

North Yorkshire Council

Statutory Licensing Sub-Committee

Minutes of the meeting held on Tuesday, 9 September 2025 commencing at 10.00 am.

Councillor Tim Grogan in the Chair plus Councillors Barbara Brodigan and Derek Bastiman

Officers present: Jade Reynolds, Solicitor, Nicola Kemp, Licensing Enforcement Officer, Sharon Cousins, Area Licensing Manager (Observing); and Dawn Drury, Democratic Services Officer.

Copies of all documents considered are in the Minute Book

1 Election of Chair

Resolved

That Councillor Tim Grogan be elected as Chair for the meeting.

2 Apologies for absence

There were no apologies for absence.

3 Disclosures of interest

Councillor Grogan highlighted that he had sat on a previous Statutory Licensing Sub-Committee for the premises which had taken place on the 26 April 2024 but stated that he had not expressed any views and would consider the application before him with an open mind.

4 Procedure for meeting

The attached procedure was noted.

5 Whaddyaknow? Limited - trading as La Feria - Application to Vary a Premises Licence

The Sub-Committee considered the report of the Corporate Director of Environment which sought determination of a variation of a premises licence application in respect of Whaddyaknow?, trading as La Feria, Ground Floor, Wellington House, Cold Bath Road, Harrogate, HG2 0NA.

The Licensing Enforcement Officer introduced the report which had been circulated to all parties, and it was confirmed that all statutory requirements had been complied with.

The applicant sought the removal of a condition which had been attached to the current premises licence, namely that customers should not use the external areas of the premises for eating and/or drinking between the hours of 9.00 pm and 11:00 am during the months of October to March. During the months of April to September the external areas could be used between the hours of 11:00 am and 11.00 pm from Monday to Saturday.

This condition was to be replaced with customers would be allowed to use the external areas of the premises for eating and/or drinking until 11.00 pm from Monday to Saturday

for the whole year (January to December).

A copy of the application and premises plan was provided at Appendix 1 of the report and the Licensing Enforcement officer referred the Sub-Committee to section 2.6 of the report which provided a list of the licensable activities and opening times the current premises licence had and confirmed that the application did not seek to change these hours.

It was confirmed that one representation had been received from the Council's Environmental Protection Team on the objective of prevention of nuisance, which the applicant had accepted in full and agreed to the amended condition contained within the representation as detailed in Appendix 3; this would form part of the premises licence, if granted.

One representation had been received from an Interested Party, on the objectives of prevention of public nuisance and protection of children from harm, which was shown at Appendix 5 of the report. Members heard that the applicant had provided a response to the Interested Party's representation, shown at Appendix 7 of the report, however, the Interested Party was not satisfied with the response and did not wish to withdraw their representation, which was shown at Appendix 8 of the report.

Members heard that the premises had submitted Temporary Event Notices on 14 occasions in 2024, and 3 Temporary Event Notices in 2025, all of which had authorised the use of the outside area until 11.00 pm.

The Sub-Licensing Committee noted that no noise complaints had been received by the Council about the premises either in relation to the current premises licence activities or for the periods covered by the Temporary Event Notices.

The Senior Licensing Enforcement officer advised of the options available to the Members which were outlined at paragraph 13.0 of the report.

The Sub-Committee queried where the Interested Party lived in relation to the premises, this information was not available. It was further queried whether since the variation to the original licence had been granted in April 2024 and the 17 Temporary Event Notices granted over the course of 2024 and 2025, for the use of the outside area, had any complaints been received. The Licensing Enforcement Officer responded that neither of the Council's Licensing or Environmental Protection Health team had received any complaints regarding the premises.

Members expressed their disappointment that the Interested Party had not attended the hearing as they had a number of questions to ask in terms of how long the Interested Party had lived at the property and if they had any comments regarding the Temporary Event Notices.

Submission by the Applicant

Mr Jeremy Verity addressed the Sub-Committee and explained that the company had operated the restaurant on Cold Bath Road for over 10 years and prior to that they ran a small restaurant for 3 years at the bottom of Cold Bath Road. Since the approval of the variation application in April 2024 to extend the licensing hours on the terrace between April and September, the restaurant had operated very successfully. It was further explained that having run the terrace throughout those 10 years and having the extension until 11.00 pm during the summer, it was felt that there was an opportunity to extend the business, although it was unlikely that the terrace would be used extensively between October and March.

The Sub-Committee heard that the team in the restaurant were very experienced and genuinely respectful of their neighbours and managed the outside area in such a way that

the areas that may cause a disturbance were closed in a phased way during the course of the evening. For example, the area at the front of the restaurant nearest to the road was closed first, then the middle area was closed second and the third area under the canopy was closed last. It was added that between October and March it would be the canopied area that would be used predominantly as this area had the benefit of heating.

Finally, Mr Verity advised the Sub-Committee that the hospitality industry was facing challenges both locally and nationally, and with a number of other businesses in the area able to trade until 11.00 pm, they would like to be afforded the same opportunity.

Members complimented the applicant on how they had managed the outside area in a responsible manner and stated that to have 13 years trading in hospitality with no complaints, that the restaurant must be very well run.

In response to questions from the Sub-Committee, Mr Verity stated that in terms of customer seating over the 3 areas, there was seating for 25 at the bottom, 14 in the middle area and roughly 30 at the top, and that in summer the area was busy all day, but in the winter, it was rarely used. The canopied area was the area being focused on, as during the weekends the restaurant could be busy if there were shows or conferences being held in Harrogate, as they had a loyal customer base. Members were further advised that the restaurant employed 35 members of staff, it opened 7 days per week, that the premises did not have a pavement licence as the outside area fell within the curtilage of the building; and that none of the restaurant's neighbours, or the Interested Party, had complained to him directly regarding noise.

The meeting was adjourned to allow Members to deliberate the application.

Resolved

The Sub-Committee resolved to grant the full variation to the premises licence on the terms applied for as follows.

To remove the following condition attached to the current premises licence:

'Customers shall not use the external areas of the premises for eating and/or drinking between the hours of 21:00 and 11:00 during the months of October to March. April to September the external areas can be used 11:00 – 23:00 hours Monday to Saturday.'

and be replaced by:

'Customers shall be allowed to use the external areas of the premises for eating and/or drinking until 23:00 from Monday to Saturday for the whole year (January to December).'

Environmental Protection

To include the agreed condition:

'Customers shall only use external areas of the premises for eating and/or drinking from 11:00 to 23:00 Monday to Saturday.'

The meeting concluded at 10.41 am.