise our concerns under the headings which I believe are most relevant for consideration under licensing regulations.

We sincerely hope that Monmouthshire County Council see reason and refuse this licensing application. There are other more appropriate venues in the area where this could be held (Chepstow Racecourse, Monmouth Showground, etc.)

**Prevention of Crime and Disorder**

We feel safety needs to be a huge priority. The venue is large and backs onto forestry land and there are also public footpaths. How can such a large perimeter be controlled over such a long time period. This could lead to gate crashing and also entice drug dealing/drug taking.

We are also concerned that the number of people there and the level of alcohol consumption may lead to burglaries (which we already are victims of) as well as drunkenly disorder.

**Public Safety**

We have grave concerns regarding the excessive amount of traffic which a festival of this size will generate on these minor roads, which are not at all suitable owing to a very poor road infrastructure ,narrow one track lanes, steep hills and an inordinate amount of potholes at the moment. We also experience on a daily basis excessive speeds on the B4293 along with a large amount of traffic. We have sadly been witness to tens of accidents over the last decade, some being fatalities.

The access into the venue is also unsuitable with poor visibility combined with the aforementioned traffic speeds. With an estimated 4999 tickets limit daily for the 3 days, plus any catering vehicles, delivery vehicles and other services needed to be provided that is a lot of transport on a most unsuitable road network . Safety for other road users has to be a priority surely. Monmouthshire County Council promotes this area for walkers, cyclists and horse riders, and I myself walk that road several times a day with dogs, often taking my life into my own hands.

We also question how so much raw sewage will be dealt with in an appropriate and timely fashion. We are aware that Devauden residents complained about the smell of sewage for several days, if not weeks after the last event.

**Prevention of Public Nuisance**

The event is applying for very long hours of alcohol to be served each day/night along with the venue already having licences for other businesses they have there

already. The event is also applying for very long hours of music to be broadcast. Whilst this might appear to be a rural location, there are in fact many nearby residential properties and given the topography of the land, the sound will carry for miles. We often hear bonfire night or other events travelling up several miles from Monmouth. This event over 3 days and nights will create noise disturbance for residents and also causing fear and harm for animals (both domestic and farm), not to mention the fact that this area boasts wonderful wildlife which will be frightened away at the height of nesting season.

It is bad enough trying to keep our animals calm during bonfire night or New Years Eve, but at least that is only for a few hours for one night. This event will be continuous.

### **Protection of Children from Harm**

We are concerned that owing to the size of the venue and the fact that music and alcohol will be served for such long hours, that this is not a suitable environment for young children. We are also concerned that there are many ways of exiting the site through the forestry land behind (and public footpaths), which could cause children to become lost or in danger.

### **No.2, Lydart**

The festival involves live and recorded music, together with other events, using 5 stages, camping and other facilities, including the supply of alcohol for 8 hours on the Friday; 12 hours on the Saturday and 11.5 hours on the Sunday, with a predicted attendance of c. 5000 people per day. This will inevitably result in completely unacceptable levels of noise and traffic congestion along very narrow lanes causing safety issues and great inconvenience to all road users, particularly those who live in the network of narrow lanes surrounding the festival site. We are also concerned with possible behaviour issues with alcohol being available for such long periods to such a large number of people over the three days.

We understand that the festival has moved sites from Devauden to Penallt due to it having outgrown the original site. While the site at Humble by Nature may be bigger, the local rural road infrastructure in this area is wholly unsuitable for the large volumes of traffic that the festival would inevitably attract. This was less of a problem in Devauden which is on a main road between Monmouth and Chepstow. Furthermore, there are no local shops anywhere in the area, necessitating further travelling between the site and Monmouth for those needing provisions. This means that traffic issues will be ongoing and not limited just to the arrival and departure of festival goers.

We note that complaints about significant noise and site safety concerns were raised with Devauden CC after last year's festival. Noise levels were reported to be too high and continued after the music licence period. The DCC minutes state that some of this feedback came directly from festival volunteers but that the festival organisers

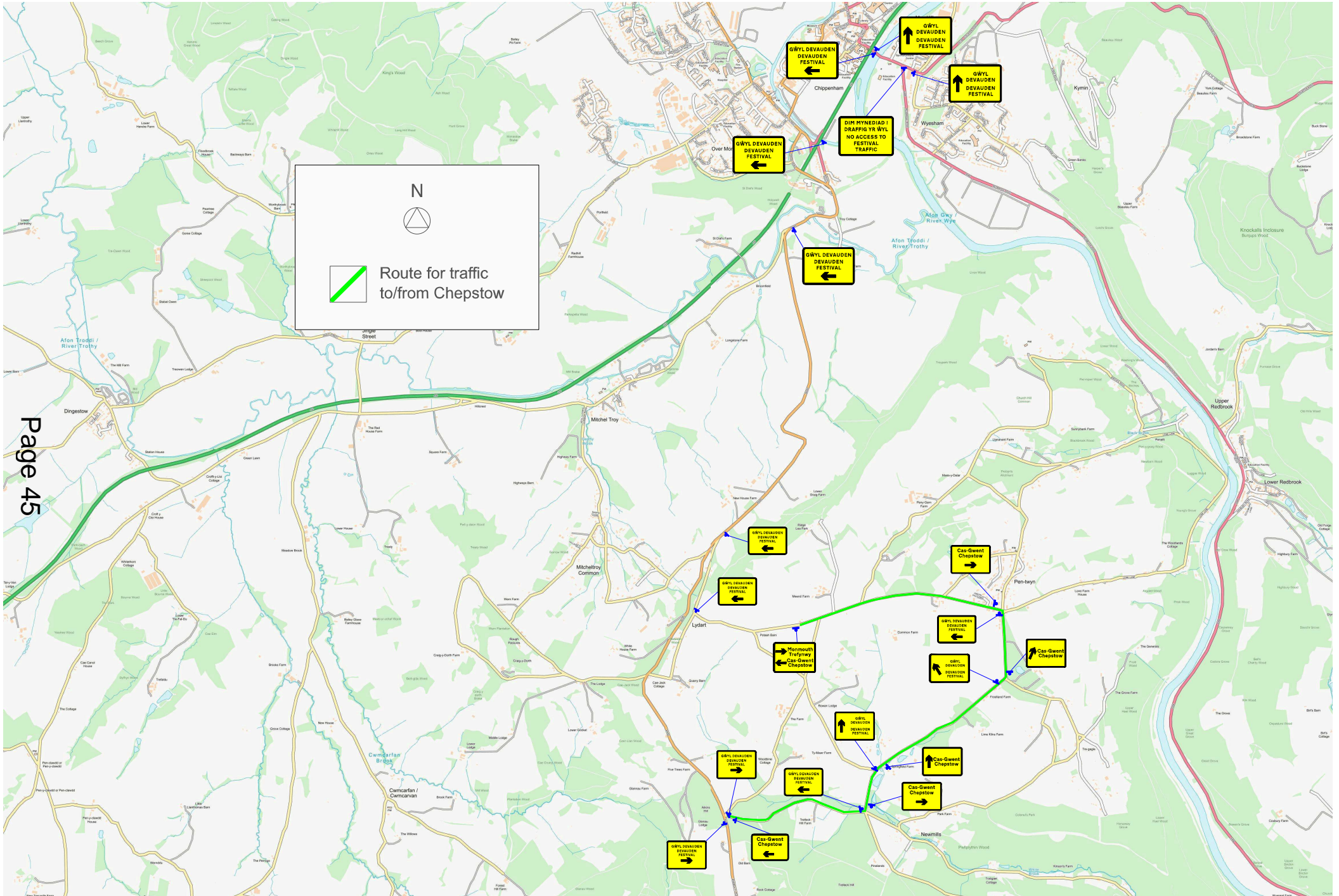
seemed unwilling to engage in discussion about these concerns; this does not bode well for this year's festival.

Penallt and Lydart are small rural communities and, given the huge number of festival goers, large numbers of whom will be camping in fields close to our property, it is totally unacceptable that there has not been any local consultation whatsoever, particularly since festival tickets have been on sale since last November.

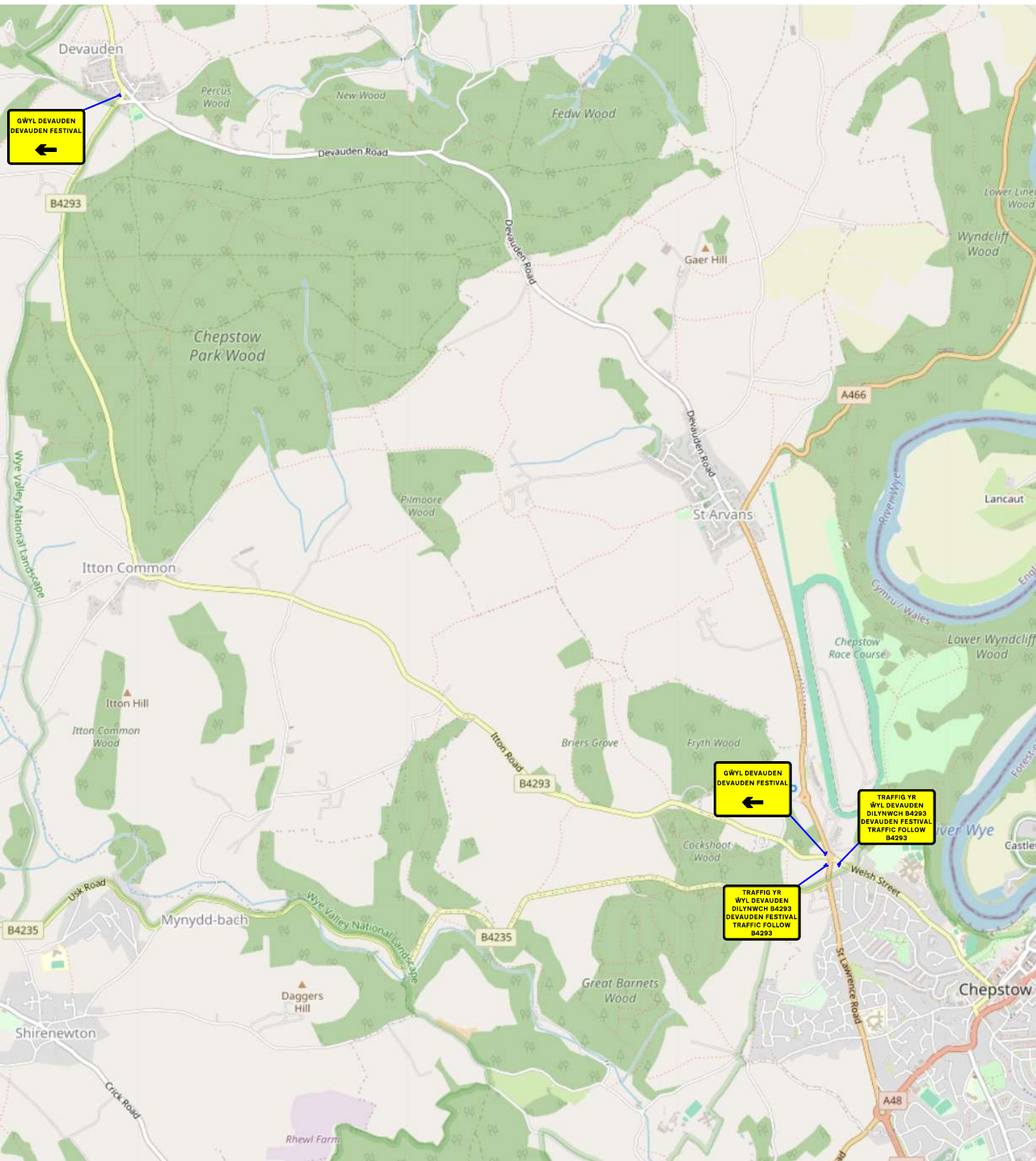
We would like to reiterate and record our very strong objections to this licence application

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Emergency vehicle route



Devauden Festival parking and camping

**DIM MYNEDIAD I DRAFFIG YR WYL**  
**NO ACCESS TO FESTIVAL TRAFFIC**



Devauden Festival parking and camping

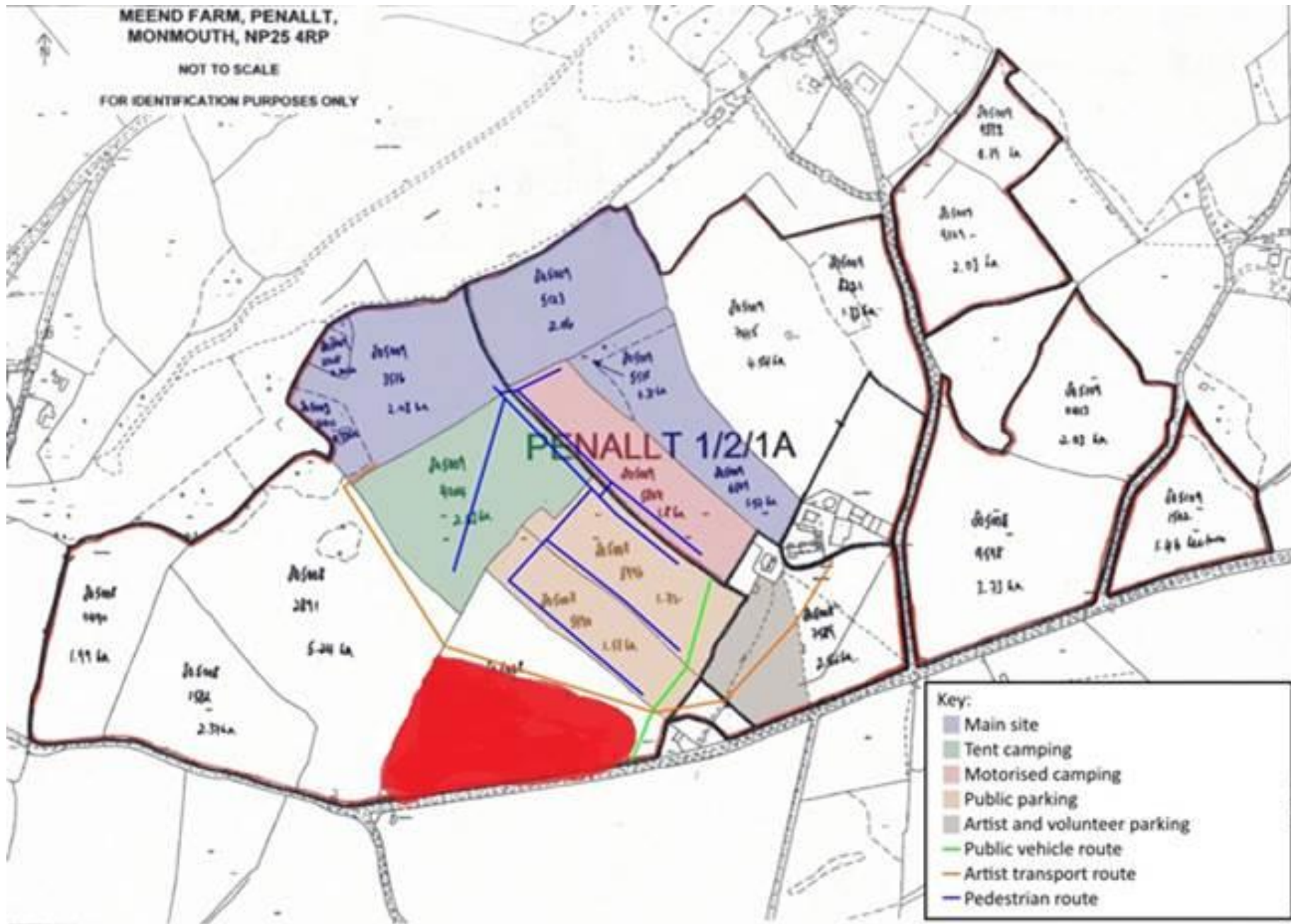
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# TEMPORARY PREMISES LICENCE APPLICATION

## DEVAUDEN FESTIVAL 23/05/25 - 25/05/25

### RESPONSE TO OBJECTIONS

We fully understand the concerns that local residents may have about our festival at Upper Meend Farm / Humble by Nature and are keen to reassure everyone that the festival will not have the negative impacts that have been suggested. We have had a total of four objections and some of the concerns raised have been very specific, others indicating a more general concern. It is the intention of the festival organisers to be as open and transparent as possible, so we have grouped our answers below and offer them to all four objectors as a comprehensive response. If anyone requires further clarification or information, we would be very happy to meet and discuss the festival.

### BACKGROUND

It is important first to offer some context. Devauden Festival was started in 2010 in order to raise money for Hood Memorial Hall in Devauden. It was conceived as a family friendly event in line with the ethos and aims of the charity that runs the hall. It remains a family-oriented event that provides a safe and enjoyable experience for attendees and a professional performance environment for emerging and established artists. It has experienced no significant disorder or illegal behaviour in its 15 year history and every year, the police offer guidance on how the event should be managed safely, which the organisers follow to the letter.

Every year we survey visitors after the event and here are two comments we received from attendees in their responses to the 2024 survey:

*"As a first timer it was a lovely atmosphere. We trialled somewhere in 2023 which labelled themselves as family friendly - it really wasn't, whereas this year with you it was fantastic, relaxed, safe and comfortable."*

*"It was our first festival as a family with young children - and we all really enjoyed it! It felt safe and welcoming and relaxed."*

The organisers are volunteers, some of whom are trustees of the charity, and they have many years' experience in running large events, taking a robust approach to managing risks and any issues that arise and ensuring the safety of all attendees of the festival. Although the festival is led, managed and staffed by volunteers, it is supplemented by professionals such as paramedics, security staff, qualified event electricians, lighting engineers and sound engineers.

We work with Monmouthshire County Council's Event Safety Advisory Group (ESAG), including submitting an event management plan, noise management plan, general risk assessment, fire risk assessment and fire plan for each festival and reviewing these with the ESAG. We also do a post-event review with the ESAG after each festival to capture lessons learned to feed into our future event management. Our event management has been rated as "the gold standard" by the ESAG leadership and the festival directors have presented at an event organised by the Gwent ESAGs on large event management.

There has been some unfortunate misinformation circulating about the 2024 event and problems in the village of Devauden, which we need to correct. Our intention here is purely to clear up misunderstandings as they create a false picture. We can categorically state that:

- it is not true to say that Devauden Community Council (the DCC) does not wish the festival to take place in Devauden
- the festival organisers were not responsible for waste tanks left by the roadside after the event. We submitted clear written evidence to the DCC and Monmouthshire County Council (MCC) on this issue
- noise levels are always monitored throughout the festival and are kept within the limits set by MCC. Power to amplifiers is switched off to prevent any disturbance to local residents at 11pm. There were no infringements of our licence in 2024
- the organisers had a two and a half hour meeting with the volunteers who raised issues and have taken on board their valid concerns in this year's planning
- all volunteers were asked for their feedback which was collated and shared with the organising committee
- we are unable to stage the festival in Devauden in 2025 because the fields previously used for camping and car parking are not available. There is no other reason for the move.

## **ACCESS / TRAFFIC MANAGEMENT**

This is naturally a major area of planning for festival organisers. We have consulted with the MCC Highways team and have retained a highly experienced professional traffic management company to advise on the issue. Our aim is to provide trouble free access to and from the festival site for visitors without impacting adversely on local residents and road users.

Detailed plans are being laid now and local residents will have the opportunity to comment and to assist using their local knowledge. In outline, we anticipate the plan is likely to include at least the following elements.

- A one way system set up and signposted for all traffic wishing to enter the festival during the peak period. Outside of that period and once the majority of traffic has entered the site, the one-way system will be replaced by directional signs with different suggested routes for Monmouth and Chepstow traffic .
- On Sunday evening (when high traffic levels exiting the Festival are expected), we will reverse the one-way system and exit all Chepstow and Monmouth traffic via separate designated routes. This one-way system will



remain in place until noon on Monday, when most of the exiting traffic will have left.

- During high traffic flow periods, we will provide Police accredited traffic marshals at key junctions to maintain optimum traffic flow
- There are several minor roads in the vicinity that would be unsuitable for festival traffic. These will have "No Devauden Festival traffic" signs added at the junctions with significant roads.

Local knowledge and local authority guidance will help us refine our draft plans to enable traffic is not a problem area for the festival and local residents.

## **LACK OF LOCAL SHOPS MAY CREATE TRAFFIC MOVEMENTS**

Devauden Festival has taken place in the village of Devauden since 2010 (interrupted by COVID in 2020 and 2021). Devauden has one very small village shop which does not have a large range of goods suitable for campers and closes at 5pm on Friday and 12pm during the weekend. It does not open on Bank Holiday Monday. Festival visitors are used to bringing supplies with them to most similar events, but certainly to Devauden. We have had an application from a trader who runs the equivalent of a corner shop from a mobile unit, which would cater for any forgotten provisions. We are also working with Newport Transport to provide a regular and cost-effective enhanced bus service for the Festival weekend; we will be actively encouraging its use by Festival attendees, further mitigating private vehicle movements.

## **NOISE**

We have a noise management plan for each festival. We take measurements of noise levels and we follow MCC Environmental Health noise guidelines. Our noise management approach includes ensuring all stages are shut down by 11pm (and if necessary our chief electrician will turn off the electricity supply to a stage to enforce this). MCC Environmental Health also monitors noise levels and in our review session with them for the 2024 festival they confirmed we did not exceed guideline noise levels after 11pm.

We will engage the services of an independent professional noise management company. They will offer advice on the best site layout to reduce noise impact and monitor noise levels on site and at various locations around the festival site and within the locality. We manage sound dynamically in real-time on each stage based on sound level readings to ensure we operate with minimal noise impact on local residents.

We operate line array speaker systems on both our main stages (the largest PA systems). Line array speakers offer significant advantages for noise reduction by providing highly controlled sound dispersion, minimizing sound scattering, and reducing unwanted reflections.

We are also conscious of the noise generated by people leaving the festival, and in Devauden to minimise disturbance to local residents we routed people away from houses

and deployed marshals with signs asking people to be quiet. At the 2024 festival we ran a silent disco on Friday and Saturday nights after the stages closed to stagger people leaving and therefore reduce noise levels.

Our noise management approach also includes actions such as orienting stages/speakers away from residential areas, monitoring stage sound levels and limiting sound power output in response and providing a contact phone number for local residents to call if they wish to complain. Our noise management approach will be adapted for the new site in 2025, and we have already met with MCC Environmental Health on site to discuss this.

## **CRIME AND DISORDER / SAFETY / BAD BEHAVIOUR / ALCOHOL /PUBLIC NUISANCE**

Devauden Festival is unlike many of the events that grab the national headlines. The audience is heavily skewed towards families and comprises a higher percentage of older people than many other similar events. There is a dedicated area called The Wonder Burrow with children's entertainers that attracts and retains that audience.

Volunteer marshals will be supplemented by supervisors licensed with the Security Industry Authority (SIA), and the number of marshals and supervisors will be as specified by the police. This year, we will operate with a ratio of one SIA guard per two hundred attendees, meaning that at peak attendance times, there will be around 22 guards present. We will operate 24-hour security on site covering all Festival areas, including entrances, car parks, camp fields and Festival fields.

The festival operates a central control room that is manned 24 hours a day. This enables all communication, whether off-site or internal radio communication, to be logged and appropriate corrective actions taken immediately.

Evidence of age will be required from anyone requesting alcohol who appears to be under age. A log will be maintained of refusals to serve alcohol. All festival goers must wear wristbands at all times and anyone wearing an "under 18" wristband will not be permitted to buy or consume alcohol. CCTV will be installed at the premises covering any area serving alcohol and images from the CCTV are retained for a period of 31 days. There will be clear signage indicating that CCTV equipment is in use and recording at the premises.

The festival will operate a zero-drug policy, and all staff will be suitably trained on this policy. All crime incidents will be reported to the Police and any disorder will be entered into an Incident Log.

Notices will be posted at the entrance alerting all visitors to the festival rules. This is an extract from the notice posted at the 2024 festival.

### **We operate a no drugs policy**

- Drug dealing will be reported to the police
- You will be asked to leave if you take illicit drugs

### **Consume alcohol in moderation**

- Anyone who is drunk or under the influence of drugs will be asked to leave
- We will not serve alcohol to anyone under the age of 18



## CHILD SAFETY

As Devauden Festival is family oriented, child safety is paramount to the organisers and attendees alike, so over the years, we have developed and refined our approach to safety. Marshals carry radios and we have clear protocols in place. For example, Channel 1 is used for regular messages but all emergency communication is via Channel 11 and the codeword Beachley 99 is used when there is a missing child or vulnerable person, to avoid alerting the general audience to the situation. In 2024, any wandering /lost children were taken by marshals to the gazebo staffed by charity SARA (Severn Area Rescue Association) to arrange repatriation to their parents. A similar arrangement will be in place this year.

The Heras fencing that will be installed on the edge of the festival site to prevent illegal access will also serve to prevent children wandering off the site. Marshals at the junction between the car park / campsite and the festival itself will not allow any unaccompanied children to leave the festival site but would enact the lost child protocol to reunite such children with their parents.

## **ILLEGAL ACCESS**

Marshals will check all tickets on entry and issue wristbands. Subsequent entry from the car park or campsite to the festival itself will require everyone to show a valid wristband. During the festival, anyone not clearly displaying a wristband will be challenged by marshals and SIA accredited staff. Fencing will be erected around the festival site perimeter and a dead zone or no man's land created between the fencing and surrounding woodland, so anyone in that area will be clearly visible to the security team.

## **RAW SEWAGE**

Temporary toilets will be provided in the campsite and festival site. These will be provided by a professional company that comes to empty the toilets every morning. Showers will be provided on a similar basis and the grey water drained out for disposal elsewhere. Facilities will be provided for drivers of camper vans and similar to empty their onboard waste tanks and those bulk tanks will be removed by the supplier.

## **CURLEWS / LAPWINGS / WILDLIFE**

The festival is more than a music event and the majority of people attending care deeply about the environment. We have a written environmental policy that reflects the charity's attitude to waste management, use of sustainable materials and protection of wildlife. We can assure interested parties that we will protect from harm any species or habitats that are identified to us. In the specific case of curlews that have been seen in a particular field on the farm, we will not use that field and will erect warning signs to stop any visitors from straying into the area or any activity likely to cause a disturbance.

**We hope this information has helped address some misconceptions around Devauden Festival and helps allay the concerns expressed. We would be very happy to meet with anyone who wishes to discuss their concerns. We regret that previous consultation was not possible while discussions were taking place with the owners of Upper Meend Farm due to commercial confidentiality. Our aim is to run a fun event to raise money for charity. It is not a commercial venture, but is volunteer led. That does not mean it will not be professionally planned and managed. Indeed, the festival is in its third year of a grant given by Event Wales, part of the Welsh government, which recognises its professionalism, its volunteer emphasis and its contribution to the cultural and social fabric of Wales.**

**Festival Organising Team / Trustees of Devauden Hall CIO**

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## 2. The licensing objectives

### Crime and disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key



person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

2.7 The objective to crime under the Licensing Act 2003 would include taking measures to prevent incidents of spiking which would usually be prosecuted under section 23 and 24 of the Offences Against the Person Act 1861, and section 61 of the Sexual Offences Act 2003. The following examples are within the range of behaviours that would be considered spiking. This list is not exhaustive:

- Putting alcohol into someone's drink without their knowledge or permission
- Putting prescription or illegal drugs into an alcoholic or non-alcoholic drink without their knowledge or permission
- Injecting another person with prescription or illegal drugs without their knowledge or permission
- Putting prescription or illegal drugs into another person's food without their knowledge or permission
- Putting prescription or illegal drugs into another person's cigarette or vape without their knowledge or permission

## **Public safety**

2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.



2.9 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

2.11 Counter terrorism and public safety

2.12 Licensing committees may wish to give due consideration to appropriate counter- terrorism measures and advice when considering licence applications, for example at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counter terrorist staff.

2.13 It is particularly relevant to consider conditions around health care provision in this regard. Any additional licensing conditions should be appropriate and proportionate to the venue as noted in para 1.16. We recommend that all licensing authorities pay particular attention to terrorist threats when making specific licence conditions in relation to security or health care provision at appropriate premises and events applying for a licence.

2.14 As noted in para 2.8 licensing authorities can recommend conditions where appropriate to do so, such as ensuring appropriate access for emergency services and vehicles such as ambulances; good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4); and ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.

2.15 However, in some instances, licensing authorities may wish to tailor their approach, depending on the particular nature of the application, and go further when

addressing concerns around possible terrorist or other such risks. We have provided an Annex to help inform and support licensing authorities in their decision making with regards to additional licence conditions for premises and events, that may benefit from further security planning and health care provision in the aftermath of a particular type of incident.

## **Ensuring safe departure of those using the premises**

2.16 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

## **Maintenance and repair**

2.17 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

## **Safe capacities**

2.18 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at

any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.19 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act<sup>footnote 11</sup>, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.20 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

## **Public nuisance**

2.21 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.22 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.23 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific

premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.24 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.25 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.26 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.27 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## **Protection of children from harm**

2.28 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.29 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered.

Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.30 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly 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.

2.31 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.32 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.33 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;



- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.34 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.35 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.36 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.37 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

### **Offences relating to the sale and supply of alcohol to children**

2.38 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to

retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

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