



LICENSING SUB COMMITTEE

Monday 15 July 2019 at 10.00 am

Council Chamber - Ryedale House, Malton, North Yorkshire YO17 7HH

Agenda

1 Emergency Evacuation Procedure

The Chairman to inform Members of the Public of the emergency evacuation procedure.

2 Apologies for absence

3 Declarations of Interest

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

4 Licensing Sub Committee Hearing Procedure

(Pages 3 - 8)

5 To determine an application for a Premises Licence from Mr Roddy Hamilton for The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, YO17 9RG

(Pages 9 - 210)

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LICENSING SUB COMMITTEE PROCEDURE

1. INTRODUCTION

- 1.1 The following procedure applies to the licensing sub committees established by the Licensing Committee of the Ryedale District Council acting as the licensing authority.

2. MEMBERSHIP

- 2.1 Each licensing sub committee shall comprise three Members appointed by the Licensing Committee from amongst its membership. If the Licensing Committee has not already done so, the Licensing Sub- Committee shall elect a chairman and vice chairman at its first meeting following the annual meeting of the Council in each year and the chairman shall preside at hearings of that sub committee until the ensuing annual meeting. In the event of the chairman or the vice chairman not being present at a hearing, the sub committee shall elect a chairman from amongst its members for the purpose of that hearing or meeting.
- 2.2 The quorum for hearings and meetings of a sub committee shall be three members.
- 2.3 Members shall endeavour to be present throughout an individual hearing by a sub committee. If a member of a sub committee is required to leave a hearing temporarily, the chairman shall adjourn the hearing for the duration of the period whilst that member is unavailable. The meeting shall commence upon the return of the absent member.
- 2.4 A Member will not take part in a hearing or meeting at which a matter is being discussed which relates to a premises licence, club premises certificate, temporary events notice or personal licence where either the premises or the person is resident in the Ward which he represents.

3. NOTICE OF HEARINGS

- 3.1 Upon the date of a hearing of a sub-committee being arranged, notice shall be given to the parties to the hearing in accordance with the requirements of the the Licensing Act 2003 (Hearings) Regulations 2005 as amended . For the purposes of this procedure, a party is defined as an applicant for a licence, a responsible authority or person or business that has submitted relevant representations in respect of an application and, in certain additional instances, the chief officer of police. **Any party who attends the hearing may be assisted or represented by any person whether or not that person is legally qualified.**
- 3.2 The notice of the hearing shall be accompanied by a copy of this procedure, which sets out
- the right of attendance at a hearing by a party and the right to submit representations etc.
 - the consequences if a party does not attend or is not represented at a hearing
 - the procedure to be followed at the hearing
- 3.3 The notice of the hearing will also be accompanied by copies of the documents required by the Hearings Regulations and any particular points upon which the Licensing Officer considers that clarification is needed from a party at the hearing.

4. ACTION FOLLOWING RECEIPT OF NOTICE OF HEARING

4.1 In the interests of timely, efficient and cost-effective decision making the Licensing Authority request that all parties make full disclosure in advance of all information they intend to present at the hearing. Failure to do so may result in its admissibility being challenged and the information not being admitted.

Upon receipt of a notice of a hearing, a party is required to notify the licensing authority whether he intends to attend or be represented at the hearing, whether he intends to call a witness at the hearing, the name of the witness to be called (if any) and whether he considers the hearing to be necessary. A party should notify the licensing authority within the following timescales-

- 1 working day of the hearing in the case of a cancellation of an interim authority notice following police objections or a counter notice following police objection to a temporary events notice;
- 2 working days of the hearing in the case of a review of a premises licence or the conversion of an existing licence or club premises certificate or an application by the holder of a justices' licence for a personal licence; or
- 5 working days of the hearing in all other cases.

4.2 A sub committee may dispense with the holding of a hearing if all of the parties have given written notice that they consider a hearing to be unnecessary. Where the parties have agreed that a hearing is unnecessary in such circumstances, the Licensing Officer (or other Officer with delegated powers under the Licensing Act 2003) of the Council shall give notice to the parties that the hearing has been dispensed with.

4.3 Where a hearing has been dispensed with, the matter that was to have been the subject of the hearing may be determined under the Officers Scheme of Delegation.

5. WITHDRAWAL OF REPRESENTATIONS

5.1 A party may give notice to the licensing authority no later than 24 hours before the commencement of the hearing that he wishes to withdraw his representations or he may do so orally at the hearing.

6. EXTENSION OF TIME

6.1 The Sub-Committee may extend any of the time limits specified in this procedure where it considers it necessary to do so in the public interest and shall give notice of the extension of time and the reason for it to the parties to the hearing.

6.2 The Sub-Committee may adjourn the hearing or arrange for it to be held on specified additional days, where it considers this to be necessary to consider any representations made by a party. The parties to the hearing will be notified of the adjournment or rearrangement.

6.3 In considering any extension of time or adjournment, the Sub-Committee will not exercise its powers so that an application is deemed as granted or rejected in accordance with the transitional arrangements specified in the Act.

7 FAILURE OF PARTIES TO ATTEND A HEARING

7.1 Where a party has informed the Licensing Authority that he does not intend to attend or be represented the hearing may proceed in their absence.

7.2 Where a party who has not so indicated their intentions fails to attend or be represented at a hearing the Licensing Act 2003 Sub-Committee may -

7.2.1 where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or

7.2.2 hold the hearing in the party's absence.

- 7.3. Where a hearing is held in the absence of a party, the Licensing Act 2003 Sub-Committee will consider any application/representation/ or notice made by that party but may consider that lesser weight be given to such evidence.

Where a hearing is adjourned to a specific date the Licensing Authority will notify the parties of the date, time and place to which the hearing has been adjourned.

**PROCEDURE FOR THE HEARING OF EVIDENCE IN RESPECT OF LICENSING
APPLICATIONS WHERE REPRESENTATIONS HAVE BEEN RECEIVED**

INTRODUCTIONS AND PRELIMINARY MATTERS

1. At the commencement of the hearing the **Chairman** will take the following steps:
 - (a) **The Chairman** will introduce him/herself and the other members of the Sub-Committee, the Clerk to the Sub-Committee, the Licensing Officer, Legal Advisor and any Officers present.
 - (b) **The Chairman** will ask the parties and representatives to introduce themselves and provide information as to the names of any witnesses they will be calling. At this point, the Chairman will satisfy himself/herself as to whether a representative has been appointed on behalf of those raising a representation and if not, will establish which of the representators wishes to speak. The Chairman will establish whether it is possible to appoint one representative to represent the view of all those raising a representation to present the views of all present.
 - (c) **The Chairman** will explain to the parties present that the hearing is subject to this procedure, copies of which will have been distributed to the parties with the notice of the hearing, and shall enquire of the persons present whether there are any questions of clarification or explanation about its contents.
 - (d) **The Chairman** will remind those present of the proposed time limits;
 - (e) **The Chairman** will advise those present that any **opening statements will be brief** as all parties will have had the opportunity to make detailed written submissions and to consider the submissions of other parties, and
 - (f) **The Chairman** will advise those present that additional information produced at the Hearing **without prior disclosure** between the parties **may not be heard** if following objections to its submission the Sub-Committee so determine.
 - (g) **The Chairman** will ask if proposed conditions of licence have been agreed between all parties should the application be granted emphasizing that these are circulated without prejudice to the decision of the Sub-Committee;
 - (h) **The Chairman** will remind the parties that their representations should be relevant to the licensing objectives under the Licensing Act 2003, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

2. **The Licensing Officer** (or other Officer with delegated powers under the Licensing Act 2003) will at the invitation of the Chairman outline the details of the application, representations and any relevant part of the Statement of Licensing Policy . (All documentation will have been circulated prior to the hearing.)

PRESENTATIONS

(Members of the Sub Committee and the legal adviser to the Sub Committee may ask questions of any party at any stage during the hearing).

The Chairman will lead all parties to follow the following procedure and the sub-committee may allow cross examination if it determines that it is required for it to consider the representations, applications or notice as the case may be:

3. **Applicant** (or representative) - opening statement and, if notice has been given, call witnesses.
The Chairman will invite the applicant or his representative to address the Sub-Committee on his application and to call any witnesses in support of his application. The applicant will normally be allowed a maximum period of time of **twenty minutes** in which to address the sub committee and call witnesses.
4. **Cross examination of the applicant/witnesses** by: (a) 'Responsible Authorities' and (b) Others who have submitted written representations.
5. **'Responsible Authorities'** (or representative) - opening statement and, if notice has been given, call witnesses. Each party will normally be allowed a maximum period of time of **twenty minutes** in which to address the Sub-Committee and call witnesses
6. **Cross examination of the 'Responsible Authorities'/witnesses** by: (a) the Applicant and (b) Others who have submitted written representations, [If there is more than one 'Responsible Authority' making representations steps (5) and (6) will be repeated for each Authority.]
7. **Interested Parties who have made written representations** (or representative) - opening statement and, if notice has been given, call witnesses. Each party will normally be allowed a maximum period of time of **twenty minutes** in which to address the Sub-Committee and call witnesses
8. **Cross examination of Interested Parties/witnesses** by: (a) the Applicant and (b) 'Responsible Authorities'.
9. **Interested Parties who have made written representations but who are not present**
Where relevant written representations have been received and the party submitting those representations has given notice of his intention not to attend the hearing, the parties present will be invited by the Chairman to indicate whether they wish to comment on the representations submitted.
10. **SUMMING UP** - All parties may be afforded the opportunity to sum up their case (but not to introduce any new evidence) in the following order: (a) 'Responsible Authorities', (b) Interested Parties and (c) Applicant. Each party will normally be allowed a maximum period of time of **three minutes** to sum up.
11. Advice from Licensing Officer on licensing policy and/or Legal Advisor on law and jurisdiction.

THE DECISION MAKING PROCESS

12. The Public and press and all parties will be excluded from the meeting whilst the Sub-Committee deliberates in private in the presence of the Clerk. The Sub-Committee may call in its Legal Advisor to help draft reasons for decision.
13. The Sub-Committee will invite all parties, the Public and press into the meeting and the Chairman will normally announce its decision and the reasons for it and that the decision will be confirmed in writing to the parties at the earliest opportunity.

THE HEARING – FURTHER RULES OF PROCEDURE

- 14 The Sub-Committee may resolve to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public.
- 15 Subject to the rules about advance notice above,. a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified
- 16 If, in his/her opinion, the Chairman feels that the representations being made are not relevant, he may, after first reminding the party of the need for relevance, advise the party that he will no longer be heard. Where in the opinion of the Chairman, a party is being repetitious, vexatious or slanderous in his remarks, the Chairman may first warn the party and may then advise the party that he will no longer be heard. The ruling of the Chairman shall be final in such circumstances.
- 17 The Chairman may require any person who in his opinion is behaving in a disruptive manner at a hearing to leave the hearing and may refuse to permit that person to return or to return only upon complying with such conditions as the chairman may specify. However any such person may submit any evidence in writing that they proposed to give orally, provided that they do so before the end of the hearing.
- 18 Where there is more than one Interested Party making relevant representations, it may be helpful for the Interested Parties to choose a spokesperson to ensure that all views are represented in a reasonable time.

DETERMINATION OF APPLICATIONS

- 19 At the conclusion of the hearing, the Sub-committee will determine the application in accordance with the timescales specified in the Licensing Act 2003 (Hearings) Regulations 2005 as amended but, in any event, will endeavour to do so as soon as practicable after the hearing has concluded.
- 20 The licensing authority will notify the applicant and parties of its decision forthwith upon the making of the decision.

MEETINGS OF THE SUB COMMITTEE

- 21 Any meetings of the Sub-Committee, other than hearings described above, shall be subject to the proceedings adopted by the Licensing Committee for the conduct of its own business except where otherwise stated above.



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	LICENSING SUB COMMITTEE
DATE:	15 JULY 2019
REPORT OF THE:	ENVIRONMENTAL HEALTH MANAGER ROBERT ROBINSON
TITLE OF REPORT:	APPLICATION FOR A NEW PREMISES LICENCE FOR THE PRIVATE HILL, THRUSSENDALE FARM, THRUSSENDALE ROAD, ACKLAM, YO17 9RG.
WARDS AFFECTED:	DERWENT

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to enable the Sub-Committee to consider an application from Mr Roddy Hamilton for a new Premises Licence for The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG under the Licensing Act 2003, where relevant representations have been received.

2.0 RECOMMENDATION(S)

- 2.1 It is recommended that:

- (i) the application for the new premises licence for The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG be determined taking into account the relevant representations received, amendments / conditions proposed, the four Licensing Objectives, the Licensing Act 2003, Government Guidance issued under section 182 of the Licensing Act 2003 and Ryedale District Councils Statement of Licensing Policy and after hearing from both the applicant and any objector(s).

3.0 REASON FOR RECOMMENDATION(S)

- 3.1 Relevant representations have been received and as officers do not have delegated powers to grant a premises licence where such representations have been made the determination of the application now rests with the Licensing Sub Committee.

4.0 SIGNIFICANT RISKS

- 4.1 The Licensing Authority must determine an application for the grant of a Premises Licence as prescribed by the Licensing Act 2003 and regulations made under this Act. The Licensing Authority would leave itself open to appeal or judicial review should it not comply with all legal requirements.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 An application for a new premises licence has been received from Mr Roddy Hamilton for The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG. The applicant wishes to supply alcohol (both on and off sales) each day between the hours of 12:00 and 22:00 and until 00:00 hours at pre-arranged private events/functions. The applicant also wishes to provide regulated entertainment in the form of recorded music each day between the hours of 12:00 and 22:00 and until 00:00 at pre-arranged private events/functions until 00:00 hours. The premises to be open to the public each day between 10:00 and 19:00 hours and at pre-arranged private events/functions until 00:00. A copy of the licence application is attached at Annex A. In summary the applicant wishes to:-

- a) Provide the supply of alcohol (on and off sales) each day between the hours of 12:00 and 22:00. At pre-arranged private events/functions until 00:00 hours.
- b) The provision of recorded music each day between the hours of 12:00 and 22:00. At pre-arranged private events/functions until 00:00 hours.
- c) The premises to be open to the public each day between the hours of 10:00 and 19:00. At pre-arranged private events/functions until 00:00 hours.

Relevant representations have been received (see Annex B) and as Council officers have been unable to resolve these representations the decision on whether or not to grant the licence will now rest with this Licensing Sub Committee.

6.0 RELEVANT REPRESENTATIONS

- 6.1 These are representations which:-

- Are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives
- Were made by either a responsible authority or other persons (see consultation below)

- 6.2 The four licensing objectives are :-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

7.0 CONSULTATION

7.1 The consultation period for this application ran from the 1st of May 2019 until the 29th of May 2019 and the application was advertised in the prescribed manner.

7.2 The following Responsible Authorities have been consulted:-

- Police
- Fire
- Health and Safety
- Pollution
- Planning
- Social Services
- Trading Standards
- Environmental Health
- Director of Public Health
- Home Office(immigration)

8.0 REPORT DETAILS

8.1 The premises application seeks to provide the following licensable activities:-

- Provide the supply of alcohol (on and off sales) each day between the hours of 12:00 and 22:00. At pre-arranged private events/functions until 00:00 hours.
- The provision of recorded music each day between the hours of 12:00 and 22:00. At pre-arranged private events/functions until 00:00 hours.
- The premises to be open to the public each day between the hours of 10:00 and 19:00. At pre-arranged private events/functions until 00:00 hours.

8.2 As stated above, all Responsible Authorities have been consulted and the Licensing Authority have received relevant representations from:-

- 24 persons

8.3 Most of the people are concerned that if the application were granted it would lead to an increase in disorder, noise nuisance, public safety and the protection of children from harm caused by regulated entertainment and the supply of alcohol.

8.4 Copies of all relevant representations received by this Authority can be seen at Annex B.

9.0 LICENSING POLICY AND NATIONAL GUIDANCE

Ryedale`s Licensing Policy

9.1 Part 4.4 of the policy states that "The Licensing Authority shall expect every licence /certificate holder or event organiser to minimise the impact of their activities on the surrounding area and any anti-social behaviour created by their customers in and within the vicinity of their premises by taking

appropriate measures and actions consistent with that responsibility. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned”.

- 9.2 Section 21.1 states “The Operating Schedule is a key part of the application form whereby applicants may volunteer appropriate conditions to demonstrate compliance of the licensing objectives by describing the steps they intend to take to promote these objectives. These volunteered conditions will then form conditions on the Premises Licence or Certificate. In completing an Operating Schedule, applicants are expected to have regard to this policy”. Section 21.4 states that “In completing their Operating Schedule the Licensing Authority suggest an applicant consider the following and goes on to give a list of measures applicants may like to consider for all four of the licensing objectives when completing their operating schedules eg CCTV, door supervisors etc”. Finally Section 21.5 states that “These lists (contained in 21.4) are not exhaustive and advice can be obtained from the relevant responsible authority. However, applicants are reminded again to contact the relevant Responsible Authority to seek their expert advice before an application is submitted to the Licensing Authority”.
- 9.3 Section 16.1 states that “ With regard to the Protection of Children from Harm licensing objective, the Licensing Authority and this policy recognises the Director of Children and Young People’s Service at North Yorkshire County Council as the Responsible Authority competent to act in relation to this licensing objective. The Licensing Authority will give considerable weight to representations on child protection matters”. Section 16.2 states “The Licensing Authority shall not seek to limit the access of children to any licensed premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other case it will be left to the discretion of the Licensee but the Licensing Authority shall expect that the licensee shall give full consideration of access by children at all times and ensure that there is a policy in place to promote this licensing objective”. 16.3 states “Where there are concerns with regard to access of children the Licensing Authority will consult the Director of Children and Young People’s Services. However, where the Licensing Authority’s discretion is engaged it will judge the merits of each application before deciding whether or not to impose conditions limiting the access of children”. Sections 16.4 and 16.5 give examples of types of premises and forms of entertainment that are likely to raise concern and engage the Licensing Authority as a Responsible Authority to take action. Finally, Section 16.7 states that “In particular, the Licensing Authority will consider what conditions are offered in the Operating Schedule. The applicant in completing the Operating Schedule is required to describe the steps they intend to take to promote this licensing objective and highlight any adult entertainment or services etc that may give rise to concern in respect of children. However, where the applicant does not state the steps they intend to promote this objective but does state that “ no adult or similar entertainment shall take place on the premises”, the Licensing Authority shall consider that this restriction to be a condition on the licence/.certificate even though it may not state it on the licence/certificate itself”.

National Guidance

- 9.4 **CRIME AND DISORDER** Paragraph 2.1 states “Licensing authorities should look to the police as the main source of advice on crime and disorder”. Paragraph 2.2 states that “In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (SIA) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with the police and other agencies, that companies are not being used as fronts for serious and organised criminal activity”. Paragraph 2.3 states that “Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally”.
- 9.5 **PUBLIC SAFETY** Paragraph 2.7 states that “Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning”. Paragraph 2.8 lists matters that should be considered in relation to public safety which includes fire safety, ensuring appropriate access for emergency services, good communication with local authorities and emergency services etc”. Paragraph 2.10 states that “Licence holders should make provision to ensure that premises users safely leave their premises and lists measures such as providing local taxi information and adequate lighting”. Paragraph 2.12 states that “Safe capacities should only be imposed where appropriate for the promotion of public safety or for the prevention of disorder on relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence”.
- 9.6 **PUBLIC NUISANCE** Paragraph 2.15 of the Guidance states “The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this Licensing Objective, Licensing Authorities and Responsible Authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter”. Paragraph 2.16 adds “Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises”. Paragraph 2.17 adds “Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises”. Further in the same paragraph it states “Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the

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

Paragraph 2.18 states that " the approach of the licensing authority and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate"

Paragraph 2.19 states that "where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive period. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11pm and 8am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave". Paragraph 2.21 states that "Beyond the immediate area surrounding the premises, these are matters for personal responsibility of the individual under the law".

- 9.7 **PROTECTION OF CHILDREN FROM HARM** Paragraph 2.22 states that "The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives. Paragraph 2.23 states that "The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:- adult entertainment is provided, staff member(s) have been convicted for serving alcohol to minors, it is known that unaccompanied children have been allowed access, there is a known association with drug taking". Paragraph 2.25 states that "Applicants must make clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises". Paragraph 2.26 states that "Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises". Paragraph 2.27 states "Conditions where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:-restrictions on the hours when children may be present, restrictions or exclusions on the presence of children under certain ages when particular activities are taking place, restrictions on parts of the premises to which children have access, restrictions on parts of the premises to which children may have access, age restrictions, restrictions/exclusions when certain activities are taking place, requirement for an accompanying adult, full exclusion of people under 18 from the premises". Paragraph 2.29 states "Licensing authorities should give considerable weight to representations about child protection matters".

10.0 OPTIONS

- 10.1 In the case of a grant of a Premises Licence the Sub Committee has 5 options:
- a) to reject the application
 - b) to grant the licence
 - c) to grant the licence with additional conditions
 - d) to exclude from the licence a licensable activity
 - e) to exclude from the licence a licensable activity and include additional conditions
- 10.2 Should members ultimately determine to grant the Premises Licence, with conditions to address the representations received, they may wish to consider any options provided by the Responsible Authorities/other persons as set out in Section 8 of this report.

11.0 DETERMINATION OF THE APPLICATION

- 11.1 Members are invited to determine the application following consideration of the evidence presented to them and taking into account the legislation and guidance.

GARY HOUSDEN HEAD OF PLANNING AND REGULATORY SERVICES

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Background Papers:

Licensing Act 2003
National Guidance issued under Section 182 of the Licensing Act 2003
Ryedale District Council Statement of Licensing Policy March 2019

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ANNEX A

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	Roddy	
* Family name	Hamilton	
* E-mail	rodody@theprivatehill.co.uk	
Main telephone number	01653658143	Include country code.
Other telephone number	07528373124	
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	08076583	
Business name	Thrussendale Farm Ltd	If your business is registered, use its registered name.
VAT number	- 135281525	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located

Registered Address

Address registered with Companies House

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Roddy

Family name

Hamilton

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	Thrussendale Farm
Street	Thrussendale Road
District	Acklam
City or town	Malton
County or administrative area	North Yorkshire
Postcode	yo17 9rg
Country	United Kingdom

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	rodody@theprivatehill.co.uk
Telephone number	01653658143
Other telephone number	07528373124
* Date of birth	25 / 08 / 1959 dd mm yyyy
* Nationality	British
Right to work share code	

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? 01 / 06 / 2019
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end
dd / mm / yyyy

Provide a general description of the premises

Continued from previous page...

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.

The Private Hill is a small, boutique destination that provides accommodation for up to 8 adults and 8 children in 4 individual luxurious geodesic domes. Each one is self-contained with en suite facilities yet are situated next to each other, set into the side of a hill on Thrussendale farm in Acklam. They are not visible from Thrussendale road and are accessed by a track approximately 100m long. In addition to the 4 domes, there is a 5th one, "Jane's Dome", which provides a communal area for guests to relax, enjoy the views, read the paper as well as enjoy drinks and food. "Jane's dome" will have a small shop area as well, selling local produce including local Yorkshire beer, cider & spirits. It will be open to the general public for snacks and refreshments during the day.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Section 11 of 21

Continued from previous page...

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

Light background music to be played through Sonos device - PRS licence already obtained.

Continued from previous page...

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

It is hoped that the Private Hill will attract family gatherings for birthdays and celebrations. It is also available for Weddings and special events during which playing music would be the intention. For these events the end time would be midnight.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

It is hoped that the Private Hill will attract family gatherings for birthdays and celebrations. It is also available for Weddings and special events during which providing alcohol for purchase would be the intention. For these events the end time would be midnight.

Continued from previous page...

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 10:00

End 19:00

Start

End

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.

TUESDAY

Start 10:00

End 19:00

Start

End

WEDNESDAY

Start 10:00

End 19:00

Start

End

THURSDAY

Start 10:00

End 19:00

Start

End

FRIDAY

Start 10:00

End 19:00

Start

End

SATURDAY

Start 10:00

End 19:00

Start

End

SUNDAY

Start 10:00

End 19:00

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

In the event that the venue is used for a wedding party or family celebration, it would be expect to be open until midnight

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives :

- a) No selling of alcohol to underage people
- b) No drunk and disorderly behaviour on the premises
- c) No violent or anti social behaviour

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV monitoring, remote monitored alarm system and locking mechanisms will be fixed to ensure that café and site is safe and secure at all times

b) The prevention of crime and disorder

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Not selling of alcohol to drunk or intoxicated customers.

Prevention and vigilance in illegal drug use.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner

c) Public safety

CCTV , alarm monitoring as well as Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Continued from previous page...

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.

All the details provided in Training Record Book available

Log Book will be kept upon the premises all the time.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

DECLARATION

Continued from previous page...

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application

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 see above). 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 above).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/ryedale/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

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

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >

ANNEX B

Ryedale District Council

28th May 2019

To Whom it may concern

Over the weekend we have become aware of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows:

1. *The supply of alcohol each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
2. *The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
3. *The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00.*

We wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives: -

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72

dwellings. There is a pub in the village but no local shop with the nearest supermarket located in Malton

Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website () actively promotes wedding functions with between 20 and 300 guests

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane. This problem is likely to be compounded by the possible commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children), Horse riders (Both adults and Children) and cyclists. Increased traffic (up to 300 guests) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane.

3. The prevention of public nuisance

Granting the proposed license is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore the location of the site means that noise created by any entertainment will travel and will be heard within the village. (Please see attached

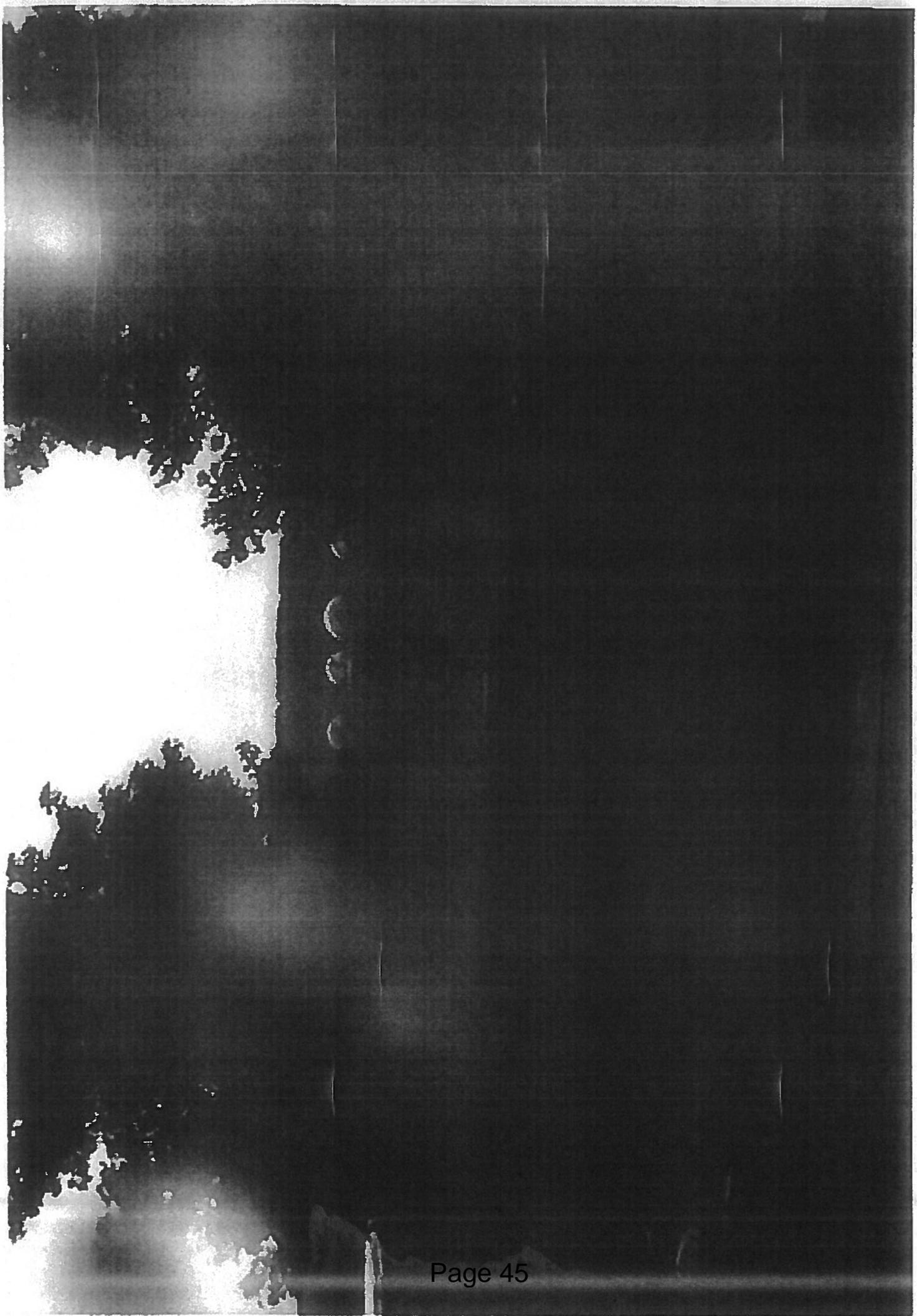
pictures) Due to the sites elevated position above the village it is expected noise will travel, especially as there is no screening)

4. The protection of children from harm

As already mentioned the narrow, extremely steep lane is used frequently by walkers, cyclists and horse riders including children and the increased traffic could result in harm to children. Many of which are brought up in this local community chosen by their parents to allow them increased freedom in the rural setting, it's a lifestyle choice as parents we feel very strongly about. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Yours sincerely



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Ronnie McClure

From:
Sent:
To:
Subject

uk>

mpsite Thrussendale Farm Acklam - URGENT

From
To: ron
<dm@r
Sent: T
Subjec

mpsite Thrussendale Farm Acklam - URGENT

Dear Mr McClure

I am writing to you as I have been approached by a number of residents of Acklam in regard to concerns about a commercial development within the village. 'The Private Hill' a camp site or glamping site owned by Mr.Roddy Hamilton received planning permission earlier this year to erect four geodesic domes/pods to accommodate up to four persons each plus one more dome to serve as a reception and on-site shop. This was unopposed as there is generally a positive view within this area that farmers and landowners need to diversify to survive economically. However, serious concerns have been raised in regard to Mr. Hamilton's website for The Private Hill which is advertising and taking bookings for weddings and other large functions to cater for up to 300 hundred people at a time. This is clearly intended to be a prominent part of their business model

Further investigation showed that Mr.Hamilton has applied to license his premises with this plan in mind in order to sell alcohol and play music until until 0000 hours on a regular basis. As Parish Chair I have not been informed of this proposal to radically change the conditions of the now approved planning application. Mr.Hamilton has not approached the Parish Meeting, or to my knowledge, any residents of the village to consult on the matter. There has been no consideration given to the impact this would have on this tiny village. In the main cluster of houses there are approximately 100 residents and another 50 or so in the outlying farms. To have the population treble on a regular basis with all the noise, traffic and disruption to the quiet peace of the area is not only practically untenable, it threatens the quality of life of everyone else in the area..

All the roads in and out of the village are single lane, steep and difficult to negotiate. Thrussendale lane itself which, accesses the site, is extremely steep, and quite treacherous in anything but the best driving conditions. As the steepest road in this part of the Wolds it attracts cyclists from all over the UK. This road cannot support the kind of pressured access to a venue that the advertised business is suggesting. The website even encourages wedding planners to consider using a 'vintage bus' to bring guests to the site. In recent years there have been several accidents and incidents involving large (modern) vehicles that have been unable to maintain control on the hill.

The owners of the site are relative newcomers to the area but they have been supported by the village in their enterprises so far, however, the idea of their small site within this quiet village becoming a commercial venue for large and noisy functions, in my view is a step too far. No consultation or impact assessment has been made in regard to the disruption on the roads or the noise and nuisance it would cause. The site is called The Private Hill and clearly 'privacy' is being sold as its U.S.P. but the consequences of this business being granted a licence for the purposes described on its website would severely damage the privacy and peace of the rest of the residents of Acklam.

I know the Parish Meeting is not consulted in regard to Temporary Event Notices but I am perturbed as to why I haven't been notified of this application which is nearing the deadline for objections and representations. For this reason I am requesting either an extension to this period in order to allow residents to consider this matter properly and for Mr.Hamilton to consult with his fellow residents. Failing that, as Parish Chair I am formally requesting that the application for a license be refused at this point as it is not in keeping with the terms and conditions on which the change of use planning application was made.

The Private Hill Website can be seen via this link:
<https://www.theprivatehill.co.uk/>

On behalf of the residents I appreciate your help in looking into this matter and look forward to your response.

Ryedale District Council

28th May 2019

Dear Mr McClure

We have today become aware of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

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- 2. The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
- 3. The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00.*

We wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives: -

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72

dwelling. There is a pub in the village but no local shop with the nearest supermarket located in Malton.

Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website () actively promotes wedding functions with between 20 and 300 guests.

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children) and cyclists.

The volume of traffic, which is likely to be made up of heavy commercial vehicles involved in the set up and dismantling of events, together with the associated traffic of guests (up to 300) attending and leaving events is likely to cause considerable public nuisance and will increase the risk of road traffic incidents and damage occurring on this single track lane.

3. The prevention of public nuisance

Granting the proposed license is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves until the early hours can be controlled in such a way that there will be no

impact on the local community. Furthermore the location of the site means that noise created by any entertainment will travel and will be heard within the village of Acklam and the neighbouring village of Leavening.

4. The protection of children from harm

As already mentioned the narrow steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Yours sincerely

Ryedale District Council

28th May 2019

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- Public safety;
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As already mentioned the narrow, steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Yours sincerely

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Ryedale District Council

28^h May 2019

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This lane is used frequently by walkers (with dogs and children) and cyclists. Increased traffic (up to 300 guests) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane.

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4. **The protection of children from harm**

As already mentioned the narrow, steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Yours sincerely

Ryedale District Council

28th May 2019

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- Public safety;
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Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website (www.theprivatchill.co.uk) actively promotes wedding functions with between 20 and 300 guests

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

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As already mentioned the narrow, steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Yours sincerely

Mr Ronnie McClure
Ryedale District Council
Licensing Department
Ryedale House
Old Malton Road
Malton
YO17 7ZG

Dear Mr. McClure,

We have recently been made aware of a licensing application from Mr. Roddy Hamilton, "The Private Hill", ThrusSENDale Farm, ThrusSENDale Road, Acklam, Malton, YO17 9RG, the details of which from your website are -

"Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows:

- 1. The supply of alcohol each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
- 2. The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
- 3. The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00."*

We wish to make a formal objection to the granting of a premises license for the purpose as outlined above. We note that this submission is made within the timescale specified to raise any such objections.

It is our understanding that Under the Licensing Act 2003, any objection must be relevant to at least one of the following four licensing objectives: -

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

We will highlight concerns that we feel are relevant to each and every one of these categories.

Background

Following the approval of planning permission to establish a glamping business at the end of last year, five geodesic dome structures have now been erected on "The Private Hill" at Thrussendale Farm. Four of these domes each sleep two adults and two/three children and are available for booking throughout the year with the fifth being used as a reception unit and farm shop.

It is our suggestion that the licensing application as detailed above has been submitted to support a future development on this site of a wedding reception business that the applicant is already actively promoting. The details of this may be found on the applicant's website <https://www.thepriatehill.co.uk/wedding-receptions>.

This link leads to pages that state -

"At the moment we cannot use The Private Hill for your marriage ceremony but who knows, we may soon have a licence for that too.

Instead, why not hold your ceremony somewhere close by and then come to The Hill on a private vintage double-decker bus together with your Guests. Or a tractor and trailer if you prefer.....!

The Private Hill will amaze and impress your guests from the moment they turn off our small lane. *(This is Thrussendale Road, an adopted council maintained highway)*

Forget about planning, organisation and the drudgery of detail - leave all of that up to us.

Whether you want a marquee or a lined barn, a 'live' band or a DJ, the finest foods cooked by world-class cooks or something entirely different.

Tell us what you want and we will make it all happen.

From 20 - 300 Guests with fabulous accommodation in our new Geodesic Domes available too."

Representations as per the Licensing Act 2003 -

1. The Prevention of crime and disorder

The village of Acklam is a small rural community, which historically enjoys low levels of crime and disorder. There is a quiet pub in the village, which is open during the evenings (except Tuesday) and all day on Sunday. As far as we are aware, to date, there are no recorded disorder incidents arising from the consumption of alcohol on this site.

This license application makes it clear that alcohol may be supplied between the hours of 12:00 and 22:00 hours (potentially) on every day of the year and at pre-arranged events until 00:00 hours. From the above wedding reception business information profile, these "pre-arranged events" could be for anything up to three hundred people. We are concerned that with this many people enjoying a celebration in which alcohol is

available there could well be a rise in unruly behaviour and possible disorder offences in the locality.

In addition, we are concerned that the current lack of overnight accommodation facilities for up to three hundred people at the conclusion of a wedding reception, there could well be an outpouring of guests at midnight, who, given the geographically remote location of the venue and lack of readily available public transport, could elect to risk driving their vehicles away from the venue whilst being under the influence of alcohol.

2. Public safety

ThrusSENDale Farm is situated within a working agricultural area. It is accessed by a narrow, steep single-track lane (ThrusSENDale Road), which has no street lighting. Often vehicles have to use the grass verges when faced with oncoming cars, heavy goods vehicles and farm traffic often towing trailers. This frequently results in mud being spread onto the road, which brings additional risks to the numerous cyclists that also use the lane, often at some speed on the descent. The overall condition and maintenance of the road and passing places is inadequate even for the current traffic that uses it. This problem is likely to be compounded significantly by any commercial vehicles that attend the site in order to facilitate larger functions, potentially including a "vintage double-decker bus".

This lane remains un-gritted in Winter and frequently becomes temporarily impassable from as early as mid-November when temperatures start to fall. The licensing application runs for the full year round, suggesting that the wedding reception business we believe that it will underpin could be also be open throughout the year. Upon this basis, we would wish to raise concerns about the ability of emergency vehicles to consistently access the site if there were inclement weather conditions. We would assume that emergency vehicle access would need to be seriously considered should our suggestion that this license application is being submitted in support of a potentially busy wedding reception venue be borne out?

We personally use this lane daily to walk our dogs along with our toddler. In addition, our daughter uses the lane regularly to ride her horse. We cannot help but be concerned that the inevitable increased traffic on the lane conveying up-to three-hundred guests to-and-from the venue is likely to increase the risk of road traffic incidents occurring on this single track lane.

3. The prevention of public nuisance

Given the proposed venture that we believe that the granting of a license is designed to support, it is highly likely that there will be an increase in non-agricultural noise pollution throughout the day-and-night. It is unrealistic to assume that the noise of up to three hundred guests enjoying themselves at a wedding function in which "live bands or DJs" are playing music can be controlled in any way such that there will be no impact on the local community. Furthermore the elevated location of the site with no natural barrier

to sound transmission will mean that noise created by any entertainment will travel and be heard within the villages surrounding the venue.

Under the terms of the licence application likely underpinning a busy wedding reception business, there will be unacceptably high levels of unscreened light pollution, which will wash out the starlight in the night sky, having a detrimental impact upon the night time view of many properties in the village of Acklam below the venue

As noted above, the remote location of the venue and limited access to public transport could potentially result in wedding reception guests staying overnight at the venue, which would inevitably lead to further noise overnight and into the following morning.

Overall, we can see no measureable benefit to the local community of Acklam if this application is approved; indeed it is likely to have a detrimental effect upon the residents quality of life along with the holiday cottage businesses in the area whose clients typically want a quiet weekend country break.

4. The protection of children from harm

As already mentioned above, the lane used to access the venue is frequently used by our family and many other walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the license is being considered is a working farm. The imbibing of alcohol for the periods specified in the license application could potentially impair decisions and put children at risk of harm.

In summary, as outlined above, we believe that the granting of a premises license to Mr. Hamilton for use on his "Private Hill" venue is likely to lead to significant disruption to the local community. In addition, we have concerns that it will potentially increase the risks of crime and disorder, have a detrimental effect upon public safety, represent a significant public nuisance and could potential result in harm to children. For these reasons, we would respectfully request that the Ryedale licensing department refuse this application.

Yours sincerely

Ryedale District Council

28th May 2019

To Whom it may concern

Over the weekend we have become aware of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows:

- 1. The supply of alcohol each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
- 2. The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
- 3. The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00.*

We wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives: -

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds.

According to the 2011 census the village had a population of 168 with 72 dwellings. There is a pub in the village but no local shop with the nearest supermarket located in Malton.

Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website (www.theprivatehill.co.uk) actively promotes wedding functions with between 20 and 300 guests.

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road.

Existing passing places are inadequate for the lane. This problem is likely to be compounded by the possible commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children), Horse riders (Both adults and Children) and cyclists. As a horse rider myself in the village for over 17 yrs, it is already dangerous

at times, due to the roads all being single track, making it difficult for vehicles to pass. This would become even more dangerous at busy times (ie a wedding) and drivers potentially, not being used to county lanes. Increased traffic (up to 300 guests) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane.

3 The prevention of public nuisance

Granting the proposed license is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore the location of the site means that noise created by any entertainment will travel and will be heard within the village. (Please see attached pictures) Due to the sites elevated position above the village it is expected noise will travel, especially as there is no screening)

4 The protection of children from harm

As already mentioned the narrow, extremely steep lane is used frequently by walkers, cyclists and horse riders including children and the increased traffic could result in harm to children. Many of which are brought up in this local community chosen by their parents to allow them increased freedom in the rural setting, it's a lifestyle choice as parents we feel very strongly about.

Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder. We live in this village because we enjoy the peaceful country life, we do not wish this to be spoilt.

Yours sincerely

10

29TH May 2019

Dear Sir/Madam,

I am writing to you in response to a licensing application being made by Mr Roddy Hamilton of The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 8RG.

The details of the application are set out below:

3. Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG

Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows.

1. The supply of alcohol each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.
2. The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours
3. The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00.

A record of this application may be inspected within the Ryedale District Council Register kept at the address shown below.

Representations must be made in writing to Ryedale District Council, Licensing Department, Ryedale House, Old Malton Road, Malton YO17 7ZG by 29 May 2019.

In response to this proposed application, we wish to make a formal representation objecting to the granting of a Premise License for The Private Hill.

Please note, I am writing this representation on 28th May 2019, within the specified timescale, despite only initially hearing about this proposal on 27th May 2019 at around 10:30pm.

Under the Licensing Act 2003, all representations must be relevant to at least one of the following licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Please see below for the details relating to each of the above points and details relating to Acklam village.

Acklam is a very rural village situated within the Yorkshire Wolds, 6.9 miles out of Malton Town centre, and 15 miles out of York City centre (route depending). According to the 2011 census, Acklam had a population of 168 with a total of 72 dwellings in the Parish.

There is one pub at the bottom of the village which is open from 5pm-11pm Tuesday to Friday, 12pm-12am Saturday, 12pm-8pm Sunday, and closed all day Monday. There are no shops within Acklam, with the nearest grocery store located in Malton.

The Private Hill have already attained planning permission to establish a glamping business, and therefore, geodesic dome structures have been built on top of the hill. These are very visible from the lane outside of the village and are already taking away some of the natural beauty of Acklam and the surrounding areas.

Additionally, Private Hill is being actively promoted as a wedding venue for up to 300 people (<https://www.theprivatehill.co.uk/wedding-receptions>). Although I fully understand the need for farms to diversify in order to remain profitable, and the addition of jobs in the area is obviously a positive step, I feel the opinions and feelings of Acklam's residents have not been taken into account.

This Licensing Application has been open for consultation from 1st May 2019, however, few residents have been made aware until the 27th May 2019, 2 days before the application closes. It appears Mr Hamilton has fulfilled his legal requirement by posting an A4 notice outside of his home on a gatepost, it is very difficult to notice. Myself and my partner were walking up the hill on the 26th of May (before hearing about these plans), and we did not see the notice.

Mr Hamilton also chose to not bring these plans to the attention of Acklam Parish Council, as is encouraged in Section 17.1 of the Ryedale Licensing Policy 2019, and no notice was posted in the Village which would have been a far more effective method of notifying the residents.

As a result of these plans, I have serious concerns about the impact upon the village that granting this License would have. As I unfortunately only initially heard about these plans on

27th May 2019 at around 10:30pm, I have been unable to contact Mr Hamilton and speak with him directly.

Please see below my response to the licensing objectives set out above:

1. The prevention of crime and disorder

As Acklam is a very rural village with a strong sense of community, there is very little, if any, crime and disorder. We have lived in the village for almost two years and in that time have heard no shouting, arguments or loud music, and no instances of crime that we are aware of.

The licensing application clearly states that alcohol will be supplied between the hours of 12pm and 10pm, with this extending to 12am at pre-arranged functions and events. With a maximum of 300 people consuming alcohol for up to 12 hours, there will obviously be an increased risk of intoxication and public order issues relating to excess alcohol.

An additional note would be the excess noise that comes with a wedding reception: live music/DJ, up to 300 people, as well as the noise from the excess traffic. Wedding receptions, which are being advertised by The Private Hill, are a celebration and it would be unfair to ask the guests to keep noise to a minimum.

As Acklam is so rural there is no public transport available, and taxi fares can be very expensive. This could lead to an increase in drink driving with the perception from guests that they won't be caught due to the lack of police presence and CCTV cameras in the village.

Additionally, the expectations from the business owners, that allowing up to 300 people onto the property and into the local area to allow the consumption of alcohol, whilst maintaining public decency, low levels of noise and disruption are completely unreasonable.

Having worked to secure venues conducting wedding receptions I can absolutely advise that these events typically get out of hand, especially for a limited amount of staff, across a large area, with literally no security. The business owners cannot expect to be able to police this amount of people themselves, they cannot reasonably expect to be able to intervene or diffuse any situations of disorder, and the nearest stationary police presence is 7 miles away.

Whilst the licence covers the consumption of alcohol until midnight, I am doubtful as to whether the business owners have ever attempted to close a venue and restrict alcohol consumption, at a celebration, once around 300 people have been drinking, potentially since midday. This is nigh impossible. The idea that they will be able to restrict and

control a large crowd across the parish area is ridiculous, especially as I don't believe any consideration has been made to securing the local area from drunk and disorderly behaviour.

For many of the people attending these events, Acklam is not their home, they may not have the same consideration for the local area as residents of the village do, which could cause an increase in alcohol fuelled vandalism, damage and general misbehaviour.

Lastly, it can be safe to assume that the risk of consumption of narcotics will rise along with the introduction of a licensed wedding venue. Whilst most members of the public may not indulge in the use of illegal substances, there has been a rise of such use in the areas surrounding Acklam village, which as of yet has been untouched by such substance misuse. However, bringing this kind of venue to Acklam will surely attract these issues along with it. As an experienced security professional, I would advise that there is absolutely no way that the business owners can prevent this from happening. There has been no mention of any preventative measures, no search policy or vetting of the individuals attending the celebrations. Whilst this risk is low, it is definitely still a risk, and not one I am willing to allow into the local area.

2. Public Safety

The Private Hill would be accessed by a very steep (20%) and narrow one-track lane (Thrussendale Road). More often than not, vehicles are forced to use the grass verges to avoid collision with vehicles coming the other way. When there is a HGV vehicle or large tractors, this can often become very tight to get two vehicles past. There are existing passing places, but they are not adequate for the size of some of the vehicles. Collisions could potentially become more frequent with more people using the lane to access the venue, and commercial vehicles using the lane to provide deliveries for the event.

When locals use this lane, we drive with added caution, however, we cannot assume that guests who are driving to the event would take the same caution as they are not aware of the area. Most of the roads out of Acklam are single track lanes, and we regularly witness people driving at speed along these lanes and not exercising proper caution, so why would this road be any different?

Additionally, Thrussendale Road stands between 450ft and 720ft above sea level. The road is not gritted by the Council during winter and often becomes impassable from as early as November through to April depending on the weather that year. For example, during the 'Beast from the East' Acklam was cut off for 5 days and Thrussendale Road was inaccessible until the snow and ice had melted away.

Thrussendale Road is also used by walkers with dogs and children, as well as cyclists. As there would be an increased amount of traffic with up to 300 guests accessing the venue, with few safe passing places, it is likely that road traffic accidents would increase. There are no street lights along Thrussendale Road (or throughout Acklam Village itself), meaning the safety of walkers and cyclists would be at risk.

To my knowledge, no traffic mitigation plans have been suggested by Mr Hamilton. The use of Private Hill as a wedding venue for up to 300 guests would lead to increased traffic through the village as Google Maps directs people from York to travel directly through the village and then up the steep and narrow Thrussendale Road.

The street through the village is unlit, narrow with parked cars outside their homes, with no footpath (with the exception of the outside of Main Street).

As there is very little accommodation offered by Private Hill, it is reasonable to assume that guests will be using the narrow, unlit roads to travel to and from the venue in cars, taxis and possibly coaches. However, it is unlikely that a coach will be able to manoeuvre the narrow lanes and tight corners. This volume of vehicles will also increase the pollution levels in the village.

The licensing hours also indicate that people will be driving through the village after midnight, causing further noise for the residents and endangering the wildlife in the area who come out late at night therefore resulting in increased roadkill. 2 Badger carcasses have been found within the last 6 months on Thrussendale Road. We also regularly stop for animals in the roads leading into Acklam including badgers, foxes, rabbits, and deer.

An additional point is that The Private Hill is located on a working Farm (<https://www.thrussendalefarm.com/>). All farms vary somewhat, but it is not unreasonable to assume that there will farm machinery (tractors, trailers, etc) working on the farm at all hours, especially during calving season. Thrussendale farm Bulls and Heifers all year round meaning it is likely that the fields surrounding the farm will contain bulls and heifers and sometimes calves.

Unless all event guests are being permanently monitored, it is likely that guests, especially under the influence of alcohol and possibly other substances, will wander around the farm given the opportunity.

I also strongly believe it is also unfair to impose the noise from the music and excess people on the animals who are used to pretty much silence.

Whilst many of the guests may be considerate and well behaved, there is no way for the limited members of staff to keep control of up to 300 individuals all of the time across an active farming establishment. Some of these guests, once under the influence of alcohol and their peers may be unruly, which in the presence of large and

dangerous farm animals (namely bulls) as well as a number of dogs in the local area, is extremely dangerous.

As someone who was raised on a farm, I understand the dangers of farms: loose animals, farm machinery, slurry pits etc, however many of the guests may not have ever been present on an active farm before. This combined with alcohol encouraged confidence and curiosity could be a recipe for extreme danger. The machinery used in farming, as well as the animals, can be the cause of critical injuries and even death.

Whilst I have no doubt the expectation of the business owners is that the weddings will be kept completely separately from the farm, I am resolute that there is no way they will be able to monitor all guests at all times, in order to ensure everyone's safety. And should they be monitoring them, should a guest attempt to access an area they shouldn't, how do they propose to stop them? People under the influence of alcohol have a lessened likelihood to listen to reason and warnings.

My concerns to public safety spill over into the village itself, which is only a couple of hundred meters down the road. People not from the local area are likely to explore, leading them into contact with many of the local residents, who, myself included, do not want to have to deal with up to 300 intoxicated guests in the village at any one time. The village itself is very small and as the local area is typically silent, especially at night, any disruptions or shouting will be heard throughout the village.

There is no lighting in the village whatsoever, causing it to be practically impossible to identify anyone without face to face contact. There is no CCTV at all on a street level, and as such bringing a large amount of unvetted, and unmonitored intoxicated individuals into the village is extremely unwise.

Essentially, any criminal activity, or anything leading to injury, would be impossible to trace back to the cause. Whilst the guests at the weddings would likely not all be such unsavoury individuals, absolutely no guarantee can be given to ensure they will not be, and the related risks associated with this will rise.

3. The prevention of Public Nuisance

As it has been publicised that the venue is to hold a maximum of 300 guests, it is unreasonable to assume that this will not cause any noise disturbance from the music (live band or DJ) and the noise from the conversation, shouting etc from people at the event. It is unrealistic to ask 300 wedding guests to monitor their noise levels. Due to the raised level of the venue above the village, the noise from the event will likely travel down the hill into Acklam Village, therefore, disrupting the afternoons and evenings of the residents.

Most people choose to live in Acklam because of how quiet and remote the area is. We aim to keep it that way.

4. The protection of children from harm

As previously mentioned, Thrussendale Road is frequently used by walkers with children. The increased traffic from the guests could potentially result in harm to children.

Also, as previously mentioned, the site is a working farm. It is unreasonable to assume that children who are guests at an event will not wander away from their parents or guardians when at a private event.

The availability of alcohol could also impair decision making and put children at risk.

I also believe that there have been very little environmental considerations made. The environmental survey which was completed before the building of the glamping domes was carried out on the knowledge that the domes each house up to four people (2 Adults and 2 Children). The Licensing Application which has been submitted suggests there may be a maximum of 300 people on the site. This is a massive variation in numbers. As a result, I want this to be revisited and a new conclusion given.

Mr Hamilton's environmental survey identifies several protected species within 2km and 3 North Yorkshire sites of importance for Nature Conservation (SINC). Wold Ecology Ltd, who assessed the area, concluded that 'Sites will not be impacted on due to the small-scale nature of the proposed development'. With the Private Hill site now planning to host up to 300 people all at one time, a question has to be raised over the validity of this conclusion.

A further consideration I don't believe has yet been mentioned is how exactly Mr and Mrs Hamilton intend to be able to limit the consumption of alcohol to purely their premises. Are they going to be supplying this alcohol in glass, or plastic glasses? Glass would lead to broken glass and the possible injury of: guests, residents, the dogs that residents walk past the venue, and farm animals. On the other hand, plastic glasses will be dropped and discarded by guests, they will blow around in the wind and could end up a long distance from the intended venue. Should that be the case it will impact the local area's ecology, environment, and picturesque visage. How would Mr Hamilton propose to clean up these plastic glasses. If some are to blow into resident's gardens, is Mr Hamilton going to come and clean them up?

A further aspect which should be up for consideration is the affect the venue will have on house prices in the area. Currently, house prices in Acklam are fairly high. This could be attributed to the location, the peacefulness and the size of the village leading to a more relaxed and quiet life. Having a wedding venue a stone's throw away will likely discourage potential buyers from buying a house as they are not guaranteed the tranquillity of living in a small village.

In conclusion, I feel this proposal has been very underhanded. Mr Hamilton chose not to advertise the proposal of a wedding venue in a more public place (pinboard outside of the Acklam Village Hall) where it would be easily accessible for all residents. If we knew about it, it would have been easier to communicate with Mr Hamilton about the plans.

Also, the fact that the environmental survey determined the proposed site to have no impact due to the 'small-scale nature of the proposed development' is now incorrect as the 'small-scale nature' has grown to up to 300 people on the site (not including staff at the event). That is no longer 'small-scale'.

Granting a premise license for the Private Hill will definitely result in disruption to the local community through increased traffic, noise and light pollution, danger on the roads and the people exhibiting drunken behaviour, therefore, disrupting our tranquil and safe village. As I have said before, people chose to live in Acklam because of the peace and quiet we are lucky enough to get every day. To allow a large wedding venue will take that tranquillity away from the current residents.

Thank you for your time.

Yours faithfully,

Ryedale District Council

28th May 2019

To Whom it may concern

Over the weekend we have become aware of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

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- 2. The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
- 3. The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00.*

We wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives: -

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72

dwelling. There is a pub in the village but no local shop with the nearest supermarket located in Malton.

Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website () actively promotes wedding functions with between 20 and 300 guests.

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane. This problem is likely to be compounded by the possible commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children), Horse riders (Both adults and Children) and cyclists. Increased traffic (up to 300 guests) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane.

3. The prevention of public nuisance

Granting the proposed license is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore the location of the site means that noise created by any entertainment will travel and will be heard within the village. Due to the sites elevated

position above the village it is expected noise will travel, especially as there is no screening.

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As already mentioned the narrow extremely steep lane is used frequently by walkers cyclists and horse riders including children and the increased traffic could result in harm to children. Many of which are brought up in this local community chosen by their parents to allow them increased freedom in the rural setting, it's a lifestyle choice as parents we feel very strongly about. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Yours sincerely

28 May 2017

Ryedale District Council
Ryedale House,
Old Malton Rd,
Malton
YO17 7HH

For the attention of Ronnie McClure

Dear Sirs

I have today become aware of a licensing application in respect of Roddy Hamilton, The Private Hill, ThrusSENDale Farm, ThrusSENDale Road, Acklam, Malton, YO17 9RG.

I wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives: -

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

Details are set out below.

Background

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Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at ThrusSENDale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website (www.theprivatehill.co.uk) actively promotes wedding functions with between 20 and 300 guests.

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that I am aware of.

The license application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGVs, farm tractors and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane. This problem is likely to be compounded by the possible commercial vehicles attending the site in order to facilitate large functions and for the increase in the volume of cars of the people attending functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children) and cyclists. Increased traffic (up to 300 guests) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane.

3. The prevention of public nuisance

Granting the proposed license is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore the location of the site means that noise created by any entertainment will travel and will be heard within the village.

4. The protection of children from harm

As already mentioned the narrow, steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

I believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

I would also bring to your attention that on 24 September 2017, Roddy Hamilton made the same comments as set out above in an objection to a Planning Application 17/01042/FUL made by his neighbours at Manor Farm, Thrussendale Farm, Acklam.

Yours faithfully

27 May 2019

Ryedale District Council

Attention: Mr Ronnie McLure

Dear Mr McLure,

Thrussendale Farm, Acklam, YO17 9RG

I am aware of a licencing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows:

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2. *The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours*
3. *The premises will be open to the public each day between 10 00 and 19:00 hours. At pre-arranged private events/functions until 00:00."*

I wish to make a formal representation objecting to the granting of a premises licence. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licencing objectives: -

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72

dwelling. There is a pub in the village but no local shop with the nearest supermarket located in Malton. The village is populated largely either by people who run or are employed on the local farms, or retired people.

Following the approval of planning permission to establish a "glamping" business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website ([www.privatehill.co.uk](#)) actively promotes wedding functions with between 20 and 300 guests.

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that I am aware of.

The licence application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane. This problem is likely to be compounded by the possible commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children) and cyclists. Increased traffic (up to 300 guests) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane.

3. The prevention of public nuisance

Granting the proposed licence is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore the location of the site means that noise created by any entertainment will travel and will be heard within the village.

4. The protection of children from harm

As already mentioned the narrow steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the licence is being considered is a working farm. The availability of alcohol for the periods specified in the licence application could impair decisions and put children at risk of harm.

I would also point out that these lanes do not offer scope for parking, and that, in my opinion, unless guest's vehicles can be completely accommodated ON Thrussendale Farm, access and blockage issues are likely to arise.

Finally, I consider that the granting of a premises licence for the Private Hill is likely to lead to significant disruption to the local community through increased traffic movements and parking, noise and light pollution and risk of disorder.

Yours sincerely

Ronnie McClure

From:
Sent:
To:
Subject:

ok|com>

Dear Mr McClure,

Thank you for your advice.

Further to our previous correspondence, we would like to refer to the licensing objective re public safety.

Thrusendale Road is the steepest hill in the Yorkshire Wolds @ 20%, extremely narrow, and bordering on popular walks e.g. Chalkland Way.

For these reasons, any increase in traffic would be undesirable and potentially dangerous.

On 28/05/2019 15:46, Ronnie McClure wrote:

Dear Mr & Mrs Burt,

Thank you for your email. In order for a relevant presentation to be made, the person making the representation must make reference to any of the four licensing objectives and explain why in their opinion the licensing objectives are not being promoted by the applicant, you cannot simply say you are agreeing with another person's submission. Please note you are more than welcome to submit such a representation but as stated above it must relate to the licensing objectives as Mr Hesters letter does, the closing date for submissions is tomorrow. Please feel free to contact me if you want to discuss the matter, contact detail below.

Regards

Ronnie McClure
Environmental Health Officer

Ryedale House
Malton
North Yorkshire
YO17 7HH

Tel:01653 600666 Ext 250
E mail: ronnie.mcclure@ryedale.gov.uk

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Facebook: <http://www.facebook.com/RyedaleDC> | Flickr:
<http://www.flickr.com/photos/ryedaledc>

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F
S

[redacted]

To: robbie.williams@ryedale.gov.uk
Subject: Representation

Dear Mr McClure

This is our formal Representation supporting other representations you have received from Acklam villagers regarding the alcohol and music license for Roddy Hamilton at Thrussendale Farm.

We totally endorse all issues brought to your attention in Rob and Andrea Hester's letter. They are all very valid points.

In addition, you should know that badgers and rabbits are regularly seen on Thrussendale Road, their survival will be sadly curtailed by an increase in traffic. Also the village pub, already working hard to keep it's clientele, would benefit from visitors to the village, not by another licensed establishment.

Acklam is a peaceful Wolds village, the last thing it needs is somewhere with 7 days a week alcohol and music license.

Yours faithfully



Access your council services online 24 hours a day, 7 days a week at www.ryedale.gov.uk

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As a public body the Council may be required to disclose this e-mail (or any response to it) under the Freedom of Information Act 2000 unless the information in it is covered by one of the exemptions in the Act.

Ronnie McClure

From:
Sent:
To:
Cc:
Subject:

Ryedale District Council

28th May 2019

Dear Sir/Ma'am,

We have today become aware of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows:

1. *The supply of alcohol each day between 12.00 and 22.00 hours. At pre-arranged private events/functions until 00:00 hours.*
2. *The provision of recorded music each day between 12.00 and 22.00 hours. At pre-arranged private events/functions until 00:00 hours.*
3. *The premises will be open to the public each day between 10.00 and 19:00 hours. At pre-arranged private events/functions until 00.00.*

We wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives:

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72 dwellings. There is a pub in the village but no local shop with the nearest supermarket located in Malton.

Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website (www.theprivatehill.co.uk) actively promotes wedding functions with between 20 and 300 guests. The licensing application requests music and alcohol until 00.00.

Although the Licensing application has been open for consultation from 1 May 19, few villagers in Acklam were aware of it until 27 May 19, 2 days before it closes. Mr Hamilton has fulfilled his legal requirement by posting an A4 notice outside on a gatepost outside his property, but it is very difficult to see whilst driving or walking past, unless seen very

close up. Please see attached photo. Mr Hamilton did not inform or consult the Acklam Parish Council as encouraged in section 17.1 of the Ryedale Licensing Policy 2019. No notice was posted in the village.

We have concerns about the impact of this License upon the village of Acklam and surrounds and have not been able to discuss them with Mr Hamilton in a timely manner. Our representations are as follows

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application at Thrussendale Farm makes it clear that alcohol will be supplied between the hours of 12.00 and 22.00 hours every day and pre-arranged events until 00.00 hours. Clearly, with events of up to 300 people drinking alcohol, there is an increased risk of public intoxication and consequent public order issues. Additionally, Acklam is a remote village with very limited access and accommodation. With a perception that there are few police officers on duty locally, there is an increased risk of drivers under the influence of alcohol with impaired driving ability.

'The Private Hill' is actively promoting and advertising wedding parties for up to 300 people per night. The infrastructure in Acklam (including access/ security/ policing) cannot safely support these numbers. Our public house is a small enterprise which serves the local community very well. We therefore currently require very little police presence in the village. Our support for the glamping business was based upon the premise that small-scale tourism would benefit the village (including our pub). The proposal for late-night licensing at Thrussendale Farm fundamentally contradicts this understanding.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often, vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, spreading mud on the road. Existing passing places are inadequate for the lane. This problem will be compounded by commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children) and cyclists. Increased traffic (up to 300 guests and support staff) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane, especially as there are no pavements or street lighting.

No traffic mitigation plans have been communicated by Mr Hamilton to the residents of Acklam village. Indeed, in his objection to a planning proposal for a modest enterprise at Manor Farm in 2017, Mr Hamilton identified identical issues regarding Thrussendale Road and was wholly against them. To our knowledge, no factors have changed since then, so Mr Hamilton's volte face is puzzling.

There is significant concern about the potential increase in traffic through the village; Sat Nav systems direct travellers from York to travel through the village in order to reach Thrussendale Road. The village street is narrow, has virtually no pavement, has no street lighting, is dependent on street parking and is residential. Given the limited local accommodation, it is reasonable to assume that there will be a substantial increase in traffic, with associated pollution. The proposed licensing hours will also encourage large volumes of traffic to travel through the village after midnight, further endangering public safety and increased disturbance.

3. The prevention of public nuisance

Granting the proposed license will increase noise pollution throughout the day and night, as well as light pollution at night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore, the location of the site means that noise created by any entertainment will travel the few hundred metres down the hill and will disturb people within the village during the weekend, when they have a reasonable expectation to enjoy some peace and quiet.

We have no issue with glamping guests enjoying themselves, or occasional larger events in a good cause (such as the 1 Jun 19 Black Tie charity ball being held at the farm). However, larger numbers of guests on a regular basis pose a threat to the peace and quiet of our village.

300 wedding guests on any night would be very disruptive to residents, three times the population of the village represents lots of traffic. As well as the disruption to local people, regular big celebrations would threaten the habitat of our treasured wildlife: barn owls, bats, badgers, foxes, hedgehogs, otters. Acklam is a very special place, our community actively encourages the conservation of protected species through ecologically sensitive policies and practices, in line with Ryedale Council's policy for the Wolds. A big increase in traffic, noise, light at night makes the sustainability of this ethos impracticable.

4. The protection of children from harm

As already mentioned, the narrow, steep lane is used frequently by walkers, including children, and the increased traffic could result in harm to children. Furthermore, the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm. We are very worried about drivers setting off the morning after celebrations, or after a long day of festivities. Without proper policing, it could be difficult for the venue to guarantee safety to residents.

We believe, very strongly, that the granting of a premises license for 'The Private Hill' is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of crime/disorder. We are particularly invested in safety for children in the village, having moved to Acklam with a view to finding a safe place to bring up children of our own.

There seems to be little or no environmental consideration in licensing applications; this is usually considered as part of the planning process beforehand. However, Mr Hamilton's environmental survey during planning was predicated upon the occupation of 4 glamping domes. His licensing application is of a totally different magnitude of human activity (late night parties of up to 300 people). We believe this should, therefore, be revisited. Mr Hamilton's own survey identifies several protected species within 2 Km and three North Yorkshire sites of importance for Nature Conservation (SINC). The frequent conclusion of the assessor, Wold Ecology Ltd, is that "sites will not be impacted on due to the small-scale nature of the proposed development".

We question whether this conclusion is still valid, given the proposed substantial increase in human activity. In addition to noise and light concerns affecting wildlife, there are concerns over traffic; 2 Badger carcasses have been discovered on the Thrussendale Rd within the past 6 months; there may not be a sett within the vicinity, but it is clearly rich in wildlife.

We look forward to further engagement to mitigate our concerns.

Yours faithfully

Ryedale District Council

28th May 2019

Dear R. McClure

We have today become aware of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows

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2. *The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours*
3. *The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00*

We wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives: -

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72

dwellings. There is a pub in the village but no local shop with the nearest supermarket located in Malton.

Following the approval of planning permission to establish a glamping business, 5 small dome structures have now been erected on the Private Hill at Thrussendale Farm. Each of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website ([www.privatehill.co.uk](#)) actively promotes wedding functions with between 20 and 300 guests.

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane. This problem is likely to be compounded by the possible commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children) and cyclists. Increased traffic (up to 300 guests) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane.

3. The prevention of public nuisance

Granting the proposed license is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore the location of the site means that noise created by any entertainment will travel and will be heard within the village.

4. The protection of children from harm

As already mentioned, the narrow, steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore, the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Yours sincerely

17

Ronnie McClure

From:
Sent:
To:
Cc:
Subject

ik>

Thrussendale Acklam

Ryedale District Council,

We live opposite the development at Thrussendale Farm, Acklam and strongly oppose any further development at the site on the grounds of

- 1 increase of traffic on steep, blind narrow track lanes, which don't get gritted in winter.
- 2 Light pollution as we live opposite the site and can see it from our house and it is visible from miles away.
- 3 Noise pollution from extra traffic, people and entertainment on the site, and the noise will travel.
- 4 safety of the local inhabitants who walk, ride horses and drive as the roads are narrow.
- 5 destroying a quiet location .

Your Sincerely

Pyedale District Council
FAO: R. McClure

27th May 2019

Dear Sir / Madam

Today, I have been made aware of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows:

- 1. The supply of alcohol each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
- 2. The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.*
- 3. The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00.*

I would like to make a strong formal objection to the granting of a premises licence. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives: -

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72 dwellings. There is a pub in the village but no local shop with the nearest supermarket located in Malton.

Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website actively promotes wedding functions with between 20 and 300 guests.

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The licence application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and at pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

Given that Acklam is some distance from Malton and Stamford Bridge, drink driving could become an issue.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane. This problem is likely to be compounded by the possible commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area, they will have no knowledge of potential dangers on this lane. There is a sharp, blind bend at the bottom of Thrussendale Road where locals know it is necessary to take extreme care. Ironically, I am aware of a near miss on this bend involving the applicant, Mr R. Hamilton, when he first moved into the village.

The lane itself is not in good condition and there are issues with poor drainage. The lane would have to be resurfaced if it were to be in constant use.

This lane is used frequently by walkers (with dogs and children), riders and cyclists. Increased traffic (up to 300 guests) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane.

It is not just Thrussendale Road that is narrow. The approach to Thrussendale Farm is along narrow, windy roads for some miles. In the event of an emergency, would emergency vehicles be

able to access the site? Also, a large number of visitors would greatly increase the risk of a fire in surrounding farm land

3. The prevention of public nuisance

Granting the proposed licence is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore, the location of the site means that noise created by any entertainment will travel and will be heard within the village

In an advertisement I read about camping at Thrussendale Farm last year, campers were asked to bring their own toilet facilities with them. Would there be sufficient toilet facilities for up to 300 guests or would a lack of provision lead to an inevitable "public nuisance"?

4. The protection of children from harm

As already mentioned, the narrow, steep lane is used frequently by walkers, including children, and the increased traffic could result in harm to children. Young riders also use this lane. Furthermore, the site for which the licence is being considered is a working farm. The availability of alcohol for the periods specified in the licence application could impair decisions and put children at risk of harm.

Finally, I believe that the granting of a premises licence for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Before closing this letter, I would like to add that at no time was I aware of a planning application at Thrussendale Farm. I intend to speak to the planning department about this. I am certain that if more local residents had been aware of a planning application, there would have been many objections. The so-called "pods", which are supposed to be hidden, are an eyesore for miles and have already had a significant negative impact on the community of Acklam.

Yours faithfully.

Ryedale District Council

28th May 2019

Dear Sirs

We have today become aware of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

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Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. These pre-arranged events could be for up to 300 people. This is likely to give rise to unruly behaviour and possible disorder offences.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane. This problem is likely to be compounded by the possible commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children), many cyclists use this lane as do horse riders.

The volume of traffic, which is likely to be made up of heavy commercial vehicles involved in the set up and dismantling of events, together with the associated traffic of guests (up to 300) attending and leaving events is likely to cause considerable public nuisance and will increase the risk of road traffic incidents and damage occurring on this single track lane.

3. The prevention of public nuisance

Granting the proposed license is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves until the early hours can be controlled in such a way that there will be no impact on the local community. Furthermore the location of the site means that noise created by any entertainment will travel and will be heard within the village of Acklam and the neighbouring village of Leavening.

4. The protection of children from harm

As already mentioned the narrow, steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

Yours faithfully

Ronnie McClure

20

From:
Sent:
To:
Subject:

Dear Sir,

I should like to endorse the submission of objection made by

Having owned a house in East Acklam for many years I should be very worried if there should be agreement to the setting up of such an organisation on the hill at Thrussendale. The roads are narrow and, because of the small amount of traffic, are reasonably safe. Were there to be events involving numbers of people I believe that traffic could become quite dangerous.

Acklam is a small and quiet village: residents can park on the road and the whole place has a calm and rural aspect. To set up a party venue in what would seem to many, including myself, to be an extremely unsuitable venue, would seem totally inappropriate. Please feel free to make contact with me if you feel I can contribute anything to the conversations regarding this application.

Yours faithfully

Sent from Mail for Windows 10

21

Ronnie McClure

From:
Sent:
To:
Cc:
Subject:

Ryedale District Council.
Bradburn

29th May 2019

Dear Sir

We became aware yesterday of a licensing application in respect of Roddy Hamilton, The Private Hill, Thrussendale Farm, Thrussendale Road, Acklam, Malton, YO17 9RG, the details of which are set out below.

Application has been made on 1 May 2019 for a Premises Licence under the above Act at the above premises as follows:

1. The supply of alcohol each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.
2. The provision of recorded music each day between 12:00 and 22:00 hours. At pre-arranged private events/functions until 00:00 hours.
3. The premises will be open to the public each day between 10:00 and 19:00 hours. At pre-arranged private events/functions until 00:00.

We wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

We are frequent visitors to Acklam as our daughter and son-in-law live in the village. We often visit to collect or deliver their dog or to look after him when they are at work and enjoy walking around the village and its environs.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives:

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72 dwellings. There is a pub in the village but no local shop with the nearest supermarket located in Malton.

Following the approval of planning permission to establish a glamping business, 5 geodesic dome structures have now been erected on the Private Hill at Thrussendale Farm. Four of the domes each sleep two adults and two/three children and are available for booking throughout the year. In addition, the Private Hill website (<https://protect-eu.mimecast.com/s/onsQCmQzjHPqWkuGiPZN?domain=theprivatehill.co.uk>) actively promotes wedding functions with between 20 and 300 guests. The licensing application requests music and alcohol until 00:00.

Although the Licensing application has been open for consultation from 1 May 19, few villagers in Acklam were aware of it until 27 May 19, 2 days before it closes. Mr Hamilton has fulfilled his legal requirement by posting an A4 notice

outside on a gatepost outside his property, but it is very difficult to see whilst driving or walking past, unless seen very close up. Mr Hamilton did not inform or consult the Acklam Parish Council as encouraged in section 17.1 of the Ryedale Licensing Policy 2019. No notice was posted in the village.

We have concerns about the impact of this License upon the village of Acklam and surrounds and have not been able to discuss them with Mr Hamilton in a timely manner. Our representations are as follows

Detailed representations as per the Licensing Act 2003

1. The Prevention of crime and disorder

The village of Acklam is a small rural community with minimal crime and disorder. There is a pub in the village which is open during the evening (except Tuesday) and all day Sunday. There is no recorded disorder arising from the consumption of alcohol on these premises that we are aware of.

The license application at Thrussendale Farm makes it clear that alcohol will be supplied between the hours of 12:00 and 22:00 hours every day and pre-arranged events until 00:00 hours. Clearly, with events of up to 300 people drinking alcohol, there is an increased risk of public intoxication and consequent public order issues. Additionally, Acklam is a remote village with very limited access and accommodation. With a perception that there are few police officers on duty locally, there is an increased risk of drivers under the influence of alcohol with impaired driving ability.

'The Private Hill' is actively promoting and advertising wedding parties for up to 300 people per night. The infrastructure in Acklam (including access/ security/ policing) cannot safely support these numbers. Our public house is a small enterprise which serves the local community very well. We therefore currently require very little police presence in the village. Our support for the glamping business was based upon the premise that small-scale tourism would benefit the village (including our pub). The proposal for late-night licensing at Thrussendale Farm fundamentally contradicts this understanding.

2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often, vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, spreading mud on the road. Existing passing places are inadequate for the lane. This problem will be compounded by commercial vehicles attending the site in order to facilitate large functions.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children) and cyclists. Increased traffic (up to 300 guests and support staff) to attend and leave events is likely to increase the risk of road traffic incidents occurring on this single track lane, especially as there are no pavements or street lighting.

No traffic mitigation plans have been communicated by Mr Hamilton to the residents of Acklam village. Indeed, in his objection to a planning proposal for a modest enterprise at Manor Farm in 2017, Mr Hamilton identified identical issues regarding Thrussendale Road and was wholly against them. To our knowledge, no factors have changed since then, so Mr Hamilton's volte face is puzzling.

There is significant concern about the potential increase in traffic through the village; Sat Nav systems direct travellers from York to travel through the village in order to reach Thrussendale Road. The village street is narrow, has virtually no pavement, has no street lighting, is dependent on street parking and is residential. Given the limited local accommodation, it is reasonable to assume that there will be a substantial increase in traffic, with associated pollution. The proposed licensing hours will also encourage large volumes of traffic to travel through the village after midnight, further endangering public safety and increased disturbance.

3. The prevention of public nuisance

Granting the proposed license will increase noise pollution throughout the day and night, as well as light pollution at night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves can be controlled in such a way that there will be no impact on the local community. Furthermore, the location of the site means that noise created by any entertainment will travel the few hundred metres down the hill and will disturb people within the village during the weekend, when they have a reasonable expectation to enjoy some peace and quiet.

We have no issue with glamping guests enjoying themselves, or occasional larger events in a good cause (such as the 1 Jun 19 Black Tie charity ball being held at the farm). However, larger numbers of guests on a regular basis pose a threat to the peace and quiet of our village.

300 wedding guests on any night would be very disruptive to residents, three times the population of the village represents lots of traffic. As well as the disruption to local people, regular big celebrations would threaten the habitat of our treasured wildlife: barn owls, bats, badgers, foxes, hedgehogs, otters. Acklam is a very special place, our community actively encourages the conservation of protected species through ecologically sensitive policies and practices, in line with Ryedale Council's policy for the Wolds. A big increase in traffic/ noise/ light at night, makes the sustainability of this ethos impracticable.

4. The protection of children from harm

As already mentioned, the narrow, steep lane is used frequently by walkers including children, and the increased traffic could result in harm to children. Furthermore, the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm. We are very worried about drivers setting off the morning after celebrations, or after a long day of festivities. Without proper policing, it could be difficult for the venue to guarantee safety to residents.

We believe, very strongly, that the granting of a premises license for 'The Private Hill' is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of crime/disorder.

There seems to be little or no environmental consideration in licensing applications; this is usually considered as part of the planning process beforehand. However, Mr Hamilton's environmental survey during planning was predicated upon the occupation of 4 glamping domes. His licensing application is of a totally different magnitude of human activity (late night parties of up to 300 people and all the attendant support staff for catering and bar work). We believe this should, therefore, be revisited. Mr Hamilton's own survey identifies several protected species within 2 Km and three North Yorkshire sites of importance for Nature Conservation (SINC). The frequent conclusion of the assessor, Wold Ecology Ltd, is that "sites will not be impacted on due to the small-scale nature of the proposed development". It is hard to understand how the proposed licence would be of a small scale nature.

We question whether this conclusion is still valid, given the proposed substantial increase in human activity. In addition to noise and light concerns affecting wildlife, there are concerns over traffic; 2 Badger carcasses have been discovered on the Thrussendale Rd within the past 6 months; there may not be a sett within the vicinity, but it is clearly rich in wildlife.

In conclusion, we believe that the application should not be granted as the scale of proposed events is entirely inappropriate to the site and its proximity to the village of Acklam.

Yours sincerely

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29 May 2019

Ryedale District Council

We have been made aware of a licensing application by Roddy Hamilton, The Private Hill, Thrussendale Road, Acklam, Malton, YO17 9RG, for a Premises Licence, we are concerned about safety issues with extra traffic using the steep and narrow road up to Thrussendale Farm. This narrow road is used by farm traffic, bikes, horses and walkers during the day and evening on a regular basis.

Our second concern is the potential noise pollution during the day and evening made by up to 300 people, on past occasions it was very evident that noise travels down the valley and can be clearly heard in the village.

Lastly we feel to grant this premises licence is likely to lead to significant disruption to the local community and that The Private Hill will spoil what is a quite and unique wolds landscape.

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Ryedale District Council

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We wish to make a formal representation objecting to the granting of a premises license. This representation is made within the timescale specified.

Under the Licensing Act 2003 all representations must be relevant to at least one of the following licensing objectives: -

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

Details are set out below.

Background

Thrussendale Farm is situated on the edge of the rural village of Acklam, Malton. The village is located 12 miles north east of York and 6 miles south of Malton, on the edge of the Yorkshire Wolds. According to the 2011 census the village had a population of 168 with 72

dwelling. There is a pub in the village but no local shop with the nearest supermarket located in Malton.

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2. Public safety

Thrussendale Farm is accessed by a narrow and steep (20%) single track lane (Thrussendale Road). Often vehicles have to use the grass/vegetation verges when confronted by fairly regular oncoming HGV and farm and other traffic, many with trailers, often spreading mud on the road. Existing passing places are inadequate for the lane.

This lane is between 450ft and 720ft above sea level which is ungritted in winter and frequently becomes impassable from as early as mid-November when temperatures start to fall. As the facilities are available for booking throughout the year this raises concern about the ability of emergency vehicles to access the site. As visitors are likely to be from outside the local area they will have no knowledge of potential dangers on this lane.

This lane is used frequently by walkers (with dogs and children) and cyclists.

The volume of traffic, which is likely to be made up of heavy commercial vehicles involved in the set up and dismantling of events, together with the associated traffic of guests (up to 300) attending and leaving events is likely to cause considerable public nuisance and will increase the risk of road traffic incidents and damage occurring on this single track lane.

3. The prevention of public nuisance

Granting the proposed license is likely to increase noise pollution throughout the day and night. It is unrealistic to assume that the noise of up to 300 guests enjoying themselves until the early hours can be controlled in such a way that there will be no impact on the local community. Furthermore the location of the site means that noise created by any

entertainment will travel and will be heard within the village of Acklam and the neighbouring village of Leavening.

4. The protection of children from harm

As already mentioned the narrow, steep lane is used frequently by walkers including children and the increased traffic could result in harm to children. Furthermore the site for which the license is being considered is a working farm. The availability of alcohol for the periods specified in the license application could impair decisions and put children at risk of harm.

Finally, we believe that the granting of a premises license for the Private Hill is likely to lead to significant disruption to the local community through increased traffic, noise and light pollution and risk of disorder.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
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