

Agenda

Licensing sub-committee

Date: **Monday 8 March 2021**

Time: **10.00 am**

Place: **Online meeting only**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Caroline Marshall, Democratic Services on 01432 260249 or e-mail caroline.marshall3@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Licensing sub-committee

Membership

Councillor Alan Seldon
Councillor Polly Andrews
Councillor Elizabeth Foxton

Agenda

	Pages
PUBLIC INFORMATION	
THE NOLAN PRINCIPLES	
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY)	
To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
3. DECLARATIONS OF INTEREST	
To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
4. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF EL-DORADO FESTIVAL, EASTNOR DEER PARK, EASTNOR, LEDBURY. HR8 1RD - LICENSING ACT 2003	11 - 58
To consider an application for a grant of a premise licence in respect of El-Dorado Festival, Eastnor Deer Park, Eastnor, Ledbury. HR8 1RD.	

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- Inspect agenda and public reports at least five clear days before the date of the meeting via the website.
- Inspect minutes of the council and all committees and sub-committees and written statements of decisions taken by the cabinet or individual cabinet members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all councillors with details of the membership of cabinet and of all committees and sub-committees.
- Have access to a list specifying those powers on which the council have delegated decision making to their officers identifying the officers concerned by title.
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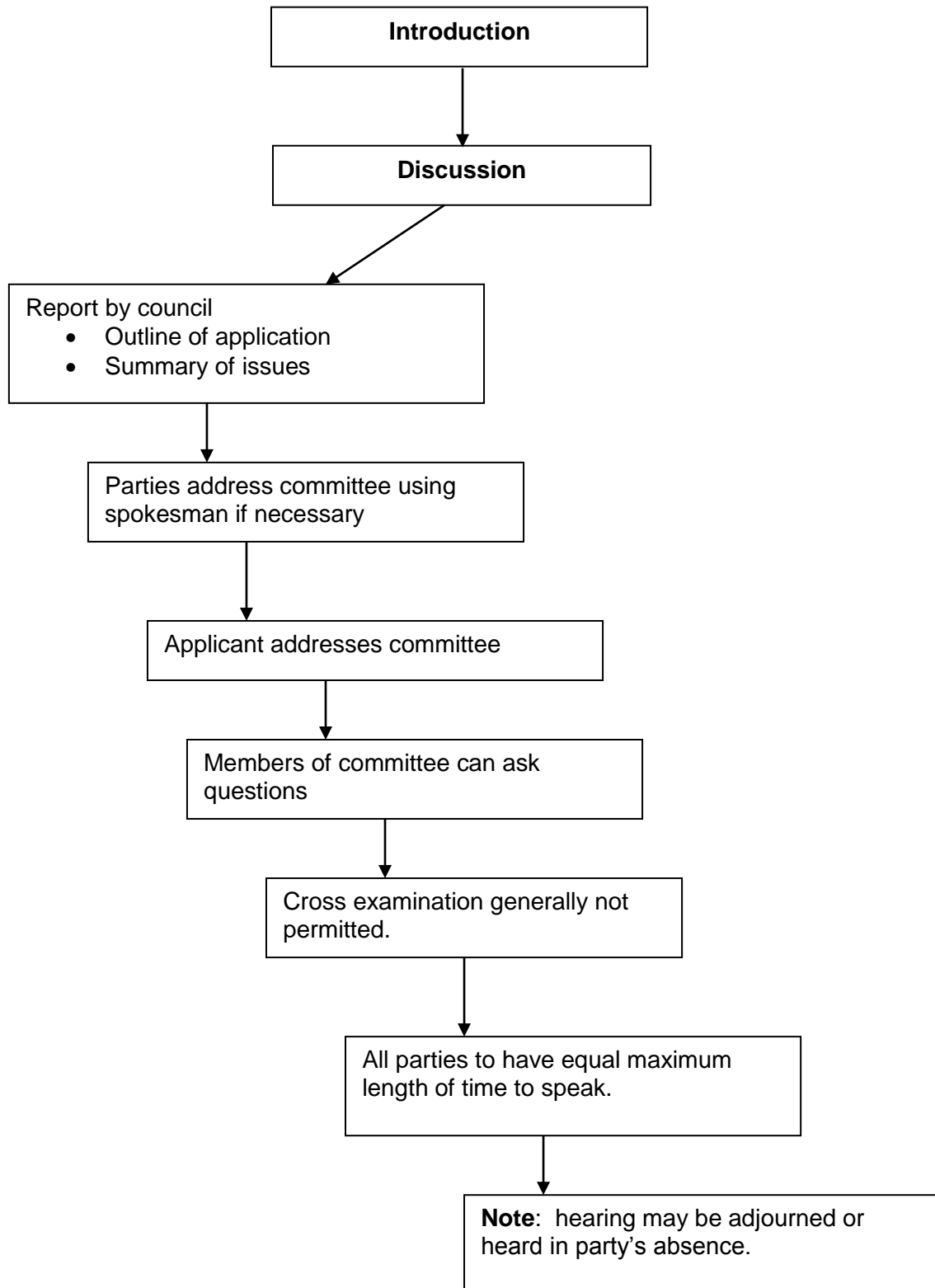
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Licensing Hearing Flowchart



**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.



Meeting:	Licensing sub-committee
Meeting date:	8 March 2021
Title of report:	Application for a grant of a premises licence in respect of El-Dorado Festival, Eastnor Deer Park, Eastnor, Ledbury. HR8 1RD – Licensing Act 2003
Report by:	Technical Licensing Officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Ledbury South

Purpose

To consider an application for a grant of a premise licence in respect of El-Dorado Festival, Eastnor Deer Park, Eastnor, Ledbury. HR8 1RD.

Recommendation

THAT:

The sub committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- **The steps that are appropriate to promote the licensing objectives,**
- **The representations (including supporting information) presented by all parties,**
- **The guidance issued to local authorities under Section 182 of the Licensing Act 2003, and**
- **The Herefordshire Council Statement of Licensing Policy 2020 - 2025.**

Options

1. There are a number of options open to the sub-committee:

- a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
- b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
- c) To exclude from the scope of the licence any of the licensable activities to which the application relates
- d) To refuse to specify a person in the licence as the premise supervisor, or
- e) To reject the application.

Reasons for Recommendations

- 2. Ensures compliance with the Licensing Act 2003.

Key Considerations

Licence Application

- 3. The application for the grant of a premises licence has received relevant representations and is therefore brought before the sub-committee for determination.
- 4. The details of the application are:

Applicant	Out of Nowhere Ltd	
Agent	Rob Dudley, We Are The Fair Ltd, Unit 301 – Brickfields, 37 Cremer Street, London. E2 8HD	
Type of application: Grant	Date received: 12 January 2021 28 day consultation started: 13 January 2021	28 Days consultation ended: 9 February 2021

Summary of Application

- 5. The application (appendix 1) requests the grant of a premises licence to allow up to 19,999 people at any one time and the following licensable activities, during the hours shown, as follows:

Plays (indoors/outdoors), Films (Indoors/Outdoors), Live Music (Indoors/Outdoors)
Recorded Music (Indoors/Outdoors), Performance of Dance (Indoors/Outdoors),
Anything Similar (Indoors/Outdoors)

Thursday 10:00 – 02:00

Friday, Saturday & Sunday 10:00 – 04:00

Late Night Refreshment (Indoors/Outdoors)

Thursday 23:00 – 02:00

Friday, Saturday, Sunday

23:00 – 04:00

Sale/Supply of Alcohol (consumption on and off the premises)

Thursday 12:00 – 02:00

Friday, Saturday, Sunday

11:00 – 03:30

Summary of Representations

6. No representations have been received from the responsible authorities
7. One (1) relevant representation has been received from a member of the public that the licensing authority have accepted as being relevant. (Appendix 2).

History of the Premises

8. The premises was first licenced in 2016 under the name Cirque du Soul El-Dorado. The licence was granted on 18 February 2016 for a one (1) year licence (Occasional Premises Licence).
9. A permanent premises licence was granted under the name Cirque Du Soul El-Dorado on 16 January 2017 following a 28 day consultation period where conditions requested by Environmental Health were agreed.
10. On 1 March 2018 an application was received to transfer the premises licence to Out of Nowhere Ltd and to change the premises name to El Dorado Festival. This was granted along with an application to vary the Designated Premises Supervisor (DPS) on 14 March 2018.
11. On 2 July 2018, a noise complaint was received by the council's Licensing Department from a member of the public (appendix 3). This was passed to Environmental Health.
12. On 20 November 2018, the El Dorado team wrote a letter to the complainant addressing the noise issues and a copy was also received by the council's Licensing department (appendix 4).
13. On 28 June 2019, a licence was granted following an application for a minor variation. The purpose of the application was to update the premises plans in regards to the sound system layout and stage positioning as agreed with Environmental Health.
14. Forty two (42) noise complaints have been received by the council's Environmental Health team between 2016 – 2019.
15. No noise complaints were received in 2016, one (1) received in 2017, forty (40) in 2018

and one (1) in 2019.

16. The noise complaints in 2018 came from residents of the Ledbury area and the reason being, was that the speakers at the festival, were directed towards this area. The issue was addressed for the 2019 festival and as a result, only one (1) noise complaint was received.
17. Due to the COVID-19 pandemic, the festival did not go ahead in 2020.
18. It is understood that at the time of the report being published, the premises licence holder will be looking to surrender their current licence should this application be granted.

Community Impact

19. Any decision may have an impact on the local community.

Equality duty

20. There are no equality issues in relation to the content of this report.
21. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
22. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

Financial implications

23. There are unlikely to be any financial implications for the licensing authority at this time.

Legal Implications

24. As relevant representations have been received, the sub committee must determine the application under Section 3.5.7 (c) of the Herefordshire Council constitution. The representations must relate to the licensing objectives and the sub committee must determine the likely effect of the grant of the premises licences on the promotion of the licensing objectives.
25. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions

under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the Council's own statement of licensing policy. The options available to the licensing authority are set out in section 1 of this report.

26. The sub committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
27. The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black. In this case it was summed up that: -

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

28. Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.
29. This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.

30. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

31. Schedule 5 of the Licensing Act 2003 gives a right of appeal which states:

Decision to grant premises licence or impose conditions etc.

- (1) This paragraph applies where a licensing authority grants a premises licence under section 18.
- (2) The holder of the licence may appeal against any decision—
 - (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
 - (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).
- (3) Where a person who made relevant representations in relation to the application desires to contend—
 - (a) that the licence ought not to have been granted, or
 - (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,he may appeal against the decision.

- (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).
32. Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

Risk Management

33. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

Consultees

34. All responsible authorities and members of the public living within Herefordshire.

Appendices

- Appendix 1 - Application Form
Appendix 2 – Public Representations
Appendix 3 – Complaint to Licensing Authority July 2018
Appendix 4 – Response to Complaint

Background Papers

None.

**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 Out Of Nowhere Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description El Dorado Festival Eastnor Deer Park Eastnor			
Post town	Ledbury	Postcode	HR8 1RD

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£0.00

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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 over		I am 18 years old or		<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)					

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 over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(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 Out Of Nowhere Ltd
Address Omega Court 368 Cemetery Road Sheffield S11 8FS
Registered number (where applicable) 09983523
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?

DD	MM	YYYY
01	03	2021

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
Eastnor Deer Park sits across the road from Eastnor Castle and is a 300 acre park overlooking Eastnor Castle and the Malvern Hills.

The site is the current location for El Dorado Festival.

This application relates to the areas shown on the attached plan.

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

19999

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- 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)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	0:00	04:00	<u>Please give further details here</u> (please read guidance note 4) Performances may take place in open air or within marquee type structures.		
Tue				Performances may be stand-alone entertainment, or form part of a wider programme of entertainment.	
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	10:00	0:00			
Fri	0:00	02:00	<u>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</u> (please read guidance note 6)		
	10:00	0:00			
Sat	0:00	04:00			
	10:00	0:00			
Sun	0:00	04:00			
	10:00	0:00			

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 4) Exhibitions may take place in open air or within marquee type structures.</p> <p>Exhibitions may be stand-alone entertainment, or form part of a wider programme of entertainment.</p> <p><u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)</p> <p><u>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</u> (please read guidance note 6)</p>		
Mon	0:00	04:00			
Tue					
Wed					
Thur	10:00	0:00			
Fri	0:00	02:00			
	10:00	0:00			
Sat	0:00	04:00			
	10:00	0:00			
Sun	0:00	04:00			
	10:00	0:00			

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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
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)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	0:00	04:00	<u>Please give further details here</u> (please read guidance note 4) Performances may take place in open air or within marquee type structures.		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	10:00	0:00			
Fri	0:00	02:00	<u>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</u> (please read guidance note 6)		
	10:00	0:00			
Sat	0:00	04:00			
	10:00	0:00			
Sun	0:00	04:00			
	10:00	0:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	0:00	04:00	<u>Please give further details here</u> (please read guidance note 4) Performances may take place in open air or within marquee type structures.		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	10:00	0:00			
Fri	0:00	02:00	<u>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</u> (please read guidance note 6)		
	10:00	0:00			
Sat	0:00	04:00			
	10:00	0:00			
Sun	0:00	04:00			
	10:00	0:00			

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	0:00	04:00	<u>Please give further details here</u> (please read guidance note 4) Other entertainments may be accompanied by Dance or encourage members of the public to participate in Dance. Performances may take place in open air or within marquee type structures.		
Tue				Performances may be stand-alone entertainment, or form part of a wider programme of entertainment.	
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	10:00	0:00			
Fri	0:00	02:00	<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)		
	10:00	0:00			
Sat	0:00	04:00			
	10:00	0:00			
Sun	0:00	04:00			
	10:00	0:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing MC, Host, Compere and the like.		
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	0:00	04:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4) Performances may take place in open air or within marquee type structures.		
Wed			Performances may be stand-alone entertainment, or form part of a wider programme of entertainment.		
Thur	10:00	0:00	<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	0:00	02:00			
	10:00	0:00			
Sat	0:00	04:00	<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)		
	10:00	0:00			
Sun	0:00	04:00			
	10:00	0:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Catering provided by either ‘street food’ style vehicles or gazebos or seated type arrangements within marquee type structures		
Mon	0:00	04:00			
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	0:00			
Fri	0:00	02:00	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)		
	23:00	0:00			
Sat	0:00	04:00			
	23:00	0:00			
Sun	0:00	04:00			
	23:00	0:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	0:00	03:30			
Tue					
Wed					
Thur	12:00	0:00			
Fri	0:00	02:00			
	11:00	0:00			
Sat	0:00	03:30			
	11:00	0:00			
Sun	0:00	03:30			
	11:00	0:00			
			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)		

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

Name Kathryn Pyer	
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 – N/A

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)
Day	Start	Finish	
Mon	0:00	04:30	<p><u>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</u> (please read guidance note 6) The premises will be open to campers from 10:00 Thursday until 13:00 on Monday</p>
Tue			
Wed			
Thur	10:00	0:00	
Fri	0:00	02:30	
	10:00	0:00	
Sat	0:00	04:30	
	10:00	0:00	
Sun	0:00	04:30	
	10:00	0:00	

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

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

1. This application (if successful) will replace Premises Licence 01746 for El Dorado Festival and is therefore not in relation to a new event. This new application seeks to increase the capacity of the Premises.
2. The first draft of the Event Safety Management Plan (ESMP) will be produced to the Safety Advisory Group (SAG) at least 60 days (or such lesser period as agreed with the SAG) before the event.
3. The ESMP must be provided to the satisfaction of the SAG. The ESMP will be a working document providing details of how the Event is to be conducted and how safety issues, identified in the event risk assessment, are to be addressed. The ESMP will include an event Risk Assessment and provide specific details on the following areas:
 - Health and Safety Responsibilities
 - Venue and Site Design
 - Capacity
 - Temporary Demountable Structures and Tent Exit Calculations
 - Fire Safety
 - Major Incident Planning (Emergency Plan)
 - Communication
 - Crowd Management (including steward and security numbers and their roles)
 - Transport and Traffic Management
 - Management Structures
 - Barriers
 - Electrical Installations and Lighting
 - Overhead Power Line Management
 - Food and Alcohol
 - Water
 - Merchandising and Special Licensing
 - Amusements
 - Attractions and Promotional displays
 - Sanitary Facilities
 - Waste Management
 - Sound: Noise and Vibration
 - Special Effects, Fireworks, and Pyrotechnics
 - Camping
 - Facilities for People with disabilities
 - Medical, Ambulance and First Aid Management
 - Information and Welfare
 - Children – including Lost Children’s Policy
 - Performers
4. Each event must take place in accordance with the Final ESMP produced for the event following approval by the SAG.
5. Any special policing services request will be made by the PLH to West Mercia Police, this will be submitted at least 2 months prior to the first day of the event.

6. The ESMP Crowd Management Plan will outline the number, position and roles of the Security and Stewarding staff working at the event
7. Representatives of all Security and Stewarding companies will meet with the Festival Director and/or Event Safety Advisor on site at least once daily throughout the event.
8. West Mercia Police will be informed of onsite security and steward briefings and may attend if they wish.
9. A Traffic Management Plan (TMP) will be drawn up for the event and will be provided to relevant agencies no later than 30 days prior to the event. Such plan shall be agreed by the SAG. The TMP will cover all aspects of vehicle and pedestrian access to and egress from the site during the 'load in and load out' as well as for the 'live' event itself.
10. Depending on prevailing conditions, the event area may be moved to an adjacent area if deemed necessary to meet the licensing objectives. The layout will remain the same (as far as is reasonably practical) and the ESMP will be amended to take account of the change.
11. The PLH or a nominated deputy (nominated in writing) must be on the premises and available to the Responsible Authorities and the Licensing Authority at all times when Licensable activities are taking place.
12. Details of the PLH or their deputy who is on duty when Licensable activities are undertaken shall be recorded. These records shall be made available to the Licensing Authority or a Responsible Authority on demand.
13. Such a record shall be kept for a period of 12 months after the end of Licensable activities.
14. The name and contact details of the PLH's deputy(s) will be provided to the SAG in writing no later than 7 days prior to each event.
15. At all times when Licensable activities are taking place, there shall be a suitable and appropriate number of Personal Licence holders on duty. The exact number to be agreed with the Licensing Authority no later than 14 days prior to the event.
16. Written information shall be provided to the SAG of details for the Personal Licence holders who are on duty and their areas of responsibilities when Licensable activities are undertaken on the premises no later than 7 days prior to each event. This information will include the names and contact details of each Personal Licence holder. This will be made available to the Licensing Authority and or other Responsible Authorities during the period of Licensable activities.
17. The final ESMP will be submitted to the SAG 14 days prior to the start of each event. This must meet with the agreement of all the Responsible authorities. No change shall take place to this document without the consent of the Licensing Authority.

b) The prevention of crime and disorder

18. All staff engaged in sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIABN level 1 or any other training recognised and agreed with Herefordshire Council Trading Standards prior to the event. Training records shall be kept on the premises and shall be produced to the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

19. All staff shall be trained prior to undertaking any sale of alcohol on the premises. The training shall include:

- Drugs Awareness
- Conflict resolution
- Selling to under age persons
- Selling to drunks

Such training will be recorded and records shall be kept at the premises which will be produced for inspection on demand of an 'Authorised Person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

20. The PLH will liaise with local Police through the SAG process to ensure that all reasonable steps are taken to prevent any Crime and Disorder.

21. West Mercia Police and the PLH will agree 30 days prior to the first day of the event all issues they require to be reported immediately to them during the duration of the event. This agreement will be provided to the Licensing Authority at least 14 days prior to the first day of the event.

22. A Security Control facility will be provided on site.

23. All Security and Stewarding personnel will be readily identifiable by the means of a uniform and a conspicuous unique personal identification number.

24. No person shall perform the role of Stewarding personnel without wearing a tabard

25. No person shall perform the role of Security personnel without wearing a tabard.

26. An incident log must be kept at the premises, and made immediately available on request to an authorised officer of the Council or the Police, which must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs of offensive weapons
- (f) any visit by a relevant authority or emergency service

27. Secure and safe systems are to be in place for the storage of items seized. These systems are to include secure methods of storing any Controlled Substances, New Psychoactive Substances (NPS) or Nitrous Oxide (No2/NOS), or weapons seized or found and procedures for handling the items over to the responsible authority where required. In addition, records of seizure are to be kept in the incident book and made available to the Licensing Authority on demand or to the Police on authority of the operational commander during the duration of the event or to any authorised person of West Mercia Police post event.

c) Public safety

28. The PLH will appoint an Event Safety Advisor (ESA) who will be able to authorise and supervise safety measures. The ESA will be responsible for:

- Monitoring of contractors
- Liaison with contractors
- Checking of method statements and risk assessments
- Preparation and monitoring of site rules
- Safety inspections and audits
- Collection and checking of completion certificates
- Communication of safety information to contractors and employees
- Coordinating safety in response to a Major Incident
- Liaison with nominated officers from Herefordshire Council

29. The name and contact details of the ESA will be supplied to the SAG no later than 14 days prior to the start of the event.

30. The PLH will employ sufficiently experienced Stewards and Security personnel in line with the Risk Assessment. The PLH shall have available for inspection at the premises a detailed Emergency Plan.

31. Temporary electrical wiring and distribution systems shall be signed off by a competent person prior to any Licensable activity taking place at the premises. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the SAG. The sign off certificates shall be kept on the site during the event and shall be produced for inspection on demand of an 'Authorised Person'

32. The PLH will ensure that all temporary structures have been inspected and signed off as being a safe prior to the commencement of their use. A copy of each safety sign off certificate shall be kept on the site during the event and shall be produced for inspection on demand of an 'Authorised Person'. In this condition the term temporary means any structure which could be cause injury to someone if it collapsed.

33. A management plan for the Overhead Power Lines (OHPL's) will be provided to Herefordshire Council Environmental Health Service at least 28 days prior to the commencement of the event. The plan must detail the location of the OHPL's and the control measures that have been identified to reduce the risk of the OHPL's. Control measures must be implemented prior to the start of the site build and be in place throughout the festival and during the 'take down' of the site.

34. An HSE Compliant Industrial High Risk First Aid Kit for 21-50 people must be located on the premises and be readily available to all staff at all times. The kit will be inspected daily and replenished daily, an endorsed log sheet will be contained in each kit. Such kit shall contain:

- 1 x Guidance Leaflet
- 60 x Washproof Plasters
- 6 x Eye Pads with Bandages
- 12 x Safety Pins
- 16 x Assorted Sterile Dressings
- 20 x Moist Wipes
- 3 x Pairs Disposable Gloves

35. The maximum permitted numbers of persons on the premises (including staff) shall not exceed the numbers set within the Fire Risk Assessment for the site.

36. The maximum permitted numbers in each enclosed structure where Regulated Entertainment activities are to be provided will be submitted and agreed by the SAG prior to the commencement of the event and will be detailed in the ESMP.

37. The PLH must submit arrangements to the satisfaction of the SAG on how such maximum occupancy capacities will be managed. This will be detailed in the ESMP.

38. All enclosed structures that the public have entry to will have designated entry/exit points. The numbers of these entry/exit points will be determined by the occupancy capacity and will be listed in the Tent Exit Calculation document submitted in the ESMP. In this licence "enclosed structures" are classed as a structure (whether tented or not), which has less than 25% of its sides open to the atmosphere (excluding entrances and exits) and which are accessible to the public when Regulated Entertainment is provided.

39. The installations and use of lasers beams, pyrotechnics or real flames, explosives or highly flammable or smoke/foam producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority not less than 14 days prior to the day on which the above equipment is to be used.

40. Paper Lanterns will not be sold on site and will be listed within the ticketing terms and conditions as such items that may not be brought to the venue. Any Paper Lanterns discovered on site will be confiscated.

41. A Sanitation Management Strategy will be provided to the satisfaction of Herefordshire Council's Environment and Trading Standards Service at least 60 days prior to commencement of the event. Once agreed, the strategy will be implemented throughout the event.

42. A Water Management Strategy for the provision of drinking water will be provided to the satisfaction of Herefordshire Council's Environmental and Trading Standards Service at least 60 days prior to the commencement of the event. Once agreed, the strategy will be followed throughout the event. No significant changes will be made without the consultation with Herefordshire Council.

d) The prevention of public nuisance

43. A Noise Management Strategy, as approved by Herefordshire Council, must be provided at least 60 days before the commencement of the event. The PLH must comply with the Noise Management Strategy.

44. The Music Noise Levels (MNL) from the event must not exceed the following noise levels when measured in a free field position (defined as 3.5 metres from any reflecting surface other than the ground at height of 1.2 to 1.5 metres)

THURSDAY

Between 10.00 – 23.00	LAeq, 5 minutes 65dB
Between 23.00 – 00.00 (midnight)	LAeq, 5 minutes 45dB

FRIDAY

Between 00.00 (midnight) - 02.00	LAeq, 5 minutes 45dB
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Between 10.00 – 23.00	LAeq, 5 minutes 65dB
Between 23.00 – 00.00 (midnight)	LAeq, 5 minutes 45dB

SATURDAY

Between 00.00 (midnight) - 02.00	LAeq, 5 minutes 45dB
Between 02.00 – 04.00	LAeq, 5 minutes 40dB

Between 10.00 – 23.00	LAeq, 5 minutes 65dB
Between 23.00 – 00.00 (midnight)	LAeq, 5 minutes 45dB

SUNDAY

Between 00.00 (midnight) - 02.00	LAeq, 5 minutes 45dB
Between 02.00 – 04.00	LAeq, 5 minutes 40dB

Between 10.00 – 23.00	LAeq, 5 minutes 65dB
Between 23.00 – 00.00 (midnight)	LAeq, 5 minutes 45dB

MONDAY

Between 00.00 (midnight) - 02.00	LAeq, 5 minutes 45dB
Between 02.00 – 04.00	LAeq, 5 minutes 40dB

In addition, between 02.00 and 04.00 Thursday to Monday 'Noise' from the festival should not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when accessed by an 'Authorised Person' or the Police with windows and doors closed. In these conditions; "Noise" is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. 'Audible or discernible' is defined as 'Noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensing site'.

45. The MNLs are to be checked at the interval as agreed within the Noise Management Strategy at the following locations:

- Clenchers Mill Lane, Eastnor
- Valentines Cottage, Hollybush
- Caves Folly Nursery, Colwall
- Hancocks Lane, Little Malvern
- Rose Mead, Evendine
- Or at any other location notified by Herefordshire Council to the PLH or their

deputy

46. The PLH or their deputy will communicate with the local Parish Councils of Eastnor and Donnington, Castlemorton, Birtsmorton, Wellington Health, Colwall, Bosbury & Coddington and Ledbury Town Council (and any other parish council added by the Licensing Authority and notified to the PLH in writing) at least 2 months prior to the start of the festival and within 2 months of the day of the festival.

47. Any testing of sound equipment will not take place before 09:00hrs and will last for no more than 2 hours on any one day.

48. The Noise Consultants shall be available for daily meetings with EHO officers from Herefordshire Council.

49. The PLH will maintain a noise log and will be available at all times for inspection by Herefordshire Council.

50. A noise hotline will be installed and publicised so that local residents can report any noise issues directly to the Festival. All calls will be logged by time and location, contact number and

address will be requested. The log will be kept on site and be readily available at the request of duty authorised Council officer. The noise hotline number will be operational throughout the hours of regulated entertainment.

51. If requested by a duly authorised Council officer all calls received by the noise hotline will be reported immediately to the on-duty representative from the Council.

52. The PLH, or their deputy or DPS (or any person who has been nominated as their deputy) must immediately comply with any request to adjust noise levels / frequency spectra made by an 'Authorised Person' or the Police.

53. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of the local residents and to leave the premises and the area quietly.

e) The protection of children from harm

54. No unaccompanied person under the age of 16 years shall be permitted on the License Premises.

55. Any personnel whose role involves the looking after children or vulnerable adults shall have a current DBS (dated within 9 month period preceding the first day of the event).

56. No person shall be involved in this role unless the DBS shows 'None Recorded' against the following categories:

- Police Recorded of Convictions, Cautions, Reprimands and Warning Information from the list held under Section 142 of the Education Act 2002
- ISA Children's Barred List Information
- ISA Vulnerable Adults Barred List Information
- Other relevant information disclosed at the Chief Police Officer(s) discretion

57. The name, date of birth and address together with a copy of the DBS certificate shall be supplied to the Licensing Authority 2 weeks prior to the first day of the event.

58. The goal of the Lost Children Policy is to reunite each lost child with its parents or guardians. However, if there is any evidence or suspicion of abuse or neglect of children, then this must be reported to the appropriate authority.

59. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'Authorised Person' or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage shall also be displayed at all alcohol serving areas advertising the scheme operated.

60. Proof of the attainment of 18 years of age will be required through the production of a full or provisional photo card driving licence, by a passport, PASS recognised card or by a national identity card with a hologram photo prior to any alcohol sale taking place on entry to age restricted areas.

61. Bar staff must ask for proof of age ID whenever the customers appear to be under 25 years of age. If there is any doubt as to the age of the customer they will be refused service.

62. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed stating that: **“It is an offence to purchase or attempt to purchase alcohol if you are under the age of 18 – Section 149 Licensing Act 2003”**.

63. A written register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a daily basis by a Personal License holder or DPS and produced to the Police or an ‘Authorised Person’ or an authorised Trading Standards Officer of Herefordshire Council on demand.

64. The DPS will brief Security staff in both the arena and campsites bars that they should take reasonable steps to monitor the final destination of the drinks where it would appear that supply is being made to a person under the age of 18 years take steps to prevent the consumption by that person.

65. No persons serving alcohol shall be under the age of 18 years.

66. The DPS and other bar managers and supervisors will monitor the performance of the serving staff to ensure adherence to the licensing laws.

67. Any underage persons who are found arriving at or on the Licensed Premises with alcohol will have the alcohol confiscated by security.

68. A selection of soft drinks will be available to buy, along with an ample supply of free drinking water at clearly signed locations throughout the site.

69. Each bar will be run by a bar manager and this person under the direction of the DPS and will be fully in control of the sale of alcohol from that bar.

70. No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

Checklist:

Please tick to indicate agreement

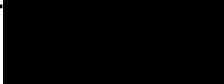
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	 Kate Osler
Date	06/01/2021
Capacity	Director

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

Signature	
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Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Rob Dudley We Are The Fair Ltd Unit 301 – Brickfields 37 Cremer Street			
Post town	London	Postcode	E2 8HD
Telephone number (if any)	07446 876496		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) rob@wearethefair.com			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the

- organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the

premises, please tick ‘off the premises’. If you wish people to be able to do both, please tick ‘both’.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office

acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.









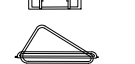

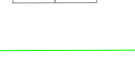


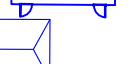
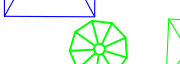

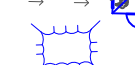




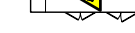
Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

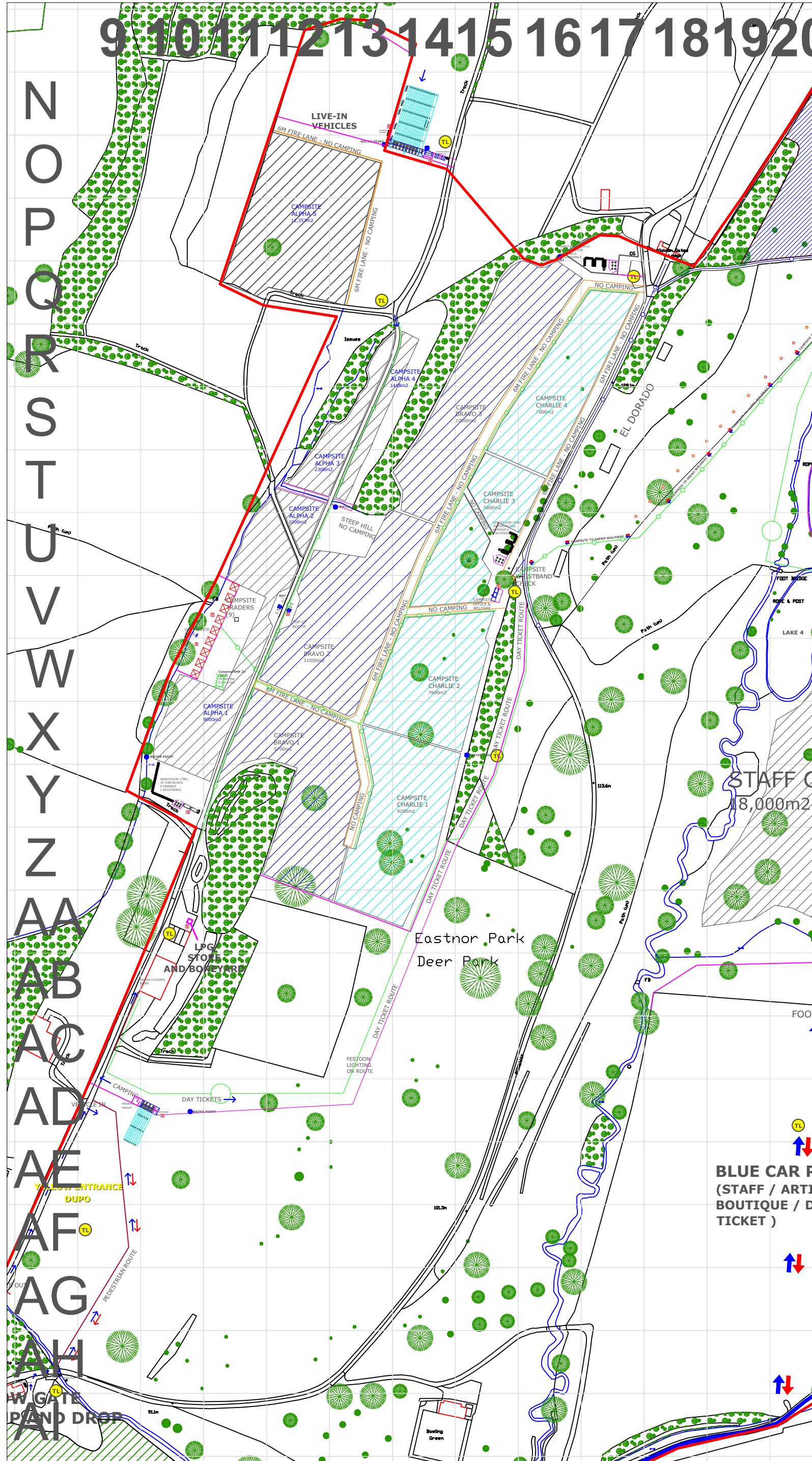
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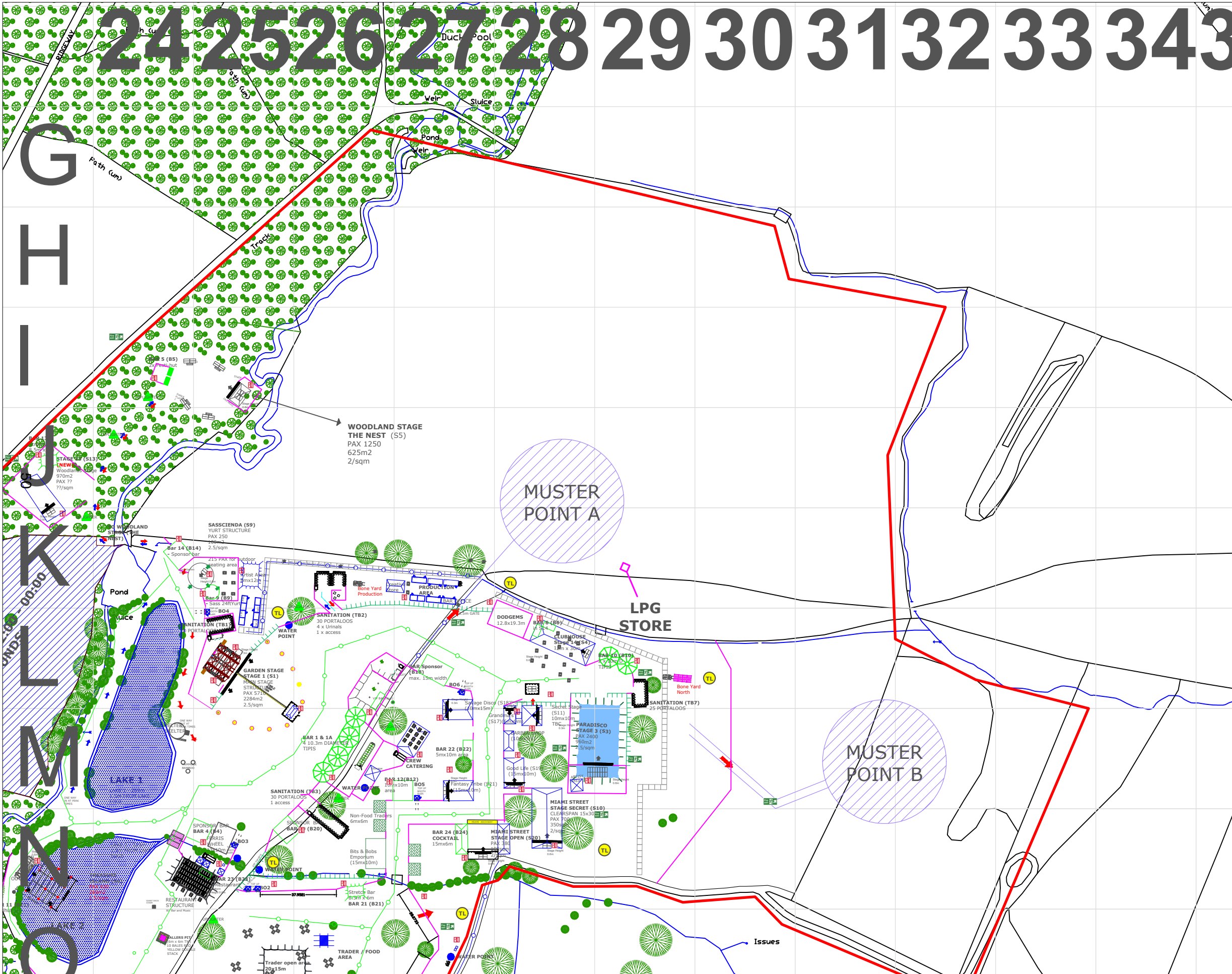
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Client: AEI & CIRQUE DE SOUL
Event Name: EL DORADO FESTIVAL 2021
Venue: EASTNOR DEER PARK, EASTNOR
LEDBURY, HR8 1RD

VERSION CONTROL			
Version	Date	Production	H&S
V1.2	02/12/2020	Millie D	Rob D

- * KEY ***
- LICENSE LINE 
 - BLUE ROUTE 
 - FFE 
 - FIRE EXIT 
 - STAGE & PA 
 - STEEL SHIELD 
 - SMART HOARDING 
 - PED 
 - MOJO 
 - CROWD 
 - TRACKWAY 
 - FESTOON 
 - TOWER LIGHT 
 - CABIN 
 - MARQUEE 
 - BAR 
 - TICKET BOOTH 
 - STRETCH TENT 
 - STAFF YURT / TIPI 
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 - FOOD TRADER 
 - GENERATOR 



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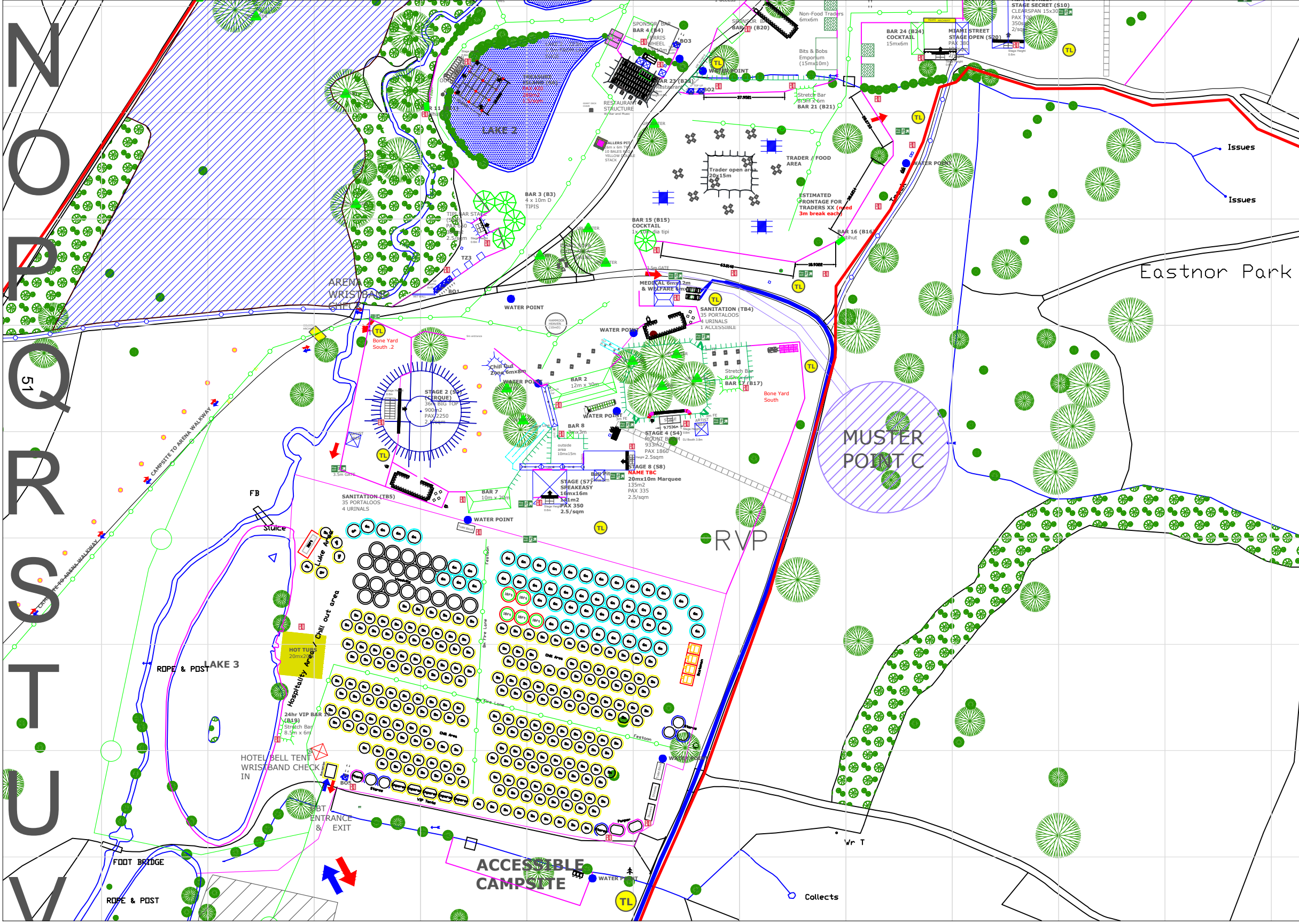
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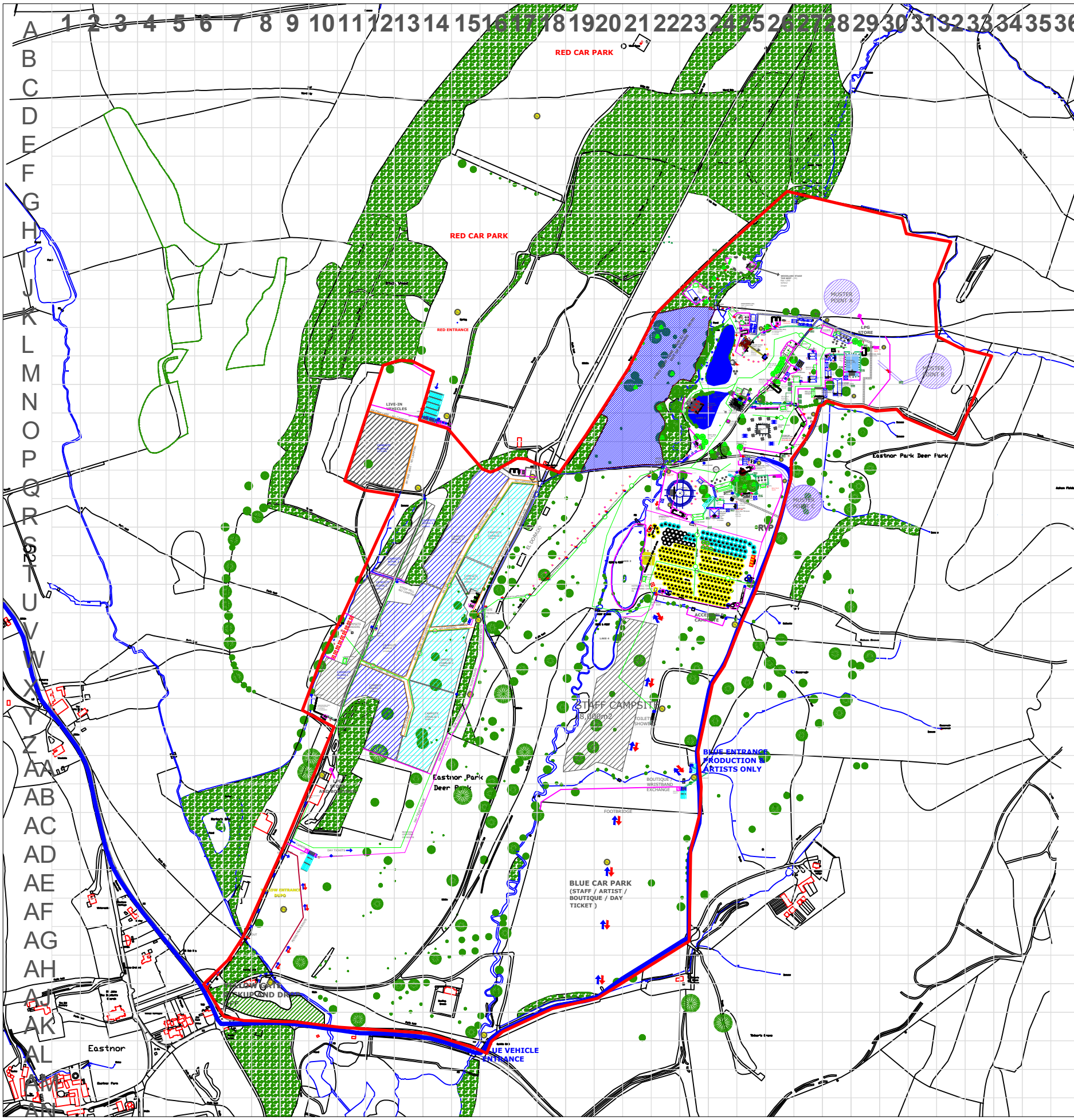


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TOILETS	
FOOD TRADER	
GENERATOR	

THE FAIR

From: XXXXXXXXX

Sent: 08 February 2021 10:55

To: Licensing <licensing@herefordshire.gov.uk>

Subject: El Dorado Festival 2021 - Licence Application Feedback - OBJECTION

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning

I would like to comment (and object) to the licence application as submitted in relation to El Dorado 2021:

1) Public nuisance: noise.

- a) This festival occurs in the summer and many people will be in bed with windows open and therefore they will be able to hear noise more obviously than if the event took place in the colder months when windows are less likely to be open. The noise surveys and comments in the application do not take account of windows being open
- b) The location of noise monitoring is insufficient and does not include anywhere in the Ledbury area, where noise has been heard in previous years (2018 – see article: <https://www.herefordtimes.com/news/ledbury/16338349.el-dorado-causes-sleepless-nights-ledbury/>). The noise monitoring suggested in the application is similar to what has been in place in the past, which clearly didn't work!
- c) The License lists noise until 4am each morning of the festival: this is not acceptable – a limit of 12 midnight is more appropriate given the proximity of housing.

2) PROW Access

- a) There is no reference to the continued open access to a number of PROWs in the Deer Park: LR29 and LR30 both go through the Deer Park, as EA4 and EA9. Access to these should be maintained throughout the setup, event, and pack-down of the festival.

Many thanks

XXXXXXXX

From: XXXXXXX

Sent: 18 February 2021 11:15

To: Licensing <licensing@herefordshire.gov.uk>

Subject: RE: El Dorado Festival 2021 - Licence Application Feedback - OBJECTION

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Emma

For absolute clarity, I do want the Festival to go ahead but with limitations on when noise/music is played loudly and with consideration given to PROW access being maintained. The Festival season is something that I look forward to seeing making a safe return to our collective annual summer experience.

Kind regards

XXXXX

From: donotreply@herefordshire.gov.uk <donotreply@herefordshire.gov.uk>
Sent: 02 July 2018 19:34
To: Licensing <licensing@herefordshire.gov.uk>
Subject: Contact us form submitted

The contact us form has been submitted to your service area with the following details:

Caption	Value
Name	XXXXXX
Email	XXXXX
Nature of enquiry	General licensing / Taxi licensing
Message	<p>I am a resident of Wellington Heath who over the weekend was subjected to noise (we couldn't hear the music but we could certainly hear the bass beat) from the Eldorado Festival at Eastnor. Had the noise perhaps ceased at 2400 on the Friday & Saturday and 2300 on the Sunday I wouldn't have given it a second thought however it was 0400 on the Saturday & Sunday mornings and 0300 on the Monday morning. Frankly it seems entirely inappropriate to me that a licence to play loud music through to 0300 or 0400 in the morning should be granted to a festival being held in a quiet rural location such as Eastnor. I for one have had a really tough day at work today following a seriously sleep deprived weekend. If the same festival (or indeed any other festival) is to held at Eastnor next year I would request that you give serious consideration to the terms of the licence and set parameters appropriate to the festivals location and surrounds.</p>

20th November 2018

To Whom it May Concern,

We are writing to acknowledge receipt of your complaint against E Dorado Festival which has been forwarded to us by Herefordshire Council and your request to have our licence reviewed.

We wanted to firstly apologise for any stress that was caused by our event in 2018. This is not at all something we wish the event to cause to anybody in the local area. We love and appreciate our home at Eastnor Castle and local relations are very important to us. The event in 2018 was the first year we received such a level of complaints and so we sincerely hope we are given the chance to address and resolve the issues well in advance of the 2019 event and without the need for any review of our licence.

We have spent the last month since our SAG meeting reviewing our site layout and soundsystem designs as well as investing in sound modelling software to give us an accurate idea of the impact our site design changes will have on offsite levels. Together with our acoustics consultants we have devised a Noise Management Plan that will **significantly reduce offsite levels** compared with 2018. In particular we have focused attention to the low frequency levels, as we are aware it was the low frequency or 'bass levels' in particular which were the cause of the complaints.

The Noise Management Plan is commercially sensitive so our consultants have requested it not be shared with persons outside of the Local Authorities however I have included some specific detail below to give you an idea of the steps that have been taken and the changes that have been made. I have included the section of the Noise Management Plan that these have been written into as a reference should you want to discuss further with us or via Herefordshire Council.

- Community Hotline & Response to Complaints (Section 4.2.15)
We will continue to have a community noise line in place which will be advertised more widely this year to those in sensitive areas of noise as prescribed by 2018. If we receive a complaint and address details are given, our consultants will take noise readings at the location, and ensure that levels are sitting within the new lower levels as guided by our software modelling.
- Repositioning of Stages (Figure 2)
The majority of stages have been repositioned to spread directionality much more evenly than in 2018. This will mean that any noise created by the event site in offsite locations will be reduced overall. This has been shown in the modelling which sits within the Noise Management Plan.
- Limiters (section 3.3.3)
All of the soundsystems on site will have appropriate controls for limiting, adjusting and fine-tuning individual third octave frequency bands. Third octave frequency bands are those which are related to the low frequency noise levels.
- Technical Improvements (Table 5.1)

We are investing significantly in sound systems which are specifically designed to reduce offsite noise. These are called 'quad' systems and will be included in three of the stages which are open air outdoor stages. These quad systems are configured so that the overall level of noise caused by this stage will be reduced.

In addition to technical changes made through sound modelling and soundsystem design, we are also reviewing our talent program and booking a lot less talent with a 'bass' heavy element to their music. This information is also included in our Noise Management Plan (section 3.3.4).

This Noise Management Plan will be consistently reviewed and held to account by the Environmental Health team at Herefordshire Council and should we receive any further recommendations from them through the remainder of the planning phases, we will implement these.

We hope that this letter has highlighted our desire and commitment to reducing the sound issues that you and others in the local community encountered due to the event. We want to stress how important our home at Eastnor is to us and how important we believe the venue is to the success of the festival.

To help us stay in the area in what we hope will be our long term home, we are open to all dialogue or suggestions to ensure the ongoing successful operation of the event

Should you find it useful, we would be happy to set up a meeting or site visit to explain the changes we are making on site at Eastnor and so you can see this first hand. Alternatively, if you have questions or want further information from our Noise Management Plan then we are happy to liaise through Herefordshire Council to get that information to you.

Having started planning and working alongside Environmental Health over nine months in advance of the event, we are confident we will be able to get back to the position where the event does not have such an impact on the local area and that we can deliver a successful event for all concerned.

We are setting up a trust in the local area to annually support community projects and local charities starting in 2019 and whilst we appreciate this has no bearing over our noise management strategy, we hope it further demonstrates our desire and commitment to work together with and to invest in the local community.

Yours faithfully,
The El Dorado Team