



Public Document Pack

James Ellis
Head of Legal and Democratic Services

MEETING : LICENSING SUB-COMMITTEE
VENUE : LEA ROOM, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 19 JUNE 2024
TIME : 10.00 AM

MEMBERS OF THE SUB-COMMITTEE

Councillors S Bull, J Dunlop and R Townsend

COMMITTEE OFFICER:
Peter Mannings/Michele Aves
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- must not participate in any vote taken on the matter at the meeting;
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- if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
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AGENDA

1. Appointment of Chairman

2. Apologies

To receive apologies for absence.

3. Chairman's Announcements

4. Declarations of Interest

To receive any Members' Declarations of Interest.

5. Summary of Procedure (Pages 6 - 12)

A summary of the procedure to be followed during consideration of item 6 is attached.

6. Application for a new time limited premises licence for Dog & Whistle Festival, Brickendon Bury Estate, Brickendon Lane, Hertfordshire (24/0608/PL) (Pages 13 - 56)

An application for a new time limited premises licence for the Dog and Whistle Festival has been received Dog and Whistle Limited. Representations against the application have been made by an interested party's. Where a representation is received against an application, and not withdrawn, there must be a Licensing Sub-Committee meeting to decide that application. This report is to inform the decision of the Licensing Sub-Committee.

7. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

Agenda Item 5

LICENSING SUB-COMMITTEE

EXTRACT FROM RULES OF PROCEDURE

Note – the full Rules of Procedure can be viewed at:

<http://democracy.eastherts.gov.uk/ieListMeetings.aspx?CId=144&Year=0>

8.0 Procedure at hearing

As a matter of practice, the Sub-Committee shall seek to focus the hearing on the steps needed to promote the particular licensing objective(s) which has given rise to the specific representation(s) and will avoid straying into undisputed areas. The hearing is a discussion lead by the Authority (i.e. the Chairman) with advice from the Legal Adviser.

- 8.1 The order of business shall be at the discretion of the Sub-Committee, but shall normally proceed in accordance with the following paragraphs.
- 8.2 The Chairman shall at the beginning of the hearing, introduce themselves and the Sub-Committee members, ask the Officers present to introduce themselves before inviting the parties to the hearing to identify themselves. The Chairman will then explain to the parties the procedure that the Sub-Committee intends to follow.
- 8.3 The Chairman will ask a representative of the Licensing Authority to introduce the report, and outline the matter before the Sub-Committee.
- 8.5 The Parties to a hearing for an application shall usually be invited to address the Sub-Committee in the following order:
 - (a) Applicant
 - (b) Responsible Authority
 - (c) Other parties

However, this may be varied at the discretion of the Chairman, if in his/her opinion, this would assist the efficient business of the Sub-Committee.

- 8.6 Parties to the hearing shall be entitled to:
- (a) give further information in support of their application, relevant representations or notice (as applicable) in response to a point upon which the Licensing Authority has given notice that it requires clarification;
 - (b) question any other party if given permission by the Chairman of the Sub-Committee; and
 - (c) address the Sub-Committee.
- 8.7 Members of the Sub-Committee may ask any question of any party to the hearing or other person appearing at the hearing.
- 8.8 Where there is more than one relevant representation raising the same or similar grounds, the Sub-Committee shall request that only one party address them on behalf of the parties who have made the representations in question.
- 8.9 Subject to paragraph 8.10 below, in considering any relevant representations or notice made by a party to the hearing, the Sub-Committee may take into account additional documentary or other information produced by such a party in support of their application, relevant representations or notice (as applicable) either submitted at least 24 hours before the hearing commences or, with the consent of *all* the other parties and the Chairman, at the hearing. Where all the other parties consent the Licensing Sub-Committee has discretion as to whether to admit additional documentary evidence or other information at the hearing. If large documents are submitted on the day then the hearing may be adjourned at the Chairman's discretion so that such documents can be fully considered.

Note - As a matter of good practice, any additional documentation or other information produced in advance of the hearing date, should be submitted to the licensing officer no later than two working days before the hearing.

8.10 The Sub-Committee shall disregard any information given or evidence produced by a party or any person to whom permission is given to appear at the hearing, which is not relevant to:

- (a) their application, relevant representations or notice (as applicable); or
- (b) the promotion of the licensing objectives.

8.11 Hearsay evidence may be admitted before the Sub-Committee, but consideration shall always be given to the weight, if any, to be attached to such evidence, depending upon the circumstances in which it arises.

8.12 The parties to the hearing shall be entitled to make closing submissions, usually in the following order:

- (a) Responsible Authority
- (b) Other party
- (c) Applicant.

8.13 The Sub-Committee will, after hearing the relevant representations of the parties to the hearing, withdraw from the room to make their deliberations.

8.14 The Legal Adviser and the Democratic Services Officer shall accompany the Sub-Committee when they retire to make their deliberations.

9.0 Determination of applications

9.1 The Sub-Committee shall give appropriate weight to:

- (a) the relevant representations (including supporting information) presented by all the parties;
- (b) national guidance;
- (c) the Licensing Authority's Licensing/Gambling Policy (as applicable); and
- (d) the steps that are necessary to promote the licensing objectives.

9.2 The Sub-Committee shall make its determination:

- (a) at the conclusion of the hearing in accordance with the relevant Regulations; or
- (b) within 5 working days thereafter (all other cases).

9.3 The written notice of determination shall be issued by Head of Housing and Health under delegated authority and will information regarding the appeals process.

10.0 Role of Legal Adviser

10.1 The Sub-Committee may seek advice or clarification of any procedural, technical or legal matter from the Legal Adviser at any time during the course of the hearing.

10.2 The Legal Adviser shall provide the Sub-Committee with any advice it requires to properly perform its functions, on:

- (a) questions of law;
- (b) questions of mixed fact and law;
- (c) matters of practice and procedure;
- (d) the range of options available to the Sub-Committee;
- (e) any relevant decisions of courts;
- (f) relevant national guidance or policy;
- (g) other issues relevant to the matter before the Sub-Committee.

10.4 The Legal Adviser shall play no part in making findings of fact, but may assist the Sub-Committee by reminding it of the evidence taken from his/her own or the Democratic Services Officer's notes.

10.5 The Legal Adviser may ask questions of witnesses and the parties in order to clarify the evidence and any issues in the case. The Legal Adviser is under a duty to ensure that every case is conducted fairly.

11.0 Role of Democratic Services Officer

11.1 The Democratic Services Officer's role is to make a record of the proceedings, summarise and record decisions and to provide help and assistance to parties attending hearings.

12.0 Role of Licensing

- 12.1 The Licensing Officer will present the pertinent facts of the application and the representations made by parties to the hearing.
- 12.2 The Licensing Officer shall provide the Sub-Committee with any advice it requires to properly perform its functions.
- 12.3 The Licensing Officer may ask questions of witnesses and the parties in order to clarify the evidence and any issues in the case.

13.0 Failure of parties to attend the hearing

- 13.1 If a party to the hearing has informed the Licensing Authority that he/she does not intend to attend or be represented at the hearing, the hearing may proceed in his/her absence and any properly made written submissions will be considered as part of the decision making process.
- 13.2 If a party to the hearing fails to provide notification in accordance with paragraph 13.1 above, and fails to attend or be represented at a hearing, the Sub-Committee may:
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
 - (b) hold the hearing in the party's absence and shall consider at the hearing, the application, relevant representations or notice made or submitted by that party.

14.0 Adjournments

- 14.1 Subject to the provisions of the Regulations, the Sub-Committee may, where necessary for its consideration of any relevant representations or notice made by a party to the hearing, adjourn the hearing to a specified date.
- 14.2 Where the Sub-Committee adjourns the hearing to a specified date, it shall forthwith notify the parties to the hearing of the date, time and place.

15.0 Right of Appeal

- 15.1 The all parties to a hearing have a right of appeal against a decision to the Magistrates' Court within 21 days (beginning with the day on which the applicant was notified of the decision by the Licensing Authority).

Definitions

| Term | Meaning |
|---------------------------------|---|
| Applicant | <p>The holder of, or the person seeking the grant of, a licence, notice or other permission under the relevant Legislation.</p> <p>The premises user in relation to a temporary event notice (TEN) or temporary use notice (TUN).</p> |
| Interest | A Disclosable Pecuniary Interest as defined in the Council's Members' Code of Conduct. |
| Other parties | Any persons making relevant representations or any person who is representing such persons. |
| Licensing Authority | East Hertfordshire District Council |
| Parties to the Hearing | The applicant and any parties that have made relevant representations or submitted a valid objection notice. |
| Relevant Representations | Representations (either in support of or against an application) that relate to one or more of the licensing objectives. Can be made by a Responsible Authority or other party. |
| Responsible Authority | The bodies that must be consulted regarding certain applications and that are entitled to make representations to the Licensing Authority. |

East Herts Council Report

Licensing Sub-Committee

Date of Meeting: 19th June 2024

Report by: Jonathan Geall, Head of Housing and Health

Report title: Application for a new time limited premises licence for Dog and Whistle Festival, Brickendon Bury Estate, Brickendon Lane, Hertfordshire (24/0608/PL)

Ward(s) affected: Hertford Heath and Brickendon

Summary

- An application for a new time limited premises licence for the Dog and Whistle Festival has been received from Dog and Whistle Limited. Representations against the application have been made by interested parties. Where a representation is received against an application, and not withdrawn, there must be a Licensing Sub-Committee meeting to decide that application. This report is to inform the decision of the Licensing Sub-Committee.

RECOMMENDATIONS FOR LICENSING SUB-COMMITTEE

(A) The application to vary a premises licence be decided.

1.0 Proposal(s)

1.1 Members of the Licensing Sub-Committee should determine the application through consideration of the information contained in this report and appendices combined with submissions made at the Licensing Sub-Committee hearing.

2.0 Background

- 2.1 Under the Licensing Act 2003 and the council's Statement of Licensing Policy ('the Policy') an application for a new or variation to a licence or certificate is granted by officers under delegated authority if no valid representations are received.
- 2.2 Where valid representations are received the council's discretion is engaged. A Licensing Sub-Committee has the delegated authority to determine applications for new and varied licences and certificates. This decision must be made whilst having regard to the Licensing Objectives, the council's own Statement of Licensing Policy and to statutory guidance issued by the Secretary of State under section 182 of the Licensing Act.
- 2.3 The Licensing Objectives are:
- Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance; and
 - Protection of Children from Harm.

3.0 Reason(s)

- 3.1 The application from Dog and Whistle Limited was validated on 26th April 2024. The applicant describes the nature of the event as:

The Dog and Whistle Festival 2024 is a two-day open-air festival at Brickendonbury Estate, Hertford. The festival is over 2 days on 20th and 21st July 2024. The festival can accommodate up to 2,000 people on each day with each day's event starting at midday and running until 22:00 with everyone to have left the site by 23:00.

On Saturday the music entertainment will just be by way of D.J performers and a silent disco and on the Sunday D.J performers, live music by tribute bands and a silent disco. This entertainment will be on 3 different stages.

There will be a street food village providing food and drink, a pop-up Dog and Whistle Pub, a range of stalls, roaming entertainment throughout the site and a fun fair.

Saturday 20th July is for over 18s only and Sunday 21st July is a day designed for families and the music on each day will be such that it appeals to the people expected to attend on each day.

- 3.2 The following licensable activities and timings have been applied for:

| Licensable Activity | Day | Hours applied for |
|---|---------------------|--------------------------|
| Supply of alcohol (for consumption ON the premises only) | Saturday and Sunday | 12:00 – 22:00 |
| Live Music (outside) | Saturday and Sunday | 12:00 – 22:00 |
| Recorded Music (outside) | Saturday and Sunday | 12:00 – 22:00 |
| Performances of Dance (outside) | Saturday and Sunday | 12:00 – 22:00 |
| Entertainment of a similar description to above (outside) | Saturday and Sunday | 12:00 – 22:00 |

- 3.3 The premises will be open to the public between 12:00 - 23:00 on both the Saturday and Sunday of the event.
- 3.4 A redacted copy of the application form for a new premises licence is attached as **Appendix 'A'** and the plan that accompanied the application is **Appendix 'B'**. The applicant offered a number of conditions to be attached to the premises licence and these are attached as **Appendix 'C'**. A draft premises licence, which reflects what has been applied for, is attached at **Appendix 'D'**.
- 3.5 During the 28-day statutory public consultation period six representations against the application were received from interested parties. Five being from residents and one from a local business. The representations are attached as **Appendix 'E'**.
- 3.6 The representations suggest that the Prevention of Public Nuisance, Public Safety and Prevention of Crime and Disorder Licensing Objectives would be undermined if the application is granted as requested.

Policy and Guidance

- 3.8 Section 6 of the Policy details definitions of premises and location and operation of premises, differentiating between Town Centre locations and other areas. Under this section of the Policy the operation of the Dog and Whistle Festival would be classed as a *'Festival'*.
- 3.9 The proposed location for the event is not within a Town Centre as defined in section 7.0 of the Policy so is considered to be in an *'Other area'*.
- 3.10 The table at 6.9 of the Policy details the council's approach to hours for licensed premises when it has received relevant representations to an application. In relation to a *'Festival'* located in an *'Other area'*, it states:

Will generally be allowed licensable activity until 01:00 on Friday and Saturday. On Sunday to Thursday 23:00, unless the following day is a Bank Holiday or recognised National Holiday.

- 3.11 Paragraph 6.10 of the Policy states:

The hours detailed above will not be automatically applied where representations are received, and a Licensing Sub-Committee decides the application. Each application will be considered on its own merits and the most appropriate way to mitigate concerns will be taken.

- 3.12 Section 8 of the Policy deals with the Licensing Objectives:

8.1 The Licensing Authority must carry out its functions with a view to promoting the four Licensing Objectives, each of which has equal importance:

- *the Prevention of Crime and Disorder,*
- *Public Safety,*
- *the Prevention of Public Nuisance, and*
- *the Protection of Children from Harm.*

- 8.2 *It is recognised that the licensing function is only one means of securing the delivery of the above Objectives and should not therefore be seen as a means for solving all local problems. The Licensing Authority will therefore continue to work in partnership with all stakeholders and partners towards the promotion of the Licensing Objectives.*
- 8.3 *The Licensing Authority expects applicants to address the licensing objectives within their operating schedules, having regard to the nature of the premises, the licensable activities to be provided, operational procedures, and the nature of the location and the needs of local communities. The operating schedule should contain sufficient information to enable the Licensing Authority, responsible authorities and other persons who may be affected by the operation of the licensed premises to assess whether the steps which will be taken to promote the licensing objectives are sufficient to mitigate any potential adverse impact.*
- 3.13 Paragraphs 8.20 to 8.30 deal with the Licensing Objective of 'Prevention of public nuisance'. This is one of the Licensing Objectives identified within the representations against this application.
- 3.14 Section 15, paragraphs 15.1 and 15.2 deal with the 'Operating Schedule'. These paragraphs reflect the information in the Section 182 Guidance issued by the Secretary of state.
- 3.15 The Home Office-issued ['Guidance issued under section 182 of the Licensing Act 2003'](#) (herein 'the Guidance') states at paragraphs 9.37 and 9.38 that:
- 9.37As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular Licensing Objective or Objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be*

allowed sufficient time to do so, within reasonable and practicable limits.

9.38 In determining the application with a view to promoting the Licensing Objectives in the overall interests of the local community, the Licensing Sub-Committee must give appropriate weight to:

- *the steps that are appropriate to promote the Licensing Objectives;*
- *the representations (including supporting information) presented by all the parties;*
- *this Guidance;*
- *its own statement of licensing policy.*

3.16 Paragraphs 9.42-9.44 of the Guidance deal with how to determine actions that are appropriate for the promotion of the Licensing Objectives.

3.17 If members are minded to impose conditions to mitigate concerns regarding the suggested undermining of the Licensing Objectives, then Chapter 10 of the Guidance deals with conditions attached to premises licenses. The Guidance should be considered along with the East Herts ['Pool of Model Conditions'](#)¹.

Officer observations

3.18 The hours applied for are within those hours suggested for this type of event in the Policy. Simply requesting hours which are within those detailed in the Policy, however, does not fetter the Sub-Committee's discretion to decide on shorter hours, or even on refusal, if they believe this is more appropriate in the circumstances of the individual application. The Policy is a starting point from which decisions can be made; should the Policy be departed from then members should clearly give their reasons for doing this.

¹ Conditions with a letter 'B' or marked 'All' are relevant to 'Public House, wine bar, Café-bar or other drinking establishment' located in a 'Town Centre' and some or all may be applied where appropriate having considered the merits of the individual application.

3.19 In the representations, several issues have been raised that can engage one or more of the Licensing Objectives, these include:

- Drugs
- Alcohol
- Access to and from the site
- Violent behaviour
- Safety of residents

These are matters that the applicant or his representative can address.

3.20 The lack of engagement with the local community has been raised and whilst this does not undermine the Licensing Objectives directly it may be an indication of the approach taken by the applicant. Section 5 of the Policy deals with pre-application advice and early engagement and paragraph 5.7 suggests bodies and individuals that applicants may wish to engage with. This includes businesses and residents in the vicinity of the premises.

3.21 One of the representations raises several issues that cannot be considered during decision making as they do not engage the Licensing Objectives, these include:

- Detrimental effects to wildlife and general landscape/nature
- Native fish species and ornamental fish
- Other livestock
- Drainage issues on site
- Grade 2 listed building.

However, the other issues raised by the interested party around the risk of deep water, the impact on businesses and residents on the site, access and egress to the site by vehicles and controlling access to ticket holders on site all engage one or more of the Licensing Objectives.

3.29 Members may wish to ask the applicant to clarify what the capacity of the event is on each day as the description of the event and the offered condition 2 seem contradictory.

- The festival can accommodate up to 2,000 people on each day.
- The total capacity including all staff on site on each date of the Event will not exceed 4000.

Members may wish to amend the wording of offered condition 2 for clarity having heard from the applicant.

- 3.30 The Sub-Committee should consider whether the operation of the licensed premises would be likely to fail to promote one or more of the Licensing Objectives having considered the evidence presented and the location of the premises.
- 3.31 As stated in the Guidance, the council's decision should be evidence-based, justified as being appropriate for the promotion of the Licensing Objectives and proportionate to what it is intended to achieve.
- 3.32 Members should consider if they believe the applicant has provided evidence that the licence, if granted, would promote, and not undermine, the Licensing Objectives. This evidence should be balanced against the evidence given by those making representations that the Licensing Objectives of prevention of public nuisance, Prevention of crime and disorder and public safety would be undermined.
- 3.33 If the Sub-Committee believes that granting the application would promote the Licensing Objectives, then the application should be granted as requested.
- 3.34 If the Sub-Committee believes that granting the application as requested would not promote the Licensing Objectives, then the starting point should be to consider if there are conditions that could be added to mitigate concerns.
- 3.35 In considering additional conditions, members should decide whether these steps would in fact address the concerns raised if the decision was made to grant the hours and activities as requested.

- 3.36 For conditions to be enforceable they need to be clear, unambiguous and free from subjective terms. If a condition cannot be enforced, then it should not be placed on any granted licence.
- 3.37 Aside from adding conditions, it is open to members to limit the hours of operation and/or area further but clear reasons for this step would need to be given.
- 3.38 However, if adding conditions and/or limiting the hours or area beyond those requested does not mitigate members' concerns regarding the promotion of the Licensing Objectives then the application should be refused.
- 3.39 Put in its simplest terms, what are the minimum measures that can be put in place to address concerns? Refusal of the application should be the last option considered.
- 3.40 When the Licensing Sub-Committee gives its decision to those in attendance it should be made clear to all parties how much weight has been attached to each submission and why and what evidence members have relied upon when reaching their decision.
- 3.41 The comments, observations and suggestions contained within the body of this report and associated appendices do not fetter the Sub-Committee's discretion to reach the decision they believe is most appropriate when considering all the merits of the individual case.

4.0 Options

- 4.1 The actions open to the Licensing Sub-Committee are:
- grant the application as requested if members feel the application would promote and not undermine the Licensing Objectives; or
 - grant the application but at the same time impose additional conditions or amend the activities or times requested if

members feel it is necessary to promote the Licensing Objectives; or

- if members believe that there is evidence that shows that there are no steps that can be taken to ensure that the application sought would promote the Licensing Objectives then the application should be refused.

4.2 As stated in the Guidance, the council's decision should be evidence based, justified as being appropriate for the promotion of the Licensing Objectives and proportionate to what it is intended to achieve.

5.0 Risks

5.1 A decision on the application must be made and any decision made can be appealed at the Magistrate's Court. Therefore, the Licensing Sub-Committee should ensure that when giving their decision on the application they give clear reasons on how and why they have made their decision. In doing so, the council's ability to defend its decision is strengthened and the risk of its decision being over-turned on appeal is lessened, although, of course, this risk can never be entirely removed.

6.0 Implications/Consultations

6.1 As with any application for a new premise licence, variation of a premise licence or review of a premise licence there is a 28-day public consultation.

6.2 The 28-day public consultation commenced on 26th April 2024 and ended on 24th May 2024.

Community Safety

6.3 The report details the four Licensing Objectives therefore Community Safety will be considered when determining the application.

Data Protection

6.4 Where the appendices have shown personal data, this has been redacted.

Equalities

6.5 Consideration has made to the Equality Act 2010 and the Public Sector Equality Duty in this report and will be considered during the Licensing Sub-Committee hearing.

Environmental Sustainability

6.6 No

Financial

6.7 There will be a cost to the authority in holding the Licensing Sub-Committee hearing; this will be covered by the existing budget.

There would be a cost if the decision of the Licensing Sub-Committee is appealed to the Magistrates Court and the authority chooses to defend that appeal.

Health and Safety

6.8 No

Human Resources

6.9 No

Human Rights

6.10 As with all applications and Council functions, the Human Rights Act 1998 has been considered in this report and will be considered during the Licensing Sub-Committee hearing.

Legal

6.11 All statutory requirements have been considered in preparing this report.

Specific Wards

6.12 Yes – Hertford Heath and Brickendon

7.0 Background papers, appendices, and other relevant material

7.1 Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2023) -
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

7.2 East Herts Statement of Licensing Policy 2021-2026
<https://cdn-eastherts.onwebcurl.com/s3fs-public/2022-03/Statement%20of%20Licensing%20Policy%202021-26%20Mar%202022.pdf>

7.3 East Herts Pool of Model Conditions 2021
<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2021-08/Pool%20of%20Model%20Conditions%202021%20%28accessible%29.pdf>

7.4 **Appendix 'A'** – Application form

7.5 **Appendix 'B'** – Premises plans

7.6 **Appendix 'C'** – Offered conditions

7.7 **Appendix 'D'** – Draft premises licence

7.8 **Appendix 'E'** – Representations

Contact Officer: Jonathan Geall – Head of Housing and Health,
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Report Author: Oliver Rawlings – Service Manager, Licensing
and Enforcement Officer, Tel: 01992 531629.
oliver.rawlings@eastherts.gov.uk

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Dog & Whistle Limited

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 | | | |
| Brickendonbury Estate Brickendon Lane | | | |
| Post town | Hertford | Post code | SG13 8NL |

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

Part 2 - Applicant Details

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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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) | |
| Surname | | | First names | | |
| Date of Birth old or over | | I am 18 years <input type="checkbox"/> | | Please tick yes | |
| Nationality | | | | | |
| Current residential address if different from premises address | | | | | |

| | | | |
|---|--|-----------------|--|
| Post Town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |
| 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.

| |
|--|
| Name Dog & Whistle Limited |
| Address 1st Floor 143 Connaught Avenue Frinton on Sea CO13 9AB |
| Registered number (where applicable) 08687415 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| Day | Month | Year |
|-----|-------|---------|
| 2 | 0 | 07 2024 |

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

| Day | Month | Year |
|-----|-------|---------|
| 2 | 1 | 07 2024 |

A

Please give a general description of the premises (please read guidance note1)

The Dog & Whistle Festival 2024 is a two-day open-air festival at Brickendonbury Estate, Hertford. The festival is over 2 days on 20th and 21st July 2024. The festival can accommodate up to 2,000 people on each day with each day's event starting at midday and running until 22:00 with everyone to have left the site by 23:00.

On Saturday the music entertainment will just be by way of D.J performers and a silent disco and on the Sunday D.J performers, live music by tribute bands and a silent disco. This entertainment will be on 3 different stages.

There will be a street food village providing food and drink, a pop-up Dog & Whistle Pub, a range of stalls, roaming entertainment throughout the site and a fun fair.

Saturday 20th July is for over 18s only and Sunday 21st July is a day designed for families and the music on each day will be such that it appeals to the people expected to attend on each day.

Meetings have been held on site with Hertfordshire Police. Agreement has been reached with Hertfordshire Police that this licence application will only cover 2 days for the festival in 2024 and if successful a subsequent application will be made for future years.

The East Herts' Safety Advisory Group ("SAG") has been advised of the event and the SAG is due to meet with the applicant on site in due course.

Since 2013 the applicant has held multiple large-scale events at different locations without licensing issues. Due to the popularity of the other events held by the Applicant, on this occasion the event is larger and requires a Premises Licence as opposed to a Temporary Event Notice when the capacity is limited to 499 including staff and performers.

A draft Event Safety Management Plan and Transport Plan is submitted with this application, but this is subject to scrutiny and approval by members of the SAG before the event can take place.

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

| | | | | | |
|---|-------|--------|--|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 7) | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for performing plays (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | 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 (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

B

| | | | | | |
|---|-------|--------|---|----------|-------------------------------------|
| Films Standard days and timings (please read guidance note 7) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | Please give further details here (please read guidance note 4) 12:00 -22:00 on Saturday 20 th July 2024 and Sunday 21 st July 2024 | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the exhibition of films (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | 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 (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

C

| | | | | |
|--|-------|--------|---|---|
| Indoor sporting events Standard days and timings (please read guidance note 7) | | | <u>Please give further details</u> (please read guidance note 4) | |
| Day | Start | Finish | | |
| Mon | | | | |
| Tue | | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) |
| Wed | | | | |
| Thur | | | | <u>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</u> (please read guidance note 6) |
| Fri | | | | |
| Sat | | | | |
| Sun | | | | |

D

| | | | | |
|--|-------|--------|---|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | |
| Day | Start | Finish | Indoors | <input type="checkbox"/> |
| Mon | | | Outdoors | <input type="checkbox"/> |
| Tue | | | Both | <input type="checkbox"/> |
| Wed | | | <u>Please give further details here</u> (please read guidance note 4) | |
| Thur | | | | |
| Fri | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5) | |
| 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 checked="" type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 4) 12:00 -22:00 on Saturday 20 th July 2024 and Sunday 21 st July 2024 Live music by way of tribute bands and D.J performers State any seasonal variations for the performance of live music (please read guidance note 5) 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 (please read guidance note 6) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | 12:00 | 22:00 | | | |
| Sun | 12:00 | 22:00 | | | |

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 checked="" type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 4) 12:00 -22:00 on Saturday 20 th July 2024 and Sunday 21 st July 2024 Recorded music played by D.J performers State any seasonal variations for the playing of recorded music (please read guidance note 5) 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 (please read guidance note 6) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | 12:00 | 22:00 | | | |
| Sun | 12:00 | 22:00 | | | |

G

| | | | | | |
|---|-------|--------|---|----------|-------------------------------------|
| Performances of dance Standard days and timings (please read guidance note 7) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input checked="" type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) 12:00 -22:00 on Saturday 20 th July 2024 and Sunday 21 st July 2024 Dancing by live music performers | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) | | |
| Wed | | | | | |
| Thur | | | <u>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</u> (please read guidance note 6) | | |
| Fri | | | | | |
| Sat | 12:00 | 22:00 | | | |
| Sun | 12:00 | 22:00 | | | |

H

| | | | | | |
|--|-------|--------|---|----------|-------------------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7) | | | <u>Please give a description of the type of entertainment you will be providing</u> | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input checked="" type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 4) 12:00 -22:00 on Saturday 20 th July 2024 and Sunday 21 st July 2024 Entertainment that may be similar to live and recorded music and performance of dance by performers roaming round the site | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | 12:00 | 22:00 | <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> (please read guidance note 6) | | |
| Sun | 12:00 | 22:00 | | | |

| | | | | | | | | |
|--|-------|--------|--|----------|--------------------------|--|--|--|
| 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 type="checkbox"/> | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | | | | |
| Mon | | | | | | | | |
| Tue | | | | | | | | |
| Wed | | | | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | | |
| Thur | | | | | | | | |
| Fri | | | | | | 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 (please read guidance note 6) | | |
| Sat | | | | | | | | |
| Sun | | | | | | | | |

J

| | | | | | | | | |
|---|-------|--------|---|------------------|-------------------------------------|---|--|--|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8) | On the premises | <input checked="" type="checkbox"/> | | | |
| | | | | Off the premises | <input type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) 12:00 -22:00 on Saturday 20 th July 2024 and Sunday 21 st July 2024 | | | | | |
| Mon | | | | | | | | |
| Tue | | | | | | | | |
| Wed | | | | | | | | |
| Thur | | | | | | 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) | | |
| Fri | | | | | | | | |
| Sat | 12:00 | 22:00 | | | | | | |
| Sun | 12:00 | 22:00 | | | | | | |

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

| |
|-------------------------------|
| Name Ricky Harding |
| Date of birth REDACTED |

| | |
|---|----------|
| Address REDACTED | |
| Postcode | REDACTED |
| Personal Licence number (if known) REDACTED | |
| Issuing licensing authority (if known) REDACTED | |

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

| | | | |
|---|-------|--------|---|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
| | | | 12:00 -23:00 on Saturday 20 th July 2024 and Sunday 21 st July 2024 |
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | |
| Wed | | | |
| Thur | | | |
| Fri | | | |
| Sat | 12:00 | 23:00 | |
| Sun | 12:00 | 23:00 | |
| | | | 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 (please read guidance note 6) |

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

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

See the attached conditions

b) The prevention of crime and disorder

See the attached conditions

c) Public safety

See the attached conditions

d) The prevention of public nuisance

See the attached conditions

e) The protection of children from harm

See the attached conditions

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- 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 PERSUANT 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.

DOG & WHISTLE FESTIVAL – SITE PLAN 20TH AND 21ST JULY 2024



FESTIVAL AREA

DOG & WHISTLE FESTIVAL 20TH AND 21ST JULY 2024



Sale of alcohol and regulated entertainment



Fire Exits

Premises Licence – Dog & Whistle Festival 20th and 21st July 2024 – Proposed Conditions.

1. Licensable activities shall only be permitted to be carried on at the premises on 20th and 21st July 2024 between noon and 22:00 with the site clear of customers by 2300 (in these conditions referred to as the “the Event”).
2. The total capacity including all staff on site on each date of the Event will not exceed 4000.
3. For the Event, the premises licence holder shall be guided, advised and monitored by various Responsible Authorities and stakeholders, including where necessary the following:
 - Police
 - Environmental Health/Noise Pollution
 - Licensing Authority
 - Fire Authority
 - Council Highways and Planning Department
 - Any relevant Child Protection Organisation
 - The Premise Licence Holder’s own experts and consultants in security, stewarding, traffic, health and safety, noise, child protection, amongst others.
4. The premises licence holder shall, where necessary discuss all aspects of the Event including the promotion of the four licensing objectives under the Licensing Act 2003 with authorities and stakeholders listed in condition [2] above.
5. The results of the event planning process shall be compiled into an Event Safety Management Plan (in these conditions referred to as the “ESMP”). The ESMP is a work in progress throughout the planning process.
6. The ESMP shall be prepared in consultation with the local authorities and stakeholders listed in condition [2].
7. A final copy of the ESMP shall be lodged with East Herts Safety Advisory Group (in these conditions referred to as “the SAG”) no less than 14 working days before the Event (or such shorter period as the SAG agrees).
8. If a Responsible Authority is of the opinion that the ESMP does not meet one or more of the Licensing Objectives, written notice will be given to the Licence Holder by that Responsible Authority prior to the Event stating that the Event shall not proceed. Once the Responsible Authority is satisfied that the Licensing Objectives have been met, the notice will be withdrawn.
9. If for any reason a major service provider (in these conditions referred to Security Company, Noise Management Consultant, Traffic Management Team or Medical Team) withdraws or reduces their services days leading up to the event the Responsible Authorities must be notified. If it is deemed the Licensing Objectives will be undermined the event will not proceed.

10. The Event will be managed in accordance with the ESMP. During the operational phase any deviation from the ESMP must be fully documented and rationale recorded at the time.
11. All areas of the Event and all documents referred to in the ESMP shall be available for inspection during the Event by officers of Responsible Authorities should they request access or ask to view the documents.
12. The SAG must approve the ESMP prior to the Event, which approval will not be unreasonably withheld.
13. Training shall be provided to all relevant staff on commencement of any event relating to all age-restricted products sold (this shall include under-age alcohol sales), drug awareness, health and safety and fire safety in line with relevant legislation.
14. Records detailing training be kept on the premises and be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
15. A 'Challenge 25' proof of age scheme shall be adopted for age verification and the only acceptable forms of identification shall be:
 - Driving Licence
 - Current Passport
 - Any approved Government Card showing the 'PASS' logo
 - MoD Identity Card
16. Clear, prominent and unobstructed signage informing customers of the 'Challenge 25' proof of age scheme in operation shall be displayed at all points of sale of alcohol.
17. A refusal book / log (electronic or otherwise) shall be located at each bar area close to the till point. This log book shall be kept on the premises and be made available upon a request by a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
18. The Designated Premises Supervisor shall ensure that an incident log is maintained within the premises and details of all known incidents are recorded within the log. This log shall be kept on the premises for the duration of the event.
19. The refusals log, incident log and the SIA log will be kept by the premises licence holder until the final SAG de-brief is held.
20. The numbers and locations of SIA registered door staff (if any) shall be detailed in the ESMP.
21. All SIA staff, event marshals and the event organisers shall be linked by way of two-way radio or similar device or devices.
22. All SIA registered staff shall display their SIA badges all times when carrying out security roles within the site.

23. All SIA staff and event marshals shall wear suitable clothing such as fluorescent jackets or bibs to clearly indicate their different roles on site.
24. No staff member while on duty and / or in uniform will consume alcohol or drugs on site or be under the influence of alcohol or drugs at any time whilst working.
25. A log recording the times SIA staff started work and then finished work, and their badge number will be filled in and signed by each SIA operative.
26. No alcohol shall be served to customers to consume in any form of glassware. (This will not prevent staff serving alcohol from glass bottles but the glassware will not be handed over to customers).
27. The Premises Licence Holder shall take out Public Liability and Third Party insurance to cover at least £5,000,000.00 (five million pounds) for any one occurrence. The Premises Licence Holder shall provide the Licensing Authority with certified copies of the Policy and Certificates of Insurance, or other acceptable proof of cover, not later than 14 days prior to the start of the Event.



District of East Hertfordshire Premises Licence Licence No: 24/0608/PL

Licensing Act 2003

Part 1 – Premises Details

| POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION | | |
|--|------------|-------|
| <p>Dog & Whistle Festival</p> <p>Tun Abdul Razak Centre, Brickendon Bury Estate, Brickendon Lane, Hertford, Hertfordshire, SG13 8NL</p> | Telephone: | |
| WHERE THE LICENCE IS TIME LIMITED THE DATES | | |
| 20 th and 21 st July 2024 | | |
| THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES | | |
| SUPPLY OF ALCOHOL FOR MEMBERS AND GUESTS | | |
| Saturday and Sunday | 12:00 | 22:00 |
| PERFORMANCES OF DANCE (OUTDOORS) | | |
| Saturday and Sunday | 12:00 | 22:00 |
| LIVE MUSIC (OUTDOORS) | | |
| Saturday and Sunday | 12:00 | 22:00 |
| RECORDED MUSIC (OUTDOORS) | | |
| Saturday and Sunday | 12:00 | 22:00 |
| ENTERTAINMENT OF SIMILAR DESCRIPTION | | |
| Saturday and Sunday | 12:00 | 22:00 |
| THE OPENING HOURS OF THE PREMISES | | |
| Saturday and Sunday | 12:00 | 23:00 |
| WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES | | |

Alcohol is supplied for consumption on the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Dog & Whistle Limited
1st Floor, 143 Connaught Avenue, Frinton On Sea, CO13 9AB

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

08687415

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Mr Richard Harding
REDACTED

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Personal licence number: REDACTED
Licensing Authority: REDACTED

DRAFT

1. No supply of alcohol may be made under the premises licence –
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the

supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

6. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition -

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula -

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
8. Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
9. (1) Sub-paragraph (2) applies where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
10. Any individual employed on the premises to conduct a security activity (within the meaning of paragraph 2(1)(a) of schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. Licensable activities shall only be permitted to be carried on at the premises on 20th and 21st July 2024 between noon and 22:00 with the site clear of customers by 2300 (in these conditions referred to as the "the Event").
2. The total capacity including all staff on site on each date of the Event will not exceed 4000.
3. For the Event, the premises licence holder shall be guided, advised and monitored by various Responsible Authorities and stakeholders, including where necessary the following:
 - Police
 - Environmental Health/Noise Pollution
 - Licensing Authority
 - Fire Authority Council Highways and Planning Department
 - Any relevant Child Protection Organisation
 - The Premise Licence Holder's own experts and consultants in security, stewarding, traffic, health and safety, noise, child protection, amongst others.
4. The premises licence holder shall, where necessary discuss all aspects of the Event including the promotion of the four licensing objectives under the Licensing Act 2003 with authorities and stakeholders listed in condition [2] above.
5. The results of the event planning process shall be compiled into an Event Safety Management Plan (in these conditions referred to as the "ESMP"). The ESMP is a work in progress throughout the planning process.

6. The ESMP shall be prepared in consultation with the local authorities and stakeholders listed in condition [2].
7. A final copy of the ESMP shall be lodged with East Herts Safety Advisory Group (in these conditions referred to as "the SAG") no less than 14 working days before the Event (or such shorter period as the SAG agrees).
8. If a Responsible Authority is of the opinion that the ESMP does not meet one or more of the Licensing Objectives, written notice will be given to the Licence Holder by that Responsible Authority prior to the Event stating that the Event shall not proceed. Once the Responsible Authority is satisfied that the Licensing Objectives have been met, the notice will be withdrawn.
9. If for any reason a major service provider (in these conditions referred to Security Company, Noise Management Consultant, Traffic Management Team or Medical Team) withdraws or reduces their services days leading up to the event the Responsible Authorities must be notified. If it is deemed the Licensing Objectives will be undermined the event will not proceed.
10. The Event will be managed in accordance with the ESMP. During the operational phase any deviation from the ESMP must be fully documented and rationale recorded at the time.
11. All areas of the Event and all documents referred to in the ESMP shall be available for inspection during the Event by officers of Responsible Authorities should they request access or ask to view the documents.
12. The SAG must approve the ESMP prior to the Event, which approval will not be unreasonably withheld.
13. Training shall be provided to all relevant staff on commencement of any event relating to all age-restricted products sold (this shall include under-age alcohol sales), drug awareness, health and safety and fire safety in line with relevant legislation
14. Records detailing training be kept on the premises and be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
15. A 'Challenge 25' proof of age scheme shall be adopted for age verification and the only acceptable forms of identification shall be:
 - Driving Licence
 - Current Passport
 - Any approved Government Card showing the 'PASS' logo
 - MoD Identity Card
16. Clear, prominent and unobstructed signage informing customers of the 'Challenge 25' proof of age scheme in operation shall be displayed at all points of sale of alcohol.
17. A refusal book / log (electronic or otherwise) shall be located at each bar area close to the till point. This log book shall be kept on the premises and be made available upon a request by a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
18. The Designated Premises Supervisor shall ensure that an incident log is maintained within the

premises and details of all known incidents are recorded within the log. This log shall be kept on the premises for the duration of the event.

19. The refusals log, incident log and the SIA log will be kept by the premises licence holder until the final SAG de-brief is held.
20. The numbers and locations of SIA registered door staff (if any) shall be detailed in the ESMP.
21. All SIA staff, event marshals and the event organisers shall be linked by way of two-way radio or similar device or devices.
22. All SIA registered staff shall display their SIA badges all times when carrying out security roles within the site.
23. All SIA staff and event marshals shall wear suitable clothing such as fluorescent jackets or bibs to clearly indicate their different roles on site.
24. No staff member while on duty and / or in uniform will consume alcohol or drugs on site or be under the influence of alcohol or drugs at any time whilst working.
25. A log recording the times SIA staff started work and then finished work, and their badge number will be filled in and signed by each SIA operative.
26. No alcohol shall be served to customers to consume in any form of glassware. (This will not prevent staff serving alcohol from glass bottles but the glassware will not be handed over to customers).
27. The Premises Licence Holder shall take out Public Liability and Third Party insurance to cover at least £5,000,000.00 (five million pounds) for any one occurrence. The Premises Licence Holder shall provide the Licensing Authority with certified copies of the Policy and Certificates of Insurance, or other acceptable proof of cover, not later than 14 days prior to the start of the Event.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Intentionally left blank as Licensing Sub-Committee has not taken place yet

ANNEX 4 - PLANS

Dog & Whistle Festival - Site Plan
20th and 21st July 2024

Representation 1

Comments were submitted at 05/05/2024 3:29 PM from REDACTED

Customer Details

Name: REDACTED

Email: REDACTED

Address: REDACTED

Comments Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 05/05/2024 3:29 PM Whilst I am generally supportive of music events such as festivals I am concerned with the lack of details supporting this application.

Having witnessed the various dog and whistle events over the years and the impact on the local community and resources. I have cause to object.

Whilst the timing of the events is acceptable the main concerns I have are:

1. Drug taking by attendees and impact on the local community
2. Concerns with safety of the event and people coming to the festival particularly through drink and drug driving and pedestrians on Brickendon Lane. Living so close to the venue I believe there is a risk of people bringing in their own alcohol and drugs and wanting to continue the party overnight.

There is no detail on overnight arrangements, capacity, security and welfare of attendees and a lack of engagement with the local community. I suspect that having been challenged to host the events in town this was the next logical choice.

The concerns with respect to violent behaviour etc are a big issue for us being not REDACTED from the entrance.

Thank you.

Representation 2

Comments were submitted at 14/05/2024 8:49 PM from REDACTED.

Customer Details

Name: REDACTED

Email: REDACTED

Address: REDACTED

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 14/05/2024 8:49 PM Thoroughly object to this event. No thought or regard for locals, residents or the community. This event is only a money making objective for the organiser.

The tickets on sale for the event are advertised until 11pm yet the license is only until 10pm

I have safety concerns for my family who REDACTED and there are no proposed safety protocols to ensure my family or my property are protected.

This company also have a history of organising events where the consumption of drugs is prevalent. Again a concern for my family's safety

Representation 3

Comments were submitted at 21/05/2024 6:40 PM from REDACTED.

Customer Details

Name: REDACTED

Email: REDACTED

Address: REDACTED

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 21/05/2024 6:40 PM I object to the festival on the basis there has been no thought or regard for the residents who live on the site. I have serious safety concerns for my family who REDACTED and our property would be very exposed. There does not appear to be any proposed safety protocols to ensure my family and property are protected and little appetite to discuss these with us. We have also been made aware that the company organising the event has a history of organising events where the consumption of drugs is prevalent. Again a huge concern for my family's safety.

Kind regards

Representation 4

Comments were submitted at 23/05/2024 9:54 PM from REDACTED

Customer Details

Name: REDACTED

Email: REDACTED

Address: REDACTED

Comments Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 23/05/2024 9:54 PM This event could have huge detrimental effects to wildlife & general landscape/nature. There are many/numerous rare plants and flowers on site, that grow in certain months - where high footfall traffic from such an event could damage the plants. There is a vast collection of native fish species and ornamental fish kept on site, with a value of approx £70,000. People under the influence falling/jumping in to the water, litter or foreign liquids/substances disposed of in to water could have huge impacts to livestock. On top of this, it poses huge health and safety risks to the attendees. The water is exceptionally deep and full of deep-rooted plants. Any liquids disposed of on local grasslands could enter the various soakaways and contaminate said water. How do you propose this is avoided? Various drain networks on site act as top ups for the moat to maintain levels - organisers will not be aware of the layout of drainage network.

There is also other livestock kept on site or in the neighbouring facilities such as horses and cattle, with value likely to run in to hundreds of thousands. How to ensure these are not at risk/suffer unnecessary stress.

Many grade 2 listed buildings/features on the site, that people under the influence could, although unintentional - cause damage to said buildings and / or features/structures. How do you plan to avoid this.

There are various residents on site, both commercial and residential - how will this affect other businesses trying to conduct business on proposed event days or general residential comfort? How will this event affect other road users with the backup of traffic, along a narrow single file country lane.

The proposed planning application/layout does not correspond with the layout being laid out/advertised on recent social media accounts.

On such a vast and expanse site, how to ensure people to do not "gate crash" event, or venture in to areas that are "out of bounds".

Representation 5

Dear Sir/Madam,

Further to the above notice, we are writing regarding the two day festival applied for on the Brickendonbury Estate. Please note that we are not objecting outright to the licence being granted at this stage.

This email serves to raise our concerns as we live on site. Our address is REDACTED.

We are particularly concerned that we have not been consulted nor provided with any information or plan regarding the mitigation of any impact upon us, and so we hereby seek further information first on the points below.

Prevention of Crime and Disorder and Public Nuisance

We have not been provided with any information that allows us to feel that the prevention of crime and disorder has been considered and mitigated for our protection. We have chosen to live on a secure, private site. We would like to know what security measures will be in place for the protection of house and the surrounds from access both during the event and during set up/down.

We have personal items outside our home and in our garden REDACTED all of which can be easily accessed REDACTED by anyone once they have access to the site. At present, there is nothing preventing anyone, once on-site walking into our garden, looking through our windows and gaining access to our personal possessions REDACTED.

Over the weekend, we also have a number of commitments that require us to leave home and return a number of times via the main entrance. We have not been advised of any plan or restrictions to us doing so the weekend of the planned event.

The opening of the private site for a public access event for 'thousands' of people, according to event organisers ticket sales page, where there will be the sale of alcohol and considerable disturbance between the hours of the event, and also during the previous/post days set up and down that will occur if the event takes place, is in direct opposition to our rights as tenants on the site that will interfere with our rights to quiet enjoyment of both, particularly with the event being at the weekend.

Child/ren

Our private garden is open and unsecured. REDACTED. Our child/ren regularly plays outside in our garden and in the grounds daily, particularly at weekends, as we are allowed the use of the site for our leisure. There is no secure/fixed fencing or barriers to prevent them doing this during the festival to our knowledge. REDACTED.

In addition, we are also concerned that the social media video released on the Dog and Whistle instagram page clearly states 'a disco stage in the trees' REDACTED, which is well outside of the boundary limitation on the map they submitted with this application. We ask for clarification on this too please.

We look forward to hearing from you shortly.

Yours sincerely,

REDACTED

Representation 6

To whom it may concern,

Re the above licence application.

I am a business tenant on the Brickendon Bury site and my business address is REDACTED.

We also occasionally work weekends and may need access to the office during the weekend of the planned festival. No information has been provided if we will be able to gain access to the site that weekend nor the office. Any planned noise and site disturbance will also be considerable, directly impacting the working environment if we need to work. Within the offices REDACTED is expensive equipment and security into the building is a minimal.

Also concerns that may need to be looked at - There are a number of trees on the site that have unexpectedly fallen as dead trees are to our knowledge not monitored to reduce any danger. Evidently, there is an extremely large tree in the front of The Moat House that unexpectedly fell recently, narrowly missing The Moat House building. There is also a large deep open moat in the centre of the planned event and poses a danger to all unless properly secured off.

Kind regards,

REDACTED