

Contact Details

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Monday, 1 September 2025



Statutory Licensing Sub-Committee

Procedure

Introduction

1. The Sub-Committee will conduct its hearings fairly, observing the basic rules of natural justice.
2. Each hearing will take the form of a discussion led by the Chair and cross examination will not be permitted unless the Sub-Committee considers that cross examination is necessary.
3. Hearings will be held in public but the Sub-Committee may decide to exclude the public from all or part of a hearing where it considers the public interest in doing so outweighs the public interest in the hearing taking place in public. In this context "public" includes any party to the hearing or any representative of a party.

Procedure

4. At the beginning of the meeting the Chair shall:-
 - a) ask those present to introduce themselves;
 - b) explain the procedure;
 - c) ask the parties whether they wish permission for another person to appear at the hearing.
5. The Sub-Committee will consider requests from the parties for permission for other persons to appear at the meeting. Such permission will not be unreasonably withheld.
6. The Chair will conduct the hearing taking representations from the parties in the following order:
 - a) the Licensing Officer who will outline the background to the case. The Licensing Officer's role is to provide factual information to the Sub-Committee.
 - b) the applicant/licence holder (including any person appointed to represent the party or any other persons who have been given permission to assist the party).
 - c) any party making representations (including any person appointed to represent the party or any persons who have been given permission to assist the party).

7. Before determination, the applicant/licence holder will be given the final opportunity to address the Sub-Committee.
8. Each party will be given an equal maximum period of time in which to put forward any additional information requested by the Council, to question other persons (if given permission by the Sub-Committee) and address the Sub-Committee.
9. The Sub-Committee may exclude disruptive persons in certain circumstances.
10. The Sub-Committee may adjourn the hearing in certain circumstances.
11. The Sub-Committee will ask the parties to withdraw so that it can consider its determination. In considering its determination, the Sub-Committee may ask its Legal Advisor to provide it with legal and procedural advice. The nature of this advice will be notified to the parties.
12. The Sub-Committee will make its determination at the end of the meeting and this will be confirmed in writing.

Failure of Parties to Attend a Hearing

13. If a party has informed the Council that they do not intend to attend or be represented at a hearing, the hearing may proceed in their absence.
14. Where a party has not so indicated fails to attend or be represented at a hearing the Sub-Committee may:
 - a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
 - b) hold the hearing in the party's absence.
15. Where the hearing is held in the absence of a party, the authority shall consider at the hearing of the application, representation or notice made by that party.
16. Where a hearing is adjourned to a specified date the Council will notify the parties of the date, time and place to which the hearing has been adjourned.

April 2023

North Yorkshire Council

Statutory Licensing Sub-Committee

Tuesday 09 September 2025

La Feria – Variation of a Premises Licence

Report of the Corporate Director of Environment

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to determine an application to vary a premises licence under the Licensing Act 2003.

2.0 BACKGROUND

- 2.1 An application to vary a premises licence has been made by Whaddyaknow? Limited, Ground Floor, Wellington House, Cold Bath Road, Harrogate, HG2 0NA. A copy of the application, associated plan and current premises licence is attached at **Appendix 1**.
- 2.2 The applicant is Jeremy Verity, Whaddyaknow? Limited, Ground Floor, Wellington House, Cold Bath Road, Harrogate, HG2 0NA.
- 2.3 Photographs of the site and vicinity is attached at **Appendix 2**.
- 2.4 The use of the premises is described as a restaurant and bar providing a taste of true Spanish cuisine and Spanish alcohol both inside and on a covered terrace located to the front of the premises.
- 2.5 The application is 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).
- 2.6 The current premises licence authorises the following licensable activities:

Sale by Retail of Alcohol

Monday to Thursday	11:00 to 23:00
Friday and Saturday	11:00 to 00:00
Sunday	11:00 to 22:30

Late Night Refreshment

Friday and Saturday	23:00 to 00:00
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Opening hours of the premises

Monday to Thursday	08:30 to 23:30
Friday and Saturday	08:30 to 00:30
Sunday	08:30 to 23:00

3.0 PROMOTION OF LICENSING OBJECTIVES

3.1 Section 4 of the Licensing Act 2003 places a duty on the Licensing Authority to carry out its functions under the Act with a view to promoting the licensing objectives. The licensing Objectives are:

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

3.2 Each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are always paramount considerations.

4.0 REPRESENTATIONS

4.1 A representation had been received from North Yorkshire Council's Environmental Protection Team on the objective of the prevention of public nuisance. The representation is attached at **Appendix 3**.

4.2 The applicant accepted the Environmental Protection representation and agreed to the proposed conditions in full and it was subsequently withdrawn. This correspondence is attached at **Appendix 4**.

4.3 There has been one representation received from an interested party which is attached at **Appendix 5**.

4.4 The interested party was provided details of the conditions agreed between the applicant and Environmental Protection and requested some clarification. This correspondence is attached at **Appendix 6**.

4.5 The applicant provided a response to this representation which is attached at **Appendix 7**.

4.6 The interested party was not satisfied with the response provided by the applicant and confirmed that they did not wish to withdraw their representation. This is attached at **Appendix 8**.

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 Not applicable.

6.0 FINANCIAL IMPLICATIONS

6.1 Not applicable.

7.0 LEGAL IMPLICATIONS

7.1 As a relevant representation has been received, the Sub-Committee must hold a hearing to determine the application.

- 7.2 In accordance with Schedule 5 to the Licensing Act 2003, the applicant and any person who has made a relevant representation may appeal against the decision of the Sub-Committee.
- 7.3 Any appeal must be made to the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision.

8.0 EQUALITIES IMPLICATIONS

- 8.1 Not applicable.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 Not applicable.

10.0 POLICY IMPLICATIONS

- 10.1 The following sections of North Yorkshire Council's Statement of Licensing Policy are relevant in considering the licensing objectives in relation to this application:
- Disturbance and environment – section 50
 - Crime and disorder – section 33
 - Public safety – section 44
 - Protection of children - section 53
- 10.2 Other Considerations
The following sections of the Guidance issued under section 182 of the Licensing Act 2003 (updated February 2025) issued by the Home Office are relevant in considering the licensing objectives in relation to this application:
- Crime and disorder – section 2.1
 - Public safety – section 2.8
 - Public nuisance – section 2.21
 - Protection of children from harm – section 2.28
- 10.3 **Appendix 9** contains the mandatory conditions which will be applied to all licences in addition to any conditions agreed by the Sub-Committee.

11.0 HUMAN RESOURCES IMPLICATIONS

- 11.1 Not applicable.

12.0 CONCLUSIONS

- 12.1 An application has been made for the variation of a premises licence held by Whaddyaknow? Ltd, Ground Floor, Wellington House, Cold Bath Road, Harrogate, HG2 0NA. The conditions attached to the current premises licence will remain with the amendment agreed between the applicant and North Yorkshire Council's Environmental Protection Team.

13.0 OPTIONS

- 13.1 To take any of the following steps as the Sub-Committee considers appropriate for the promotion of the licensing objectives:
- i) Grant the variation to the licence as applied for (subject to any conditions consistent with the applicant's operating schedule);
 - ii) Modify the conditions of the licence (for this purpose the conditions of the licence are modified if any of them are altered or omitted, or any new condition is added);
 - iii) to reject the whole or part of the application.

APPENDICES:

Appendix 1 – Copy of application, plan and current premises licence

Appendix 2 – Vicinity Plan

Appendix 3 – Representation from Environmental Protection Team

Appendix 4 – Agreement and withdrawal of representation from Environmental Protection Team

Appendix 5 – Representation from Chris Hird

Appendix 6 – Correspondence regarding agreed EP conditions with Chris Hird

Appendix 7 – Applicant response to Chris Hird

Appendix 8 – Final response from Chris Hird

Appendix 9 – Mandatory conditions imposed under Licensing Act 2003

Karl Battersby
Corporate Director – Environment
County Hall
Northallerton

22 August 2025

Report Author – Wan Malachi, Senior Licensing Enforcement Officer

Presenter of Report – Wan Malachi, Senior Licensing Enforcement Officer or Nicola Kemp
Licensing Enforcement Officer

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Whaddyaknow? Ltd, trading as La Feria

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/199315321
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description La Feria Ground Floor Wellington House			
Post town	Harrogate	Postcode	HG2 0NA

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£45,500

Part 2 – Applicant details

Daytime contact telephone number	██████████		
E-mail address (optional)	████████████████████		
Current postal address if different from premises address	Whaddyaknow? Limited Ground Floor Wellington House Cold Bath Road Limited Company number: 08131232		
Post town	Harrogate	Postcode	HG2 0NA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
01	10	2025

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Following a successful variation application in 2024 we are currently allowed to use the external terraced area in front of the restaurant until 23.00 from Monday – Saturday between the months of April to September. Between the months of October and March we are currently permitted to use the external area only until 21.00.

We would like to remove this condition and be able to use the external areas until 23.00 for the whole year.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) **Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Tue					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the performance of dance (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	x <input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon								
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
						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 7)		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) We are licensed on Christmas Eve and New Year's Eve until 01.00.
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Existing condition to be amended from: Customers shall not use 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 between 11:00 - 23:00 hours Monday to Saturday

To: Customers shall be allowed to use external areas of the premises for eating and/or drinking until 23.00 from Monday to Saturday for the whole year (January to December).

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

All the conditions of our previous Premises License will be adhered to if we are permitted to use the external terraced areas for the times requested.

b) The prevention of crime and disorder

Following our previous successful application additional CCTV cameras have been installed to the entrance of the building covering the entrance gate and the entirety of the terraced area.

c) Public safety

Following our previous successful application we installed upgraded lighting throughout the external areas.

d) The prevention of public nuisance

All recorded music will continue to be turned off at 21.00.

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Jeremy Verity
Print name	JEREMY VERITY
Date	10/07/2025
Capacity	DIRECTOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Print name	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
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)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor Sporting Events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live Music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the

performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- **Dance:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - **Cross Activity Exemptions:** no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Please ensure all details are correct and return the completed form to:
Licensing (Harrogate), North Yorkshire Council, P.O Box 787, Harrogate, HG1 9RW

Any information you give to us will be held securely and in accordance with the rules on data protection. We will treat personal details as private and confidential and safeguard them. We will not disclose them to anyone unconnected with the Council unless you have consented to their release, or in certain circumstances where:

- we are legally obliged to do so;
- disclosure is necessary for the proper discharge of our statutory functions;
- disclosure is necessary to enable us to provide you with a requested service or deal with your enquiry;
- where "legitimate interests" are relied on in relation to specific processing operations

We are under a duty to protect public funds. We may use the information you have provided for the prevention and detection of fraud. We may also share this information with other bodies responsible for public funds or for auditing them for these purposes. For more information see www.harrogate.gov.uk/privacynote

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**PREMISES LICENCE SUMMARY
LICENSING ACT 2003**

Premises address:

La Feria, Rear Ground Floor, Wellington House, Cold Bath Road, Harrogate North Yorkshire, HG2 0NA

Licensable activities authorised by this licence: Sale by Retail of Alcohol, Late Night Refreshment

Times for licensable activities:

Sale by Retail of Alcohol

Monday to Thursday	11:00 to 23:00
Friday and Saturday	11:00 to 00:00
Sunday	11:00 to 22:30

Late Night Refreshment

Friday and Saturday	23:00 to 00:00
---------------------	----------------

Opening hours of the premises:

Monday	08:30 to 23:30
Tuesday	08:30 to 23:30
Wednesday	08:30 to 23:30
Thursday	08:30 to 23:30
Friday	08:30 to 00:30
Saturday	08:30 to 00:30
Sunday	08:30 to 23:00

Alcohol sales are permitted for consumption both on and off the premises

Details of holder of premises licence: Whaddy Know? Ltd

Registered number of holder: 08131232

Designated premises supervisor: Mr Jeremy Verity

Access to the premises by children is not restricted

Licence Transactions

Variation: 26th April 2024

Change of registered address: 26th April 2023

Change of DPS details: 20th July 2020



**PREMISES LICENCE
LICENSING ACT 2003**

Part 1 - Premises Details:

Premises address: La Feria, Rear Ground Floor, Wellington House, Cold Bath Road, Harrogate
North Yorkshire, HG2 0NA

Licensable activities authorised by this licence: Sale by Retail of Alcohol, Late Night Refreshment

Times for licensable activities:

Sale by Retail of Alcohol

Monday to Thursday	11:00 to 23:00
Friday and Saturday	11:00 to 00:00
Sunday	11:00 to 22:30

Late Night Refreshment

Friday and Saturday	23:00 to 00:00
---------------------	----------------

Opening hours of the premises:

Monday to Thursday	08:30 to 23:30
Friday and Saturday	08:30 to 00:30
Sunday	08:30 to 23:00

Alcohol sales are permitted for consumption both on and off the premises

Details of holder of premises licence: Whaddya Know? Ltd, La Feria, Rear Ground Floor, Wellington House,
Cold Bath Road Harrogate, North Yorkshire, HG2 0NA

Registered number of holder: 08131232

Designated premises supervisor: Mr Jeremy Verity, [REDACTED]

Personal licence number: LN/199312777

Issuing Authority: Harrogate Borough Council

Sharon Cousins
Area Licensing Manager (Central)

For and on behalf of North Yorkshire Council

Annex 1 – Mandatory Conditions

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

1. The first condition is that no supply of alcohol may be made under the premises licence
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises —
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to —
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
 - (2) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 - (3)
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that -
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following

measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(a) For the purposes of the condition set out in paragraph 1—

"duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

"permitted price" is the price found by applying the formula— $P = D + (D \times V)$

where—

P is the permitted price,

D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

"relevant person" means, in relation to premises in respect of which there is in force a premises licence—

the holder of the premises licence,

the designated premises supervisor (if any) in respect of such a licence, or

the personal licence holder who makes or authorises a supply of alcohol under such a licence;

"relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

"value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(a) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(b) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax. (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Recorded background music is unrestricted.

Annex 2 – Conditions consistent with the operating schedule

Licensable Activities

Sale by Retail of Alcohol

Both on and off the premises

Christmas Eve and New Year's Eve until 01:00

Customers shall not use 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 between 11:00 - 23:00 hours Monday to Saturday

Late Night Refreshment

Indoors only

Licensing Objectives

General

We will endeavour to ensure that a personal licence holder will be on the premises at all times the licence is being used.

The Prevention of Crime and Disorder

- CCTV is installed at the premises
- Recordings shall be stored for a period of 28 days and made available to an authorised officer
- The system will be maintained and images sorted in accordance with the Data Protection Act and any other relevant legislation relating to the use of systems
- The CCTV system will cover both the interior and public entrances, working to Home Office and ACPO standards as described in the PSDB leaflet 09/05 and to the satisfaction of North Yorkshire Police and the Licensing Authority
- If the CCTV equipment is inoperative, then the Police and Local Authority will be informed as soon as possible and immediate steps will be taken to make the system operative
- Notices will be displayed at the entrance advising that CCTV is in operation
- No open drinking vessels will be taken out of the premises licensed area
- Alcoholic drinks purchased on the premises may only be taken off the premises in sealed containers
- A Refusal Register and Incident Report Register shall be maintained for the premises.
- Such registers will record incidents reported by staff relating to under-age or drunken people as well as incidents of any anti-social behaviour and ejections from the premises
- Each entry in the register shall be kept for a minimum of one year
- The outside area will be constantly monitored and glassware removed on a regular basis

Public Safety

- Regular safety checks of the premises will be undertaken
- Records of the safety checks will be kept and made available for inspection by an authorised officer
- Emergency lighting is installed throughout the building
- Additional lighting will be installed on the terrace area to ensure that all public areas are adequately lit.

The Prevention of Public Nuisance

- The premises licence holder shall take measurements to ensure that internal noise from the premises will not be audible at the nearest residential premises after 23:00 hours
- Simple sound checks will be carried out outside of the nearest noise-sensitive property by listening to background music being played within the restaurant
- For the purpose of providing an objective standard to assess whether this condition is being complied with, noise shall not be considered audible if:
- The measurement of sound when background music etc. is on (expressed as LAeq, 1 min) does not exceed the measurement of sound (expressed as LA 90, 5 min) when the music is off, and
- The measurement of sound in each 1/3 octave band between 40Hz and 160Hz when the music is on (expressed as L10, 1 min) does not exceed the measurement of sound in the same 1/3 octave bands between 40Hz and 160Hz when the music is off (expressed as L90, 5 min)
- All measurements taken within the habitable room using a Type 1 integrating-averaging sound level meter, with either window open for normal ventilation or close, whichever situation causes greater noise disturbance
- All recorded music will be turned off outside after 21.00

The Protection of Children from Harm

- Staff training will be provided to all staff on licensing laws
- A "Challenge 21" policy will operate and signage displayed to this effect
- Proof of age cards will be sought where appropriate

Conditions agreed with North Yorkshire Police

1. CCTV

- a) A digital colour CCTV system will be installed to cover the premises and recorded coverage will include all internal and external areas to where the public have access to consume alcohol.
- b) The CCTV will be maintained, working, and recording at all times when the premises is open.
- c) The recordings should be of good evidential quality to be produced in Court or other such hearing.
- d) Copies of the recordings will be kept available for any responsible authority for 28 days: subject to Data Protection requirements.
- e) Copies of the recordings shall be made available to any responsible authority within 48 hours upon request; subject to Data Protection requirements.
- f) Copies of the recordings will display the correct time and date of the recording.
- g) It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the Police or responsible authority.

Conditions agreed with North Yorkshire Council's Environmental Protection

1. Customers shall not use 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 between 11:00 - 23:00 hours Monday to Saturday.
2. Suitable and conspicuous notices shall be displayed at entrances and exits requesting patrons to minimise noise and when smoking and/or leaving.

3. The disposal of waste bottles into external receptacles shall not take place between the hours of and 20:00 and 09:00.
4. Collection of waste bottles from the premises shall not take place outside the hours of 08:00 and 18:00 and shall take place only between Mondays to Saturdays.

Variation - C24/00156/LAPFUV – 26th April 2024

Existing condition to be amended from Customers shall not use external areas of the premises for eating and/or drinking between the hours of 21:00 and 11:00 to Customers shall not use 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 between 11:00 - 23:00 hours Monday to Saturday "

Annex 3 – Conditions attached after a hearing by the licensing authority on 26 April 2024

26th April 2024

Variation of the Premises licence to allow for the use of external areas of the premises for eating and/or drinking until 23:00hrs during April to September (Monday to Saturday) should be approved, subject to the conditions agreed with North Yorkshire Council's Environmental Protection and North Yorkshire Police as detailed in the report to the Sub-Committee, and to all mandatory conditions as required by the Licensing Act 2003.

3rd May 2016

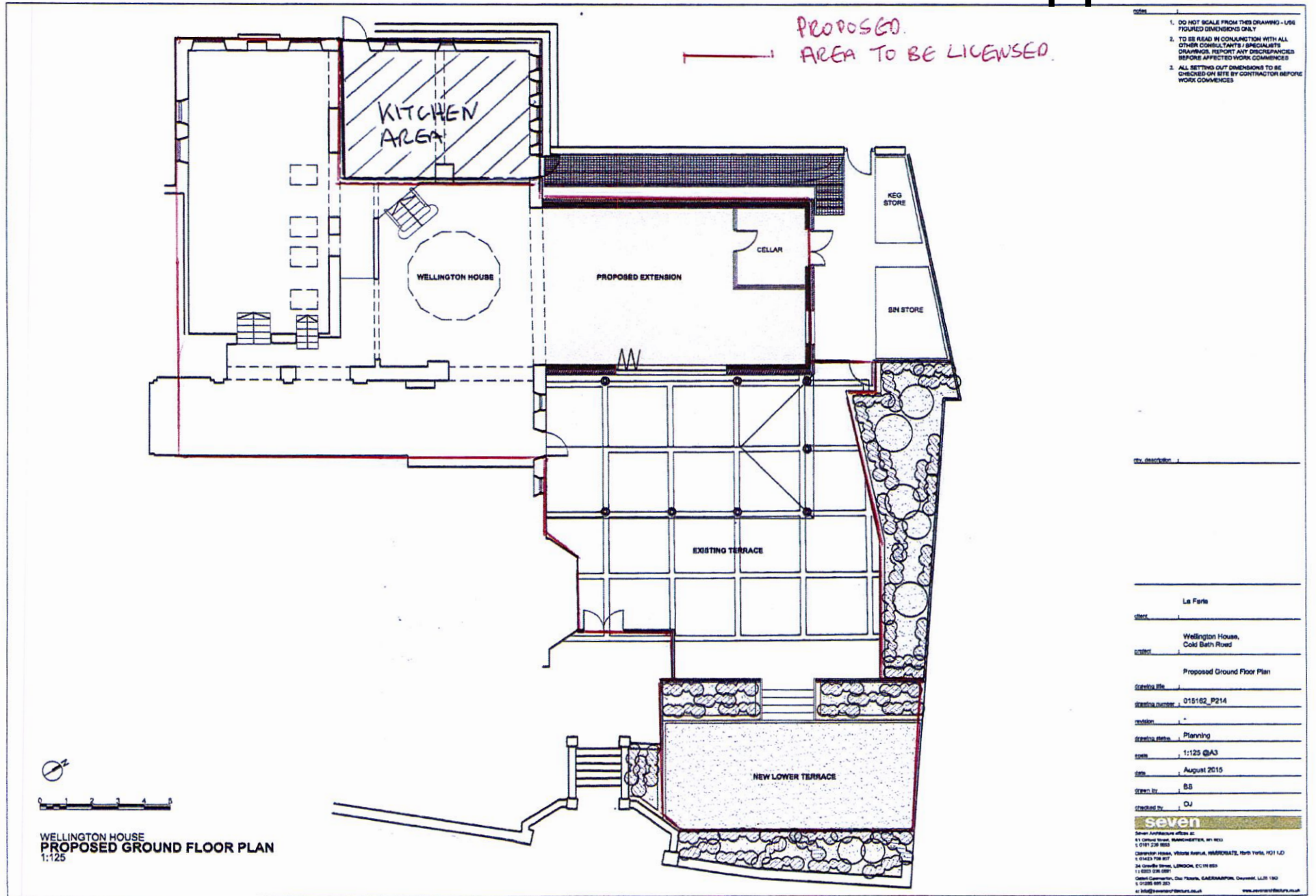
All conditions as set out under the Licensing Objectives and those agreed with Harrogate Borough Councils Environmental Protection Team.

Also to include:

- Staff training on the four Licensing Objectives
- External areas to include the canopy area

Annex 4 – Plans

Drawing No: 018162_P214



PROPOSED
 AREA TO BE LICENSED

- NOTES
1. DO NOT SCALE FROM THIS DRAWING - USE FIGURED DIMENSIONS ONLY
 2. TO BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS' / SPECIALISTS' DRAWINGS. REPORT ANY DISCREPANCIES BEFORE AFFECTED WORK COMMENCES
 3. ALL SETTING OUT DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR BEFORE WORK COMMENCES

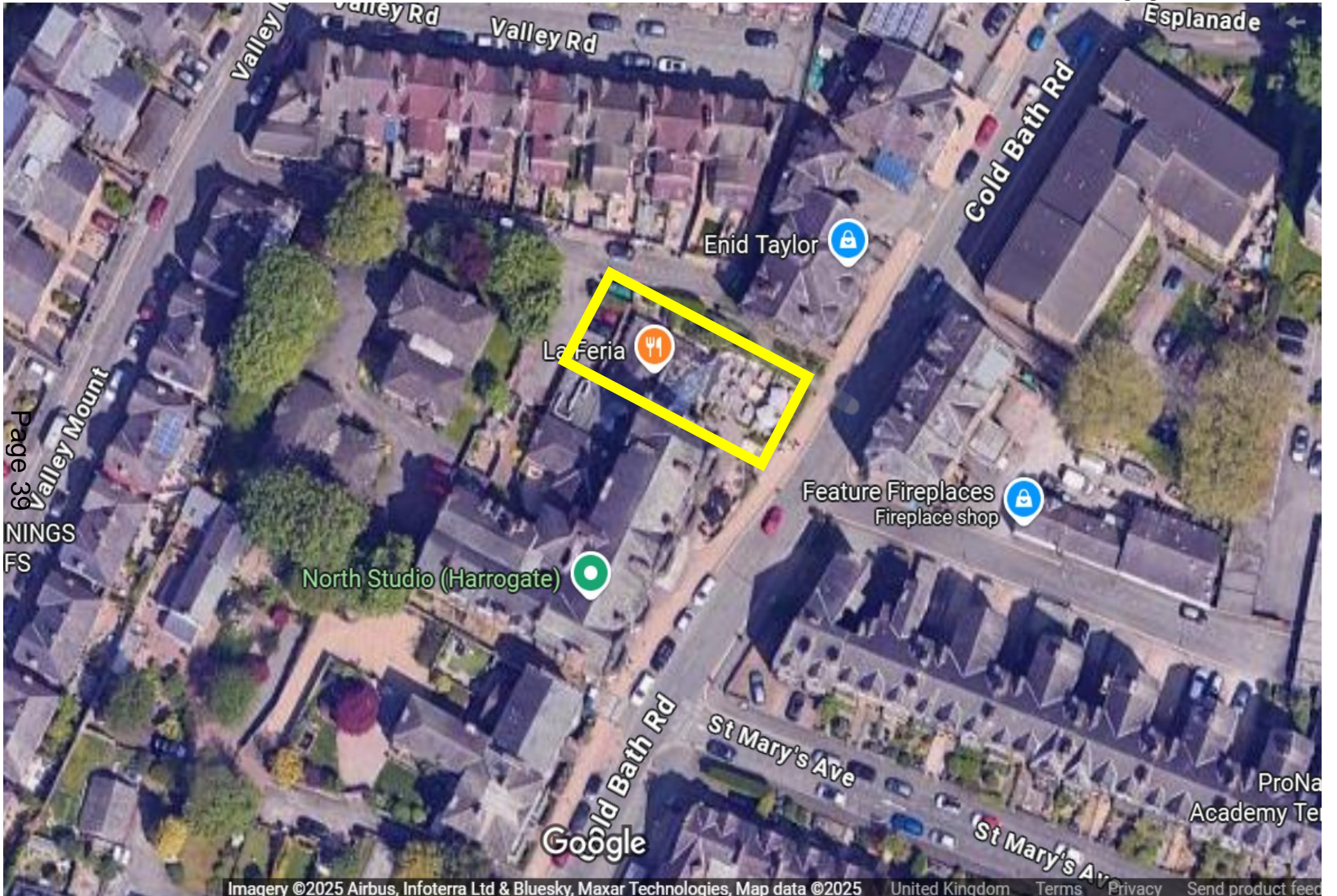
client	La Fara
site	Wellington House, Cold Bath Road
project	Proposed Ground Floor Plan
drawing title	
drawing number	015162_P214
revision	
drawing status	Planning
scale	1:125 @A3
date	August 2015
drawn by	BS
checked by	DJ

WELLINGTON HOUSE
 PROPOSED GROUND FLOOR PLAN
 1:125

seven

Seven Architecture Office Ltd
 41 Oxford Street, BANGOR, NI 96Q
 T: 0181 236 8833
 24 Grouse Street, VICTORIA AVENUE, BANGOR, NI 96Q
 T: 0181 236 8833
 24 Grouse Street, LONDON, EC1R 8BS
 T: 0203 689 3833
 Email: info@sevenoffice.co.uk
 www.sevenoffice.co.uk

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Page 39
TINGS
FS





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Consultation with Responsible Authority

Resp Auth: EP

1. Application for Premises Licence

La Feria, Ground Floor, Wellington House, Cold Bath Road, Harrogate, HG2 0NA

2. Representation: Yes

Date: 4th August 2024

3. Representation details

Licensing Objective Prevention of Public Nuisance

Reason for representation To prevent noise disturbance to occupiers of neighbouring dwellings

Conditions/Remedy

I understand this application is to remove an existing condition relevant to the use of the outside terrace area:

Customers shall not use 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 between 11:00 - 23:00 hours Monday to Saturday.

And replace it with the following:

Customers shall be allowed to use external areas of the premises for eating and/or drinking until 23.00 from Monday to Saturday for the whole year (January to December).

I commented on the variation application in 2024 and repeat those comments. Although this location has other bars and restaurants that have outside areas that operate at the same time, this site does have noise sensitive residential properties in close proximity. However, I understand the premises has been using the terrace area beyond 21:00 to 23:00hrs under TENs and having reviewed this team's complaints records there are none associated with this use. In addition, as the external areas have been used during the more sensitive months up to a later time with no complaints received by this department, it could be assumed extending the time during the less sensitive months will not have an impact either.

However, as there is the potential for disturbance, in order to protect the noise sensitive premises in proximity to the site and prevent public nuisance I would recommend the conditions on the existing Premises Licence LN/199315321 stated under the 'Licensing Objectives- The Prevention Of Public Nuisance' and those stated under 'Conditions agreed with Harrogate Borough Councils Environmental Protection Team' (other than Condition 1) remain on any approved licence, with the addition of the following:

- 1) *Customers shall only use external areas of the premises for eating and/or drinking from 11:00 to 23.00 Monday to Saturday.*

Contact details for Mediation

Name: Gemma Demaline

Email: gemma.demaline@northyorks.gov.uk

Phone number: 01423 556526

Date sent to Licensing Authority: 4th August 2024

Signed: G. Demaline

From: [Gemma Demaline](#)
To: [Licensing \(HAR\)](#)
Subject: RE: La Feria Variation - C25/00467/LAPFUV
Date: 07 August 2025 10:58:59
Attachments: [image002.jpg](#)
[image003.jpg](#)

Good morning,

Yes, I can confirm I am happy to withdraw my representation.

Regards

Gemma Demaline

Environmental Health Officer (Environmental Protection)

Environmental Protection

Regulatory Services (Central)

North Yorkshire Council

PO Box 787

Harrogate

HG1 9RW

Telephone: 0300 131 2 131 | 01423 556526

Email: gemma.demaline@northyorks.gov.uk

Web: northyorks.gov.uk

NYC logo_RGB_A4_24mm high



OFFICIAL

From: Licensing (HAR)
Sent: 07 August 2025 09:58
To: Gemma Demaline
Subject: FW: La Feria Variation - C25/00467/LAPFUV

Good morning

Please see below email from applicant agreeing to your proposed conditions. Do you withdraw your rep?

Kind regards

Steph Hustwith

Technical Licensing Officer

Licensing

Regulatory Services (Central Area)

North Yorkshire Council

PO Box 787

Harrogate

HG1 9RW

E-mail: Stephanie.Hustwith@northyorks.gov.uk

Web: www.northyorks.gov.uk



OFFICIAL

From: Jez Verity [REDACTED]
Sent: 06 August 2025 17:02
To: Licensing (HAR) <licensing.har@northyorks.gov.uk>
Subject: Re: La Feria Variation - C25/00467/LAPFUV

Hi Steph,

Many thanks for this. Yes that's fine, we agree to the proposed conditions below forming part of our Premises Licence.

If there is anything else you need from me at this time please do not hesitate to get in touch.

Best regards.

Jez

Sent from my iPhone

On 6 Aug 2025, at 12:31, Licensing (HAR)
<licensing.har@northyorks.gov.uk> wrote:

Good morning

La Feria, Rear Ground Floor, Wellington House, Cold Bath Road,
Harrogate, HG2 0NA
PREMISES LICENCE APPLICATION - VARIATION
LICENSING ACT 2003

Please find attached a representation raised by Environmental Protection Team in respect of the above application.

You should give this representation your careful consideration and you are encouraged to resolve the issues raised by negotiation directly with the relevant responsible authority. The contact details are included on the representation.

If you agree to the proposed conditions forming part of your premises licence please notify us and we will request that the representation is formally withdrawn.

If you don't agree to the proposed conditions forming part of your premises licence and resolution cannot be reached and the

representation is not withdrawn the application will be dealt with at a Licensing Sub-committee hearing which will be arranged within 20 days of the end of the consultation period. Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination so it is important that any negotiation is swiftly conducted.

Kind regards

Steph Hustwith

Technical Licensing Officer

Licensing

Regulatory Services (Central Area)

North Yorkshire Council

PO Box 787

Harrogate

HG1 9RW

E-mail: Stephanie.Hustwith@northyorks.gov.uk

Web: www.northyorks.gov.uk

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OFFICIAL - SENSITIVE

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From: [Licensing \(HAR\)](#)
To: [Wan Malachi](#)
Subject: FW: Objection to Premises Licence Variation – La Feria Restaurant, Wellington House, Harrogate
Date: 06 August 2025 09:28:33

Let me know if you are happy to accept this and I will get it on Uniform and acknowledge.

Kind regards

Steph Hustwith
Technical Licensing Officer
Licensing
Regulatory Services (Central Area)
North Yorkshire Council
PO Box 787
Harrogate
HG1 9RW

E-mail: Stephanie.Hustwith@northyorks.gov.uk
Web: www.northyorks.gov.uk



OFFICIAL - SENSITIVE

From: Chris Hird [REDACTED]
Sent: 06 August 2025 09:22
To: Licensing (HAR) <licensing.har@northyorks.gov.uk>
Subject: Objection to Premises Licence Variation – La Feria Restaurant, Wellington House, Harrogate

Dear Licensing Team,

I am writing to formally object to the proposed variation of the premises licence for La Feria Restaurant, Wellington House, Cold Bath Road, Harrogate (HG2 0NA), which seeks to extend the use of the outdoor terrace until 23:00 from Monday to Saturday, all year round.

I live [REDACTED] and have a young family, including small children whose sleep and wellbeing would be directly affected by this variation. The current restriction on terrace use (21:00 – 11:00 between October and March) is a necessary and reasonable control that helps protect nearby residents from

noise nuisance during quieter months when windows are more likely to be closed and homes less ventilated.

Extending outdoor use until 23:00 six days a week — including throughout the winter months — risks significantly increasing noise levels from patrons dining and drinking outside. This is likely to cause regular disturbance, especially during school nights, and would negatively affect both our ability to rest and our children's sleep routines.

I believe this variation conflicts with two of the key licensing objectives:

1. The prevention of public nuisance – Allowing use of the terrace until 11pm throughout the year will likely result in noise pollution affecting neighbouring properties in what is otherwise a residential area. Conversations, laughter, movement of furniture, and general ambient noise are easily carried across the street, especially in the evening when background noise levels are lower.
2. The protection of children from harm – Sleep disturbance and continued exposure to evening noise from outdoor dining can directly impact the health and development of children living in proximity to the premises.

The existing condition provides a sensible balance between the business's needs and residents' rights to quiet enjoyment of their homes. Removing these restrictions would, in my view, undermine that balance.

I kindly urge the Licensing Authority to refuse this application in order to protect the quality of life for residents and uphold the licensing objectives.

Yours faithfully,

Chris Hird

[REDACTED]

[REDACTED]

Thanks,

Chris

Appendix 6

From: Wan Malachi
To:
Cc: [Licensing \(HAR\)](#)
Subject: FW: 1. Chris Hird - C25/00467/LAPFUV
Date: 12 August 2025 11:29:00

Dear Mr Hird,

I am writing to you with reference to your email below.

During the consultation period the applicant has agreed to conditions following representation from Environmental Protection in their capacity as a Responsible Authority. This is detailed in the document that you have been provided. Following agreement, EP have subsequently withdrawn their representation and the condition will form part of the premises licence should the application be granted.

I hope this information is of use to you.

Regards,

Wan Malachi FBII
Senior Licensing Enforcement Officer
Licensing – Central Area
Regulation and Harbours
Environment Directorate
North Yorkshire Council
PO Box 787
HARROGATE
HG1 9RW

Telephone: 0300 131 2 131

Email: wan.malachi@northyorks.gov.uk

Web: www.northyorks.gov.uk



OFFICIAL

From: Chris Hird <[REDACTED]>
Sent: 12 August 2025 10:55
To: Licensing (HAR) <licensing.har@northyorks.gov.uk>

Cc: Licensing (HAR) <licensing.har@northyorks.gov.uk>

Subject: Re: 1. Chris Hird - C25/00467/LAPFUV

Good morning,

Thank you for providing the document. I just wanted to clarify whether the attached wording reflects the current licence conditions or the proposed variation.

The public notice I received states that the restaurant is applying to remove the seasonal restriction which currently prohibits use of the terrace between 21:00–11:00 from October to March, and instead allow use until 23:00 all year round. However, the document you've shared already states terrace use is permitted from 11:00 to 23:00 Monday to Saturday.

Please could you confirm if this condition is already in force, or if this is the proposed change being applied for? This will help me understand whether my objection is to a new change or an existing permission.

Thanks,

Chris

On 12 Aug 2025, at 10:14, Licensing (HAR)
<licensing.har@northyorks.gov.uk> wrote:

Good morning

I have attached the conditions agreed with Environmental Protection. Please advise if this resolves your concerns and if you would like to withdraw your objection.

If resolution cannot be reached and the representation is not withdrawn the application will be dealt with by a Licensing Sub-Committee hearing which will be arranged within 20 working days of the end of the consultation period.

Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination, so it is important that any negotiation is swiftly conducted.

Kind regards

Steph Hustwith
Technical Licensing Officer
Licensing
Regulatory Services (Central Area)
North Yorkshire Council

PO Box 787
Harrogate
HG1 9RW

E-mail: Stephanie.Hustwith@northyorks.gov.uk
Web: www.northyorks.gov.uk

<image001.jpg>

Any data you provide will be used to provide you with the services you have requested, and to provide you with information about our services and products.

We will only use your personal data for the purposes for which we collected it, unless we reasonably believe that another use is justified. We will not pass your personal data to other organisations for marketing purposes unless you have opted in to this.

Marketing and advertising emails: We will use your personal data to send you marketing and advertising emails if you have opted in to this. We will use your personal data to send you marketing and advertising emails if you have opted in to this. We will use your personal data to send you marketing and advertising emails if you have opted in to this.

If you have opted in to receive marketing and advertising emails, we will use your personal data to send you marketing and advertising emails. We will use your personal data to send you marketing and advertising emails if you have opted in to this. We will use your personal data to send you marketing and advertising emails if you have opted in to this.

For more information about our privacy policy, please visit our website at www.northyorks.gov.uk/privacynotice

OFFICIAL

<EP Rep_Redacted.pdf>

Stephanie Hustwith

From: Jez Verity [REDACTED]
Sent: 13 August 2025 08:48
To: Licensing (HAR)
Subject: Re: No. 1 Representation - C25/00467/LAPFUV

Categories: Steph

Dear Steph,

I am writing in response to the representation from Mr Hird regarding the application from La Feria to change the conditions of its licence to permit trading on the terrace until 23.00 year round.

We fully respect all our neighbours rights and are acutely aware of the fact that we trade in a residential neighbourhood. We firmly adhere to the existing conditions of our Premises Licence, especially with regard to noise disturbance, and operate a strict curfew in respect of our permitted trading hours. We also have signage throughout the restaurant requesting customers to respect our neighbours when entering and leaving and staff are briefed to make customers aware of our neighbours in terms of noise levels.

On the new application, this is primarily intended so that we can seat diners in the enclosed area under the canopy directly in front of the restaurant, which is considered to be part of the terrace. We think it is extremely unlikely that weather conditions between October and March would enable customers to sit on the exposed terrace further down towards the road, especially between 21.00 - 23.00 at night.

As Mr Hird states, the fact that windows are more likely to be closed at this time of year further mitigates against noise disturbance from the canopy area.

However, as ever, we would be continue to be vigilant and respectful of potential noise issues, such as turning off any "piped" music into the canopy areas after 21.00.

I hope that this is satisfactory to Mr Hird but if not we are happy to answer any other concerns that he might have.

Yours sincerely,

Jez Verity

Sent from my iPhone

[Redacted text]

[Redacted text]

[Redacted text]

From: [Licensing \(HAR\)](#)
To: [Wan Malachi](#)
Subject: FW: No. 1 Representation - C25/00467/LAPFUV
Date: 13 August 2025 11:49:16

I'm not sure if you've got this or not, but he's not withdrawing his rep.

Kind regards

Steph Hustwith
Technical Licensing Officer
Licensing
Regulatory Services (Central Area)
North Yorkshire Council
PO Box 787
Harrogate
HG1 9RW

E-mail: Stephanie.Hustwith@northyorks.gov.uk

Web: www.northyorks.gov.uk



OFFICIAL

From: Chris Hird [REDACTED]
Sent: 13 August 2025 11:36
To: Licensing (HAR) <licensing.har@northyorks.gov.uk>
Cc: Licensing (HAR) <licensing.har@northyorks.gov.uk>
Subject: Re: No. 1 Representation - C25/00467/LAPFUV

Dear Steph,

Thank you for forwarding the applicant's response. While I appreciate the assurances given by Mr Verity, my concerns remain and I do not wish to withdraw my representation.

The issue is not limited to piped music or weather conditions but to the noise generated by customers themselves. Conversations, laughter, and movement of furniture carry easily across Cold Bath Road in the evening, particularly when the surrounding area is quieter. Even with the canopy, these sounds are clearly audible from my property.

Although the applicant states it is unlikely customers would use the exposed

terrace during colder months, the proposed variation would permit it all year round, and any such use between 21:00 and 23:00 would cause disturbance to my household, especially my young children whose sleep is already sensitive to evening noise.

The current restrictions provide a reasonable balance between the needs of the business and the rights of residents to the peaceful enjoyment of their homes. Removing them risks undermining that balance and, in my view, would conflict with the licensing objectives of preventing public nuisance and protecting children from harm.

I therefore ask that my objection remain in place and that the Licensing Sub-Committee consider the likely impact on those living directly opposite the premises.

Kind regards,

Chris

On 13 Aug 2025, at 09:08, Licensing (HAR)
<licensing.har@northyorks.gov.uk> wrote:

Good morning,

La Feria, Rear Ground Floor, Wellington House, Cold Bath Road,
Harrogate, HG2 0NA
PREMISES LICENCE APPLICATION - VARIATION
LICENSING ACT 2003

Further to your email dated 06/08. Please find attached a copy of the response from the Applicant.

If this letter allays the concerns raised in your email and you are able to withdraw your representation please advise this office by email as soon as possible.

Should you have any questions or require clarification on any particular point please do not hesitate to contact the Licensing Team via email.

Kind regards

Steph Hustwith
Technical Licensing Officer
Licensing
Regulatory Services (Central Area)
North Yorkshire Council
PO Box 787
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<image001.jpg>

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<1. Chris Hird Applicant Response.pdf>

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Extract from Licensing Act 2003

19 Mandatory conditions where licence authorises supply of alcohol

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

20 Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

21 Mandatory condition: door supervision

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

(2) But nothing in subsection (1) requires such a condition to be imposed-

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

(b) in respect of premises in relation to-



(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

(3) For the purposes of this section-

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).



3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the

following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises —

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to —

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. (2) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.



(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”