

Pentwyngwyn Farm
Rudry
Caerphilly
CF833DG
30th March 2022

The Licensing Section
Caerphilly County Borough Council
Penallta House
Tredomen Park
Ystrad Mynach
Hengoed
CF82 7PG

TOG Farm Ltd
Alcohol / Movie Licence - New Application
Representations Against the Granting of a Licence

Tog Farm is a limited company registered with Companies House (March 2020) being operated from The Old Granary, Rudry, Caerphilly. The company directors are Mr Christopher Lewis and his daughter - Bridget Lewis (registered as Charlotte Lewis with Companies House). The land associated with Tog Farm includes a cattle shed, milking parlour, several rough tracks and fields of established pasture.

I will make my representations against the granting of a licence under the required headings i.e. The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm. However, some of these areas may overlap and it may be of some use to anyone considering this application to know a little of the background.

Background information.

Since incorporation Tog Farm activities have included glamping / music festivals / hen & stag parties / date nights / hot tub parties / masseuse treatments / birthday parties / wedding parties etc. All have been advertised and already taken place. Guest reviews and posts on Tog Farm social media clearly show that the events have included the sale, distribution and consumption of alcohol, albeit without any relevant alcohol licence. These events and parties have been openly advertised and promoted on the Tog Farm social media websites. Therefore, the events that have already taken place may be deemed a 'trial run' of what is to be expected by neighbours and local residents in the future, if an alcohol licence were to be granted by CCBC and legitimise these events. I believe it is in order, to comment upon such relevant events that have already taken place during this period.

I purchased Pentwyngwyn Farm, Rudry, Caerphilly in 1993. This comprises of the original farmhouse and fields to the south and west. Around the same time the top barn known as Badgerswood Barn was sold to Mr and Mrs Peacock and the bottom barn was sold to Mr and Mrs Lewis - both independently for residential conversion. The bottom barn is now known as **The Old Granary**, from which the name '**TOG**' has been derived. All three properties are in close proximity and utilise a private access way to the dwellings from Pentwyngwyn Road.

Neither Pentwyngwyn Farm nor Badgerswood Barn are mentioned in the alcohol / movie licence application or shown on the associated plan. The alcohol / movie licence application gives a totally false representation of the area that would be affected and the impact that it would have on the local community if granted.

There are serious concerns as to how this particular alcohol / movie licence application was ever validated by CCBC Licensing Department in the first instance due to the many inadequate responses made by the applicant and the lack of any detail on the site plan.

The Prevention of Crime and Disorder

- The applicant does not appear to have any previous experience of running a licensed premises. This is evident from the responses given on the licence application and the submission of the inadequate site plan. It appears that the applicant is applying for a licence for alcohol to be sold on a one acre site called 'The Alders' together with a licence to show movies. The location of the sites are very vague. In effect it appears that alcohol could be purchased and then consumed anywhere over the entire site which runs from Pentwyngwyn Road across fields to Waterloo. It would be impossible to supervise or control such a site. During the previous year's activities which are well documented on Tog Farm's social media, alcohol can clearly be seen to be consumed in many of the fields around the farm. The granting of any alcohol licence would be an attempt to legitimise these currently, unlawful, business activities.
- Tog Farm does not appear to have any business operating schedules from the design of the premises through to the day-to-day running of the business. It is noted that a licence has been applied for which includes every day of the week from 3.00pm to 11:00pm - is this really necessary. Any guests leaving the Tog Farm site late at night are not afforded any safeguards such as proper walkways, direction signs or adequate lighting as a minimum.
- Although in the application it is stated that there is CCTV in operation. Do these systems cover the necessary areas including alcohol sales points and possibly patron searching areas? In the event of any incident is the CCTV easily retrievable if requested by the police or licensing? The applicant states that CCTV is monitored at all times but does not indicate who will be responsible for monitoring or retrieving any relevant footage.
- No consideration appears to have been given to any relevant customer ID policy or whether there will be one in operation or who would be responsible to monitor this.
- No consideration has been given to a clear drug and weapon policy or the procedure to be followed if drugs or weapons are found. Is there any safe and secure storage allocated for any of these items that may be found or seized. Consideration should be given that this is a very large site with possibly different events going on at different locations simultaneously.
- No consideration has been given to any regular, documented training of Tog Farm staff regarding any of the relevant licensing requirements.
- No consideration has been given to whether Tog Farm will have 'a proof of age scheme' or whether the business would utilise 'a challenge 25 policy'.
- No consideration has been given to putting any systems in place to prevent the consumption of alcohol by those under 18 years. By the very nature of a glamping / camping business, families with children are usually present.
- No consideration has been given to the use of plastic or toughened glass for serving of alcohol, especially when consumed around areas with hot tubs, plunge pools and farm animals.
- According to the applicant's own social media posts, TOG Farm consists of around 60 acres of farmland. To date, there are no granted planning permissions for any change of use, away from agriculture. However, it is evident that the business has already operated without any permissions and many events / festivals have already taken place during the previous year.

Therefore, it should be assumed that the applicant will have little regard to any restrictions that may be applied by local authorities.

- The vague free hand sketch submitted by the applicant with the application does not show any nearby residential properties or accurately indicate where the supposed alcohol distribution point is to be sited. 'The Alders' does not appear on any local plan / map and in an emergency the Fire, Police or Ambulance Service would be hard pressed to locate it. Police attended an incident at Tog Farm on 21/09/21 and had difficulty locating it, calling firstly at two neighbouring properties. They then left their police vehicle on the access way and proceeded on foot down the steep track. They were probably unable to access the site without a suitable 4x4 vehicle.
- The glamping / events fields are usually only accessible by suitable 4x4 off-road vehicles, especially during the winter months when the tracks are virtually impassable. Visitors need to be ferried quite some distance to their relevant camping / events sites. This is fully described in complaints/reviews made by previous visitors on the Tog Farm social media sites.
- During 2021 there have been regular events, attracting large groups of disruptive party goers. Weddings / stag / hen / date nights / birthday parties, music festivals, tribute acts, karaoke etc have taken place already at various locations around Tog Farm. These events may be better described as 'rent a field for a party'. The events have now diversified further into advertising the use of 'The Mill' which is in effect the end section of The Old Granary - a residential dwelling with restrictions for 'residential use only'. 'The Mill' now advertises afternoon teas, hen parties and private functions.
- The alcohol licence application indicates that there will only be up to 10 guests. However, this number has already been greatly exceeded during the previous year. This is evidenced on Tog Farm social media / advertising websites with music festivals, tribute acts, weddings etc attracted far in excess of this number.
- The land associated with Tog Farm has Public Rights of Way which run through the fields. The general public would have the right to pass through the site without restriction. The public can enter the events site from both the Waterloo and Rudry areas. This raises obvious concerns regarding the safety and security of the site for visitors as well as walkers using the public footpath. This would be even more relevant if an alcohol licence were to be granted. It would be virtually impossible to police with visitors bringing in their own alcohol as has been admitted by the applicant and has been the case during the previous year
- The applicant states that 'alcohol will be offered with meals, while staying with us on the site, only at designated sites'. The designated sites are not clearly indicated on the 'application plan'. Even though alcohol sales may be made at designated points, that does not prevent alcohol being consumed over the whole site. During the past year different event fields have been used simultaneously for different functions and according to social media reviews alcohol has already been sold / provided and available to guests.
- The applicant states 'by holding a premises licence we will be able to monitor and control the intake of alcohol by our guests. We will reserve the right to refuse alcohol if someone is intoxicated ensuring that all guests and staff are safe. If guests are refused alcohol due to intoxication what happens then? Are they left on site or removed? This would impact on their own safety and the safety of local residents and guests. If any disruptive clients are escorted off site where would they be taken? There doesn't appear to be any effective policy.
- The applicant also states 'We currently operate a bring your own policy with alcohol, which will stop immediately if granted a Licence.' This of course would be virtually impossible to enforce without a proper searching procedure for visitors, vehicles, and luggage etc. Once guests are already intoxicated it would appear too late to refuse the sale of alcohol.

- The Tog Farm site is largely unlit and over the previous year it has been evident that the site has not been properly supervised by staff. Large events with party goers attending hen / stag / festivals etc. have often been rowdy, largely unsupervised involving unregulated drinking and anti-social behaviour. This is exacerbated when visitors leave Tog Farm late at night via a poor, steep, unmade gravel track often to be collected by taxis and minibuses. There is frequently shouting, swearing and anti social behaviour when they leave due to their intoxicated state and the difficulties experienced ascending the steep track to Pentwyngwyn Road.

Public safety

- There are five Great Dane and other dogs kept at Tog Farm. Between them these dogs bark and howl for hours on end triggered by the slightest sound of vehicles or persons approaching. There was a recent incident regarding one of the Tog Farm Great Danes when it was running loose and attacked another dog causing damage when being walked by it's local, young owner. The person who should have been in control is believed to have received a conditional police caution for not being in control of a dangerous dog and *****. Gwent Police would hold full details of this incident. These dogs are obviously not kept under proper control and can often be seen roaming around the farm, following vehicles and mingling with the public. Children visiting Tog Farm as part of school trips have previously been allowed to pet these dogs and until recently CCBC advertised Tog Farm as being a 'dog friendly site' on their website! Due to this incident and the fact that there are dangerous dogs on site the granting of any alcohol / movie licence appears totally inappropriate.
- The applicant states that guests sign a disclaimer prior to booking. This of course may protect Tog Farm and its directors but would be of little use or comfort to their visitors / guests or any other innocent parties in the case of injury or damage caused.
- The business has already been operating for over a year with no planning permission, inadequate safety precautions and lack of controls. I understand that South Wales Fire and Rescue Service would require proper plans and schedules of large events particularly where any regulated entertainment is to be provided. Have any proper plans been provided as it appears the plan provided with the licensing application is totally inadequate? In the event of an emergency on the Tog Farm site the Fire Service would be hard pressed to locate the site let alone get their vehicles onto site, particularly in poor weather conditions. Bearing in mind the site uses several solid fuel hot tubs, fire pits, BBQs, wood stoves inside tents etc. This would greatly increase the risk of grass fires in summer months.
- Any intoxicated guests leaving the venue have to negotiate a very steep unmade track which is unlit and has no designated pedestrian walkways. This leads onto a sharp bend in a country lane - Pentwyngwyn Road. This again is unlit, without any pavements and a 60mph national speed limit. This could be deemed a serious safety hazard. This is the Tog Farm main entrance / exit unless visitors travel across fields via neighbouring land or public rights of way.
- Tog Farm social media events have shown Highland cattle freely mingling with the general public, including young children. Cattle are known to be quite unpredictable especially if they are protecting their calves. Situations such as these, again do not usually fare well with regard to public safety, especially if parents in charge are under the influence of alcohol.
- Activities such as axe throwing, and archery have recently been advertised on Tog Farm social media. It is believed that these activities are not conducive with the sale and supply of alcohol. This also applies to the use of wood fuelled hot tubs, plunge pools, fire pits, bbq's and wood burning stoves.

- Over the last year several separate glamping / events sites have been established in the fields adjoining The Old Granary - different events being carried out simultaneously. Google maps satellite aerial view clearly shows the extent of the campsites last year. These events are not restricted to 'The Alders' as stated on the alcohol application. This makes the sale / consumption of alcohol even more difficult to control and supervise and also raises further public safety concerns.
- There appears inadequate parking for vehicles on site unless guests arrive in a suitable 4 x 4. Last year it has been known for visitors to Tog Farm either to walk along the dangerous unlit lanes or to be ferried back and fore Rudry village having left their vehicles there. This causes additional difficulties for local residents who already experience parking problems in the village.
- According to Tog Farm's own social media, guests are ferried via rough unmade country tracks in their own farm vehicles. This raises further public safety concerns as to whether the public are protected when travelling in these vehicles? Are the vehicles properly insured for these purposes? Do Tog Farm staff transporting their visitors hold appropriate driving licences / insurance to transport members of the public? Have staff received the necessary training to transport members of the public? If a visitor becomes ill or intoxicated is there a suitable procedure to be followed? Is he /she left in a field to fend for themselves? Does a disclaimer signed by a visitor absolve Tog Farm of any or all responsibility?
- The completed application form does not give any details of an Operating Schedule regarding suitable or sufficient risk assessments, effective and responsible management of premises. Provision of a sufficient number of people employed or engaged to secure the safety of everyone attending the premises or an event. Appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises. The adoption of best practice guidance available from other agencies such as Environmental Health, Fire Safety and Health and Safety Executive. Provision of effective CCTV in and around the premises. Implementation of management measures for festival events. First aid facilities and staff training on when to administer / not administer first aid. Are CCBC Licensing Department confident that all the above items have been considered?

Prevention of Public Nuisance

- Since the incorporation of Tog Farm in March 2020, loud music, karaoke, tribute bands, music festivals, amplified music etc. have detrimentally impacted on the enjoyment of our home and garden. Loud music has also been heard a considerable distance away in neighbouring villages. As a result of numerous complaints of anti-social behaviour a noise abatement order was served by CCBC - Environmental Health Dept.
- Visitors with and without vehicles cause disturbance arriving and leaving the site, often late at night. This usually causes the barking and howling from Tog Farm's numerous dogs. If granted an alcohol licence, it would make matters far worse with the noise of late night revellers, intoxicated with alcohol, triggering the dogs to bark.
- Larger events and weddings were held last summer which resulted in taxis, mini buses, and visitors vehicles frequently obstructing the access way. Vehicles being parked at the top of the access way on the dangerous bend at Pentwyngwyn Road to pick-up guests. There is a warning chevron sign at the top of the access way alerting vehicles to the dangerous bend where a 60mph speed limit applies. Therefore, using this private junction to turn and manoeuvre when picking up intoxicated Tog Farm party goers does not appear appropriate.

- We are frequently disturbed by Tog Farm visitors, parcel delivery drivers and anyone else looking for Tog Farm who are unable to locate it. The granting of any alcohol / movie licence would not improve matters with further trade and deliveries involved.

Protection of Children from Harm

- As shown on TOG Farm social media sites children have been seen to attend many of the events, festivals, parties and many of the events are directly aimed towards children. The granting of an alcohol licence would not be conducive to protecting children from harm. There is scientific research available that shows that introducing children to the influence of alcohol at an early age may have a prolonged detrimental effect. The current trend appears to be moving away from introducing children to the effects of alcohol at an early age
- Children as young as 4 years old have been photographed standing in front of Highland cattle . These photographs were posted on Tog Farm's own social media sites (Oct 21). The granting of any alcohol licence would not improve the safety of children at Tog Farm in these situations. Parents or those responsible for the children would be less able to look after them if they themselves were under the influence of alcohol.
- Wood fired hot tubs may be another hazard for members of the public and their children. There are of course the obvious hazards from burns or drowning if appropriate safety guidelines have not been followed? Alcohol would not increase safety standards.
- Many of the events that have already taken place at Tog Farm are aimed to attract children such as school trips, easter egg hunts, halloween, birthday parties, unicorn tea parties, Santa in the dome etc. I assume that CCBC are satisfied that Tog Farm staff hold the required DBS certificates.
- Is the application for an alcohol licence from 3pm to 11pm Monday - Sunday really necessary, and appropriate? Are CCBC satisfied that Tog Farm is a safe environment for children?
- Has consideration been given as to how children are transported off-road along the rough farm tracks to the events / party fields i.e. are the public properly restrained in suitable vehicles? Is a disclaimer appropriate?
- School trips have previously visited this unauthorised events site, despite not having appropriate toileting facilities. Granting of any alcohol licence from Monday to Sunday 3.00pm to 11.00pm will not improve child safety at this glamping / events site?
- There is no indication as to what type of movies are intended to be shown at Tog Farm. Will there be safeguards / training in place to ensure that children are protected from viewing any inappropriate content? Will the showing of any movies be age related?

The representations made above against the granting of an alcohol and movie licence are not exhaustive. Little thought or effort appears to have been given to the licence application or plan. Throughout the process there has been little regard or consideration given to the negative impact on local residents or the community if a licence were granted. Tog Farm should not be deemed a suitable site for the granting of any alcohol / movie licence for the reasons stated above.

signed:

Harry Smith & Amanda Smith