



## LICENSING & APPEALS SUB-COMMITTEE

(Members are asked to join the meeting by 1.45pm)

Thursday, 20 May 2021 at 2pm

Please note that due to Covid-19, this meeting will be held remotely and will be livestreamed here:  
<https://www.youtube.com/channel/UCdfb6ZRbYnZ1-rRiLmjUwg>

### AGENDA

**Sub-Committee Membership:** Councillors Ireton, Moorby and Myers.

1. **Apologies for absence.**
2. **Appointment of Chairman for the Hearing.**
3. **Declarations of Interest** – Members are invited to declare any interests (including the nature of those interests) they have in the item appearing on this agenda.

*(Note: If any of the Sub-Committee's Members believe they may have an interest they are asked to inform the agenda contact officer before the date of the Hearing as the attendance of a replacement Member may need to be arranged.)*

4. **Application for Grant of Premises Licence, Tarn House Leisure Park, Stirton, Skipton BD23 3LQ** – The Sub-Committee is asked to consider an application for a Premises Licence under section 17 of the Licensing Act 2003 by Partington Holiday Centres Limited, for Tarn House Leisure Park, Stirton, Skipton BD23 3LQ and make a determination under section 18(3) Licensing Act 2003 based on the licensing objectives.

**Agenda Contact Officer:**

Hannah Scales, Democratic Services and Scrutiny Officer

Email: [hscales@cravendc.gov.uk](mailto:hscales@cravendc.gov.uk)

# Licensing and Appeals Sub-Committee

20<sup>th</sup> May 2021



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## Licensing Act 2003

### Application for Grant of Premises Licence, Tarn House Leisure Park, Stirton, Skipton BD23 3LQ

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**Ward(s) affected:** Gargrave & Malhamdale

#### **Report of Tim Chadwick, Licensing Manager**

**1. Purpose of Report**– To consider an application for a Premises Licence under section 17 of the Licensing Act 2003 by Partington Holiday Centres Limited, for Tarn House Leisure Park, Stirton, Skipton BD23 3LQ and make a determination under section 18(3) Licensing Act 2003 based on the licensing objectives (set out in paragraph 2 below) taking into account relevant representations.

#### **2. Recommendation**

Members are requested to determine the enclosed application with a view to promoting the licensing objectives:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

The steps are—

- a. to grant the licence as applied for
  - i. subject to conditions consistent with the operating schedule and as modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and
  - ii. any condition which must under section 19, 20 or 21 (mandatory conditions) be included in the licence;
- b. to exclude from the scope of the licence any of the licensable activities to which the application relates;
- c. to refuse to specify a person in the licence as the designated premises supervisor;
- d. to reject the application.

### 3. Background

It is worth noting that Licensing and Planning form two distinctive legislative regimes, and the applicant has to ensure that they comply with both. Any licensed premises are liable to potential enforcement action under both licensing and planning legislation. Any decision made by members should be done on the specific merits of the particular application, taking account of the Licensing Objectives and the relevant representations that have been lodged.

The Licensing Authority has received an application for the **GRANT** of a premises licence for Tarn House Leisure Park, Stirton, Skipton BD23 3LQ. This premise currently holds a premise licence, PL0256. The licence in place already [PL0256] is for the Tarn House and beer garden only, in contrast to this application for the grounds (see section 4 below).

### 4. Application

The application, along with plan of the premise are attached at Appendix A. The GRANT application under consideration here is for the grounds only and doesn't include any buildings or Caravans and therefore is a separate Licence to PL0256 and will have conditions imposed relevant for the proposed licensable activities and operating schedule.

The application consultation period ran from 26.03.2021 to 23.04.2021.

### 5. Consultation

The application has been served on all the responsible authorities these are;

- North Yorkshire Police
- North Yorkshire Fire & Rescue
- Public Health
- Environmental Health Services
- Environmental Health Safety at Work
- Planning Department
- North Yorkshire County Council Children & Young Persons
- Licensing Authority
- Trading Standards.

No formal objections have been lodged from any of the statutory responsible authorities.

As required under the Licensing Act 2003 the application was advertised publicly in the Craven Herald along with a blue notice at the property. Notification of the application was published on the Licensing Pages of the Council's website.

During the consultation period, three public objections have been received. These are attached at Appendix B-D.

Each objection brings up a number of concerns with the primary concern being relevant under **Public Nuisance**, though it should be noted other concerns have been raised.

The applicant would be bound additionally by any legal obligations, such as COVID restrictions & management regarding underage sales, which is the responsibility of the Licence Holder and Designated Premise Supervisor to ensure mandatory and operational

conditions are adhered to.

While the GRANT application has been getting processed, the applicant has utilised Temporary Event Notices to carry out the proposed activities within this premise licence application. The dates these notices have been in operation are set out below: -;

- Friday 16<sup>th</sup> April 10.00 hours until 22.00 hours
- Saturday 17<sup>th</sup> April 10.00 hours until 22.00 hours
- Friday 23<sup>rd</sup> April 10.00 hours until 22.00 hours
- Saturday 24<sup>th</sup> April 10.00 hours until 22.00 hours
- Saturday 8<sup>th</sup> May 10.00 hours until 22.00 hours
- Friday 14<sup>th</sup> May 10.00 hours until 22.00 hours
- Saturday 15<sup>th</sup> May 10.00 hours until 22.00 hours

The representation at Appendix B refers to public nuisance on the 18<sup>th</sup> April. No temporary event notice was in force on the day. Further clarification on this has been sought by The Licensing Manager and it was confirmed this was an error on the representation form and should have in fact stated 17<sup>th</sup> April when a temporary event notice was in operation.

At the time of writing no further complaints have been received. A verbal update will be provided by the Licensing Manager at the Sub-Committee hearing.

## **6. Summary of Key Points**

The applicant has applied for the following:

### **Sale by Retail of Alcohol (for consumption both on and off the premises)**

Monday to Sunday 0900 – 2300 hrs

### **Opening Hours of Premises**

Monday to Sunday - 24hrs

## **7. Steps to Promote the Licensing Objectives**

The applicant has completed the operating schedule; this is attached at Appendix A at Section M.

## **8. S182 Home Office Guidance**

The following paragraphs from the Home Office Guidance issued under Section 182 of the Licensing Act 2003 are of particular relevance to this application:

### **Determining actions that are appropriate for the promotion of the licensing objectives**

*9.41 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.*

*9.42 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.*

9.43 *Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence*

## **The review process**

11.1 *The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.*

11.2 *At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.*

*Members are invited to consider all relevant parts of the s182 Guidance. Copies of the Guidance will be available to Members at the meeting.*

## **9. Reasons for Recommendation**

Members of the Licensing and Appeals Sub Committee are responsible for determining such applications.

Before making a decision, members are asked to consider the following matters:

- The representations made by interested parties and responsible authorities;
- The submissions made by, or on behalf of, the applicant;
- The relevant licensing objectives, namely Prevention of Crime and Disorder and Prevention of Public Nuisance
- The Licensing Act 2003, Regulations, s182 Guidance and the Council's Statement of Licensing Policy (August 2016).
- Right of all parties to a fair hearing
- The Human Rights Act 1998.

## **10. Implications**

### **10.1 Financial Implications - None**

**10.2 Legal Implications:** If Members decide to refuse the application, or attach conditions to the premises licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is

notified, in writing, of the decision.

### **10.3 Policy Implications - Craven District Council's Licensing Policy**

The following paragraphs from Craven District Council's Statement of Licensing Policy agreed by Full Council on the 2nd August 2016 are relevant to the application:

The Policy Statement is designed to deal with matters within the control of the Licensee and is centred on the premises at which the business is carried on and the effect that the operating of that business has on the vicinity.

Every application considered by the Council under the terms of this policy, will be considered on its own merits and regard will be given to guidance issued under Section 182 of the Licensing Act 2003, the Licensing Act 2003 generally and any supporting regulations. Licence conditions will be tailored to the individual application and only those necessary to meet the licensing objectives will be imposed. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public (e.g. health and safety at work and fire safety legislation).

Conditions will be drawn from the list contained within Craven District Council Licensing Act 2003 Policy. The list is not exclusive and may be varied from time to time as considered necessary.

When considering what conditions, if any, will be attached to licences the Sub Committee will have regard to the principles of openness, transparency, proportionality and reasonableness. Officers will seek to discuss proposed conditions in advance with the applicant and/or representative with the aim of achieving an agreement whilst fulfilling the licensing objectives.

Licence conditions are a key method of achieving the Licensing Act objectives and give clear goals and standards to licensees and persons who may wish to make relevant representations.

The Council maintains that licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act and any terms and conditions attached to licences will be focused on matters which are within the control of individual licensees and others granted relevant permissions. Licensing is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned.

It should be noted that Licensing is only one means of addressing the problems that may arise from the activities carried on at licensed premises. Other mechanisms include:

- Planning controls
- Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly and confiscation of alcohol in these areas;
- Police powers to close down premises or temporary events for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise;
- Prosecution of personal licence holders who sell alcohol to people who are drunk;
- Powers of the Police, responsible authorities or a local resident or business to seek a review of a licence or premises certificate.
- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
- Provision of CCTV surveillance in town centres, ample taxi ranks,

- Provision of public conveniences open late at night, street cleaning and Litter Patrols;
- Police enforcement of the general law concerning disorder and anti-social Behaviour, including the issuing of fixed penalty notices;

## **Anti-Social Behaviour**

The Anti-Social Behaviour Act 2003 is designed to provide Local Authorities and the Police with a wider and more flexible range of powers in meeting existing responsibilities and to respond to the needs of their communities. The Act provides new powers and sanctions to deal with serious anti-social behaviour including the immediate closure of licensed premises causing a public noise nuisance.

## **Crime Prevention Strategies**

Prevention of crime and disorder is both an objective of the Licensing Act 2003 and an important responsibility of the Council under the Crime and Disorder Act 1998. It is important, therefore, that the applicant be able to demonstrate to the Council the practical steps that will be taken to further this objective.

Door-staff have received increasing praise for their actions in reducing crime and disorder and helping the police with their investigations. The Council therefore sees door-staff as key players in crime and disorder control.

The following list is not intended to be exhaustive but sets out normal considerations to be taken into account by the Council.

Under the Crime and Disorder Act 1998, local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in their area. The Council will have particular regard to the likely impact of licensing on related crime and disorder in the Craven district, particularly when considering the location and impact of the operation and management of all proposed licence applications, renewals and variations of conditions.

The Licensing Policy states that the Council will consider the following with regard to a licence application:

- *Increasing outside lighting levels*
- *Use of CCTV both within and outside the premises*
- *Search facilities*
- *Procedures for risk-assessing promotions and events such as "happy hours" for the potential to cause problems of crime and disorder, and plans for minimising such risks*
- *Measures to prevent the use or supply of illegal drugs*
- *Employment of licensed door supervisors and other appropriately trained staff*
- *Participation in an appropriate Watch Scheme (such as S.T.A.N.D.) or other body designed to ensure effective liaison with the local community and statutory bodies.*
- *Steps taken to prevent underage drinking in licensed premises or supply of alcohol intended to be consumed by underage persons off the premises.*
- *Banned from one, banned from all" schemes operated by and for licensees are recognised by the Council as a highly successful tool in reducing crime and disorder on premises. The Council views participation in such schemes as by no means compulsory but any application will be strengthened by active participation*
- *Any application involving late night take-away food should be accompanied by a*

*crowd management plan. The plan should demonstrate steps to be taken to avoid build-up of queues and to reduce the likelihood of disorder or violence. The Council views ineffective management of crowds as a key reason to refuse an application involving late night take-away food.*

For further information reference should be made to the Home Office document tackling alcohol-related crime disorder and nuisance – 'action plan and alcohol-related crime tool-kit'. For further guidance and assistance on developing crime prevention strategies contact should be through the Community Safety Officer at Skipton Police Station.

### **Statutory Nuisance**

The Environmental Protection Act 1990 places a duty on Local Authorities to investigate complaints of nuisance, which include noise and take enforcement action where a statutory nuisance exists.

The Licensing Act provides the power for the Police to close licensing premises (temporarily) to prevent nuisance to the public as a result of noise from the premises. Joint working protocols between Environmental Health Officers, Police and licensing staff will ensure that these control measures are properly used to protect the local environment. It should be noted that the power available to deal with noise nuisance will be extended by the Anti-Social Behaviour Act 2003.

The Council will impose conditions in relation to licensed premises to prevent unnecessary noise and disturbance to local residents, as it considers appropriate. This may include restrictions on time when music or other licensable activities may take place. We may impose technical restrictions and permissible levels of sound at premises. Conditions may also be imposed requiring licensees to display signs at all exits from premises reminding customers to leave premises quietly and to respect the rights of nearby residents.

The following paragraphs from the Home Office Guidance issued under Section 182 of the Licensing Act 2003 are of particular relevance to this application:

- 11. Consultations with Others** – With Responsible Authorities and Interested Parties
- 12. Access to Information:** Licensing Act 2003, Guidance issued under section 182 of the Licensing Act 2003 and Craven District Council Licensing Policy 2nd August 2016
- 13. Author of the Report**– Tim Chadwick, Licensing Manager, telephone 01756 700600, email: [tchadwick@cravendc.gov.uk](mailto:tchadwick@cravendc.gov.uk)

### **Appendices –**

**Appendix A** – Application and Plans


**Appendix B** – Karen Darvell Representation

**Appendix C** – Jean and Richard Ledwon Representation

**Appendix D** – Jenny Andrews and Robert Andrews Representation



## APPENDIX A

|  |  |
|--|--|
| <br><b>THE   LICENSING   PRACTICE   LTD</b><br>Specialists in Local Authority Licensing | 3 Cardinal Place, Cleveleys, Lancs. FY52SQ<br>Telephone: 01253 858186 or 01253 7708109 Fax: 01253 858186<br>E-mail: <a href="mailto:Licensingpractice@btinternet.com">Licensingpractice@btinternet.com</a> |
|--|--|

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

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
 You may wish to keep a copy of the completed form for your records.

We **Partington Holiday Centres Limited** apply for premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

#### Part 1 – Premises Details

|  |                           |
|--|---------------------------|
| Postal address of premises or, if none, ordinance survey map reference or description<br><b>Tarn House Leisure Park, Stirton</b> |                           |
| Post town <b>Skipton</b>   | Post code <b>BD23 3LQ</b> |

|                                       |  |
|---------------------------------------|--|
| Telephone number of premises (if any) |  |
|---------------------------------------|--|

|   |  |
|---|--|
| Non domestic rateable value of premises | <div style="background-color: black; width: 100px; height: 20px; margin: 0 auto;"></div> |
|---|--|

#### Part A2 - Applicant Details

Please state the capacity in which you are applying to convert your existing licence

**Please tick**

|  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| <b>a)</b> an individual or individuals   |                                     | please complete section(A)  |
| <b>b)</b> a person other than an individual  |                                     | please complete section (B) |
| i. as a limited company  | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership   |                                     | please complete section (B) |
| iii. as an unincorporated association or   |                                     | please complete section (B) |
| iv. other (for example a statutory corporation)  |                                     | please complete section (B) |
| <b>c)</b> a recognised club  |                                     | please complete section (B) |
| <b>d)</b> a charity  |                                     | please complete section (B) |
| <b>e)</b> the proprietor of an educational establishment   |                                     | please complete section (B) |
| <b>f)</b> a health service body  |                                     | please complete section (B) |
| <b>g)</b> a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital |                                     | please complete section (B) |
| <b>h)</b> the chief officer of police of a police force in England and Wales   |                                     | please complete section (B) |

## APPENDIX A

\*If you are applying as a person described in (a) or (b) please confirm:

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

(A) **INDIVIDUAL APPLICANTS** (fill in as applicable)

|   |  |     |  |      |  |             |  |                                   |  |
|---|--|-----|--|------|--|-------------|--|-----------------------------------|--|
| Mr  |  | Mrs |  | Miss |  | Ms          |  | Other title<br>(for example, Rev) |  |
| Surname   |  |     |  |      |  | First names |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Please tick ✓ yes   |  |     |  |      |  |             |  |                                   |  |
| I am 18 years old or over                                       |  |     |  |      |  |             |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Current postal address<br>if different from<br>premises address |  |     |  |      |  |             |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Post Town   |  |     |  |      |  | Postcode    |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Daytime contact telephone number                                |  |     |  |      |  |             |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Email address (optional)  |  |     |  |      |  |             |  |                                   |  |

**SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)**

|   |  |     |  |      |  |             |  |                                   |  |
|---|--|-----|--|------|--|-------------|--|-----------------------------------|--|
| Mr  |  | Mrs |  | Miss |  | Ms          |  | Other title<br>(for example, Rev) |  |
| Surname   |  |     |  |      |  | First names |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Please tick ✓ yes   |  |     |  |      |  |             |  |                                   |  |
| I am 18 years old or over                                       |  |     |  |      |  |             |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Current postal address<br>if different from<br>premises address |  |     |  |      |  |             |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Post Town   |  |     |  |      |  | Postcode    |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Daytime contact telephone number                                |  |     |  |      |  |             |  |                                   |  |
|   |  |     |  |      |  |             |  |                                   |  |
| Email address (optional)  |  |     |  |      |  |             |  |                                   |  |

## APPENDIX A

### (B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

|   |   |
|---|---|
| <b>Name</b>   | <b>Partington's Holiday Centres Limited</b> |
| <b>Address</b>  | [REDACTED]                                  |
| Registered number (where applicable)  | <b>Company No.</b> [REDACTED]               |
| Description of applicant (for example, partnership, company, unincorporated association etc.) | <b>Limited Company</b>                      |
| Telephone number (if any)   | [REDACTED]                                  |
| E-mail address (optional)   |   |

### Part 3 Operating Schedule

|   | Day |   | Month |   | Year |   |   |   |
|---|-----|---|-------|---|------|---|---|---|
| When do you want the premises licence to start? | 2   | 4 | 0     | 4 | 2    | 0 | 2 | 1 |

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

|  |            |
|--|------------|
| If 5000 or more people attend the premises at any one time, please state the number expected to attend | <b>N/A</b> |
|--|------------|

Please give a general description of the premises (please read guidance note 1)

**The site is a Holiday Park with hotel and caravans providing accommodation for owners and guests together with a wide range of facilities. There is in place an existing Premises Licence number PL0256.**  
**This application seeks to licence the grounds of the park and will specifically exclude all buildings and permanent structures.**

## APPENDIX A

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

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

Please tick ☒ Yes

### Provision of regulated entertainment

|   |  |
|---|--|
| a) plays  |  |
| b) films  |  |
| c) indoor sporting events   |  |
| d) boxing or wrestling entertainment  |  |
| e) live music   |  |
| f) recorded music   |  |
| g) performances of dance  |  |
| h) anything of a similar description to that falling within (e), (f) or (g) |  |

|  |  |
|--|--|
| <b>Provision of late night refreshment</b> (if ticking yes, fill in box I) |  |
|--|--|

|  |                                     |
|--|-------------------------------------|
| <b>Sale by retail of alcohol</b> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
|--|-------------------------------------|

In all cases complete boxes K, L and M

**Boxes A to I not applicable in this application**

| <b>Supply of alcohol</b><br>Standard days and timings (please read guidance note 8) |          |          | <b>Will the supply of alcohol be for consumption</b><br><b>(Please tick Box Y)</b> [please read guidance note 13]  |  | On the premises  |                                     |
|---|----------|----------|--|--|------------------|-------------------------------------|
| Day   | Start    | Finish   |  |  | Off the premises |                                     |
| Mon   | 09.00hrs | 23.00hrs |  |  | Both             | <input checked="" type="checkbox"/> |
| Tues  | 09.00hrs | 23.00hrs | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 11)  |  |                  |                                     |
| Wed   | 09.00hrs | 23.00hrs |  |  |                  |                                     |
| Thur  | 09.00hrs | 23.00hrs |  |  |                  |                                     |
| Fri   | 09.00hrs | 23.00hrs | <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (Please read guidance note 12).</b><br><br>• |  |                  |                                     |
| Sat   | 09.00hrs | 23.00hrs |  |  |                  |                                     |
| Sun   | 09.00hrs | 23.00hrs |  |  |                  |                                     |
|   |          |          |  |  |                  |                                     |

## APPENDIX A

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

Name: Martin [REDACTED]

Address & Postcode [REDACTED]  
[REDACTED]

Personal licence number (if known) [REDACTED]

Issuing licensing authority (if known) Blackpool Borough Council

## N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

## O

### Hours premises are open to the public

Standard days and timings (please read guidance note 8)

| Day  | Start    | Finish   |
|------|----------|----------|
| Mon  | 00.01hrs | 24.00hrs |
| Tue  | 00.01hrs | 24.00hrs |
| Wed  | 00.01hrs | 24.00hrs |
| Thur | 00.01hrs | 24.00hrs |
| Fri  | 00.01hrs | 24.00hrs |
| Sat  | 00.01hrs | 24.00hrs |
| Sun  | 00.01hrs | 24.00hrs |
|      |          |          |

State any seasonal variations (please read guidance note 11)

None

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)

•

### P

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

- a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

The principal use of the site will be that of holiday caravan park and the licensable activities are ancillary thereto.

The provisions within this licence will only apply to the external areas of the Holiday Park and specifically exclude all buildings and permanent structures.

Alcohol will be sold or supplied only to:

- a) Persons residing permanently or temporarily at Partingtons Holiday Centre.
- b) Club members
- c) Managers and staff employed by Partingtons Holiday Centre.
- d) Visitors attending a bona fide organised function.
- e) Bona fide guests of any of the above

**b) The prevention of crime and disorder**

The Designated Premises Supervisor when present and all members of staff shall ensure that all lawful instructions and or directions given by the Police are complied with.

Another member of staff shall be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.

An authorisation of sales, signed and dated by the Designated Premises Supervisor, shall be kept at the site showing all persons authorised by them to make sales of alcohol at the premises.

At least one Personal Licence holder will be contactable while the supply of alcohol is being undertaken. The identity of the respective Personal Licence holder will be known to all other staff engaged in the supply of alcohol.

All members of staff shall receive suitable training with regard to serving drunks and are to receive regular refresher training. Records to evidence this will be made available to an authorised officer upon request.

Off sales from the site shall be in sealed containers only.

Appropriate measures shall be taken to ensure staff prevent the removal of bottles or glasses from the curtilage of the licensed area.

Adequate provision shall be made to prevent unauthorised access to the storage of empty bottles.

Frequent collection of glasses and bottles shall be undertaken to ensure that empty containers do not accumulate in or around the licensed area.

Risk assessments carried out by or on behalf of the Licence holder which relate to the licensing objectives will be available for inspection by a police officer or any authorised officer of a responsible authority.

An incident book will be maintained in which shall be recorded

- a) all incidents of crime and disorder
- b) refused sales to suspected underage or drunken persons

## APPENDIX A

c) any person refused admission or asked to leave the site

d) details of occasions upon which the Police are called to the site

The incident book will be available for inspection by a Police Officer or authorised person.

There shall be no promotions that encourage illegal, irresponsible or immoderate consumption of alcohol.

### **c) Public safety**

The Premises Licence Holder shall operate in accordance with all relevant legislation which promotes the public safety objective including, but not limited to, the Health and Safety at Work etc Act 1974 and associated regulations, the Food Safety Act 1990, the Regulatory Reform (Fire Safety) Order 2005 and the Disability Discrimination Act 1995.

Adequate first aid provision shall be available at all times.

### **d) The prevention of public nuisance**

No nuisance shall be caused by noise coming from the area.

### **e) The protection of children from harm**

A Challenge 25 proof of age policy shall be implemented and adhered to. All staff to have received suitable training in relation to the Challenge 25 proof of age scheme. Records to evidence this will be made available to an authorised officer upon request. All staff are to receive regular refresher training at intervals of a maximum of six months.

Suitable signage shall be displayed to specify that a Challenge 25 Policy is in place.

A notice or notices shall be displayed where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol.


## APPENDIX A

- |  | Please tick ✓ | Yes |
|--|---------------|-----|
| • I have made or enclosed payment of the fee   | ✓             | ✓   |
| • I have enclosed the plan of the premises   | ✓             | ✓   |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable   | ✓             | ✓   |
| • I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable | ✓             | ✓   |
| • I understand that I must now advertise my application  | ✓             | ✓   |
| • I understand that if I do not comply with the above requirements my application will be rejected             | ✓             | ✓   |

**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**

### Part 4 – Signatures (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent.** (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**



Signature

Date .....**26<sup>th</sup> March 2021.**

Capacity **Authorised Agent**

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature .....


Date


Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)

**Robin**   


**Tel:** 

Post town 

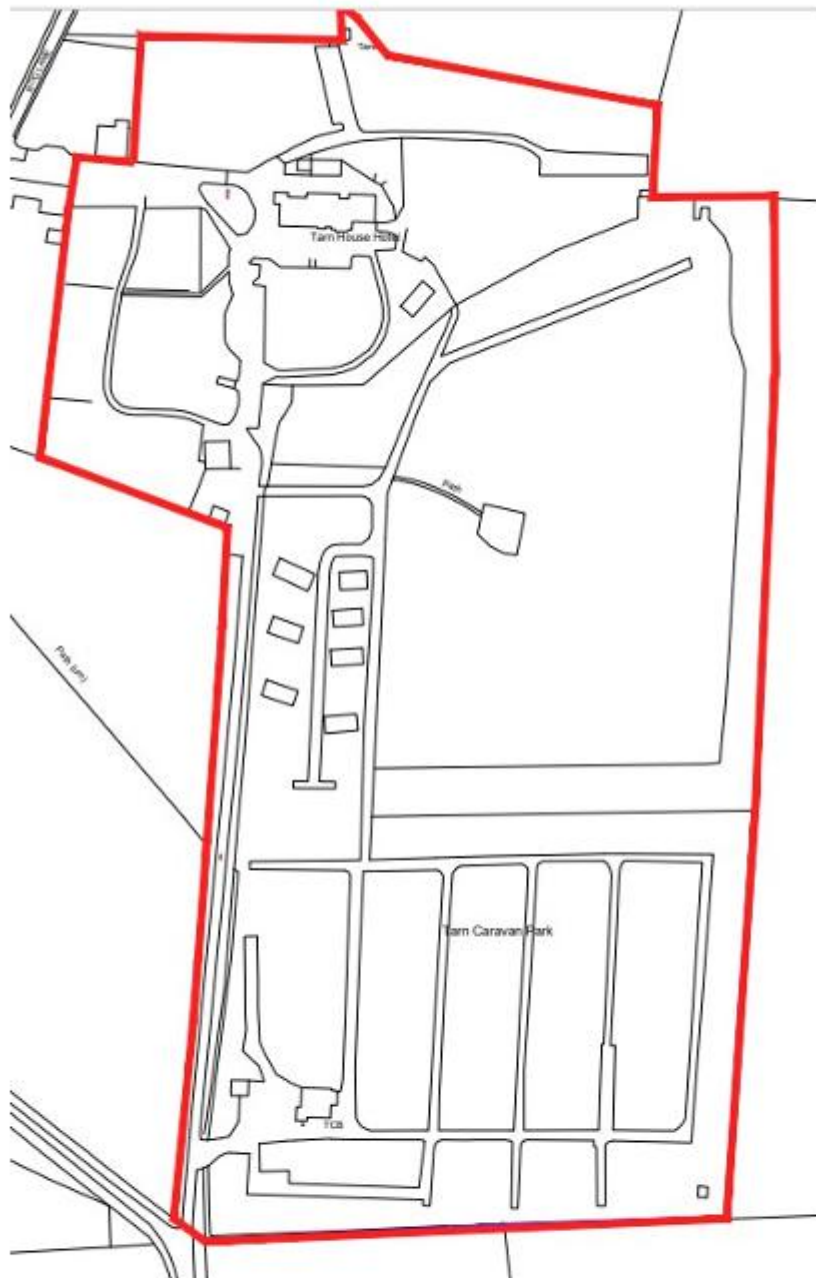
Post code 

Telephone number (if any) 

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)



Premise Plans;







**TarnHouse Licencing Plan**

**LICENSING ACT 2003 - REPRESENTATION FORM**

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

|   |   |
|---|---|
| <b>Personal Details</b>   |   |
| Name: Karen Darvell   |   |
| Address:               |   |
| Postcode: BD23  |   |
| Contact telephone number(s)   |   |
| Daytime:               | Mobile:  |
| Email address: karen  |   |

|   |
|---|
| <b>Licence application about which you wish to make a representation</b>  |
| <i>You do not need to answer all of the questions in this section, but please give as much information as you can</i> |
| Application Number: None available  |
| Licensee: Partingtons Holiday Centres Ltd   |
| Name of Premises (if applicable): Tarn House Leisure Park   |
| Premises Address (where the Licence will take effect):  |
| Stirton   |
|   |
| Postcode: BD23 3LQ  |

|  |
|--|
| <b>Reason/s for representation</b>   |
| <i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered.</i> |
| <i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>  |

## **The Prevention of Crime and Disorder**

### **Public Safety**

### **The Prevention of Public Nuisance**

1/ The opening line on the home page of the applicant's website relating to Tarn Park is "A peaceful location in the Yorkshire countryside". Despite this I don't believe the applicants appreciate that the location of the park is designated in Craven's local plan as a rural setting and therefore that extraneous noise is out of place and unwelcome.

The LGA's Handbook to the Licensing Act refers to "area specific expectations" of policy which can shape neighbourhoods at the most local level and sets out that "licensing policy should reflect Local Plan policies" and the core documents within it.

My evidence for a lack of respect for the rural setting is based on

- the lack of any mention of the rural setting in the general description of the application where it would be appropriate to include information relevant to the licensing objectives.
- the inappropriate and excessive lighting installed throughout the site, some of which was installed recently without planning permission.

2/ It is our experience as a parish that the applicants consistently fail to adhere to planning and park licence conditions as demonstrated for example by proclaiming compliance but failing to ensure adequate procedures in place to prevent residency on site or breaching specific licence detail on caravan numbers etc.

These breaches lead me to believe that legal responsibilities are not taken very seriously and a failure to do so in this case for a licence of such long hours every day of the week would at times potentially adversely impact the residents particularly those in directly adjacent and neighbouring properties and cause a public nuisance.

In short, a roving licensed bar is not appropriate for this peaceful countryside setting.

3 / The applicant posted a notification (see attached photo) of the application on private property on the driveway up to the park entrance but in that notification, failed to mention that the application relates to the entire area of the grounds which would seem to be a material consideration for the residents on site and one to which they may well object on the grounds that they would not want a mobile bar near their mobile home if they were aware of the applicant's licencing objective. The applicant has produced a video referring to the mobile trailer as a "fun way" to serve beer but it is questionable whether the site residents know this could potentially be outside their home and whether they would agree that is "fun".

4/ During the opening of the mobile bar with a temporary notice on Sunday April 18, the noise was clearly audible across the field between the park and residential houses.

I have a concern that the length of the licence application times on all seven days a week is excessive and may well impact local residents and I have received representations to this effect in my capacity as Parish Chairman.

I share the concern that has been voiced to me that it seems excessive and unnecessary to licence the entire grounds as residential properties are directly adjacent to the park as well as several neighbouring it.

It seems spurious for the applicant to claim that the licence application is on precautionary grounds relating to covid when the indoor restriction is due to end on May 17.

5/ This application is for a Holiday Park but the residents who live next to it and within hearing range are not on holiday and should not be expected to live with the noise of holiday makers drinking outdoors.

### **The Protection of Children from Harm**

It is my understanding that where licensed premises (here the park grounds) are used “exclusively or primarily” for the supply and consumption of alcohol on those premises, it is illegal to permit entry to a child under the age of 16 when a licensee is open for business unless accompanied by an adult. I have perhaps not understood the legal requirement in this context but if it applies, I don't understand how it will be possible to exclude unaccompanied children from these premises particularly as the area indicated for the licence covers the whole park and the park caters for families with a children's play area etc.

I would like to understand how other conditions relating to the protection of children from harm such as restrictions on the times which children may be present are achievable in this context.

I, Karen, hereby declare that all information I have submitted is true and correct.

Signed: K

Date: April 21 2021

Please send the completed form before the deadline to:




Craven District Council  
Licensing  
1 Belle Vue Square  
Broughton Road  
Skipton  
BD23 1FJ

Alternatively, the form may be emailed to: [licensing@cravendc.gov.uk](mailto:licensing@cravendc.gov.uk)

## LICENSING ACT 2003-REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

|   |         |
|---|---------|
| <b>Personal Details</b>   |         |
| Name: Jean and Richard  |         |
| Address:<br>           |         |
| Postcode: BD23  |         |
| Contact telephone number(s)   |         |
| Daytime:             | Mobile: |
| Email address: jean  |         |

|   |
|---|
| <b>Licence application about which you wish to make a representation</b><br><i>You do not need to answer all of the questions in this section, but please give as much information as you can</i> |
| Application Number:   |
| Licensee:   |
| Name of Premises (if applicable): Tarn House Holiday Park   |
| Premises Address (where the Licence will take effect):<br>Stirton,<br>Skipton   |
| Postcode: BD23 3LQ  |

|  |
|--|
| <p><b>Reason/s for representation</b></p> <p><i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered.</i></p> <p><i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i></p> |
|--|

### The Prevention of Crime and Disorder

We do not feel that the applicant can satisfactorily ensure that alcohol will be sold or supplied solely to those people detailed in **General paragraphs (a) to (e) inclusive**. The proposed licensed area is very large and the Park has accommodation for hundreds of people and their guests. The main entrance is not controlled or even well defined, there is a pedestrian entrance on Bog Lane and the Park boundaries are porous. There are public footpaths running close to both the northern and southern Park boundaries and of particular relevance and of even more concern is the heavily used public footpath which runs along a section of the driveway through the Park itself. How do the Park owners monitor who is on the Park at any one time let alone control alcohol sales to them?

The application is so unspecific it could effectively turn what is arguably the largest holiday park in Craven into a huge beer garden, giving the applicants carte blanche to serve alcohol from an indeterminate number of 'beer stalls' set up in positions of their choosing for 14 hours per day 7 days per week. Lack of specific details makes it difficult to determine whether or not the proposed strategies for preventing crime and disorder are going to be sufficient. For example, adequate supervision to prevent alcohol fuelled antisocial behavior will be difficult in such a large area where there are multiple points of alcohol sale as will be preventing non-residents passing through the Park purchasing alcohol and then littering the surrounding fields and country lanes with bottles and cans. Littering is already a major problem in our Parish and this proposal has the potential to make it even worse.

The proposed long hours of alcohol sales and difficulty of ensuring sufficient supervision to limit sales to eligible persons have the potential to attract large numbers of 'strangers' to the Park and surrounding area with a possible increase in crime levels.

### Public Safety

### The Prevention of Public Nuisance

The Park is situated in a quiet rural area where noise travels very easily. There are residential properties in Bog Lane which are very close to the Park and some properties have gardens which directly abut the grounds of the Park. Alcohol sales throughout the grounds has the potential to encourage noisy groups to gather at various points, possibly late into the evening. Some local residents may even have to suffer a 'beer stall' positioned, albeit temporarily, very close to their property boundary.

**General paragraph (d)** shows that *bona fide organized functions* are to be included in the licence. Large functions in a rural area where there is little background noise have the potential to produce enough noise sufficient to cause a nuisance even when they are well organized. There will, of course, be no building walls for sound insulation.

It should also be noted that in addition to its function as a Holiday Park, Tarn House Holiday Park also facilitates sales of static caravans from its property. Bona fide functions could presumably also include events related to these sales drawing in large numbers of people.

### The Protection of Children from Harm

The difficulty of preventing alcohol sales/supply to minors when there is such a large area to supervise will be considerably more difficult than when sales are confined to a single building.

Easy access to alcohol throughout the day is likely to fuel more alcohol consumption resulting in an increased risk of exposing children to alcohol fuelled anti social behavior. As detailed in our response in the section The Prevention of Crime and Disorder, we also feel there is an increased risk of attracting 'strangers' to the Park.

This is a holiday park and presumably parents would like to feel it is a safe enough environment in which their children are free to play without constant close supervision.

I,...Jean and I Richard .....  
hereby declare that all information I have submitted is true and correct.

Signed:

Date: 17<sup>th</sup> April 2021

Please send the completed form before the <sup>22</sup> deadline to:





Craven District Council  
Licensing  
1 Belle Vue Square  
Broughton Road  
Skipton  
BD23 1FJ

Alternatively, the form may be emailed to: [licensing@cravendc.gov.uk](mailto:licensing@cravendc.gov.uk)

**LICENSING ACT 2003 - REPRESENTATION FORM**

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Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

|  |  |
|--|--|
| <b>Personal Details</b>  |  |
| Name: Jenny and Robert   |  |
| Address:<br>      |  |
| Postcode:  |  |
| Contact telephone number(s)  |  |
| Daytime:        | Mobile:  |
| Email address:  |  |

|   |
|---|
| <b>Licence application about which you wish to make a representation</b>  |
| <i>You do not need to answer all of the questions in this section, but please give as much information as you can</i> |
| Application Number: Not Available   |
| Licensee: Martin Dixon (Premises Supervisor)  |
| Name of Premises (if applicable): Grounds of Tarn House Caravan Park  |
| Premises Address (where the License will take effect):<br>Tarn House Caravan Park                                     |
| Bog Lane  |
| Stirton, Skipton  |
| Postcode: BD23 3LQ  |

|  |
|--|
| <b>Reason/s for representation</b>   |
| <i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered.</i> |
| <i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>  |



**The Prevention of Crime and Disorder.**

Partingtons have little control over who is on their caravan site. There are several pedestrian entrances and the reception is remote from the main entrance. There are no security barriers so anyone can enter and leave at any time. There are no street lights or pavements on the surrounding roads giving plenty of cover for anyone intent on criminal behaviour.

**Public Safety.**

I fail to understand how licensing the whole of the park for on and off license sales of alcohol can be operated in a COVID safe manner. Currently in Skipton people have to be seated outside and give their name and address for track and trace order to be served . In licensing the whole of the grounds it will be impossible to achieve this level of control. Particularly as there are different entrances and no security barriers.

As there is so little free space I am also concerned that any form of roving alcohol sales could block access for emergency service vehicles.

**The Prevention of Public Nuisance**

The caravan owners are prevented from commenting on this application by a clause in their pitch agreement. However there is a high density of caravans on the park and little open space. If I was a client of Partingtons I would object to them selling alcohol outside my caravan and I would object to people queuing to buy alcohol outside my caravan.

A public footpath runs along the bottom of the park and part way up the entrance track. Alcohol should not be sold adjacent to a public footpath. The licensing hours applied for are 9.00am until 11.00pm all year round. These hours are excessively and unnecessarily long. It is normal, because on a park people live in close proximity with each other to have 'quiet hours' at night. The license applied for is incompatible with this.

Tarn House Caravan Park is marketed by Partingtons as a 'peaceful location' set in a rural hamlet their CEOs stated objective of developing fun ways to sell beer is incompatible with its quiet location.

**The Protection of Children from Harm**

There are over 297 caravans on the park and very little open space from where alcohol can be responsibly sold. The open space there is has been developed as a children's play area, recreational hard court and surrounding grassed area. Alcohol cannot be responsibly sold next to a children's play area.

|  |
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|  |
|--|
| I Jenny and Robert ....., hereby declare<br>that all information I have submitted is true and correct. |
|--|

|   |                 |
|---|-----------------|
| Signed:  | Date:21/04/2021 |
|---|-----------------|

Please send the completed form before the deadline to:

Craven District Council  
Licensing  
1 Belle Vue Square  
Broughton Road  
Skipton  
BD23 1FJ

Alternatively, the form may be emailed to: [licensing@cravendc.gov.uk](mailto:licensing@cravendc.gov.uk)