

Appendix 3



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

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Date sent to Licensing Authority: 4th August 2024

Signed: G. Demaline
