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**DACORUM BOROUGH COUNCIL**

**LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE**

**19 SEPTEMBER 2023**

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- ATTENDEES:** Lara Pringle (Cllr)  
Andrew Williams (Cllr)  
Nigel Durrant (Cllr)
  
- OFFICERS:** Legal Adviser (Nargis Sultan)  
Sally Mcdonald (Licensing Manager)  
Kim Knight (Licensing Compliance/Technical Officer)
  
- APPLICANT:** Stephen Bailey (Applicant)  
Chris Juraszek (proposed Designated Premises Supervisor)
  
- OTHER:** Jason Turner (Objector)  
James Cheshire (Objector)

**1. Minutes**

The minutes of the previous meeting were formally approved.

**2. Apologies**

None.

**3. Declarations of Interest**

None.

**4. Hearing - Tring Tornadoes Alcohol Licence**

The Chair set out the hearing, noting that individuals who wished to speak on the issue would have five minutes to do so.

S Mcdonald set out the case. The application was for the grant of a new premises licence for Tornadoes Sports Education and Leisure, Miswell Lane Sports Pavilion, Miswell Lane, Tring, Hertfordshire, which sought authorisation to sell alcohol for consumption both on and off the premises. The applicant and those persons who made representations had been invited to attend the meeting to address the Committee and it was noted that details of those speaking had been forwarded to members ahead of the meeting. The Committee was informed that the options available were set out in the introductory section of the report and the Committee was reminded that any steps taken must be considered appropriate in order to promote one or more of the licensing objectives and that full and clear reasons should be given on how their decision was reached.

S Bailey, the Applicant, advised that Tornadoes Sports Education and Leisure was an incorporated charity established around two years ago to move Tring Tornadoes Junior Sports Club to an incorporated charity, and that a benefit was

that the charitable operations around sports and activity could be expanded. Over the last two years, membership of around 500 children playing football and 100 playing netball had increased to nearly 800 members. Operations had been expanded into Berkhamsted and the charity also owned Phoenix Berkhamsted netball club. The charity had now taken over Tring Corinthians as well as adding a veterans team to the portfolio based out of Miswell Lane. Miswell Lane has been a recreation ground for around 60 years with a clubhouse and changing room block, which is a Dacorum Borough Council asset. The lease was taken on in March 2023. The hub is important for the charity to run its operations and it is also a central part of the charity's developing social community across its membership.

S Bailey confirmed that the first application is for 11am-11pm, Monday to Sunday, and that this was primarily driven by advice given that the application should take into account what could be required during the organisation's occupancy. The expectation is to not be open for the hours stated in the application, though there will be a demand that evolves over time. It was noted that Tring Athletic and Tring Rugby Club have facilities open at the weekends and have the ability to be open during the week, though this is driven by usage and member demand. It was stated that the expectation over time was to evolve club operations based on membership demand but with sensitivity to the proximity of the neighbours.

S Bailey advised that the current operations were training on Saturday mornings from 9am to 12pm for 3 age groups, men's senior football on a Saturday once a month, 2 U15 teams on Sunday mornings and girls' football training on Monday evenings. S Bailey commented that available playing space for all sports across Dacorum was an ongoing challenge and therefore having the facilities at Miswell Lane was a step change in how club operations and activities could be run.

The Chair noted that the club was predominantly for junior sports and asked what role the licence would play in creating a facility for members and raising funds. S Bailey explained that the playing membership was significantly youth players, though there was also a senior men's team and that they also own Tring Corinthians, which was a senior club. It was also noted that there are around 1,500 parents in the membership as well as 125 coaching volunteers, and that the licence was required to hold any significant events. S Bailey advised that the licence would allow the club to generate revenue, though the primary motivation was to help create a social community hub for a significant membership.

The Chair noted that the club was situated in a densely residential area and asked how far the clubhouse was from the rear of those properties. S Bailey advised that the fences of the objectors were around 20 feet or 3 metres from the clubhouse and that most of the other properties were around half a football pitch away.

The Chair asked the Applicant if he would accept that visitors taking their drinks outside the clubhouse may be talking loudly and could be heard at the rear of the surrounding houses. S Bailey agreed that this was possible and that his expectation was that during winter most visitors would remain indoors and that the intention was not to sell people alcohol that they could take away. S Bailey added that they were looking to work with their neighbours and that he was prepared to put in conditions to stop people taking drinks outside from a certain point in the evening. S Bailey referred to other similar facilities in the borough, stating that whilst there may be occasional evenings that were busy due to a significant event, it is primarily a social space for players and was not intended for people to spend all evening in.

The Chair noted that no glass would be taken outside and asked what provisions were in place to avoid littering. S Bailey advised that they would take a similar approach as they do for junior training where coaches were given a black bag and all parents on-site were encouraged to not leave anything behind. If drinks or snacks were taken outside, the expectation is for all litter to be disposed of. S Bailey commented that the Tornadoes membership was around 10% of the town's population and that they were therefore in their home environment.

The Chair asked how many visitors the Applicant would envisage attending an event at the club. S Bailey advised that this would depend on the nature of the event, noting that it may be a parents and players evening and whilst the maximum occupancy had been set at 150, he did not expect to have this many visitors for anything other than a significant international football match screening. S Bailey noted that there were 130 girls in the netball section and that there was the potential for a larger volume, but there would be a limited number of people drinking alcohol.

The Chair referred to an objection raised by a member of the public that states that they don't believe there is enough toilet provision, which would lead to people urinating around the grounds. The Chair noted that there was only one female toilet on site and asked how this would be managed with the girls' netball team. S Bailey confirmed that there was a unisex toilet in each dressing room and there was also a female and disabled toilet. The remaining toilet provision was subject to discussion with the Council regarding a longer lease and future plans on how to improve facilities. S Bailey stated that he believed there were enough toilet facilities though they are not yet as good as they would like them to be.

The Chair asked if the changing rooms would be open to people during events. S Bailey confirmed that they would, noting that this would also allow players to leave their kit in the changing rooms post-matches rather than bringing them into the clubhouse.

The Chair asked how safeguarding would be managed if changing rooms were open for people to go into when the bar was open. S Bailey stated that young people would be with their parents or coaches and that all Tornadoes coaches were DBS checked and have all undergone safeguarding and first aid training. The Chair responded that it would still create the opportunity for young people to be in an enclosed space on their own with other people if they go to the toilet. S Bailey agreed.

The Chair referred to photos provided by objectors regarding accessibility and asked if lighting would be provided to prevent injury. S Bailey advised that this would be a decision for Dacorum Borough Council as the public space belonged to them. S Bailey confirmed that they had put solar lighting outside the building and that Highways were responsible for lighting in the park and suggested that the path down to Goldfield School was not a public footpath.

The Chair noted that young people would be attending the club and may not be with parents so would currently need to use their own personal torch to leave safely. S Bailey stated that parents would need to collect young people from the door.

The Chair commented that there would not be paid staff. S Bailey responded that this would depend on the operating model and that they could have paid staff for busy events. The Chair noted that the current premises would have a volunteer rota and asked what training they have. S Bailey explained that Tornadoes was an entirely voluntary organisation and that C Juraszek, the proposed Designated Premises Supervisor, would ensure there was a cohort of people who were trained to run the bar. S Bailey reminded the Committee that the intention was not to be open for the hours applied for and to instead be able to put events on when required without having to submit temporary event licences.

The Chair suggested that no volunteers had yet been trained and asked if there were a minimum number of people that would be on duty at any time. S Bailey recommended that they have a minimum of 2 members of staff at any time and that the number of people would depend on the nature of the event. If Giants Netball Club put on an event then there would be premises operation bar management, which C Juraszek would be responsible for, and the Giants would also need to ensure they had enough parent provision and coaches to meet safeguarding requirements.

The Chair noted an objection regarding the alcohol on site and asked how the Applicant would ensure its security. S Bailey advised that they were looking to install CCTV and were looking at a multisite solution so all locations could be monitored. The clubhouse was a Dacorum Borough Council asset and S Bailey stated that, as part of the full repairing lease, they had changed several doors and added locks to make it more secure and that there were further actions they would like to take but that this would need to be presented to the Council. S Bailey added that all alcohol was removed at the end of events and taken back to Tring Corinthians. The onsite chiller was lockable if it was left on site and a brewery had provided the means to refit the cellar space so it could be a lockable space.

The Chair asked if an alarm would be fitted to the clubhouse. S Bailey confirmed that the building currently has fire alarms fitted and that they would look to have connected intruder alarms.

The Chair stated that one option would be for a licence to be granted for a more limited time and asked how this would affect operations. S Bailey stated that they would not know the effect until they knew the demand for operations and that the challenge was understanding which evenings there would be more demand.

The Chair advised that a licence could be granted that restricted later sales for special occasions. N Sultan interjected that the Licensing Committee could add additional conditions if it was felt necessary and asked the Applicant if the sale of alcohol could be restricted to match days or special events only or if hours for taking alcohol outside could be restricted. S Bailey responded that only a limited number of people would want to be outside during winter and stated that he was open to restrictions but that the challenge was not knowing what the demand would be.

The Chair asked if members have been consulted to understand what demand would be. S Bailey stated that whilst they are taking ideas from members these would depend on the licensing terms granted.

Cllr Williams clarified that the clubhouse was in a dark field and asked how training was conducted during winter. S Bailey confirmed that training takes place before it becomes dark.

Cllr Williams noted the maximum occupancy of 150 and asked if access would be restricted to membership. S Bailey confirmed that they were a membership organisation and anyone who uses the facility would be a playing, family, social, community or guest member so would not be open to the general public.

NSultan asked if incident logs would be kept. S Bailey stated that he would expect they would.

N Sultan asked for more information on how much CCTV would be installed. S Bailey confirmed that this was currently unknown and that the expectation was to have internal CCTV as well as outside.

N Sultan asked if there would be a training log for volunteers and if this would be reviewed. S Bailey confirmed that there would and that there was a Head of People for Tornadoes. This would be part of the membership system and show that they had the qualifications to be part of the premises or bar team.

N Sultan asked if extra volunteers will be brought in for special events and match days. S Bailey suggested that this would not be necessary for match days as they typically only have around 20 spectators, though more would be brought in for special events.

N Sultan asked if there was a log of members and if members could be banned if a particular incident took place. S Bailey confirmed that they use LoveAdmin that showed playing members and parent details and new categories can be added. Membership cards can also be issued in future.

N Sultan asked how long CCTV footage will be kept and if it would be made available to any responsible authorities, including the Council. S Bailey confirmed that he would be guided by the law and the CCTV operating model.

The Chair asked how an incident would be investigated and whether there would a signing-in mechanism. S Bailey stated that this could be implemented for a specific event where it was felt necessary but that he would like to introduce a scheme where the membership card acted as the payment method, which would provide transaction data. S Bailey noted that it would be possible to have a system to allow members to tap in and out of the building and suggested that they would learn during the first year of operation about what was required. S Bailey advised that the greatest challenge would be if the U14 group wanted to put on an event as they had around 16 coaches, 80-90 children and around 200 parents and the space would not be able to accommodate everybody, but that the size constraints of the site should mean that they never have an unmanageable amount of people.

The Chair commented that it was predominantly a youth club and that there would be unaccompanied teenagers in the same area as people unrelated to them taking alcohol, which is a safeguarding risk. S Bailey confirmed that there would be indoor CCTV in the clubhouse. It was confirmed that there would not be CCTV in the dressing rooms or toilets.

The Chair asked the Applicant what experience he had of running events and venues. S Bailey stated that he had no experience of running a licensed premises, which was why they had appointed someone with over 40 years of experience. S Bailey confirmed that he had been the Chairman of Tornadoes for 7 years and that he had been in the club since 2012 when he started as an U8 coach. S Bailey advised that he had been part of the management

committee throughout his time at the club, that he organised the annual family fun day, the club's presence at the winter and summer carnivals in Tring, and bespoke and one-off events. S Bailey confirmed that he was the lead person at managing the car park at Chilfest, which used the Cow Lane site. S Bailey advised that his professional background was outsourcing technology and support services and that he had worked in leadership, management, transformation and change. S Bailey confirmed that he also had a Level 1 qualification in grounds maintenance, which he achieved as part of the club getting a Football Foundation grant to take on a new tractor, and that he would ensure that everything that happened within the clubhouse was in accordance with the standards, conducts and behaviours of the club.

The Chair asked the Applicant if he had experience in handling conflict management, particularly whilst inebriated or aggressive. S Bailey referred to his work at Chilfest and handling drunk people leaving the site whilst managing cars moving out of the car park. S Bailey stated that if people were unwilling to engage then this was what police were onsite for, noting that his tactic would be to focus on de-escalating matters calmly rather than becoming combative.

J Cheshire commented that he had met with S Bailey previously and noted that he had said if a member wanted to use the space for a personal event then this may be permitted. J Cheshire asked if this was still being considered and if it would therefore be plausible that non-members would be attending the venue. S Bailey advised that members were already requesting to use the venue and that the organiser would have to have a clear understanding of their responsibilities, pre, during and post-event. S Bailey stated that he does not want the club to have a poor reputation and whilst he wouldn't rule out hiring out the venue, he would be happy to explore restrictions around such events.

The Chair suggested that there was a level of disagreement regarding the level of community engagement that has so far taken place and that there would be a possible condition that would require S Bailey to meet with the local community regularly to resolve any issues. The Chair asked what level of community engagement had taken place so far. S Bailey advised that the club has been active in speaking to those using the park and noting the improvements already made. A WhatsApp group had been established for people in the area and a rolling database was being built with plans for more substantive communications to put across social media and through letterboxes to inform residents of contact details to raise any issues.

The Chair noted a raised concern of there being a cluster of houses close to one of the routes out where particularly vulnerable people live who may not visit the park or be part of a WhatsApp group. The Chair suggested that noise made late at night may be particularly difficult for these residents. S Bailey advised that the club has a responsibility for anyone leaving the premises to not cause any disruption and any issues would be handled. S Bailey added that people could move freely through the park at any time regardless of their involvement with the Tornadoes and that any members causing issues would be identified.

J Cheshire, an Objector, stated that residents want to work with Tornadoes and that they acknowledge the provision that the club offers to those wishing to play sport in the community. J Cheshire stated that the main concerns for residents were the possible uses for the premises licence, which may include drinking alcohol, broadcasting live sports matches, serving alcohol whilst hosting coaching courses or other indoor events, and the possibility of parties. J Cheshire advised that residents wanted to know more about intentions and that it is concerning that there is no plan as part of the application. J Cheshire raised the concern of drinks being offered at discounted rates.

On preventing crime and disorder, J Cheshire commented that there was a history of break-ins and criminal damage to the clubhouse, including swastikas being drawn on the roof, and that it was burnt down in the past. J Cheshire stated that the application suggested members will have a responsibility to take care of the premises but that this was not realistic when alcohol is being served and that CCTV was unlikely to act as a deterrent. J Cheshire suggested that police and fire services would need to be put on high alert if the premises became an alcohol store in the park. J Cheshire noted that his property backed onto a narrow alleyway, which would be the access most used for the premises. This alleyway was narrow and unlit and residents already experienced issues with people urinating, defecating and littering the alleyway, as well as issues with cannabis smoking, graffiti, damage to fences. Seven police crime references were then referred to. It was noted that a police presence did not act as a deterrent and if youths learned there was alcohol on the premises then there were concerns about an uplift in crime.

Looking at public safety, J Cheshire suggested that if Tornadoes members were not part of the groups that caused issues, then 2 groups would be brought together in the public space which could be intimidating for others. It was also noted that there was a risk of alcohol littering the park and this posed a risk to public safety. J Cheshire stated that whilst noise from match days was welcomed by residents the noise would become a public nuisance if the premises were used 7 days a week, and he noted the risk to his family's mental health if the premises were to be used more regularly by members. J Cheshire advised that it was a predominantly youth and junior club and that he felt having alcohol at the premises would put children in the way of harm rather than protecting them.

J Cheshire closed by stating that it was inappropriate to run a sports bar or pub in a park, which is what the application appeared to be as there was no current plan. The Tornadoes were an incorporated charity and provided a strong service to the community and J Cheshire stated that the application was for alcohol to be served 7 days a week in a public park with insufficient access and no parking. J Cheshire stated that a premises licence granted on the basis of the application would provide more detriment to the local community than any benefits and he asked that members reject the application.

J Turner, an Objector, stated that he lived with his family directly behind the pavilion. He stated that he supported the club but did not agree with an alcohol licence being granted. J Turner noted the comparison to other clubs in the area and advised that these were on private land with no residents nearby. J Turner advised that there were very few open spaces in Tring for children to play and that Miswell Lane was used extensively when the alcohol licence would be in use. The park connected to a primary school and hosted a playground, basketball court and was full of children at weekends and after school. J Turner stated that, having spoken to other residents, the previous licence held caused alcohol to go into the park on a regular basis and altered the nature of the surrounding area, thereby affecting resident's ability to enjoy the space.

J Turner referred to the associated behaviour with the consumption of alcohol and suggested that it would turn the public park into a large pub garden, which could create an intimidating and potentially dangerous environment for children. J Turner stated that whilst he supported Tornadoes as a sports club, he struggled to support such an open licence as it would encourage drinking. He stated that the consumption of alcohol also increased the likelihood of crime and disorder and that the space was challenging to police. The efforts taken by the club were acknowledged and it was stated that signage, training of staff and CCTV would not affect the issues as they would take place away from the club and in the public space once the club was shut. J Turner advised that issues will likely result in the use of police and council time in trying to resolve them.

J Turner commented that the sale of alcohol was in contrast of the intended use of the area and that the park was an important space for people's mental health. J Turner challenged the claim that all surrounding residents were members, noting that he had spoken to a number of residents and none were members. It was also noted that the building was close to neighbouring properties and that any noise from the pavilion echoed across the space. Noise pollution was damaging to mental health and it was suggested that this noise would affect the wellbeing of many people. J Turner also noted that there were no suitable exits to the venue as they were far away from the street, were unlit with uneven ground, and most people leaving the premises would use the two narrow pathways that go alongside neighbouring houses and the primary school. J Turner stated that it was impossible for the licence holder to make a provision for safe entry and exits into the building and that public injury would therefore be likely.

J Turner stated that he felt a licence of 11am-11pm from Monday to Sunday is too broad and would have too much of an impact on the area as it would cause a nuisance to the public and put the public at risk. Other venues in the surrounding area were noted and that social events should be held in these venues instead. J Turner noted the positive impact that Tornadoes had had on the surrounding area and he commented on the pride that had been taken in the building.

The Chair thanked J Cheshire and J Turner for their representations.

The Chair asked the objectors to explain the proximity of their homes with the clubhouse and it was noted that some residents would be closer to the clubhouse than the two objectors. It was noted that there were a mixture of residents in terms of age and that a number of more vulnerable and elderly residents had been unable to engage in respect of the application.

The Chair noted that the objector disagreed with the extent of the licence being 11am to 11pm every day and asked if there were any restrictions that would not be objected to. J Turner suggested that this was hard to answer without a plan for the intended use of the building and that the issue is more about limiting the intended use of the building rather than the times it is open. J Turner advised that he would like to collaborate with the club and suggested that there should be no off licence, that the hours should be limited, and that no alcohol should be served after dusk, also that there should be no private hires of the premises and there should be no showing of live sports or music.

The Chair asked J Cheshire if he agreed with J Turner's comments. J Cheshire stated that the darkness and noise resulting from events were the greatest issue, adding that he had concerns about alcohol being stored in the park.

S McDonald raised a point of clarification and advised that events regarding live music had not been applied for on the application, and that music and dancing up to 11pm was exempt from licensing if it met certain criteria. If the site had on sales of alcohol and less than 500 people in it then it would meet the criteria. The Chair advised that this would therefore be exempt from the Committee's consideration as it can't be restricted. S McDonald clarified that live music and dancing had not been applied for and was not restricted between 08.00 and 23.00 in line with the criteria mentioned earlier under the exemptions brought about by the Live Music Act. If a nuisance was caused then it would need to be dealt with by statutory noise nuisance laws.

S Bailey clarified that the intention was not to sell alcohol for people to take away and was for consumption outside the front door, which is why off-premise had had to be applied for, and that it was driven by the nature of the building.

The Chair asked if a building with a clearly defined outside area was considered to be off premises. S McDonald confirmed that it would depend on if this was included in the licensing plan at the outset. For the clubhouse, the only area in the licensing plan was the building itself and it would be difficult to put an area specifically for the club on any proposed plan as the outside area belonged to the Council as open recreational ground. On sales would be people consuming alcohol in the marked area within the plan and any off-sales would allow alcohol to be taken outside of the marked area and off-sale conditions would apply.

The Chair suggested that if someone took a drink outside to watch the football then they would be in breach if there wasn't an off-sales licence. S McDonald confirmed this.

J Turner noted that a building was rented by the club and there was a public park that contained a section of pitch rented by the club. J Turner advised that you were in a public park as soon as you stepped out of the building and that the venue therefore wasn't suitable for what was being asked for in the application.

S Bailey advised that the clubhouse had been operational for 40-50 years and that Tring Athletic installed a bar when they renovated the building and that what mattered were the rules that were in place. S Bailey stated that they wanted the flexibility to establish an operating model and that he would be comfortable with an initial 1-year licence with a mandatory requirement to renew thereafter. The application was required to allow the club to establish what would work without upsetting their neighbours.

The Chair noted that off-sales could be restricted and asked how this would work. S Bailey advised that he was looking to have the flexibility to allow people to buy alcohol and watch a match outside or to stand outside the premises in summer, which requires an off-premise licence. S Bailey stated that he did not see a reason for people to stand outside drinking after a game, particularly in winter, noting that they would discourage people from smoking outside the building.

The Chair asked how people would be discouraged from smoking outside. S Bailey suggested that this is not the dynamic of the objection and stated that he was prepared to put restrictions on people being able to take alcohol outside after a certain time, which may vary at certain points of the year.

S McDonald referred to comments on the duration of the licence, noting that once a licence is granted, it will run in perpetuity until it is either revoked, surrendered or the licence holder dies or goes into insolvency, so a trial licence could not be granted. S McDonald advised that the licence could be varied accordingly. S Bailey confirmed that they

would reach an established pattern to take neighbouring residents into account, adding that he did not envisage them being open 7 days a week during their 5-year lease on the building.

J Turner asked if a licence could be provided on the basis of the licence holder waiting to find out how often the premises would be open. J Turner noted his alarm as a neighbour and suggested there should be a clearer description of what was allowed and why.

J Cheshire noted his confusion at granting a licence from 11am to 11pm and working backwards and suggested that this was not a reasonable way to proceed. S Bailey clarified that he had no choice but to put in what they may possibly want in the entirety of the licence and that it can't be incremented up. S McDonald clarified that standard practice is to advise any applicant to apply for what they need in line with their business model.

The Chair stated that if the licence was granted with restrictions then they could not stop different terms being requested after a period of time. S McDonald explained that an applicant could put in an application for what they want to apply for and that if a licence caused issues after it had been granted then there was a review process and it would come back to the Committee. S McDonald explained that an applicant could also vary a licence and any variation would be subject to public consultation.

The Chair suggested that a restricted licence could be granted and the applicant could refine their business model and apply for a variation at a later date. S McDonald advised that the Committee must look at the impact that the sale of alcohol will have and ensure that the licence being granted promotes the 4 licensing objectives.

N Sultan noted that once members step out into the park then there was no control as it was a public space. S Bailey noted the recreation ground and the rest of the park and explained that the lease for the clubhouse was the building alone. The pitch was managed by Clean Safe and Green, though the perimeter of the pitch and everything between the pitch and the pavilion was the responsibility of the park's officer as a public space.

J Turner clarified that 1cm outside the pavilion door was a public park that was controlled by the park's officer and that the pitch was separate.

The Chair noted that the lighting is the responsibility of Highways or the Council and can't be influenced by the club.

The Chair confirmed that the meeting would adjourn so that the Committee could deliberate. N Sultan advised that a decision may not be made that day and confirmed that written decision notices would also be sent out within 5 working days.

The meeting was adjourned for the Committee to consider the application.

## **Decision**

Sale by retail of alcohol  
consumption on the premises only

Friday to Saturday 11:00 until 23:00  
Sunday 11:00 until 21:00  
New Year's Eve 11:00 until 23:00

Hours premises open to the public:

Monday – Sunday 07:00 to 23:00

The additional conditions are as follows:

1. Staff and volunteers are required to be trained, particularly in the safeguarding of children
2. The Applicant is required to keep all CCTV recordings for 31 days



3. An incident log must be kept for inspection by the Responsible Authorities including the Licensing Authority
4. The Applicant is required to devise a method of enrolment of membership
5. There is to be a register which members are required to sign in upon entry into the club
6. The Applicant must ensure there are no unaccompanied children after 9pm
7. Additional door staff/volunteers may be employed at the weekends and bank holidays, and for large organised events