

# Public Document Pack

**Democratic Services Section  
Legal and Civic Services Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**



**Belfast  
City Council**

9th November, 2022

## **MEETING OF THE LICENSING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the **Lavery Room and via Microsoft Teams** on Wednesday, 16th November, 2022 at 5.00 p.m., for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

### **AGENDA:**

#### **1. Routine Matters**

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest

#### **2. Delegated Matters**

- (a) HMO Licences issued under Delegated Authority (Pages 1 - 4)
- (b) Application for a New Licence to operate a House of Multiple Occupation – 30 Eblana Street (Pages 5 - 28)
- (c) Applications approved under Delegated Authority (Pages 29 - 34)
- (d) Application for the Grant of a Seven-day Annual Outdoor Entertainments Licence - Grove Park, Jellicoe Avenue (Pages 35 - 44)

- (e) Application for the Variation of a Seven-Day Annual Indoor Entertainments Licence - Town Square, 12-13 Lower Crescent (Pages 45 - 52)
- (f) Application for the Renewal of a Seven-Day Annual Indoor Entertainments Licence - St. Malachy's College Old Boys' Association, 442 Antrim Road (Pages 53 - 86)

**3. Non-Delegated Matters**

- (a) Schedule of Meetings 2023 (Pages 87 - 88)
- (b) Licence Fees for Sex Establishments (Pages 89 - 90)



<b>Subject:</b>	<b>Houses in Multiple Occupation (HMO) Licences Issued Under Delegated Authority</b>
<b>Date:</b>	16th November, 2022
<b>Reporting Officer:</b>	Kevin Bloomfield, NIHMO Manager
<b>Contact Officer:</b>	Vivienne Donnelly, City Protection Manager Kevin Bloomfield, NIHMO Manager

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
<b>1.1</b>	Under the Scheme of Delegation, the Director of City and Neighbourhood Services is responsible for exercising all powers in relation to the issue and variation, but not refusal, of HMO Licences, excluding provisions relating to the issue of HMO Licences where adverse representations have been made. Those applications which were dealt with under the Scheme are listed below.
<b>2.0</b>	<b>Recommendation</b>
<b>2.1</b>	The Committee is requested to note the applications which have been issued under the Scheme of Delegation during October 2022.

<b>3.0</b>	<b>Main Report</b>																																																																																																																
	<b><u>Key Issues</u></b>																																																																																																																
3.1	Under the terms of the Houses in Multiple Occupation Act (Northern Ireland) 2016, the following HMO Licences were issued during October, 2022:																																																																																																																
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25 Ridgeway Street	Mr. Marc Kingsbury	STRANMILLIS	STRANMILLIS HMO 2/19
13 Jerusalem Street	Mr. David Smyth	CENTRAL	HOLYLAND HMO 2/22
105 University Avenue	Mr. Desmond McAuley	CENTRAL	HOLYLAND HMO 2/22
110 Dunluce Avenue	Mr. Emmett Gartland	WINDSOR	ULSTERVILLE HMO 2/21
144 Connsbrook Avenue	Hanrose Limited	SYDENHAM	NONE
54 Melrose Street	Innov8 Living Ltd	WINDSOR	EDINBURGH ST HMO 2/08
163 Broadway	WB Rankin Limited	BLACKSTAFF	NONE
7 Stormount Street	Mr. Aidan Brogan	BEERSBRIDGE	NONE
16 Elaine Street	Tall Trees Residential Limited	CENTRAL	STRANMILLIS HMO 2/19
13 Wellesley Avenue	Mr. Paul Rogers	WINDSOR	EGLANTINE HMO 2/09
252 Ravenhill Avenue	Mrs. Oonagh McElroy	WOODSTOCK	NONE
65 Haypark Avenue	Mr. Vincent Burns	ORMEAU	BALLYNAFEIGH HMO 2/03
29 Carmel Street	Mr. Thomas Smyth	CENTRAL	HOLYLAND HMO 2/22
Flat 3, 47 Ashley Avenue	Kendale Limited	WINDSOR	ULSTERVILLE HMO 2/21
18 Harleston Street	Mrs. Amy Matson	STRANMILLIS	HARLESTON HMO 2/11
Flat 2, 77 Wellesley Avenue	P&S Property Rentals Limited	WINDSOR	EGLANTINE HMO 2/09
6 Wellington Park Avenue	Koyah Limited	WINDSOR	EGLANTINE HMO 2/09
25 Carmel Street	Mrs. Ruth Scott	CENTRAL	HOLYLAND HMO 2/22
56 Palestine Street	Mrs. Elizabeth Breen	CENTRAL	HOLYLAND HMO 2/22
73 Carmel Street	Mr. Gabriel Fox	CENTRAL	HOLYLAND HMO 2/22
Flat 1, 47 Ashley Avenue	Kendale Limited	WINDSOR	ULSTERVILLE HMO 2/21
Flat 3, 16 Cromwell Road	Botanic Avenue Properties Limited	CENTRAL	HOLYLAND HMO 2/22
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44 Sandhurst Gardens	Miss Riley Napier	CENTRAL	STRANMILLIS HMO 2/19
3 Harrow Street	Ms. Avril Bruce	CENTRAL	HOLYLAND HMO 2/22
130 Melrose Street	Mr. William Hamilton	WINDSOR	EDINBURGH ST HMO 2/08
197 Dunluce Avenue	Miss Julie-Anne Hewitt	WINDSOR	ULSTERVILLE HMO 2/21
30 Palestine Street	Mrs. Margaret O'Kane	CENTRAL	HOLYLAND HMO 2/22
1 Harrow Street	Cosby Limited	CENTRAL	HOLYLAND HMO 2/22
48 Lisburn Avenue	Mrs. Mary O'Donnell	WINDSOR	ADELAIDE HMO 2/01
14 Meadowbank Street	Dr. Martin Tremayne Christian	WINDSOR	MEADOWBANK HMO 2/15
3 Cadogan Street	Mrs. Carmel McLaughlin	CENTRAL	HOLYLAND HMO 2/22

	Flat 2, 17 Rugby Avenue	Mrs. Clare Jennings	CENTRAL	HOLYLAND HMO 2/22
	41 Palestine Street	Mr. Eugene Carragher	CENTRAL	HOLYLAND HMO 2/22
	93 Wellesley Avenue	Mr. Paul Kelly	WINDSOR	EGLANTINE HMO 2/09
	<b><u>Financial and Resource Implications</u></b>			
3.2	None			
	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>			
3.3	There are no issues associated with this report.			



<b>Subject:</b>	<b>Application for a New Licence to operate a House of Multiple Occupation - 30 Eblana Street</b>
<b>Date:</b>	16th November, 2022
<b>Reporting Officer:</b>	Kevin Bloomfield, HMO Unit Manager, ext. 5910
<b>Contact Officer:</b>	Kevin Bloomfield, HMO Unit Manager, ext. 5910 Vivienne Donnelly, City Protection Manager, ext. 5325

<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>								
1.1	<p>To consider an application for a Licence permitting the use of premises as a House in Multiple Occupation (HMO).</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="width: 30%;">Premises</th> <th style="width: 20%;">Application No.</th> <th style="width: 30%;">Applicant(s)</th> <th style="width: 20%;">Managing Agents</th> </tr> </thead> <tbody> <tr> <td>30 Eblana Street, Belfast, BT7 1LD</td> <td>9399</td> <td>Mr Enda Hughes</td> <td>Boyle Properties</td> </tr> </tbody> </table>	Premises	Application No.	Applicant(s)	Managing Agents	30 Eblana Street, Belfast, BT7 1LD	9399	Mr Enda Hughes	Boyle Properties
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30 Eblana Street, Belfast, BT7 1LD	9399	Mr Enda Hughes	Boyle Properties						
1.2	<p>Members are reminded that licences are issued for a 5-year period with standard conditions. Where it is considered necessary to do so, the Committee can also impose special conditions.</p> <p><b><u>Background</u></b></p>								
1.3	<p>An individual purporting to be the owner of the accommodation submitted an HMO licence application on 22nd August, 2019 and an HMO licence was granted to that individual on 30th December, 2019.</p>								
1.4	<p>However, following an application to vary the managing agent of the property, officers established that the individual to whom the licence was granted was not, in fact, the legal owner of the property. Instead, he was one of two directors of a limited company who actually owned the property. Members will be aware that a limited company is a separate legal entity.</p>								
1.5	<p>Officers sought and obtained advice from Counsel on the validity of the licence and legal services advised that section 8(1) of the 2016 Act clearly requires that the <i>owner</i> of the accommodation must apply for a licence, which was not the case here. Therefore, officers held that the misrepresentations made by the abovementioned individual regarding the ownership of the property, invalidated the licence meaning it no longer had effect. The NIHMO Unit emailed the individual advising him of the Council's decision on 26th July, 2022</p>								

1.6	On 23rd June 2022, the applicant, Mr. Hughes, submitted an application for a new HMO licence (He was a prospective purchaser of the property at the time).
1.7	The sale of the property was completed on 28th July, 2022.
1.8	Therefore, given that there was no valid licence in place when the applicant's purchase of the property completed, the applicant <u>could not</u> avail of section 28 of the 2016 Act.
1.9	Had the licence remained in effect and, whilst still being an application for a new licence, with overprovision being taken into account (as indeed it must be), the Council <u>would not</u> have deemed granting this application to result in overprovision, given that it would effectively have been a transfer of an existing licence.
<b>2.0</b>	<b>Recommendations</b>
2.1	Taking into account the information presented Committee is asked to hear from the Applicant and make a decision to either: <ul style="list-style-type: none"> <li>(i) grant the application, with or without any special conditions; or</li> <li>(ii) refuse the application.</li> </ul>
2.2	If the application is refused, the applicants have a right of appeal to the County Court. Such an appeal must be lodged within 28 days of formal notification of the decision.
<b>3.0</b>	<b>Main Report</b>
	<b><u>Key Issues</u></b>
3.1	Pursuant to the 2016 Act, the Council may only grant a licence if it is satisfied that: <ul style="list-style-type: none"> <li>a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control;</li> <li>b) the owner, and any managing agent of it, are fit and proper persons;</li> <li>c) the proposed management arrangements are satisfactory);</li> <li>d) the granting of the licence will not result in overprovision of HMOs in the locality;</li> <li>e) the living accommodation is fit for human habitation and: <ul style="list-style-type: none"> <li>(i) is suitable for occupation as an HMO by the number of persons to be specified in the licence, or</li> <li>(ii) can be made so suitable by including conditions in the licence.</li> </ul> </li> </ul>
	<b><u>Planning</u></b>
3.2	As this is a new application, the Council's Planning Service was consulted. It confirmed that a Certificate of Lawful Existing Use or Development ("CLEUD") was granted in May, 2022 with the planning reference LA04/2022/0558/LDE.
	<b><u>Fitness</u></b>
3.3	When considering the fitness of an applicant the Council must have regard to any offences concerning fraud/ dishonesty, violence, drugs, human trafficking, firearms, sexual offences, unlawful discrimination in, or in connection with, the carrying on of any business; or any provision of the law relating to housing or of landlord and tenant law. It also permits the Council to take into account any other matter which the council considers to be relevant.

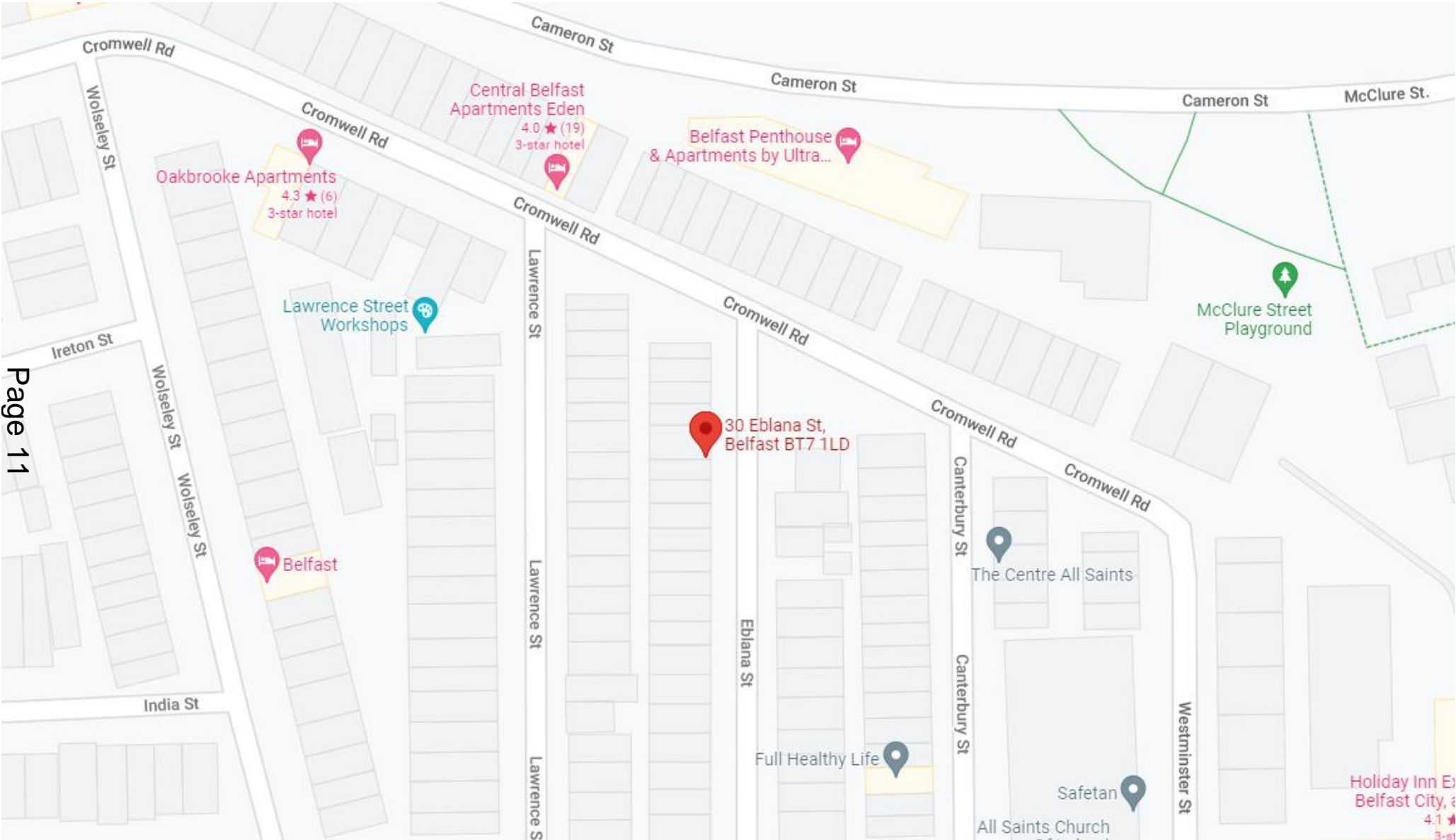


3.4	<p>The NIHMO Unit has consulted with the following units within the Council’s City and Neighbourhood Services Department –</p> <ul style="list-style-type: none"> <li>(a) Environmental Protection Unit (“EPU”) – it has confirmed that in relation to night-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years,</li> <li>(b) Environmental Protection Unit (“EPU”) – it has confirmed that in relation to day-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years,</li> <li>(c) Public Health and Housing Unit (“PHHU”) – it has confirmed that in relation to rubbish accumulation/filthy premises, there has been no relevant enforcement action required in respect of the HMO in the last 5 years,</li> <li>(d) Enforcement Unit (“EU”) – it has confirmed that in relation to litter and waste, there has been no relevant enforcement action required in respect of the HMO in the last 5 years,</li> </ul>
3.5	<p>The applicant and Managing Agent have confirmed that they have not been convicted of any relevant offences as set out at paragraph 3.3 of this report.</p>
3.6	<p>The applicant or Managing Agent have not been convicted of any HMO related offences by the Council. The EPU, PHHU and EU, solely in respect of their statutory functions, have confirmed that there are no relevant, previous convictions in respect of the Applicant, Managing Agent or occupants. Due to data protection issues which have recently arisen, PSNI has not been accepting or responding to notification of these applications. Officers are continuing to engage with PSNI to find a resolution to this issue.</p>
	<p><b><u>Overprovision</u></b></p>
3.7	<p>For the purpose of determining whether or not the granting of a licence would result in an overprovision of HMOs in the locality of the accommodation, and in order to ensure consistency as both a planning and licensing authority the locality was defined as being HMO Policy Area “HMO 2/22 Botanic, Holylands, Rugby” as defined in the document “Houses in Multiple Occupation (HMO’s) Subject Plan for Belfast City Council Area 2015”.</p>
3.8	<p>Legal Services has advised that there is a clear requirement in section 8 of the 2016 Act for the Council to be satisfied that the granting of a licence will not result in overprovision.</p>
3.9	<p>On the date of assessment, 17th October 2022, there were a total of 1087 licensed HMOs in HMO policy area “HMO 2/22 Botanic, Holylands, Rugby”. This equates to just over 45% of the total dwelling units of 2409 within the policy area. Which in turn exceeds the 30% development limit as set out at Policy HMO 1. The 1087 licensed HMOs have a capacity of 4897 persons</p>
3.10	<p>The total number of dwelling units in a Policy Area is measured by Ordnance Survey’s Pointer database.</p>
3.11	<p>The Council must also consider the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.</p>
3.12	<p>The Council recognises that there is a need for intensive forms of housing and to meet this need, HMOs are an important component of this housing provision. HMOs, alongside other accommodation options within the private rented sector, play an important role in meeting the</p>

	housing needs of people who are single, who have temporary employment, students, low-income households and, more recently, migrant workers.
3.13	In September 2017, The Housing Executive published the document “Housing Market Analysis Update – Belfast City Council Area” which states “HMOs form an important element of the PRS, particularly for younger people on low incomes and for single people, under the age of 35, affected by the limitation of housing benefit to the shared room rate. Anecdotal evidence also indicates that this has been a popular sector with migrant workers.”
3.14	On 28th October 2022, out of 19 premises available for rent within the BT7 area on the website PropertyNews.com there was 1 licensed HMO, which from the information presented on the website, represented 4 bed spaces. The HMO was available for immediate occupation. It should be borne in mind that the peak letting time for HMO accommodation in BT7 is before the commencement of the academic year.
3.15	Anecdotal evidence from conversations with HMO managing agents suggest that there is currently a lack of HMO accommodation available in the locality.
3.16	The fact the use of the property as an HMO is permitted for planning purposes is a relevant consideration in determining whether the grant of this licence will result in overprovision. There is an argument that it may not do so as the premises are already being used as an HMO.
3.17	However, it should be borne in mind that planning permission was granted on the basis that the use had been established for 5 or more years and was therefore immune to enforcement. No assessment of overprovision was made at that time. Given the level of licensed HMO properties in this locality as set out above it would be highly unlikely that a planning application for a new HMO in the area would be successful as the thresholds in the 2015 Plan have been significantly exceeded.
3.18	Officers are, therefore, of the opinion that it is too early to tell whether there is a temporary lack of HMO accommodation in the locality or evidence of an emerging long-term supply issue.
	<b><u>Objections</u></b>
3.19	No objections have been received in relation to this application.
	<b><u>Attendance</u></b>
3.20	The applicant and/or their representatives will be available to discuss any matters relating to the licence application should they arise during your meeting.
	<b><u>Suitability of the Premises</u></b>
3.21	The accommodation was certified as complying with the physical standards for an HMO by a technical officer from the NIHMO service on 31st October, 2022
	<b><u>Notice of Proposed Decision</u></b>
3.22	On 28th October 2022, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, Officers issued a Notice of Proposed Decision to the Applicant setting out the terms of the proposed licence. <b>(Appendix 2)</b>
3.23	The Notice of Proposed Decision stated that the Council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.

	<p><b><u>Manager’s Query further to the Notice of Proposed Decision</u></b></p>
3.24	On 1st October 2022, Boyle Properties emailed the HMO unit seeking clarity as to why the application was not being considered as a renewal. <b>(Appendix 3)</b> .
3.25	Officers responded to the query on the same day <b>(Appendix 4)</b>
	<p><b><u>Financial and Resource Implications</u></b></p>
3.26	None. The cost of assessing the application and officer inspections are provided for within existing budgets.
	<p><b><u>Equality and Good Relations Implications</u></b></p>
3.27	There are no equality or good relations issues associated with this report.
<b>4.0</b>	<b>Documents Attached</b>
	<p>Appendix 1 – Location Map</p> <p>Appendix 2 – Notice of Proposed Decision dated 28th October, 2022</p> <p>Appendix 3 – Manager’s Query further to the Notice of Proposed Decision</p> <p>Appendix 4 – Response to Manager’s Query</p>

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By virtue of paragraph(s) 3 of Part 1 of Schedule 6  
of the Local Government Act (Northern Ireland) 2014.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 6  
of the Local Government Act (Northern Ireland) 2014.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 6  
of the Local Government Act (Northern Ireland) 2014.

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<b>Subject:</b>	<b>Applications approved under Delegated Authority</b>
<b>Date:</b>	16th November, 2022
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext. 2435
<b>Contact Officer:</b>	James Cunningham, Senior Licensing Officer, Ext. 3375

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	Under the Scheme of Delegation, the Director of Planning and Building Control is responsible for exercising all powers in relation to the issue, but not refusal, of Permits and Licences, excluding provisions relating to the issue of Licences where adverse representations have been made.
<b>2.0</b>	<b>Recommendation</b>
2.1	The Committee is requested to note the applications which have been issued under the Scheme of Delegation.

**3.0 Main Report**

**Key Issues**

3.1 Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the following Entertainments Licences were issued since your last meeting:

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Balmoral Bowling Club, 108c Belvoir Drive, Belvoir, BT8 7DT	Renewal	Mr. Annesley Harrison
Beechlawn House Hotel, 4 Dunmurry Lane, Dunmurry, BT17 9RR.	Renewal	Mrs. Roisin McIlhone, Ethrill Ltd
Belfast Harlequins, 45A Deramore Park, Belfast, BT9 5JX.	Renewal	Mr. Peter Kelly
Belfast Waterfront Hall, 2 Lanyon Place, Belfast, BT1 3WH.	Renewal	Mr. John Griffin, Belfast Waterfront & Ulster Hall Ltd
Bullitt Hotel, 40A Church Lane, Belfast, BT1 4QN.	Renewal	Mr. James Sinton, Bullitt Trading Ltd
Bullitt Hotel, 40A Church Lane, Belfast, BT1 4QN.	Renewal (outdoor)	Mr. James Sinton, Bullitt Trading Ltd
City Hall, Donegall Square, Belfast, BT1 5GS.	Renewal	Ms. Carole Greenan, Belfast City Council
Cosy Bar, 44-50 Omeath Street, Belfast, BT6 8DN.	Renewal	Mr. Colin Bell, Hillhall Ltd
Drumglass Park, Lisburn Road, Belfast, BT9 6JF.	Renewal (outdoor)	Mr. Ryan Black, Belfast City Council
Dunmurry Park, Kingsway, Dunmurry, Belfast, BT17 9SB.	Renewal (outdoor)	Mr. Ryan Black, Belfast City Council
Girdwood Community Hub, 1 0 Girdwood Avenue, Belfast, BT14	Renewal	Ms. Roma Doherty, Greenwich Leisure Ltd
Hell Cat Maggie's, 2-6 Donegall Square West, Belfast, BT1 6JA.	Renewal	Mr. Henry Downey, Eagle-Glen Ltd
Kitchen Bar, Unit 42 UG, 1 Victoria Square, Belfast.	Renewal	Mr. Henry Downey, Eagle-Glen Ltd
Lagan Village Rangers Supporters Club, 36-40 Castlereagh Place, Belfast, BT5 4NN.	Renewal	Mr. William Ferguson
Lamh Dhearg CLG, 168 Upper Springfield Road, Belfast, BT17 0LZ.	Renewal	Mr. Michael Boyle
Lavery's Bar, 12-22 Bradbury Place, Belfast, BT7 1RS.	Renewal	Mr. Bernard Lavery, Lavery Ltd
Love and Death Inc, 10a Ann Street, Belfast, BT1 4EF.	Renewal	Mr. Lee Murphy, Maclad Ltd

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
National Football Stadium, Windsor Park, Donegall Avenue, Belfast, BT12 6LU.	Renewal	Ms. Anita Bayne, Irish Football Association
Regent House Mews, 2A Monagh Grove, Belfast, BT11 8EJ.	Grant	Mr. Patrick Donnelly, Regent House Mews Ltd
Rock Bar, 491-493 Falls Road, Belfast, BT12 6DE.	Renewal	Mr. Gerard McIlhone, G&M Rock Ltd
Rosemary Presbyterian Church Hall, 19 North Circular Road, Belfast, BT15 5HB.	Renewal	Mr. Roy Eakin
St Georges Market, 12-20 East Bridge Street, Belfast, BT1 3NQ.	Renewal	Ms. Clodagh Cassin, Belfast City Council
St Marks Church, Heyn Hall, 2 Sydenham Avenue, Belfast, BT4	Renewal	Mrs. Lynn Wilson
St Matthews Church Hall, 403 Shankill Road, Belfast, BT13 3AF.	Renewal	Rev. Tracey McRoberts
The Dirty Onion & Yard Bird, 42 Waring Street, Belfast, BT1 2ED.	Renewal	Mr. James Sinton, Cathedral Leisure Ltd
The National Grande Cafe Bar& Sixty6, 62-68 High Street, Belfast, BT1 2BE.	Renewal	Mr. James Sinton, Cathedral Leisure Ltd
The National Grande Cafe Bar & Sixty6, 62-68 High Street, Belfast, BT1 2BE.	Renewal (outdoor)	Mr. James Sinton, Cathedral Leisure Ltd
Titanic Hotel, Queens Road, Belfast, BT3 9DT.	Renewal	Mr. Adrian McNally, Titanic Hotel Belfast Ltd
Ulster Hall, 30 Bedford Street, Belfast, BT2 7FF.	Renewal	Mr John Griffin, Belfast Waterfront & Ulster Hall Ltd.

3.2 Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, no Amusement Permits were issued since your last meeting.

3.3 Under the terms of the Cinemas (Northern Ireland) Order 1991, the following Cinema Licences were issued since your last meeting:

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Belfast Waterfront Hall, 2 Lanyon Place, Belfast, BT1 3WH.	Renewal	Mr John Griffin, Belfast Waterfront & Ulster Hall Ltd
Ulster Hall, 30 Bedford Street, Belfast, BT2 7FF.	Renewal	Mr John Griffin, Belfast Waterfront & Ulster Hall Ltd

3.4 Under the terms of the Petroleum Consolidation Act 1929, the following Petroleum Licences were issued since your last meeting:

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Albertbridge Filling Station, 310 Albertbridge Road, Belfast, BT5	Renewal	Mr. Richard Law
Antrim Road Filling Station, 328 Antrim Road, Belfast, BT15 5AB.	Renewal	Mr. Kevin Brennan
Cherryvalley Filling Station, 46 Gilnahirk Road, Belfast, BT5 7DG.	Renewal	Mr. Alan Armstrong, Henderson Retail Ltd
Edenderry Filling Station, 298 Crumlin Road, Belfast, BT14 7EE.	Renewal	Mr. John Bailey
Fortwilliam Service Station, 452 Antrim Road, Belfast, BT15 5GB.	Renewal	Mr. Mark Nelson, Lislea Retail Ltd
Moneen Petrol Station, 331-339 Finaghy Road North, Belfast, BT11 9EH.	Renewal	Mr. Brendan Nugent, Andersonstown Services Ltd
Sainsburys Filling Station, 564-568 Falls Road, Belfast, BT11 9AE.	Renewal	Ms. Kathryn Park, Sainsbury's Supermarkets Ltd
Sainsburys Petrol Station, 302 Airport Road West, Belfast, BT3	Renewal	Ms. Michelle Robertson, Sainsbury's Supermarkets Ltd
Saveways Eurospar, 111-129 Springfield Road, Belfast, BT12 7AE.	Renewal	Mr .Brendan McKee
Tates Avenue Filling Station, 252 Tate Avenue, Belfast, BT12 6NB.	Renewal	Mr. Alan Armstrong, Henderson Retail Ltd

3.5 Under the terms of the Street Trading Act (Northern Ireland) 2001, the following Street Trading Licences were issued since your last meeting:

<b>Location</b>	<b>Type of Application</b>	<b>Commodity</b>	<b>Hours Licensed</b>	<b>Applicant</b>
Donegall Square North in front of City Hall.	Stationary	Confectionary, hot & cold beverages, hot food & ice cream	Sun – Sat: 09:00 – 21:00	Miss Bronagh Stitt
Shankill, Glencairn, Fortwilliam, Ballysillan, Oldpark, Springmartin	Mobile	Ice cream, confectionary, non-alcoholic beverages	Sun – Sat: 11:30 – 21:00	Mr. Stephen Baxter

3.6 Under the terms of the Road Traffic Regulation (Northern Ireland) Order 1997, the following Road Closure Orders were made since your last meeting:

<b>Location</b>	<b>Type of Activity</b>	<b>Date and Hours permitted</b>	<b>Applicant</b>
Ormeau Embankment	5K and 10K Running race	Sunday 16th October 2022 09:15 – 12:30	Ms Beth Healy



	Ballynahatty Road, Edenderry Road	5K and 10K Running race	Saturday 5th November 2022 11:00 – 12:00	Mr. Gerry Rowe
	Royal Avenue (North Street to Castle Place), Rosemary Street, Lombard Street, Castle Place, High Street (Bridge Street to Castle Place) Cornmarket, Ann Street (Church Lane to Arthur Square), Castle Lane, Donegall Place, Fountain Lane, Fountain Street, College Street (Queen Street to Fountain Street), Castle Street (Donegall Place to Queen Street), Chapel Lane, Bank Street	Christmas Event	Saturday 19th November 2022 18:00 – 21:00	Belfast City Council
3.7	Under the terms of the Licensing of Pavement Cafés Act (Northern Ireland) 2014, no Pavement Café Licences were issued since your last meeting.			
	<b><u>Financial and Resource Implications</u></b>			
3.8	None			
	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>			
3.9	There are no issues associated with this report.			

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<b>Subject:</b>	<b>Application for the Grant of a Seven-day Annual Outdoor Entertainments Licence - Grove Park, Jellicoe Avenue</b>
<b>Date:</b>	16th November, 2022
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	Quintin Thompson, Senior Building Control Surveyor, Ext 2570

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

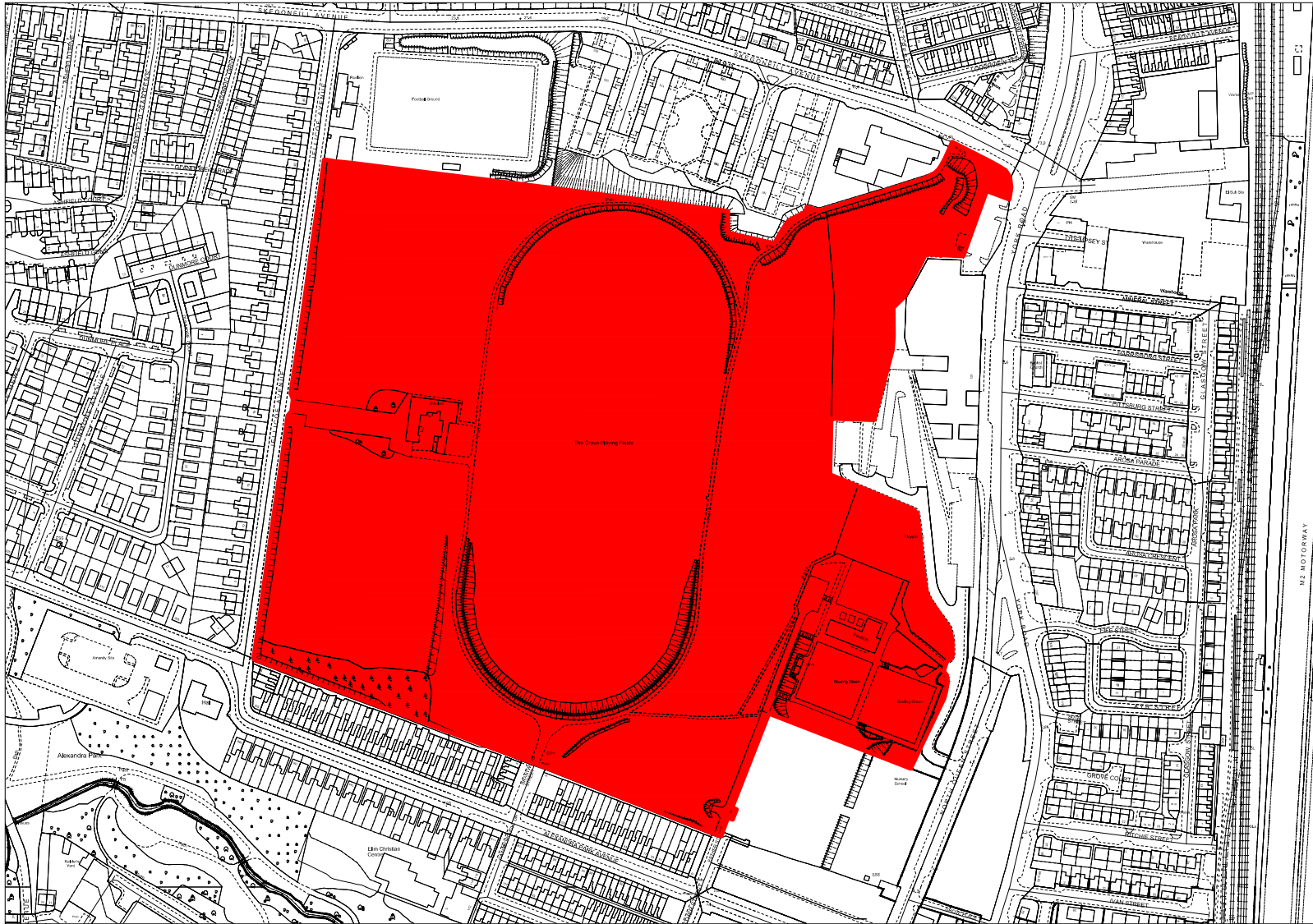
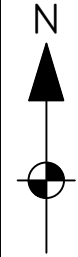
<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>						
1.1	<p>To consider an application for the grant of a Seven-day annual Outdoor Entertainments Licence in respect of Grove Park.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><b>Area and Location</b></td> <td style="width: 33%;"><b>Ref. No.</b></td> <td style="width: 33%;"><b>Applicant</b></td> </tr> <tr> <td>Grove Park Jellicoe Avenue Belfast, BT15 3FZ</td> <td>WK/2022/00480</td> <td>Mr David Sales City and Neighbourhoods Services Dept. Belfast City Council</td> </tr> </table>	<b>Area and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	Grove Park Jellicoe Avenue Belfast, BT15 3FZ	WK/2022/00480	Mr David Sales City and Neighbourhoods Services Dept. Belfast City Council
<b>Area and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>					
Grove Park Jellicoe Avenue Belfast, BT15 3FZ	WK/2022/00480	Mr David Sales City and Neighbourhoods Services Dept. Belfast City Council					
1.2	A location map is attached at Appendix 1.						

<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Taking into account the information presented and any representations received Members are required to consider the application and to:</p> <ul style="list-style-type: none"> <li>a) approve the application for the grant of the Seven-Day Annual Outdoor Entertainments Licence, or</li> <li>b) approve the application for the grant with special conditions, or</li> <li>c) refuse the application for the grant of the Seven-Day Annual Outdoor Entertainments Licence.</li> </ul>
2.2	<p>If an application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the County Court. In the case that the applicant subsequently decides to appeal, entertainment may not be provided until any such appeal is determined.</p>
<b>3.0</b>	<b>Main Report</b>
	<b><u>Key Issues</u></b>
3.1	Grove Playing Fields are owned by Belfast City Council and were previously licensed to provide outdoor entertainment until the Licence expired in August 2015.
3.2	A site plan for Grove Playing Fields is attached at Appendix 2.
3.3	Members are advised that, at a meeting of the Licensing Committee on 19th June 2022, you agreed to grant delegated authority to the Chief Executive, to approve the application for the Grant of a Seven-day Annual Outdoor Entertainments Licence for Grove Park, for the events on 8th to 10th July only, subject to having been satisfied that all safety and management procedures were in place and consultation had been undertaken with the PSNI and NIFRS.
3.4	The licence was subsequently issued for the Dockside Festival on 8-10 <sup>th</sup> July 2022. Outdoor music events were held on 8 <sup>th</sup> July and 10 <sup>th</sup> July and a family fun day was held on 9 <sup>th</sup> July.
3.5	This application is being brought back for further consideration to determine if Committee is now minded to grant a licence without restriction on its days of use.
	<b><u>Application and representations</u></b>
3.6	As for all licences associated with the Council's parks, the applicant is the Director of City and Neighbourhood Services.
3.7	<p>The standard days and hours for an Outdoor Entertainments Licence are:</p> <ul style="list-style-type: none"> <li>• Monday to Sunday: 11.30 am to 11.00 pm.</li> </ul>
3.8	In addition, Special Conditions are attached to Outdoor Entertainments Licences related to setting limits on maximum numbers and implementing a robust system of dealing with complaints.
	<b><u>Representations</u></b>
3.9	Public notice of the application has been placed and no written representation has been lodged as a result of the advertisement.

	<b><u>PSNI</u></b>
3.10	The Police Service of Northern Ireland has been consulted and has confirmed that it has no objection to the application.
3.11	A copy of its correspondence is attached at Appendix 3.
	<b><u>NIFRS</u></b>
3.12	The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and has confirmed that it has no objection to the application.
	<b><u>Health, Safety and Welfare</u></b>
3.13	Officers from the Service will engage with the applicant and event organisers in the lead up to future events to ensure all documentation and technical information is in place.
3.14	Additionally, officers will inspect the site during the build of the event space and following its completion to ensure they are satisfied all safety and management procedures are in place.
	<b><u>Noise</u></b>
3.15	The applicant will be required to provide a Noise Management Plan for future events which will be provided to the Environmental Protection Unit (EPU) for evaluation. Council Officers work with the promoter in order to assess the noise that may be generated from the event and to minimise the potential for noise disturbance.
3.16	Members will also recognise that noise generated by outdoor concerts is likely to lead to some level of disturbance for local residents. Even if guideline levels are met there is no guarantee that complaints will not be received. Conversely, if a recommended level is exceeded this may not necessarily lead to complaints as people may be prepared to tolerate the event because it will only last for a limited period of time.
3.17	9 noise complaints were received as a result of the dance music event held on 10th July 2022. As a result of these complaints, the Night Time Noise Team carried out noise tests in the vicinity of three of the complainants dwellings. The three noise readings indicated that the noise level was within acceptable limits.
	<b><u>Applicant</u></b>
3.18	The applicant, and/or their representatives, will be available at your meeting to answer any queries you may have in relation to the application.
	<b>Financial and Resource Implications</b>
3.19	None.
	<b>Equality or Good Relations Implications/Rural Needs Assessment</b>
3.20	There are no issues associated with this report.
<b>4.0</b>	<b>Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Location Map</li> <li>• Appendix 2 – Site Plan</li> <li>• Appendix 3 – PSNI Response</li> </ul>

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DRAWN BY	M Treacy
DATE	01/11/2022

Grove Park  
3 Jellicoe Avenue

SCALE 1:4000 @ A4

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APPENDIX-A  
MASTER SITE MAP

- MEDICS
- STAGE
- BAR
- TRADERS
- GENERATOR
- ART
- HERAS
- CCB
  
- LIGHTING TOWER
- AUSEMENTS
- INFLATABLES

NO DISCO LTD PRESENTS  
"A1"  
SITE: GROVE PARK  
DIAGRAM: 1.0  
DRAWN: AC

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Building Control Service  
Ground Floor  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP

4<sup>th</sup> July 2022

Dear Sir

**RE:- Grove Park, 3 Jellicoe Avenue**

Please note that at this time there are no current police objections to the above application being further considered by Belfast City Council, residents, other local business and NIFRS with confirmation of all the events start and finishing times.

Please confirm that all Belfast City Council requirements and conditions including all Building Regulations approvals and advertising conditions have been adhered to and that any current, relevant COVID – 19 guidance will be considered by the applicant.

If the Licence is granted in due course please forward police a copy with any special conditions or restrictions. Can a condition be considered that an Event Management Plan be made available to police before each event.

Kind Regards

A handwritten signature in black ink, appearing to be 'J. Jellicoe', written in a cursive style.

Licensing Officer, Musgrave Station, Belfast

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<b>Subject:</b>	<b>Application for the Variation of a Seven-Day Annual Indoor Entertainments Licence - Town Square, 12-13 Lower Crescent</b>
<b>Date:</b>	16th November, 2022
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Quintin Thompson, Senior Building Control Surveyor, ext 2570

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

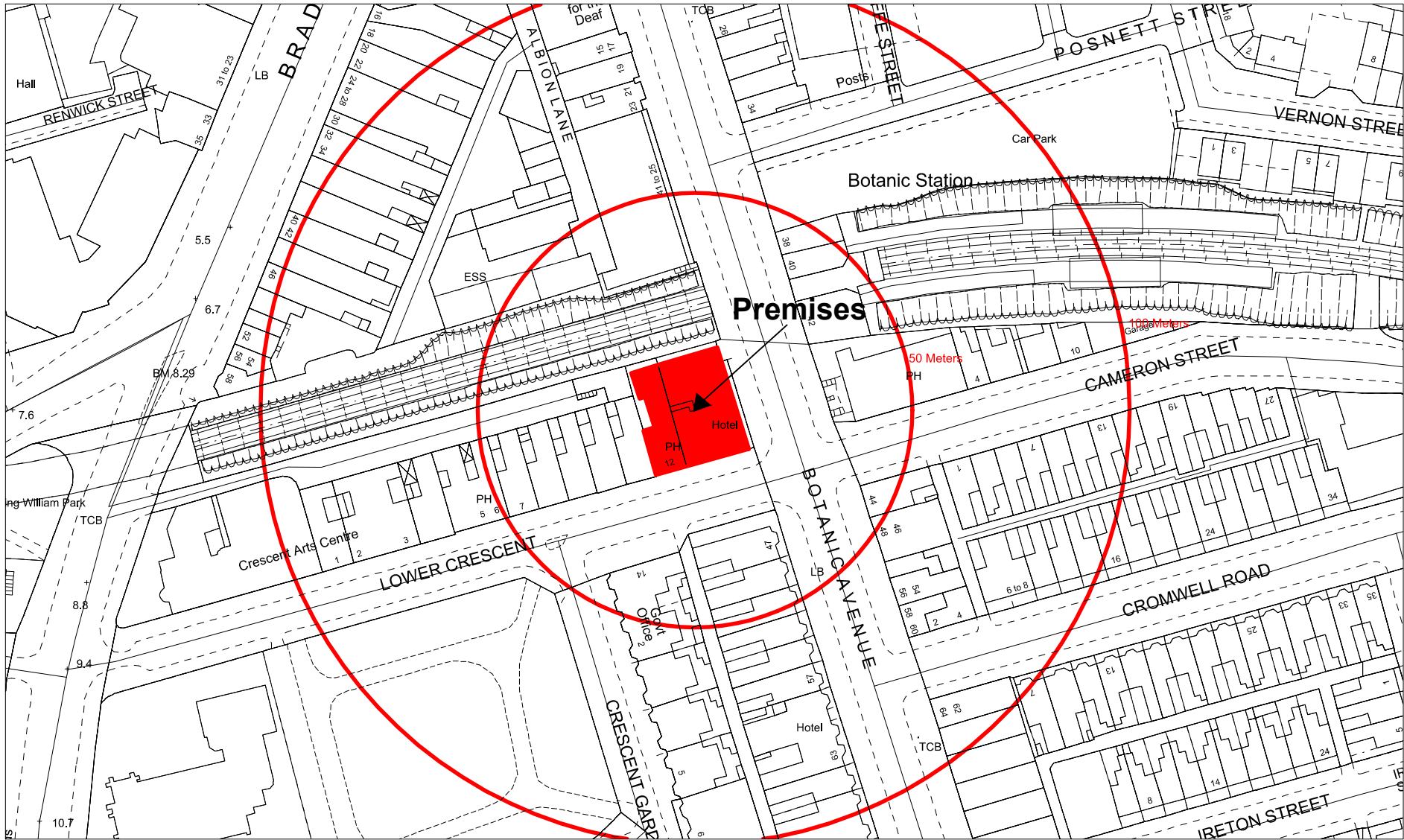
<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>						
1.1	<p>To consider an application for the variation of a Seven-Day Annual Indoor Entertainments Licence for the hours during which entertainment may be provided at Town Square, based on the Council's Standard Conditions to provide music, singing, dancing or any other entertainment of a like kind.</p> <table style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Area and Location</th> <th style="text-align: left;">Ref. No.</th> <th style="text-align: left;">Applicant</th> </tr> </thead> <tbody> <tr> <td>Town Square 12-13 Lower Crescent Belfast BT7 1NR</td> <td>WK/202200841</td> <td>Victoria 1 Limited c/o 12-13 Lower Crescent Belfast BT7 1NR</td> </tr> </tbody> </table>	Area and Location	Ref. No.	Applicant	Town Square 12-13 Lower Crescent Belfast BT7 1NR	WK/202200841	Victoria 1 Limited c/o 12-13 Lower Crescent Belfast BT7 1NR
Area and Location	Ref. No.	Applicant					
Town Square 12-13 Lower Crescent Belfast BT7 1NR	WK/202200841	Victoria 1 Limited c/o 12-13 Lower Crescent Belfast BT7 1NR					
1.2	A location map is attached at Appendix 1.						

<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Taking into account the information presented and any representations received Members are required to consider the application and to:</p> <ul style="list-style-type: none"> <li>a) approve the application for the variation of the Seven-Day Annual Indoor Entertainments Licence for permission to provide entertainment to 2.00 am, or</li> <li>b) Approve the application for the variation with special conditions, or</li> <li>c) Refuse the application for the variation of the Seven-Day Annual Indoor Entertainments Licence for permission to provide entertainment to 2.00 am.</li> </ul>
2.2	<p>If an application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the County Court. In the case that the applicant subsequently decides to appeal, entertainment may not be provided to the later hours until any such appeal is determined.</p>
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b><u>Key Issues</u></b></p> <p>The areas currently licensed to provide indoor entertainment and their maximum occupancies are:</p> <ul style="list-style-type: none"> <li>• Town Square Bar – 180 persons</li> <li>• Town Square Cafe – 160 persons</li> </ul>
3.2	<p>The days and hours during which entertainment may be provided under the terms of the indoor Entertainments Licence are:</p> <ul style="list-style-type: none"> <li>• Monday to Saturday: 11.30 am to 1.00 am the following morning,</li> <li>• Sunday: 12.30 pm to 1.00 am the following morning.</li> </ul>
3.3	<p>The variation application relates to a proposed extension to the hours during which entertainment can be provided on Friday and Saturday to 2.00 am the following morning.</p>
3.4	<p>Members are reminded that applications to provide indoor entertainment beyond 1.00 am subject to consideration by the Committee.</p>
3.5	<p>The applicant has stated that the extension of hours to 2.00am is to allow more flexibility to provide late night music entertainment and this will be used in conjunction with the Article 44a extension to Liquor Licensing hours.</p>
	<p><b><u>Representations</u></b></p>
3.6	<p>Public notice of the application has been placed and no written representation has been lodged as a result of the advertisement.</p>
	<p><b><u>PSNI</u></b></p>
3.7	<p>The Police Service of Northern Ireland has been consulted and has confirmed that it has no objection to the application.</p>

<p>3.8</p> <p>3.9</p> <p>3.10</p> <p>3.11</p> <p>3.12</p> <p>3.13</p> <p>3.14</p> <p>3.15</p>	<p>A copy of its correspondence is attached at Appendix 2.</p> <p><b><u>NIFRS</u></b></p> <p>The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and has confirmed that it has no objection to the application.</p> <p><b><u>Health, Safety and Welfare</u></b></p> <p>An inspection has been carried out on the premises within the past 12 months and officers from the Service are satisfied with all safety measures and management procedures.</p> <p><b><u>Noise</u></b></p> <p>One noise complaint has been received in relation to the premises in the last 12-month period. The Night-Time Noise Team visited the area and witnessed no noise whilst outside the complainant's property.</p> <p>Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives the council additional powers in relation to the control of entertainment noise after 11.00 pm.</p> <p><b><u>Applicant</u></b></p> <p>The applicant, and/or their representatives, will be available at your meeting to answer any queries you may have in relation to the application.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>None.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>There are no issues associated with this report.</p>
<p><b>4.0</b></p>	<p><b>Documents Attached</b></p>
	<p>Appendix 1 – Location map</p> <p>Appendix 2 – PSNI Response</p>

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DRAWN BY	M Treacy
DATE	01/11/2022

<p>Town Square 12-13 Lower Crescent</p>
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Building Control Service  
Ground Floor  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP

1<sup>st</sup> November 2022

Dear Sir

RE:- Town Square 11 – 13 Lower Crescent, Belfast, BT7 1NR

Police may require confirmation that all Belfast City Council requirements including any Building Regulations approvals have been adhered to and that any current conditions pertaining to the current Entertainment Licence conditions are being complied with by the licensee, management and staff.

**Please advise if a special condition can be considered and added to the licence if granted as the applicant has declared that he does not intend to use door supervisors.**

**‘Only SIA registered door supervisors will be used throughout the operational period of the Entertainment Licence.’**

Please note that at this time that are no grounds for PSNI objections to the above application being further considered by Belfast City council, residents, other local business and NIFRS.

If the Licence is granted in due course please forward police a copy with any special conditions or restrictions with confirmation that all Belfast City Council requirements and conditions including all Building Regulations approvals have been adhered to and that any current, relevant COVID – 19 guidance will be considered by the licence holder.

Kind Regards

A handwritten signature in black ink, appearing to be 'J. Bell', with a long horizontal flourish extending to the right.

Licensing Officer, Musgrave Station, Belfast

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<b>Subject:</b>	<b>Application for the Renewal of a Seven-Day Annual Indoor Entertainments Licence - St. Malachy's College Old Boys' Association, 442 Antrim Road</b>
<b>Date:</b>	16th November 2022
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Monica Gallagher, Senior Building Control Surveyor, ext 2567

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>						
1.1	To consider an objection to the application for the renewal of the Seven-Day Annual Indoor Entertainments Licence for St. Malachy's College Old Boys' Association						
1.2	At the meeting on 19 <sup>th</sup> October, the Committee agreed to defer consideration of this report due to a declaration of interest by the Interim City Solicitor/Director of Legal Civic Services.						
	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><b>Area and Location</b></td> <td style="width: 33%;"><b>Ref. No.</b></td> <td style="width: 33%;"><b>Applicant</b></td> </tr> <tr> <td>St. Malachy's College Old Boys' Association 442, Antrim Road Belfast BT15 5BG</td> <td>WK/2020/02479</td> <td>Mr. Conor Cassidy Club Chairman</td> </tr> </table>	<b>Area and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	St. Malachy's College Old Boys' Association 442, Antrim Road Belfast BT15 5BG	WK/2020/02479	Mr. Conor Cassidy Club Chairman
<b>Area and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>					
St. Malachy's College Old Boys' Association 442, Antrim Road Belfast BT15 5BG	WK/2020/02479	Mr. Conor Cassidy Club Chairman					
1.3	A location map is attached at Appendix 1.						

<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Taking into account the information presented and any representations made in respect of the application you are required to make a decision to either:</p> <ul style="list-style-type: none"> <li>a) approve the application for the renewal of the 7-Day Annual Indoor Entertainments Licence, or</li> <li>b) approve the application for the renewal with special conditions, or</li> <li>c) refuse the application for the renewal of the 7-Day Annual indoor Entertainments Licence.</li> </ul>
2.2	<p>If an application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the County Court.</p>
2.3	<p>Should the applicant decide to appeal, the existing Licence will continue with its present conditions until the appeal is determined.</p>
<b>3.0</b>	<b>Main Report</b>
	<p><b><u>Details of the Premises</u></b></p> <p>3.1 St. Malachy's Old Boys' Association has held a Seven-Day Annual Indoor Entertainment Licence since 1998.</p> <p>3.2 The current days and hours during which entertainment can be provided are:</p> <ul style="list-style-type: none"> <li>• Monday to Saturday: 11.30 am to 11.00 pm and</li> <li>• Sunday: 12.30 pm to 11.00 pm</li> </ul> <p>3.3 Under the provisions of the Licensing and Registration of Clubs (Amendment Act) (Northern Ireland) 2021, in addition to the normal hours shown above, the club may apply for up to 104 extensions a year to sell alcohol until 01.00 am on any day of the week. These are authorised at the discretion of the Police Service of Northern Ireland (PSNI) and, if granted, these also enable entertainment to be provided to the end of the drinking up period on those nights. The drinking up period extends to 2.00 am on those nights that an extension licence has been approved by the PSNI.</p> <p>3.4 The areas currently Licensed to provide indoor entertainment and their occupancies are the:</p> <ul style="list-style-type: none"> <li>• Ground Floor lounge bar with a maximum capacity of 45 people</li> <li>• Ground Floor Main Function Hall with a maximum capacity of 200 people</li> <li>• Ground Floor Darts room with a maximum capacity of 38 people</li> <li>• First Floor Recreation room with a maximum capacity of 50 people.</li> </ul> <p>3.5 The Function Hall is used on an adhoc basis for family parties and charity functions which usually involve a late licence to 1:00am with music provided by a DJ operating via their noise limiting device.</p> <p>3.6 The Club has advised that it has not had entertainment scheduled since before Covid-19.</p>

### **Licensing History**

3.7 An application for an Entertainments Licence for this premises was first received in 1997, and, while objections were received for the initial grant and first renewal, the licence was renewed under delegated authority, with no objections having been received, for the years 2000-2008.

3.8 In March 2009, an objection to the renewal of the licence was received by the Service. This objection was resolved through a resident meeting with the Club and with special conditions being added to the licence following a special meeting of the Licensing Committee on 29th April 2009. The licence subsequently has been renewed under delegated authority with no objections received on each subsequent year until the present.

3.9 At the Licensing Committee in April 2009, the Club agreed to the following special conditions being attached to its licence:

1. Bottle bins to be moved to a location away from the wall adjacent to residential property.
2. Fire doors at the rear of the function room to be used only in emergency situations and not to be used at any other time.
3. Smoking area restricted to that part of the alleyway immediately adjacent to the premises.
4. Patrons discouraged from using the rear yard immediately adjacent to residential property.
5. Regular meetings be established between the club committee and officers from the Service in order to deal with any problems which might arise in respect of the licence.

### **Representations**

#### **Objector's Representation**

3.10 One written representation was received as a result of the public notices of application from a local resident. This was received within the 28-day statutory period.

3.11 The letter of objection is attached at Appendix 2.

3.12 The objector submitted video clips on two memory sticks to support their objection. The video clips were dated from 2nd July, 2021 to 27th May, 2022. The issues arising from these videos relate to:

- Patron conversations in the rear garden
- Beer bottle delivery and collections causing noise
- Damage to wall at objector's property alleged to be from beer bottle collections
- Patrons at rear garden of premises calling objector's name as she videos.

3.13 The Building Control Service sent a letter offering to facilitate a meeting between the objector and applicant, but this offer was not accepted. The Service also offered to meet with the objector independently, but this too has not been accepted.

3.14 The objector's Representation Form is attached as Appendix 3 and it has been provided to the applicant, as required by the protocol.

3.15 In general, the representation relates to concerns as follows:

	<ul style="list-style-type: none"> <li>• noise nuisance and abusive behaviour from patrons gathering at the rear of the premises</li> <li>• nuisance caused by beer deliveries and collections</li> <li>• failure to comply with conditions attached to the entertainment licence.</li> </ul>
3.16	<p>The objector has been invited to attend your meeting to discuss any matters relating to the objections should they arise.</p>
	<p><b><u>Applicant's Representation</u></b></p>
3.17	<p>The applicant has provided their Representation Form, as required by the Protocol, and a copy of their response along with letters of support is attached as Appendix 4.</p>
3.18	<p>The applicants Representation Form has also been provided to the objector, as required by the protocol.</p>
3.19	<p>A summary of the applicant's representation is as follows:</p>
	<ul style="list-style-type: none"> <li>• They have not been made aware of any complaints about the club and had they been aware of any problems they would have investigated these with a view to taking any reasonable steps to address them.</li> <li>• They have had no complaints raised with them by either the PSNI or the Council's noise team.</li> <li>• They are open to discussion on any steps they can take to address the objector's concerns.</li> <li>• Other residents in the area are supportive of the club and have no complaints.</li> </ul>
3.20	<p>The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the application.</p>
	<p><b><u>Counter Representations</u></b></p>
3.21	<p>No counter representations have been received at the time of writing this report. A copy of the report has been provided to the applicant and objector and a verbal update will be provided in respect of any further representations which are received.</p>
	<p><b><u>PSNI</u></b></p>
3.22	<p>The Police Service of Northern Ireland has been consulted and confirmed that it has no objection to the application. A copy of its correspondence is attached at Appendix 5.</p>
	<p><b><u>NIFRS</u></b></p>
3.23	<p>The Northern Ireland Fire and Rescue Service has been consulted and has confirmed that it has no objection to the application.</p>
	<p><b><u>Health, Safety and Welfare</u></b></p>
3.24	<p>There are no issues relating to health, safety and welfare in relation to this renewal application.</p>



3.25	<p><b><u>Noise and Complaints</u></b></p> <p>There have been no complaints communicated to the Environmental Protection Unit's night-time noise team and the Service has no record of any other complaints concerning the premises in the past 12 months.</p>
4.0	<p><b>Financial and Resource Implications</b></p>
4.1	<p>None</p>
5.0	<p><b>Equality or Good Relations Implications/Rural Needs Assessment</b></p>
5.1	<p>There are no issues associated with this report.</p>
6.0	<p><b>Documents Attached</b></p> <ul style="list-style-type: none"> <li>• Appendix 1 - Location map</li> <li>• Appendix 2 - Letter from Objector</li> <li>• Appendix 3 - Objector's Representation Form</li> <li>• Appendix 4 - Applicant's Representation Form and Letters of Support</li> <li>• Appendix 5 - PSNI Comments</li> </ul>

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By virtue of paragraph(s) 2 of Part 1 of Schedule 6  
of the Local Government Act (Northern Ireland) 2014.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 6  
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Also that all current COVID – 19 guidance will be considered by the licence holder.

If the Licence is granted in due course please forward police a copy with any special conditions or restrictions.

Kind Regards

A large black rectangular redaction box covering the signature of the licensing officer.

Licensing Officer, Musgrave Station, Belfast



<b>Subject:</b>	<b>Schedule of Meetings 2023</b>
<b>Date:</b>	16th November, 2022
<b>Reporting Officer:</b>	Vicki Smyth, Democratic Services Officer
<b>Contact Officer:</b>	Vicki Smyth, Democratic Services Officer

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	To advise the Committee of the dates and times of the meetings of the Licensing Committee between January and December, 2023.
<b>2.0</b>	<b>Recommendation</b>
	The Committee is requested to approve the schedule of meetings for the Licensing Committee, as set out below.
<b>3.0</b>	<b>Main Report</b>
	<u>Key Issues</u>
3.1	The monthly meeting of the Licensing Committee is normally held at 5.00 pm on the 3rd Wednesday of each month.

3.2	<p>Accordingly, the following dates have been identified for meetings of the Licensing Committee for the period from January to December, 2023:</p> <ul style="list-style-type: none"> <li>• Wednesday, 18th January</li> <li>• Wednesday, 15th February</li> <li>• Wednesday, 15th March</li> <li>• Wednesday, 12th April</li> <li>• Wednesday, 14th June</li> <li>• Wednesday, 16th August</li> <li>• Wednesday, 20th September</li> <li>• Wednesday, 18th October</li> <li>• Wednesday, 15th November</li> <li>• Wednesday, 13th December</li> </ul> <p>(All meetings will commence at 5.00 pm)</p> <p><b><u>Financial and Resource Implications</u></b></p>
3.5	<p>None associated with this report.</p> <p><b><u>Equality or Good Relations Implications</u></b></p>
3.6	<p>None associated with this report.</p>
4.0	<p><b>Documents Attached</b></p> <p>None.</p>



<b>Subject:</b>	<b>Licence Fees for Sex Establishments</b>
<b>Date:</b>	16th November, 2022
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	James Cunningham, Senior Licensing Officer, ext. 3375

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	Under Article 4 and Schedule 2 of The Local Government (Miscellaneous Provisions) (NI) Order 1985 (the Order), the Council has powers relating to the Licensing of Sex Establishments. Paragraph 19, Schedule 2 provides that an applicant for the grant, renewal or transfer of a licence shall pay a reasonable fee determined by the council.
1.2	Unlike the Street Trading Act (NI) 2001 and the Licensing of Pavement Cafés Act (NI) 2014, there is no procedure prescribed in the Order which the Council must follow in determining the Licence fee.
1.3	The current Sex Establishment Licence fees were set by the Committee in June, 2016 and it was agreed that a review of the fees be conducted each year.

<b>2.0</b>	<b>Recommendation</b>														
2.1	The Committee is asked to agree that the current fees, reviewed in November 2021, remain unchanged.														
2.2	Members are advised that the Licensing Committee does not have delegated powers in relation to policy decisions concerning licensing matters and as such your recommendation as to the appropriate fees for sex establishments licences will be subject to ratification by Council.														
<b>3.0</b>	<b>Main Report</b>														
	<b><u>Key Issues</u></b>														
3.1	After reviewing the current fees, as agreed by Committee in November 2021, these were deemed to be proportionate to the cost of the processes associated with administering a Sex Establishment Licence.														
3.2	It is therefore proposed that the fees set previously remain as shown below.														
	<table border="1"> <tr> <td><b>Application Fee</b></td> <td><b>£3,200</b></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td><b>Renewal Fee</b></td> <td><b>£1,430</b></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td><b>Transfer Fee</b></td> <td><b>£1,125</b></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td><b>Licence Fee</b></td> <td><b>£500</b></td> </tr> </table>	<b>Application Fee</b>	<b>£3,200</b>			<b>Renewal Fee</b>	<b>£1,430</b>			<b>Transfer Fee</b>	<b>£1,125</b>			<b>Licence Fee</b>	<b>£500</b>
<b>Application Fee</b>	<b>£3,200</b>														
<b>Renewal Fee</b>	<b>£1,430</b>														
<b>Transfer Fee</b>	<b>£1,125</b>														
<b>Licence Fee</b>	<b>£500</b>														
	<b><u>Financial and Resource Implications</u></b>														
3.3	The Sex Establishment Licence fees will ensure the cost of the operational and administration processes are proportionate to the licensing scheme.														
	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>														
3.4	There are no issues associated with this report.														
<b>4.0</b>	<b>Documents Attached</b>														
	None														