

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



**Belfast  
City Council**

13th June, 2024

**MEETING OF THE LICENSING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall on Wednesday, 19th June, 2024 at 5.15 pm, 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 (Pages 1 - 10)
- (c) Declarations of Interest

2. **Delegated Matters**

- (a) Houses in Multiple Occupation (HMO) Licenses Issued Under Delegated Authority (Pages 11 - 16)
- (b) Licenses Issued Under Delegated Authority (Pages 17 - 22)
- (c) Application for a New Licence to operate a House of Multiple Occupation for 49 Atlantic Avenue (Pages 23 - 42)
- (d) Feile an Phobail 2024 - Request to operate at Falls Park beyond the permitted hours (Pages 43 - 52)

3. **Item Raised in Advance by a Member**

(a) Street Closures - Councillor McKeown to raise

## Licensing Committee

Wednesday, 17th April, 2024

### MEETING OF THE LICENSING COMMITTEE

#### HELD IN THE LAVERY ROOM

Members present: Councillor McKeown (Chairperson);  
Aldermen McCoubrey, McCullough and Rodgers;  
Councillors Anglin, Bradley, P. Donnelly, Doran,  
D. Douglas, Lyons, Murray, F. McAteer,  
McCabe, McCann, McKay,  
Ó Néill and Smyth.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. S. Hewitt, Building Control Manager;  
Mr. K. Bloomfield, HMO Manager;  
Mr. J. Cunningham, Senior Licensing Officer;  
Mr. C. McLaughlin, Solicitor (Regulatory and Planning);  
Mrs. L. Toland, Senior Manager (Economy); and  
Mrs. L. McLornan, Democratic Services Officer.

#### **Apologies**

Apologies for inability to attend were reported from Councillors Collins, McCusker and McMullan.

#### **Minutes**

The minutes of the meeting of 20th March, 2024 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 8th April, 2024, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

#### **Declarations of Interest**

No declarations of interest were recorded.

#### **Non-Delegated Matter**

#### **Issue Raised in Advance by a Member**

#### **Request to receive a delegation re: the new Pavement Cafe Guidelines - Councillor McKeown to raise**

The Chairperson advised that he had been contacted by a delegation who wished to present to the Committee regarding the new Pavement Café Guidelines.

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The Committee agreed to receive the presentation and welcomed Mr. Neil Hutcheson (Federation of Small Businesses), Mr. Stephen McGorrian (Horatio Group and Hospitality Ulster) and Mr. Damien Corr (Cathedral Quarter BID) to the meeting.

On behalf of the delegation, Mr. Hutcheson outlined that:

- the hospitality and retail industry in NI was dealing with huge cost increases, dampened demand and an inability to raise prices much further due to the ongoing cost of living crisis;
- none of the government support, which was available in England, was available in NI, notably the significant rates discount of 75%;
- businesses really appreciated the support that the Council had given to businesses during the pandemic;
- it was clear that there was a desire for a pavement cafe culture in NI and that everyone was keen to see a permanent and effective scheme, particularly taking into account the needs of disabled groups;
- they appreciated that the existing legislation and draft guidance restricted the Council on how it could operate, however, they did not feel that a best practice consultation process had been followed;
- had best practice been followed, the vast majority of businesses, licensed or unlicensed, would have applied to the permanent scheme and would be successful, thereby demonstrating its success;
- the timeframes had been too short for businesses, it had been carried out at a difficult time of year for them and they had not been able to critique draft wording before it had been implemented;
- some of the concerns which they had raised during the consultation had not been addressed;
- some business owners were concerned regarding liability insurance and how it would operate if an incident occurred when a premises was unlicensed or in breach of its licence;
- there were flaws with the draft guidance from DFI and there had been a lack of engagement between DFI and businesses;
- they were requesting that the Committee grant a further extension of the transition period, for two or three months, so as not to penalise those who had already applied to the permanent scheme, and also to alleviate the insurance issue;
- a more structured engagement with businesses was required with stakeholders, and should include DfC and DFI; and
- the Council would consider highlighting the scheme and providing an incentive to businesses, for example, financial assistance with street furniture.

The Senior Licensing officer thanked the representatives for their presentation. He reminded the Committee that, in June 2020, the Council had agreed to implement a temporary Pavement Café scheme to assist the hospitality sector during the Covid-19 pandemic. The process had been focused on business needs and was always meant to be a temporary process. He reminded the Committee that the scheme had been extended on a number of occasions, with the transition period ending on 30th April, 2024.

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He outlined that there had been extensive engagement with a wide range of stakeholders regarding the proposals for the permanent scheme, including disabled groups and FSB, and that officers had met many business owners on site. He reported that officers had a meeting scheduled for next week with Hospitality Ulster in respect of the scheme. He emphasised that the scheme was not about a blanket, “one size fits all” approach.

The Members were advised that two information sessions had been held, in February 2024, and the Council had also used its social media to encourage business owners to apply to the permanent scheme.

The Senior Licensing Officer reported that officers had worked with businesses to assist them with their applications. He explained that the permanent scheme mirrored the temporary scheme in many aspects, however, fees had been introduced and the standard licence conditions had been revised. It was reported that what had been deemed appropriate during the temporary scheme, in terms of the location or size of the pavement café area, would not necessarily fit within the terms of the permanent scheme and that more detail, generally, was required from applicants.

The Members were reminded that the purpose of the permanent scheme was to allow a food and drink business to place temporary furniture in a public area. It was not an extension of a bar or a smoking area.

He outlined that, to date, 40 applications had been received for the permanent scheme, 35% of which were new applicants and 65% were from those who held a temporary licence. The Members were advised that DFI had reported they did not expect to issue a large number of refusals.

The Committee was advised that, while officers would be happy to have further meetings with the BIDs or with FSB, they suggested that there was perhaps more merit in meeting with individual businesses in order to provide advice on their specific queries or concerns.

In response to a Member’s comment, the Building Control Manager confirmed to the Committee that officers would not carry out enforcement action in respect of a business if an application for a permanent licence had been submitted and had not yet been processed.

During discussion, a number of Members stated that the Committee and the Licensing officers had given extensive thought and consideration to the Permanent scheme and that significant consultation had been carried out with a large range of stakeholders. A number of Members added that, while everyone wanted to see a busy, flourishing city centre, there were other competing issues which also had to be taken into account, including accessibility and street cleansing considerations.

Mr. McGorrian stated that he acknowledged that some business owners had gone too far and pushed the limits as part of the temporary scheme.

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The Senior Licensing Officer acknowledged that concerns had been raised regarding the “twenty minute rule” within the legislation, which stated that the street furniture within the pavement cafe area should be capable of being moved within twenty minutes.

Mr. McGorrian stated that his issue was not with the logistics of removing the furniture within a certain timeframe but, rather than having to purchase temporary or easily moveable items, such as windbreakers, he would have preferred to invest in more aesthetically pleasing outdoor furniture.

In response to a query raised by the deputation, the Solicitor (Regulatory and Planning) advised the Committee that it would be for the licensee to ensure that they were adequately covered in terms of the hypothetical insurance queries which had been raised. He also clarified that the legislation stated that all furniture had to be “of a temporary nature that could be removed within 20 minutes at the end of the licensed period”.

The Senior Licensing Officer added that, while enforcement officers would not be insisting that businesses moved the furniture strictly within 20 minutes, the intent of the legislation was to ensure that the furniture was of a temporary or moveable nature, for accessibility and street cleansing reasons. He acknowledged, however, that officers would be flexible, where possible, and would continue to listen to individual concerns from businesses.

The Chairperson added that the Committee had been involved in discussions around the scheme for months and that officers had worked tirelessly to take as much as possible on board from numerous stakeholders, with different competing priorities. He stated that, while it was not a perfect piece of legislation, the guidelines were a live document and that peoples lived experience would continue to ensure that changes could and would be made as officers saw fit. He added that the permanent scheme, as it stood, was the best and “least worst” option.

In response to comments made by the deputation, the Senior Manager (Economy) advised the Committee that the “Go Succeed” service was providing financial assistance of up to £4,000 to businesses. She outlined that the assistance was available for wider business support, including issues such as attracting new business or seasonality issues.

After discussion, the Committee:

- noted the concerns which had been raised by the delegation, particularly in relation to the 20 minute rule, and noted that officers would continue to work with applicants regarding any specific issues; and
- noted the potential financial assistance of up to £4,000 which was available to businesses through the Go Succeed service, linked to wider business support around issues such as attracting new business or seasonality issues.

**Delegated Matters**

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN  
PURSUANCE OF THE POWERS DELEGATED TO IT UNDER  
STANDING ORDER 37(d)**

**Houses in Multiple Occupation (HMO)  
Licences Issued Under Delegated Authority**

The Committee noted a list of applications which had been approved under the Council's Scheme of Delegation during April 2024.

**Licences Issued Under Delegated Authority**

The Committee noted a list of applications for licences which had, since its last meeting, been approved under the Council's Scheme of Delegation.

**Consideration of Designating Resolution for  
Street Trading Sites at Queen's Quay**

The Committee considered the undernoted report:

**"1.0 Purpose of Report or Summary of main Issues**

- 1.1 Under the provisions of the Street Trading Act (NI) 2001 a district council has powers to designate and rescind the designation of specific streets or parts of streets as being suitable for street trading. The Act also allows a council to vary a previous designating resolution in relation to the commodities or services to be supplied in specific streets.
- 1.2 If a street or the commodity to be offered has not been designated under the Act the Council cannot issue a licence for street trading from a stationary position in that street.
- 1.3 The process of considering and reviewing the designation of streets is therefore an essential part of the legal framework within which the Council is enabled to regulate street trading in the City.
- 1.4 Committee will recall that, at your meeting of 17 January this year, you granted approval to initiate the statutory process for the designation of 4 sites at Queen's Quay which had been identified as a result of an expression of interest received from Maritime Belfast Trust to allow trade from new sites.

**2.0 Recommendations**

**2.1 Based on the information presented the Committee is requested to consider the proposal and to:**

**1. Approve a Designating Resolution to designate the whole street or part of the street (site/s), where it may allocate street trading pitches. The Designating Resolution will include the operational date and may stipulate either:**

- Only specified articles, things or services or classes of specified articles, things or services that may be sold or supplied; or**
- Specified articles, things or services or classes of specified articles, things or services that are prohibited.**

**OR**

**2. Decide not to proceed with any or all of the proposal.**

**2.2 In addition to making any Designating Resolution, Members may, having considered all comments, record any reasonable conditions that should be applied to a subsequent licence. For example, these may include hours of trade, days of trade, duration of licence, etc.**

**3.0 Main report**

**Key Issues**

**3.1 The designation process involved seeking comments from interested parties, including relevant statutory bodies, through public advertisement and consultation.**

**3.2 The Street Trading Act (NI) 2001 requires the Council to ensure that each application is fairly and objectively assessed, that all relevant factors are considered and, in doing so, the Council must consult with the:**

- a) PSNI, and**
- b) Department for Infrastructure - Roads.**

**3.3 The Council may also consult other persons as it considers appropriate. Such consultees may include local residents, business and commercial premises in the vicinity of the site in respect of which the application has been received.**



- 3.4 The purpose of this report is to enable the Committee to consider the proposal in conjunction with the submissions received and make a decision on whether or not to designate the sites proposed.
- 3.5 Where appropriate, the commodities are also considered in addition to a synopsis of the comments received during the consultation period. Copies of all the responses are also attached to this report for your information as Appendix 1 and a location map is included at Appendix 2.

**Queen's Quay (4 sites)**

- 3.6 Maritime Belfast Trust made the application with the consent of the Department for Communities, who are the landowner. The proposal is for commodities to be later determined in conjunction with Maritime Belfast/ the Department for Communities, however there will be no late-night hot food trading.

**Department for Communities (DfC)**

- 3.7 The DfC is supportive of the designation of these trading pitches on Queen's Quay but highlight the need for flexibility as to their specific location, as the area remains an important access point and operational area for their River Management Team. The DfC is content to support the application for the trading pitches subject to the flexibility in location being confirmed.
- 3.8 Committee may wish to note that Queen's Quay is being proposed for designation for 4 trading pitches within a defined area. This will allow the final positioning to be decided by the DfC, to meet their operational requirements.
- 3.9 This would be the same approach previously used when the designation of Donegall Quay on the opposite side of the river, which is also managed by DfC, was agreed for 6 sites.

**Police Service of Northern Ireland**

- 3.10 Police have no objection and acknowledge that no night-time hot food trading sites are being considered.

**DFI Roads**

- 3.11 The Department have no objection to the proposal as the location is not part of the adopted road network.

**Published 28 day Notice**

- 3.12 No responses were received as a result of the public notice.
- 3.13 Members are reminded that the designation process is about the principle of a street trading pitch being at the location. Matters regarding the suitability of a particular person, the stall and the ability to manage the site are considered as part of the licensing process.
- 3.14 The person requesting a site to be designated, is merely a 'trigger' for the process and they may not be the person who is ultimately granted the Street Trading Licence to operate at the site. Members are reminded that on occasions the Committee has considered multiple competing licence applications for a street trading site.

**Financial and Resource Implications**

- 3.15 The cost of all notices is included in current revenue budgets.

**Equality or Good Relations Implications/Rural Needs Assessment**

- 3.16 There are no issues associated with this report.”

The Committee approved a Designating Resolution for street trading pitches at Queen's Quay.

**Application for the Variation of a 7-Day Annual Entertainments Licence for Oh Yeah Music Centre, 15-21 Gordon Street**

The Building Control Manager outlined that the days and hours during which entertainment may be provided at the Oh Yeah Music Centre, under the terms of its current Entertainments Licence, were:

Monday – Friday	8:00 am to 1.00am the following morning
Saturday	8:00 am to 2.00am the following morning
Sunday	8:00 am to 12.00 midnight.

He explained that, at present, entertainment was provided in the form of live bands playing from Monday to Sunday inclusive.

The Committee was advised that the licensee had stated that they would like to extend the permitted hours until 2.00am on a Friday night to bring the hours in line with a Saturday night. Some promoters had shown interest in booking the venue on a Friday night until 2.00am. They had also stated that the facility to provide entertainment to 2.00am on a Friday night would only be used occasionally.

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Public notice of the application had been placed and no written representations were lodged as a result of the advertisement.

The Police Service of Northern Ireland and the Northern Ireland Fire and Rescue Service had both been consulted in relation to the application and they had both confirmed that they had no objection to the application.

The Members were advised that no noise complaints had been received by the Service in relation to the venue in the past 12 months.

The Committee approved the application for the variation of the 7-Day Annual Entertainments Licence to vary the hours during which entertainment may be provided as follows:

Monday – Thursday	8:00 am to 1.00am the following morning
Friday - Saturday	8:00 am to 2.00am the following morning
Sunday	8:00 am to 12.00 midnight.

**Application for the Variation of a 7-Day Annual  
Entertainments Licence for The Post House,  
32-40 Malone Road**

The Building Control Manager reminded the Committee that that particular area of the Malone Road was a major centre for nightlife in the city in the 1990s. The three licensed premises located in this area, The Botanic Inn, The Eglantine Inn (which was now The Post House), and the Wellington Park Hotel had, in the past, been subject to objections and complaints which had resulted in a number of Committee and Special Committee meetings. Additionally, decisions of the Council were the subject of appeal by the applicants and heard at Belfast Records Court.

The Members were reminded that the normal process for dealing with Entertainments Licence applications which were not the subject of objections was that the licence would be granted, as provided for in the Council's Scheme of Delegation. However, due to previous conditions set by the Council restricting the hours of entertainment for the three licensed premises in this area, the application was being presented to the Committee for its consideration even though no objections had been received.

The Committee was advised that major refurbishment works had been carried out to the premises in 2023 and The Post House now operated as a restaurant/bar where previously, as the Eglantine Inn, it operated as a nightclub.

The days and hours during which entertainment may be provided under the terms of the current Entertainments Licence were:

Monday - Tuesday	11:30 am to 11.00pm
Wednesday - Saturday	11:30 am to 1.00am the following morning, and
Sunday	12:30 pm to 12.00 midnight.

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A special condition permitted entertainment to 12.30am on Easter Monday and if Christmas Eve, New Year's Eve, St. Patrick's Day or Halloween fell on a Monday or Tuesday night.

A further condition stipulated that the Licensee was to attend, as required, liaison meetings between the Building Control Service, the Lower Malone Residents' Association and the Police Service of Northern Ireland. However, since the current applicant had taken over the premises there had been no requests from any party to hold such a meeting.

The Committee was advised that the nature of the variation was to extend the hours during which entertainment may be provided on Monday and Tuesday nights to 1.00am the following morning. This would allow the business to stay competitive with other local bars in the area and in the City Centre as they lost any crowd they had on those nights to other local bars after 11pm.

At present entertainment was provided in the form of live bands playing from Thursday to Sunday inclusive. The Members were advised that the entertainment would be in the form of one-piece acoustic acts on those nights.

The Police Service of Northern Ireland and the Northern Ireland Fire and Rescue Service had both been consulted in relation to the application and had confirmed that they had no objection to the application.

No noise complaints had been received by the Service in relation to the venue in the past 12 months.

After discussion, the Committee approved the application for the variation of the 7-Day Annual Entertainments Licence to vary the hours during which entertainment may be provided as follows:

- Monday - Saturday 11:30 am to 1.00am the following morning, and
- Sunday 12:30 pm to 12.00 midnight; and

The Committee also:

- noted that the entertainment provided on Monday and Tuesday nights would be in the form of one-piece acoustic acts and;
- further agreed that officers would facilitate a meeting of the Lower Malone Residents' Association and the new owners of the venue, in order to try and encourage positive relations.

Chairperson



<b>Subject:</b>	<b>Houses in Multiple Occupation (HMO) Licences Issued Under Delegated Authority</b>
<b>Date:</b>	19 June 2024
<b>Reporting Officer:</b>	Kevin Bloomfield, NIHMO Manager
<b>Contact Officers:</b>	Kevin Bloomfield, NIHMO Manager Helen Morrissey, City Protection 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"/>
Some time 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 type="checkbox"/> No <input checked="" type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	Under the Scheme of Delegation, the Director of City & Neighbourhood Services Department 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>Recommendations</b>
<b>2.1</b>	The Committee is requested to note the applications that have been issued under the Scheme of Delegation during April and May 2024.

<b>3.0</b>	<b>Main report</b>																																																																																																										
	<b><u>Key Issues</u></b>																																																																																																										
<b>3.1</b>	Under the terms of the Houses in Multiple Occupation Act (Northern Ireland) 2016 the following HMO Licences were issued during April and May 2024.																																																																																																										
	<table border="1"> <thead> <tr> <th>Premise Name</th> <th>Licensee</th> <th>Ward</th> <th>Housing Management Areas (HMAs)</th> </tr> </thead> <tbody> <tr> <td>26 Riverview Street</td> <td>Mr James Desmond Walmsley</td> <td>STRANMILLIS</td> <td>STRANMILLIS HMO 2/19</td> </tr> <tr> <td>21 Strandview Street</td> <td>Mrs Irene Sloan</td> <td>STRANMILLIS</td> <td>STRANMILLIS HMO 2/19</td> </tr> <tr> <td>20 Windsor Road</td> <td>Ms Irene Noelle Blayney</td> <td>WINDSOR</td> <td>MEADOWBANK HMO 2/15</td> </tr> <tr> <td>50 Malone Avenue</td> <td>Mr John McGrane</td> <td>WINDSOR</td> <td>EGLANTINE HMO 2/09</td> </tr> <tr> <td>7 St Ives Gardens</td> <td>ADRIAN &amp; URSULA BOOTH NI LTD</td> <td>STRANMILLIS</td> <td>SANDYMOUNT HMO 2/17</td> </tr> <tr> <td>10 St Albans Gardens</td> <td>ADRIAN &amp; URSULA BOOTH NI LTD</td> <td>STRANMILLIS</td> <td>SANDYMOUNT HMO 2/17</td> </tr> <tr> <td>126 Dunluce Avenue</td> <td>Mr Eugene Doris</td> <td>WINDSOR</td> <td>ULSTERVILLE HMO 2/21</td> </tr> <tr> <td>Flat 3, 94 Fitzroy Avenue</td> <td>D.M Property Estates Limited</td> <td>CENTRAL</td> <td>HOLYLAND HMO 2/22</td> </tr> <tr> <td>Flat 4, 94 Fitzroy Avenue</td> <td>D.M Property Estates Limited</td> <td>CENTRAL</td> <td>HOLYLAND HMO 2/22</td> </tr> <tr> <td>48 Broadway</td> <td>Eden Property Services Ltd</td> <td>FALLS</td> <td>NONE</td> </tr> <tr> <td>115 Ulsterville Avenue</td> <td>Mrs Maureen Convery</td> <td>WINDSOR</td> <td>ULSTERVILLE HMO 2/21</td> </tr> <tr> <td>349 Donegall Road</td> <td>Ms Cathy Mawhinney</td> <td>BLACKSTAFF</td> <td>NONE</td> </tr> <tr> <td>Flat 2, 94 Fitzroy Avenue</td> <td>D.M Property Estates Limited</td> <td>CENTRAL</td> <td>HOLYLAND HMO 2/22</td> </tr> <tr> <td>Flat 1, 94 Fitzroy Avenue</td> <td>D.M Property Estates Limited</td> <td>CENTRAL</td> <td>HOLYLAND HMO 2/22</td> </tr> <tr> <td>20 Ridgeway Street</td> <td>Mrs Alice Phoenix</td> <td>STRANMILLIS</td> <td>STRANMILLIS HMO 2/19</td> </tr> <tr> <td>5 Chadwick Street</td> <td>Mrs Fiona O'Kane</td> <td>WINDSOR</td> <td>MEADOWBANK HMO 2/15</td> </tr> <tr> <td>54 Stranmillis Park</td> <td>Mr Peter Teague</td> <td>STRANMILLIS</td> <td>STRANMILLIS HMO 2/19</td> </tr> <tr> <td>6 Fitzroy Avenue</td> <td>Mr Cathal McKeown</td> <td>CENTRAL</td> <td>HOLYLAND HMO 2/22</td> </tr> <tr> <td>53 Balfour Avenue</td> <td>Mr Cathal McKeown</td> <td>CENTRAL</td> <td>LOWER ORMEAU HMO 2/13</td> </tr> <tr> <td>251 Roden Street</td> <td>Mrs Sonia Gardiner</td> <td>BLACKSTAFF</td> <td>NONE</td> </tr> <tr> <td>7 Collingwood Avenue</td> <td>Mr James Quigg</td> <td>CENTRAL</td> <td>HOLYLAND HMO 2/22</td> </tr> <tr> <td>5 Rathdrum Street</td> <td>Mrs Anne Boyle</td> <td>WINDSOR</td> <td>ADELAIDE HMO 2/01</td> </tr> <tr> <td>50 Donnybrook Street</td> <td>Mr Malachy McClements</td> <td>WINDSOR</td> <td>EDINBURGH ST HMO 2/08</td> </tr> <tr> <td>60 Wellesley Avenue</td> <td>Isabelle Ellis</td> <td>WINDSOR</td> <td>EGLANTINE HMO 2/09</td> </tr> <tr> <td>35 Claremont Street</td> <td>Mr Paul O'Neill</td> <td>WINDSOR</td> <td>FITZWILLIAM HMO 2/10</td> </tr> </tbody> </table>	Premise Name	Licensee	Ward	Housing Management Areas (HMAs)	26 Riverview Street	Mr James Desmond Walmsley	STRANMILLIS	STRANMILLIS HMO 2/19	21 Strandview Street	Mrs Irene Sloan	STRANMILLIS	STRANMILLIS HMO 2/19	20 Windsor Road	Ms Irene Noelle Blayney	WINDSOR	MEADOWBANK HMO 2/15	50 Malone Avenue	Mr John McGrane	WINDSOR	EGLANTINE HMO 2/09	7 St Ives Gardens	ADRIAN & URSULA BOOTH NI LTD	STRANMILLIS	SANDYMOUNT HMO 2/17	10 St Albans Gardens	ADRIAN & URSULA BOOTH NI LTD	STRANMILLIS	SANDYMOUNT HMO 2/17	126 Dunluce Avenue	Mr Eugene Doris	WINDSOR	ULSTERVILLE HMO 2/21	Flat 3, 94 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22	Flat 4, 94 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22	48 Broadway	Eden Property Services Ltd	FALLS	NONE	115 Ulsterville Avenue	Mrs Maureen Convery	WINDSOR	ULSTERVILLE HMO 2/21	349 Donegall Road	Ms Cathy Mawhinney	BLACKSTAFF	NONE	Flat 2, 94 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22	Flat 1, 94 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22	20 Ridgeway Street	Mrs Alice Phoenix	STRANMILLIS	STRANMILLIS HMO 2/19	5 Chadwick Street	Mrs Fiona O'Kane	WINDSOR	MEADOWBANK HMO 2/15	54 Stranmillis Park	Mr Peter Teague	STRANMILLIS	STRANMILLIS HMO 2/19	6 Fitzroy Avenue	Mr Cathal McKeown	CENTRAL	HOLYLAND HMO 2/22	53 Balfour Avenue	Mr Cathal McKeown	CENTRAL	LOWER ORMEAU HMO 2/13	251 Roden Street	Mrs Sonia Gardiner	BLACKSTAFF	NONE	7 Collingwood Avenue	Mr James Quigg	CENTRAL	HOLYLAND HMO 2/22	5 Rathdrum Street	Mrs Anne Boyle	WINDSOR	ADELAIDE HMO 2/01	50 Donnybrook Street	Mr Malachy McClements	WINDSOR	EDINBURGH ST HMO 2/08	60 Wellesley Avenue	Isabelle Ellis	WINDSOR	EGLANTINE HMO 2/09	35 Claremont Street	Mr Paul O'Neill	WINDSOR	FITZWILLIAM HMO 2/10		
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126 Dunluce Avenue	Mr Eugene Doris	WINDSOR	ULSTERVILLE HMO 2/21																																																																																																								
Flat 3, 94 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22																																																																																																								
Flat 4, 94 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22																																																																																																								
48 Broadway	Eden Property Services Ltd	FALLS	NONE																																																																																																								
115 Ulsterville Avenue	Mrs Maureen Convery	WINDSOR	ULSTERVILLE HMO 2/21																																																																																																								
349 Donegall Road	Ms Cathy Mawhinney	BLACKSTAFF	NONE																																																																																																								
Flat 2, 94 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22																																																																																																								
Flat 1, 94 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22																																																																																																								
20 Ridgeway Street	Mrs Alice Phoenix	STRANMILLIS	STRANMILLIS HMO 2/19																																																																																																								
5 Chadwick Street	Mrs Fiona O'Kane	WINDSOR	MEADOWBANK HMO 2/15																																																																																																								
54 Stranmillis Park	Mr Peter Teague	STRANMILLIS	STRANMILLIS HMO 2/19																																																																																																								
6 Fitzroy Avenue	Mr Cathal McKeown	CENTRAL	HOLYLAND HMO 2/22																																																																																																								
53 Balfour Avenue	Mr Cathal McKeown	CENTRAL	LOWER ORMEAU HMO 2/13																																																																																																								
251 Roden Street	Mrs Sonia Gardiner	BLACKSTAFF	NONE																																																																																																								
7 Collingwood Avenue	Mr James Quigg	CENTRAL	HOLYLAND HMO 2/22																																																																																																								
5 Rathdrum Street	Mrs Anne Boyle	WINDSOR	ADELAIDE HMO 2/01																																																																																																								
50 Donnybrook Street	Mr Malachy McClements	WINDSOR	EDINBURGH ST HMO 2/08																																																																																																								
60 Wellesley Avenue	Isabelle Ellis	WINDSOR	EGLANTINE HMO 2/09																																																																																																								
35 Claremont Street	Mr Paul O'Neill	WINDSOR	FITZWILLIAM HMO 2/10																																																																																																								

43 Candahar Street	Mr Michael Crone	ORMEAU	BALLYNAFEIGH HMO 2/03
27a Chlorine Gardens	Ms Hilary McCartan	STRANMILLIS	NONE
85 Malone Avenue	Mr Douglas Condell	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 102 Malone Avenue	Dr Patrick McKinley	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 1 Florenceville Drive	Mr William Gary Holloway	ORMEAU	NONE
57 Ballygomartin Road	Mrs Rachel Kennedy	FORTH RIVER	NONE
Flat 3, 26 University Avenue	GO2BSA Limited	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 26 University Avenue	GO2BSA Limited	CENTRAL	HOLYLAND HMO 2/22
2 Stranmillis Park	Mrs Alison McAreavey	CENTRAL	STRANMILLIS HMO 2/19
16 Malone Avenue	CLARO SKIN CLINIC LIMITED	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 5 Chlorine Gardens	Mr Patrick McCormack	STRANMILLIS	NONE
Flat 2, 3 Fountainville Avenue	Methodist Church In Ireland	WINDSOR	FITZWILLIAM HMO 2/10
27 Belvedere Manor	Mr JOHN MCKILLOP	WINDSOR	NONE
51 Rugby Avenue	Mr Eamon A Gribben	CENTRAL	HOLYLAND HMO 2/22
77 Great Northern Street	Mrs Roisin O'Donnell	WINDSOR	MEADOWBANK HMO 2/15
72 Edinburgh Street	MILL ROCK PROPERTIES LTD	WINDSOR	EDINBURGH ST HMO 2/08
75 Carmel Street	Mr Declan Boyle	CENTRAL	HOLYLAND HMO 2/22
Flat 1, 5 Chlorine Gardens	Mr Patrick McCormack	STRANMILLIS	NONE
Flat 2, 30 Lawrence Street	Mr Malachy Mullan	CENTRAL	HOLYLAND HMO 2/22
160 Donegall Avenue	Mrs Sonia Gardiner	BLACKSTAFF	NONE
4b Richview Street	Mr Albert Kettle	BLACKSTAFF	NONE
10 Shaftesbury Avenue	Miss Katrina Cassidy	CENTRAL	NONE
21 Agincourt Street	Mr Declan Boyle	CENTRAL	HOLYLAND HMO 2/22
22 Damascus Street	Mr Declan Boyle	CENTRAL	HOLYLAND HMO 2/22
11 Fitzwilliam Square	Mr Oliver Gilchrist	CENTRAL	HOLYLAND HMO 2/22
Flat 1, 16 Rugby Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
7 Ashley Mews	Mr Francis Kerr	WINDSOR	ULSTERVILLE HMO 2/21
52 Newington Avenue	Mr Enoch McCauley	DUNCAIRN	NONE
37 Surrey Street	Mr Michael John Lively	WINDSOR	MEADOWBANK HMO 2/15
30 Surrey Street	Mr Michael John Lively	WINDSOR	MEADOWBANK HMO 2/15
9 Malone Avenue	Mrs Mary Louise Winchborne	WINDSOR	EGLANTINE HMO 2/09

32 Palestine Street	Mrs Josephine Morris	CENTRAL	HOLYLAND HMO 2/22
17 Eglantine Gardens	Mrs Ciara Ferris	WINDSOR	EGLANTINE HMO 2/09
Morning Star Hostel, 2 - 12 Divis Street	Legion of Mary	FALLS	NONE
14 Riverview Street	Mr Adrian Truesdale	STRANMILLIS	STRANMILLIS HMO 2/19
15 Riverview Street	Mr Alan Truesdale	STRANMILLIS	STRANMILLIS HMO 2/19
8 Sandhurst Drive	Mr Declan Boyle	STRANMILLIS	STRANMILLIS HMO 2/19
Apartment 3, 93 Fitzroy Avenue Belfast Antrim BT7 1HU	Mr Gareth Macklin	CENTRAL	HOLYLAND HMO 2/22
Apartment 2, 93 Fitzroy Avenue Belfast Antrim BT7 1HU	Mr Gareth Macklin	CENTRAL	HOLYLAND HMO 2/22
6 Harrow Street	Ms Emma Haughian	CENTRAL	HOLYLAND HMO 2/22
4 Botanic Court	Mr Vincent Toner	CENTRAL	HOLYLAND HMO 2/22
6 Magdala Street	Mr Gerald McFeely	CENTRAL	HOLYLAND HMO 2/22
19 Carmel Street	Mr Aidan Thompson	CENTRAL	HOLYLAND HMO 2/22
Apartment 1, 93 Fitzroy Avenue Belfast Antrim BT7 1HU	Mr Gareth Macklin	CENTRAL	HOLYLAND HMO 2/22
64 Rugby Avenue	Ms Denise Magill	CENTRAL	HOLYLAND HMO 2/22
66 Ashley Avenue	Mr Malachy King	WINDSOR	ULSTERVILLE HMO 2/21
193 Dunluce Avenue	Mr Eamann Doris	WINDSOR	ULSTERVILLE HMO 2/21
2 Malone Avenue	Dr Danielle Quinn	WINDSOR	EGLANTINE HMO 2/09
10 Carmel Street	Mr Peter McPolin	CENTRAL	HOLYLAND HMO 2/22
4 Malone Avenue	Dr Danielle Quinn	WINDSOR	EGLANTINE HMO 2/09
Apartment 2, 38 University Street	Mr Stephen Morgan	CENTRAL	MOUNTCHARLES HMO 2/16
44 Haypark Avenue	Mr Stephen Murray	ORMEAU	BALLYNAFEIGH HMO 2/03
375 Donegall Road	Mr Ian Watson	BLACKSTAFF	NONE
67 Rugby Avenue	L & E Properties Limited	CENTRAL	HOLYLAND HMO 2/22
Apartment 3 75 Dunluce Avenue	Mr William Rooney	WINDSOR	ULSTERVILLE HMO 2/21
Apartment 2 75 Dunluce Avenue	Mr William Rooney	WINDSOR	ULSTERVILLE HMO 2/21
Apartment 1, 75 Dunluce Avenue	Mr William Rooney	WINDSOR	ULSTERVILLE HMO 2/21
15 Carmel Street	BRIGHTLIFE PROPERTY LTD	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 25 Rugby Avenue	BRIGHTLIFE PROPERTY LTD	CENTRAL	HOLYLAND HMO 2/22
18 Collingwood Avenue	Mr Detty Antony	CENTRAL	HOLYLAND HMO 2/22



59 Melrose Street	Mr Kevin Moore	WINDSOR	EDINBURGH ST HMO 2/08
42 Brookland Street	Mr Bernard Joseph McShane	WINDSOR	ADELAIDE HMO 2/01
Flat 2, 114 Stranmillis Road	Mr Stephen Weatherup	STRANMILLIS	STRANMILLIS HMO 2/19
4 Chichester Avenue	MLC PROJECTS NO. 50 LIMITED	CHICHESTER PARK	NONE
4 Pandora Street	Mrs Nicola Patterson	BLACKSTAFF	DONEGALL ROAD HMO 2/07
Flat 2, 4 Fitzroy Avenue Belfast Antrim BT7 1HW	Mr Malachy Mullan	CENTRAL	HOLYLAND HMO 2/22
24 Magdala Street	Mr Pat Haughey	CENTRAL	HOLYLAND HMO 2/22
7 University Avenue	Mr Joeseeph Gallagher	CENTRAL	HOLYLAND HMO 2/22
144 Dunluce Avenue	Mr Detty Antony	WINDSOR	ULSTERVILLE HMO 2/21
45 Malone Avenue	Mr Connor Paul Kieran	WINDSOR	EGLANTINE HMO 2/09
2 Ardenlee Place	Mr Austen Shannon	RAVENHILL	NONE
25 Carmel Street	KSCD PROPERTIES LIMITED	CENTRAL	HOLYLAND HMO 2/22
24 Sandymount Street	Miss Anita McKeown	STRANMILLIS	SANDYMOUNT HMO 2/17
8 Fitzroy Avenue	Enagh Investments Limited	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 12 Westminster Street	Enagh Investments Limited	CENTRAL	HOLYLAND HMO 2/22
42 Agincourt Avenue	Mr James McElroy	CENTRAL	HOLYLAND HMO 2/22
156 Dunluce Avenue	Mrs Paula Ellis	WINDSOR	ULSTERVILLE HMO 2/21
11b Ulsterville Place	MLM Properties Ltd	WINDSOR	ULSTERVILLE HMO 2/21
49 Jerusalem Street	ARKMORE DEVELOPMENTS LTD	CENTRAL	HOLYLAND HMO 2/22
42 Jerusalem Street	Mr Eamon Donaghy	CENTRAL	HOLYLAND HMO 2/22
27 Donnybrook Street	Mrs Leah Duffin	WINDSOR	EDINBURGH ST HMO 2/08
Flat 2, 6 Dunluce Avenue	Mr William Thomas Paul	WINDSOR	ULSTERVILLE HMO 2/21
145 Stranmillis Road	Mr Paul Lowther	STRANMILLIS	SANDYMOUNT HMO 2/17
107 Donnybrook Street	Miss Eleanor Hill	WINDSOR	EDINBURGH ST HMO 2/08
27 Chlorine Gardens	Mr Gerard Trainor	STRANMILLIS	NONE
4 Keadyville Avenue	Mr Gary Chambers	DUNCAIRN	NONE
177 Dunluce Avenue	Mr Michael King	WINDSOR	ULSTERVILLE HMO 2/21
116 Stranmillis Road	Mrs Mary Patricia Rice	STRANMILLIS	STRANMILLIS HMO 2/19
58 Palestine Street	Mr Patrick Donnelly	CENTRAL	HOLYLAND HMO 2/22
127 University Avenue	Mr Kieran Mullan	CENTRAL	HOLYLAND HMO 2/22

	46 Sandhurst Drive	Ms Ursula Valerie Booth	STRANMILLIS	STRANMILLIS HMO 2/19
	10 Collingwood Avenue	Ms Jacqueline Duffy	CENTRAL	HOLYLAND HMO 2/22
	44 Palestine Street	Mr Declan Boyle	CENTRAL	HOLYLAND HMO 2/22
	7 Fitzwilliam Square	Mr John Caylan Ellesmere	CENTRAL	HOLYLAND HMO 2/22
	Flat 2, 3 Claremont Street	Mrs Elaine Woods	WINDSOR	FITZWILLIAM HMO 2/10
	70 Jerusalem Street	Conexion Limited	CENTRAL	HOLYLAND HMO 2/22
	67a Great Northern Street	Mrs Katrina Fitzpatrick	WINDSOR	MEADOWBANK HMO 2/15
	146 Dunluce Avenue	PARKVUE LTD	WINDSOR	ULSTERVILLE HMO 2/21
	22 Hatfield Street	Mr Hugh Gibson	CENTRAL	LOWER ORMEAU HMO 2/13
	195 Dunluce Avenue	Mr Stephen McNulty	WINDSOR	ULSTERVILLE HMO 2/21
	8 Stranmillis Street	Mr Jay Paul Bedi	STRANMILLIS	STRANMILLIS HMO 2/19
	<b><u>Financial &amp; 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>Licences Issued Under Delegated Authority</b>
<b>Date:</b>	19 June 2024
<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 or 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>Recommendations</b>
2.1	The Committee is requested to note the applications that 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>
Ardoyne Community Centre, 40 Herbert Street, Belfast, BT14 7FE.	Renewal	Ms Catherine Taggart, Belfast City Council
Avoniel, 24 Avoniel Road, Belfast, BT5 4SF.	Grant	Mr David Miller, Greenwich Leisure Ltd
Belfast Castle, 698 Antrim Road, Belfast, BT15 5GR.	Renewal	Ms Jacqueline Cosgrove
Belfast Indoor Bowls, 115 Milltown Road, Shaw's Bridge, Belfast, BT8 7XP.	Renewal	Mr Chris Mulholland
Belvoir Activity Centre, 100 Belvoir Drive, Belfast, BT8 7DT.	Renewal	Ms Laura McCartney, Greenwich Leisure Ltd
Belvoir Players Rehearsal Studio, 94 Belvoir Drive, Belfast, BT8 7FR.	Renewal	Mr Roger Dane
Benedicts Hotel, 7-21 Bradbury Place, Belfast, BT7 1RQ.	Renewal	Mr Edmund Simpson, Elmoreton Ltd
Brook Leisure Centre, 25 Summerhill Road, Belfast, BT17 0RL.	Grant	Ms Sinead Barnes, Greenwich Leisure Ltd
Cafe Parisien, Cleaver House, 3a Donegall Square North, Belfast, BT1 5GA.	Renewal	Mr Colin Johnston
Castlereagh Glentoran Supporters Club, 8a Grand Parade, Belfast, BT5 5HH.	Renewal	Mr Darron Flanagan
Cliftonville Golf Club, 44 Westland Road, Belfast, BT14	Renewal	Mr Albert McCullough
Common Market, Arnotts Building, 16-20 Dunbar Street, Belfast, BT1	Renewal	Ms Alana Fox, Carlisle Inns Ltd
Cregagh Sports Club, 3 Gibson Park Avenue, Belfast, BT6	Renewal	Mr David Cochrane
Crumlin Road Gaol, Visitor Attraction & Conference Centre, 53-55 Crumlin Road, Belfast, BT14 6ST.	Renewal	Mr Phelim Devlin, Belfast Tours Ltd
Dunmurry Recreation Football Club, 23 Ashley Park, Dunmurry, BT17 9EH.	Renewal	Mr Ryan Adams
Dunmurry Young Men Football Club, 244 Glenburn Road, Belfast, BT17 9BB.	Grant	Mr Darren Magill
Elliott Hall, Knock Presbyterian Church, 53 Kings Road, Belfast, BT5 6JH.	Renewal	Mr Andrew Spratt

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Filthy McNastys, 41-45 Dublin Road, Belfast, BT2 7HD.	Renewal & Variation	Ms Catherine McCrory, Bachus Inns Ltd
Granny Annie's Kitchen, 81-85 Chichester Street, Belfast, BT1	Renewal	Mr Michael Johnston, W & R Holdings Ltd
Hole In The Wall Bar, 1-3 Baltic Avenue, Belfast, BT15 2HR.	Grant	Mr Tiarnan McNicholl
Hunting Lodge, 39 Stewartstown Road, Belfast, BT11 9FZ.	Renewal	Mr Terry Reilly, Beeches Drive Company Ltd
Kelly's Cellars, 30-32 Bank Street, Belfast, BT1 1HL.	Renewal	Ms Elizabeth Mulholland
Kelly's Cellars, 30-32 Bank Street, Belfast, BT1 1HL.	Renewal (Outdoor)	Ms Elizabeth Mulholland
Kremlin Bar, 96 Donegall Street, Belfast, BT1 2GW.	Renewal	Ms Anthea Wilson, Anthology N.I. Ltd
Lavery's Bar, 12-18 Bradbury Place, Belfast, BT7 1RS.	Renewal	Mr Bernard Lavery, Lavery Ltd
Ligoniel & District Homing Pigeon Club, 46a Glenbank Place, Belfast, BT14 8AN.	Renewal	Mr Stephen Forsythe
Maddens Bar, 74 Berry Street, Belfast, BT1 1FJ.	Renewal	Mr Brian McMullan
Muriel's, 12-14 Church Lane, Belfast, BT1 4QN.	Renewal	Ms Janine Kane, JK Pubs Ltd
Musgrave Park Bowling Pavillion, Stockmans Lane, Belfast, BT9 7JE.	Renewal	Mr David Sales
Northern Whig House, 2-10 Bridge Street, Belfast, BT1 1LU.	Renewal	Mr Stephen Magorrian, Northern Whig Trading Ltd
Olympia Leisure Centre, 18 Boucher Road, Belfast, BT12 6HR.	Renewal	Mr Aaron McGlone, Greenwich Leisure Ltd
Orangefield Presbyterian Church, 464 Castlereagh Road, Belfast, BT5	Renewal	Mr David Irvine
Ormeau Golf Club, 50 Park Road, Belfast, BT7 2FX.	Renewal	Ms Mary Dawson
QUB, Centre for Drama & Film Studies, 20 University Square, Belfast, BT7 1PA.	Renewal	Mr Alistair Finlay, QUB
QUB, Elms Student Centre, 78 Malone Road, Belfast, BT9 5BU.	Renewal	Mr Alistair Finlay, QUB
QUB, Riddel Hall, 185 Stranmillis Road, Belfast, BT9 5EE.	Renewal	Mr Alistair Finlay, QUB
QUB, The Club House, Queen's Sport, Upper Malone Road, Belfast, BT9 5NB.	Renewal	Mr Alistair Finlay, QUB

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
QUB, The Harty Room, University Square, Belfast, BT7 1NN.	Renewal	Mr Alistair Finlay, QUB
QUB, Sonic Arts & Computer Science Research Centre, Ashby Complex, Cloreen Park, Belfast, BT9 5BX.	Renewal	Mr Alistair Finlay, QUB
Rosemary Presbyterian Church Hall, 19 North Circular Road, Belfast, BT15 5HB.	Renewal	Mr Roy Eakin
Royal Bar, 237 Shankill Road, Belfast, BT13 1FR.	Renewal	Mr James Hanna, Bar None NI Ltd
Royal British Legion, 30 Montgomery Road, Belfast, BT6	Renewal	Mr Paul Telford
Ryans, 116-118 Lisburn Road, Belfast, BT9 6AH.	Renewal	Mr Gavin Bates, Barel Ltd
Spectrum Centre, 331-333 Shankill Road, Belfast, BT13 3AA.	Renewal	Ms Nicola Verner, Property Development Co Ltd
St Galls G.A.C, 4-12 Milltown Row, Belfast, BT12 6EU.	Renewal	Mr Brendan Gallagher
St John's Presbyterian Church, 374-378 Ormeau Road, Belfast, BT7	Renewal	Ms Patricia Mills
St Matthews Sports & Social Club, 25 Mountforde Road, Belfast, BT5	Renewal	Ms Frances Boyle
Stormont Hotel, 587 Upper Newtownards Road, Belfast, BT4 3LP.	Renewal	Mr Peter Gibson, HHG No6 Ltd
Sunflower Bar, 65 Union Street, Belfast, BT1 2JG.	Renewal & Transfer	Mr Richard McCallion, Lus Na Gréine Ltd
Taughmonagh Social Club, 31A Finwood Park, Belfast, BT9 6QR.	Renewal	Mr Colin Geary
The Belfast Barge, Lanyon Quay, Belfast, BT1 3LG.	Renewal	Ms Joyce Anderson, Lagan Legacy Ltd
The Mount Inn, 156 North Queen Street, Belfast, BT15 1HQ.	Renewal	Mr Desmond Quinn
The Points, 44 Dublin Road, Belfast, BT2 7HN.	Renewal	Ms Catherine McCrory, Corick Facilities Management Ltd
The Suffolk Inn, 12-14 Suffolk Road, Belfast, BT11 9RZ.	Renewal	Mr Tony Clarke, The Suffolk Inn Ltd
Thompsons Garage, 3 Pattersons Place, Belfast, BT1 4HW.	Renewal & Variation	Mr Stephen Boyd
Titanic Belfast, 1 Olympic Way, Belfast, BT3 9EP.	Renewal	Ms Judith Owens, Titanic Belfast Ltd
Titanic Belfast, 1 Olympic Way, Belfast, BT3 9EP.	Renewal (Outdoor)	Ms Judith Owens, Titanic Belfast Ltd

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Wellington Park Hotel, 21 Malone Road, Belfast, BT9 6RW.	Renewal (Outdoor)	Mr Felix Mooney, Dunadry Development Company Ltd
Wellington Park Hotel, 21 Malone Road, Belfast, BT9 6RW.	Renewal	Mr Felix Mooney, Dunadry Development Company Ltd
York Road Civil Defence Association, 30 St Aubyn Street, Belfast, BT15 3QF.	Renewal	Mr Thomas Moore

3.2 Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 the following Amusement Permits were issued since your last meeting.

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Hollywood Bowl, Unit 2 Odyssey Pavilion, 2 Queens Quay, Belfast, BT3 9QQ.	Renewal	Mr Stephen Masterson, The Original Bowling Company (NI) Ltd

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>
QUB, Centre For Drama & Film Studies, 20 University Square, Belfast, BT7 1PA.	Renewal	Mr Alistair Finlay, QUB
Titanic Belfast, 1 Olympic Way, Belfast, BT3 9EP.	Renewal	Ms Judith Owens, Titanic Belfast 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>
Mace Mount Alverno, 703-705 Springfield Road, Belfast, BT12 7FP.	Renewal	Mr Brendan Nugent, BN Hire Ltd
Madigan's Court Filling Station, Unit 3, 739 Antrim Road, Belfast, BT15 4EL.	Renewal	Mr Patrick McCormack, Charioteer Ltd
New Barnsley Police Station, 613 Springmartin Road, Belfast, BT12 7FN.	Renewal	PSNI Transport Services
Sainsburys Filling Station, 564-568 Falls Road, Belfast, BT11	Renewal	Ms Kathryn Park, Sainsbury's Supermarkets Ltd
Tesco Petrol Filling Station, Knocknagoney Road, Belfast, BT4 2PW.	Renewal	Tesco Stores Ltd
Top Filling Station, 409-419 Antrim Road, Belfast, BT15 3BJ.	Renewal	Mr Daniel Loughran, LCC Group 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.

Location	Type of Application	Commodity	Hours Licensed	Applicant
Writer's Square, Belfast	Temporary	Hot & cold food, hot & cold beverages	Sat 4/5/24 – Mon 6/5/24 12:00 – 18:00	Ms Anna Treanor

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

Location	Type of Activity	Date and Hours permitted	Applicant
Woodstock Road	Community Event	Mon 27 May 2024 09:00 – 22:00	Mr Stephen Gough
Circular Road	Street Party	Sat 1 June 2024 12:00 – 17:00	Ms Alison Kennedy and Ms Sharon Johnston

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.

Financial & Resource Implications

3.8 None

Equality or Good Relations Implications/Rural Needs Assessment

3.9 There are no issues associated with this report.





<b>Subject:</b>	<b>Application for a New Licence to operate a House of Multiple Occupation for 49 Atlantic Avenue, Belfast, BT15 2HN</b>
<b>Date:</b>	19 June 2024
<b>Reporting Officer:</b>	Kevin Bloomfield, HMO Unit Manager
<b>Contact Officer:</b>	Kevin Bloomfield, HMO Unit Manager Cormac McLaughlin, Solicitor,

<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 or 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>49 Atlantic Avenue, Belfast, BT15 2HN</td> <td>10792</td> <td>Mrs Orla Carragher and Stephen Carragher</td> <td>None</td> </tr> </tbody> </table>	Premises	Application No.	Applicant(s)	Managing Agents	49 Atlantic Avenue, Belfast, BT15 2HN	10792	Mrs Orla Carragher and Stephen Carragher	None
Premises	Application No.	Applicant(s)	Managing Agents						
49 Atlantic Avenue, Belfast, BT15 2HN	10792	Mrs Orla Carragher and Stephen Carragher	None						
1.2	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.								
<b>2.0</b>	<b>Recommendations</b>								
2.1	<p>Taking into account the information presented Committee is asked to hear from the Applicant and make a decision to either:</p> <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> <p><b><u>Notice of proposed decision</u></b></p>								
2.2	On the 29 May 2024, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 ("the 2016 Act"), officers issued a Notice of Proposed Decision. <b>Appendix 2</b>								

2.3	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.
2.4	If the application is refused, the Applicant has a right of appeal to the County Court. An appeal must be lodged within 28 days of formal notification of the Council's decision.
3.0	<b>Main report</b>
	<b><u>Background</u></b>
3.1	The property had the benefit of an HMO licence issued by the Housing Executive which expired on the 13 June 2022. Reminder letters were sent to the licence holder on 19 January 2022 and 18 May 2022 informing them of the need to renew the HMO licence before the expiry of the existing licence.
3.2	On the 19 May 2022 an HMO licence application was received from the owner of the accommodation to renew the licence. The NIHMO Unit ceased to consider the application as the owner failed to comply with Regulation 2 of The Houses in Multiple Occupation (Notice of Application) Regulations (Northern Ireland) 2019 which requires them within seven days of submitting the application, the applicant must publish information of the application in one or more newspapers, circulating in the locality of the HMO and provide a copy to the NIHMO Unit. A reminder of the requirement to publish the notice was sent in advance of the service ceasing to consider the application.
3.3	On the 10 August 2022 an incomplete application for a Temporary Exemption Notice "TEN" was received and subsequently refused the same day. A further TEN application was received On the 22 August 2022 and approved the following day, an extension to the TEN was approved on the 25 October 2022 which expired on the 25 January 2023. No further extension to the TEN are permitted under the 2016 Act.
3.4	On the 5 December 2022 an HMO licence application was received from the owner of the accommodation which was rejected on 15 December 2022 for breach of planning control
3.5	A further licence application was received on the 12 December 2023
	<b><u>Key Issues</u></b>
3.6	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>
3.7	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 on 03 February 2023 with the planning reference <b>LA04/2022/2148/CLEUD</b>

## Fitness

3.8 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.

The NIHMO Unit has consulted with the following units within the Council's City and Neighbourhood Services Department –

- (a) Environmental Protection Unit ("EPU") - who have 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,
- (b) Environmental Protection Unit ("EPU") - who have 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,
- (c) Public Health and Housing Unit ("PHHU") - who have 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,
- (d) Enforcement Unit ("EU") - who have 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,

3.9 The applicant has confirmed that they have not been convicted of any relevant offences as set out at paragraph 3.3 of this report.

3.10 The Applicant has 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.

3.11 Officers are not aware of any other issues relevant to the Applicant's fitness.

## Overprovision

3.12 For the purpose of Section 12(2) of the 2016 Act. The Council has determined the locality of the accommodation, **49 Atlantic Avenue, Belfast, BT15 2HN** as being Housing Management Areas (HMA) "HMA 2/02 Atlantic" as defined in the document Belfast City Council's Local Development Plan Strategy "2023 Strategy" which was formally adoption on the 2 May 2023.

3.13 Legal Services has advised that there is a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence will not result in overprovision.

3.14 In making this decision the Council has had regard to:

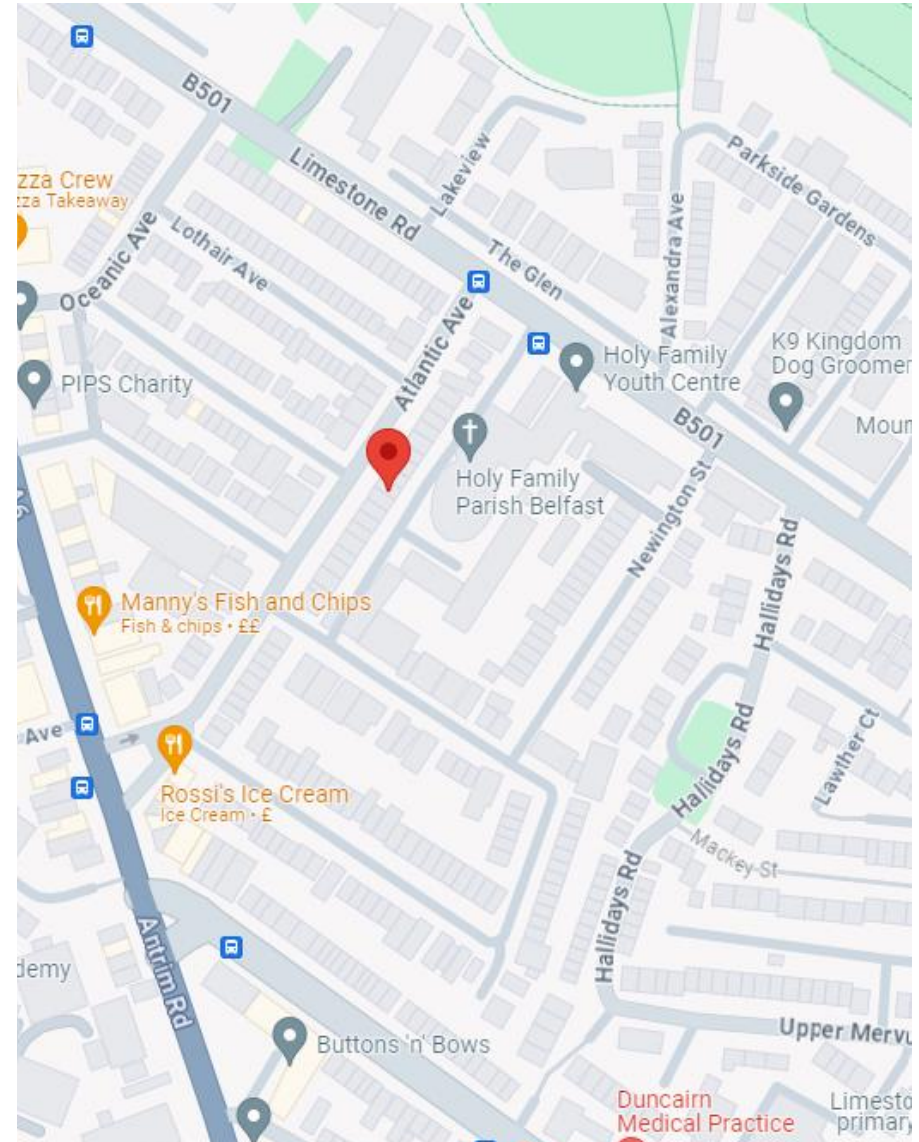
- (a) the number and capacity of licensed HMOs in the locality
- (b) the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.

3.15	To inform the Council in its consideration of the above provisions, the Council has taken account of the 2023 Strategy given that <i>“Nurturing sustainable and balanced communities is a fundamental aim of the LDP’s housing policies.”</i>
3.16	<p>In particular, the Council has considered Policy HOU10:-</p> <p>HOU10 states – <i>“Within designated HMAs, planning permission will only be granted for Houses in Multiple Occupation (HMOs) and/or flats/apartments where the total number of HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within an HMA.”</i></p> <p><b>(a) The number and capacity of licensed HMOs in the locality</b></p>
3.17	<p>On the date of assessment, 28 May 2024, 60% of all dwelling units in policy area HMA 2/02 Atlantic were made up of HMOs and flats/apartments, which in turn exceeds the 20% development limit as set out at Policy HOU10. There are 2 (1%) licensed HMOs with a capacity of 10 persons in HMA 2/02 Atlantic.</p> <p><b>(b) The need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.</b></p>
3.18	The total number of dwelling units in a HMA is measured by Ordnance Survey’s Pointer database. There are a total of 161 dwelling units in HMA 2/02 Atlantic
3.19	On the 28 May 2024 out of 11 premises available for rent within the BT15 area on the website PropertyNews.com there were 2 bedspaces available within licensed HMOs. The HMO accommodation was available immediately.
3.20	The fact that 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.
3.21	The Council recognises that there is a need for intensive forms of housing and to meet this demand, 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 housing needs of people who are single, who have temporary employment, students, low-income households and, more recently, migrant workers.
3.22	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.”
3.23	<p>In assessing the number and capacity of licensed HMOs as well as the need for HMO accommodation in the locality, officers cannot be satisfied that the granting of the HMO licence will not result in overprovision of HMO accommodation in the locality of the accommodation for the purpose of section 8(2)(d) of the 2016 Act.</p> <p><b><u>Objections</u></b></p>
3.24	No objections were received in relation to this application.

	<p><b><u>Attendance</u></b></p> <p>3.25 The applicant and/or their representatives will be available to discuss any matters relating to the licence application should they arise during your meeting.</p> <p><b><u>Suitability of the premises</u></b></p> <p>3.26 The accommodation was inspected by an officer from the NIHMO Unit on the 26 February 2024 at which time it was established that the rear return bedroom was below the minimum 6.5m<sup>2</sup> requirement.</p> <p><b><u>Notice of proposed decision</u></b></p> <p>3.27 On the 29 May 2024, 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></p> <p>3.29 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> <p><b><u>Applicant's response to the notice of proposed decision</u></b></p> <p>3.30 At the time of writing this report no representations had been received on behalf of the applicant.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>3.31 None. The cost of assessing the application and officer inspections are provided for within existing budgets.</p> <p><b><u>Equality and Good Relations Implications</u></b></p> <p>3.32 There are no equality or good relations issues associated with this report.</p>
	<p><b>Appendices – Documents Attached</b></p>
	<p><b>Appendix 1</b> – Location Map  <b>Appendix 2</b> – Notice of Proposed Decision.</p>

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Appendix 1 – External Photograph and Location Map – 49 Atlantic Avenue, Belfast, BT15 2HN



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# NI Houses in Multiple Occupation Unit

Application number: 10792  
Date: 29 May 2024



Mrs Orla Carragher

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Mrs Carragher

Further to an HMO licence application for **49 Atlantic Avenue, Belfast, Antrim, BT15 2HN** please review the attached documentation and action as appropriate.

Yours sincerely,



Kevin Bloomfield  
HMO Manager

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## NI Houses in Multiple Occupation Unit

Belfast City Council, The Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP  
Telephone: 028 9027 0414 | Text Relay for people with a hearing loss: (18001) 028 9027 0414  
| SignVideo for Sign Language users: <https://www.belfastcity.gov.uk/signvideo> | Email:  
[nihmo@belfastcity.gov.uk](mailto:nihmo@belfastcity.gov.uk) | Web: [www.belfastcity.gov.uk/nihmo](http://www.belfastcity.gov.uk/nihmo)

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**HOUSES IN MULTIPLE OCCUPATION ACT (NORTHERN IRELAND) 2016**

**PARAGRAPH 9 OF SCHEDULE 2**

**APPLICATION FOR AN HMO LICENCE - NOTICE OF PROPOSED DECISION.**

Belfast City Council has received an application for an HMO licence in relation to accommodation known as **49 Atlantic Avenue, Belfast, Antrim, BT15 2HN**

This notice is served by the Council under Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016.

The Council proposes to refuse the licence.

Schedule 1 of this notice sets out the main terms of the proposed licence and any terms which differ from those applied for.

Schedule 2 of this notice states the reasons for the proposed decision (including any proposed differences).

A copy of any valid representations received by the Council in response to a Notice of Application published under regulations as set out in paragraph 2 of Schedule 2 of the 2016 Act have been appended to this notice.

If you wish to make any representation in relation to this proposed decision you should do so in writing within **14 days** of the date below to:

NI HMO Manager  
Belfast City Council  
The Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP  
Email: [nihmo@belfastcity.gov.uk](mailto:nihmo@belfastcity.gov.uk)

**Date: 29 May 2024**

**Signed:**



**Kevin Bloomfield**  
**HMO Manager**

## **Schedule 1:**

### **The reasons for the proposed decision:**

The Council is not satisfied that:

- i. The granting of the licence will not result in overprovision of HMOs in the locality in which the living accommodation is situated.

### **Overprovision**

In accordance with Section 12 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 “2016 Act” the Council is satisfied that the granting of the HMO licence will result in overprovision of HMO accommodation in the locality of the accommodation, for the purpose of section 8(2)(d) of the 2016 Act.

For the purpose of Section 12(2) of the 2016 Act. The Council has determined the locality of the accommodation, **49 Atlantic Avenue, Belfast, BT15 2HN** as being Housing Management Areas (HMA) “HMA 2/02 Atlantic” as defined in the document Belfast City Council’s Local Development Plan Strategy “2023 Strategy” which was formally adopted on the 2 May 2023.

In making this decision the Council has had regard to:

- (a) the number and capacity of licensed HMOs in the locality
- (b) the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.

To inform the Council in its consideration of the above provisions, the Council has taken account of the 2023 Strategy given that *“Nurturing sustainable and balanced communities is a fundamental aim of the LDP’s housing policies.”*

In particular, the Council has considered Policy HOU10:-

HOU10 states – *“Within designated HMAs, planning permission will only be granted for Houses in Multiple Occupation (HMOs) and/or flats/apartments where the total number of HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within an HMA.”*

#### **(a) The number and capacity of licensed HMOs in the locality**

On the date of assessment, 28 May 2024, 60% of all dwelling units in policy area HMA 2/02 Atlantic were made up of HMOs and flats/apartments, which in turn exceeds the 20% development limit as set out at Policy HOU10.

There are 2 (1%) licensed HMOs with a capacity of 10 persons in HMA 2/02 Atlantic.

**(b) The need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.**

The total number of dwelling units in a HMA is measured by Ordnance Survey's Pointer database. There are a total of 161 dwelling units in HMA 2/02 Atlantic

On the 28 May 2024 out of 11 premises available for rent within the BT15 area on the website PropertyNews.com there were 2 bedspaces available within licensed. The HMO accommodation was available immediately.

**Section 8(2)(d) of the 2016 Act**

In assessing the number and capacity of licensed HMOs as well as the need for HMO accommodation in the locality, officers cannot be satisfied that the granting of the HMO licence will not result in overprovision of HMO accommodation in the locality of the accommodation for the purpose of section 8(2)(d) of the 2016 Act.

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## Notes:

### **Statutory References are to the Houses in Multiple Occupation Act (Northern Ireland) 2016 unless otherwise stated**

#### **Houses in Multiple Occupation**

#### **Applications for HMO licences: requirements and procedure**

#### **SCHEDULE 2**

1—(1) An application for an HMO licence must be in writing and in such form as the council may specify by general notice.

(2) The application must include the following information—

- (a) the address of the living accommodation in question,
- (b) if the owner is an individual, the owner's name and address,
- (c) if the owner is a body, the information set out in sub-paragraph (3),
- (d) if there is to be a managing agent of the HMO—
  - (i) if the agent is an individual, the agent's name and address, or
  - (ii) if the agent is a body, the information set out in sub-paragraph (3),
- (e) the name and address of any person (other than the owner) who has a relevant interest in the HMO (see sub-paragraph (4)),
- (f) the maximum number of persons who it is proposed will occupy the accommodation as their only or main residence at any one time,
- (g) any other information which the Department may by regulations require to be set out in such applications, and
- (h) any other information which the council may specify by general notice.

(3) The information referred to in sub-paragraph (2)(c) and (d)(ii) is—

- (a) the name of the body,
- (b) the address of its main office or place of business,
- (c) the name and address of each of its directors or partners, or other persons involved in its management.

(4) In sub-paragraph (2)(e), a "relevant interest" is—

- (a) a freehold estate;
- (b) a leasehold estate, unless the unexpired term of the lease is 3 years or less;
- (c) a mortgage, charge or lien.

(5) The council may require the application to be accompanied by a fee fixed by the council (see also section 84 in relation to such fees).

(6) Sub-paragraph (5) is subject to paragraph 7(2).

## **PUBLICATION OF APPLICATION**

### *Regulations regarding notice of application*

**2—**(1) The Department must make regulations providing for the giving of notice of the making of applications for an HMO licence.

(2) Regulations under sub-paragraph (1) may in particular—

(a) require the applicant to cause notice of an application to be displayed on or near the HMO in question, or to cause such notice to be published in one or more newspapers circulating in the locality of the HMO;

(b) permit or require the council to cause such notice to be displayed or published, either at the council's expense or at the applicant's expense;

(c) specify information which must be displayed or published in or together with notice of an application, which may include notice of a right to make representations about the application and of the manner and period in which such representations must be made;

(d) specify requirements as to the form and manner of notice of an application, and the period for which it must be displayed or published;

(e) provide (subject to such conditions as may be specified in the regulations) for exceptions from any requirement to display or publish notice, in particular where the council is satisfied that displaying or publishing a notice would be likely to jeopardise the safety or welfare of any persons or the security of any premises;

(f) provide for the consequences of failing to comply with requirements imposed by the regulations (and such consequences may include permitting or requiring the council to cease to consider the application in question).

### *Notice to statutory authorities*

**3** The council must send a copy of any application for an HMO licence to the statutory authorities.

### *Representations in response to notices*

**4—**(1) A representation made in response to a notice under regulations under paragraph 2 is valid only if it—

(a) is made in writing,

(b) sets out the name and address of the person making the representation, and

(c) is made on or before the deadline for making written representations.

(2) The deadline for making written representations is to be set out in, or determined under, regulations made by the Department.

## **REFUSAL OF APPLICATION: BREACH OF PLANNING CONTROL**

**5** Paragraphs 6 and 7 apply where the council is not satisfied that the occupation of the living accommodation as an HMO would not constitute a breach of planning control (within the meaning given by section 131 of the Planning Act (Northern Ireland) 2011).

6—(1) The council must serve on the applicant a notice which—

- (a) states that the council has decided to refuse the application,
- (b) sets out the reason for the decision, and
- (c) sets out the effect of paragraph 7.

(2) The notice must be served on the applicant before the end of the period of 28 days beginning with the day on which the application is made.

(3) The council must send a copy of the notice to the statutory authorities.

7—(1) This paragraph applies if, after the council has refused an application under paragraph 6, the applicant obtains—

- (a) planning permission under Part 3 of the Planning Act (Northern Ireland) 2011, or
- (b) a certificate of lawfulness of use or development under section 169 or 170 of that Act,

in respect of the occupation of the living accommodation as an HMO.

(2) If—

- (a) the applicant makes a further application for an HMO licence in respect of the living accommodation, and
- (b) does so before the end of the period of 28 days beginning with the date on which the applicant obtains the permission or certificate,

no fee may be charged in respect of that application.

## CONSIDERATION OF APPLICATION AND HEARINGS

8 Paragraphs 9 to 13 apply where the council does not consider that occupation of the living accommodation would constitute a breach of planning control (within the meaning given by section 131 of the Planning Act (Northern Ireland) 2011).

### ***Notice of proposed decision***

9—(1) The council must serve a notice under this paragraph on—

- (a) the applicant, and
- (b) each relevant person.

(2) A notice under this paragraph must state which of the following the council proposes to do—

- (a) grant the licence in the terms applied for;
- (b) grant the licence in terms different from those applied for;
- (c) refuse the licence.

(3) A notice under this paragraph must also—



(a) if the council proposes to grant the licence, set out the main terms of the proposed licence and any terms which differ from those applied for,

(b) state the reasons for the proposed decision (including any proposed differences), and

(c) specify the date by which written representations by the recipient of the notice must be made.

(4) The date specified under sub-paragraph (3)(c) must be not less than 14 days after the date on which the notice is served.

(5) The notice must be accompanied by a copy of any valid representations received by the council in response to a notice under regulations under paragraph 2.

(6) In this Schedule, a “relevant person” is any of the following (other than the applicant)—

(a) a person named in the application in accordance with paragraph 1(2)(d) or (e) (managing agents and persons having an estate in the HMO);

(b) a person who is not so named but who, to the knowledge of the council—

(i) is or is proposed to be a managing agent of the HMO, or

(ii) has a relevant interest in it (see sub-paragraph (7));

(c) a person who is proposed to be named in the licence as a person on whom a restriction or obligation is imposed under section 14.

(7) In sub-paragraph (6)(b), a “relevant interest” is—

(a) a freehold estate;

(b) a leasehold estate, unless the unexpired term of the lease is 3 years or less;

(c) a mortgage, charge or lien.

### *Hearings*

**10—(1)** This paragraph applies if the council decides (whether on a submission by the applicant or a relevant person, or on its own initiative) to hear oral representations about the application.

(2) The council must serve notice of the hearing on—

(a) the applicant,

(b) every relevant person,

(c) every person who made valid representations in response to a notice under regulations under paragraph 2, and

(d) any other person the council considers appropriate.

(3) The notice must state the date, time and place of the hearing.

(4) The notice must be served not less than 7 days before the date of the proposed hearing.

(5) "Relevant person" has the meaning given by paragraph 9(6).

***Consideration of application***

**11** In determining whether to grant the licence (and in what terms) the council must consider—

- (a) any valid representations made in response to a notice under regulations under paragraph 2,
- (b) any written representations made by a recipient of a notice under paragraph 9 before the date specified under paragraph 9(3)(c), and
- (c) any oral representations made at a hearing under paragraph 10.

***Time limit for determining application***

**12—(1)** The council must decide whether to grant or refuse an application for an HMO licence before the end of the period of 3 months beginning with the date on which the council received it.

(2) A court of summary jurisdiction may extend the period mentioned in sub-paragraph (1) in the case of a particular HMO application.

(3) An order under sub-paragraph (2) is to be made on an application made by the council before the end of the period mentioned in sub-paragraph (1).

(4) The applicant for the licence is entitled to be a party to any proceedings on an application under sub-paragraph (3).

(5) The decision of a court on an application under sub-paragraph (3) is to be final.

(6) If the council does not determine an application for an HMO licence before the end of the period mentioned in sub-paragraph (1) (or that period as extended), the applicant is to be treated as having been granted a licence in the terms applied for.

(7) Sub-paragraph (6) does not prevent the council from varying or revoking a licence which is treated as having been granted in accordance with that sub-paragraph.

***Notice of determination***

**13—(1)** The council must serve notice of its decision on an application for an HMO licence on—

- (a) the applicant,
- (b) each relevant person (within the meaning given by paragraph 9(6)), and
- (c) the statutory authorities.

(2) The notice must—

- (a) state the council's decision,
- (b) if the decision is to grant a licence, be accompanied by a copy of the licence,
- (c) if the licence is granted in terms different from those applied for, include a statement of the reasons for that difference, and
- (d) state the date on which the decision was made.

(3) The notice must be served before the end of the period of 7 days beginning with the day on which the decision is made.

## **FALSE OR MISLEADING INFORMATION**

**14**—(1) A person commits an offence if—

- (a) the person provides information in connection with an application for an HMO licence,
- (b) the information is false or misleading in a material particular, and
- (c) the person knows that it is, or is reckless as to whether it is, false or misleading.

(2) A person guilty of an offence under sub-paragraph (1) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

## **Appeals**

## **Section 67**

**67**—(1) This section applies to the following decisions of a council—

- (a) to issue a household notice;
- (b) to refuse to cancel a continuation notice;
- (c) to grant an HMO licence (including any decision as to its terms or any conditions included in it);
- (d) to refuse an application for an HMO licence, unless the refusal is solely because the council is not satisfied as mentioned in section 8(2)(a) (planning control);
- (e) to issue a temporary exemption notice (including any decision as to the inclusion of safety and security requirements under section 17);
- (f) to refuse an application for a temporary exemption notice;
- (g) to revoke a temporary exemption notice, or to refuse to grant an extension of one;
- (h) to renew an HMO licence (including any decision as to its terms or any conditions included in it as from its renewal);
- (i) to refuse an application to renew an HMO licence;
- (j) to vary an HMO licence, or to refuse an application to vary one;
- (k) to revoke an HMO licence;
- (l) to refuse to extend the period for which a licence has effect under section 29 (death of sole licence holder);
- (m) to issue a rectification notice (including any decision as to the terms of it), or to refuse to revoke such a notice;
- (n) to issue a Part 4 notice (including any decision as to the terms of it);
- (o) to vary or revoke a Part 4 notice, or to refuse an application to vary or revoke one;
- (p) to demand recovery of expenses under paragraph 9 of Schedule 3.

(2) An appeal may be made to the county court against any decision to which this section applies.

(3) An appeal may be made only by a person on whom notice is required to be served under the provision of this Act in question.

(4) An appeal must be made before—

(a) the end of the period of 28 days beginning with the date on which notice was served on the person, or

(b) if later, the end of the period of 7 days beginning with date on which reasons for the decision were served under section 68.

(5) But the court may allow an appeal to be made after that date, if it considers that there are special circumstances which make it just to do so.

(6) Where—

(a) a person makes an application, in accordance with this Act, for a decision to which this section applies (except an application for an HMO licence or for the renewal of one), and

(b) the council does not notify the applicant of its decision within the period of 35 days beginning with the date on which the application was made (or such further period as the applicant may in writing allow),

the applicant may make an appeal under this section as if the council had refused the application.

(7) In this section, references to the service of notice are—

(a) in the case of a decision to issue a notice, to the service of that notice;

(b) otherwise, to service of notice of the decision.

**Advice:**

If you want independent advice about your rights and obligations, you should go to a Citizens Advice Bureau, Housing Advice Centre, Law Centre or a Solicitor.



<b>Subject:</b>	<b>Application to provide outdoor musical entertainment beyond 11.00 pm at Falls Park</b>
<b>Date:</b>	19th June 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Darren McCamphill, Lead Building Control Surveyor, ext. 2444

<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"/>
Some time 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 or Summary of main Issues</b>
<b>1.1</b>	To consider a request from the organisers of Féile an Phobail to permit the planned entertainment to run beyond 11.00 pm on up to 7 nights during the festival event within Falls Park, running from Thursday 1 August to Sunday 11 August 2024.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	<p>Taking into account the information presented and any representations received you are required to consider the request to extend the hours of entertainment and, subject to all technical requirements being met, either:</p> <ol style="list-style-type: none"> <li>1. Agree that all 7 of the events should be permitted to take place beyond the standard hours of licence to 1.00 am; or</li> </ol>

	<p>2. Agree that only on specified nights will entertainment be permitted to take place beyond the standard hours of licence to 1.00am and that the other requested nights be permitted to take place to an earlier specified extended hour; or</p> <p>3. Refuse to extend all of the hours as requested.</p>
<b>3.0</b>	<b>Main report</b>
	<b><u>Key Issues</u></b>
<b>3.1</b>	Members are advised that a 7-Day Annual Outdoor Entertainments Licence and a 7-Day Annual Indoor Licence for a Marquee has been granted for Falls Park and both have been used to hold events in the past, primarily for this event. The Licences are held by the City and Neighbourhood Services Department and are transferred to the organisers for the duration of their event.
<b>3.2</b>	The days and standard hours during which entertainment may be provided both outdoors and in a marquee are Monday to Sunday from 11.30 am to 11.00 pm.
<b>3.3</b>	<p>In addition, the following Special Conditions are attached to both the Marquee and Outdoor Entertainments Licences:</p> <ul style="list-style-type: none"> <li>• Maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual concert set up proposals.</li> <li>• Prior to any event taking place the promoters are required to demonstrate evidence of early consultation and have in place a robust system of dealing with any complaints, which has been agreed in advance with the Council.</li> <li>• Any requests to provide entertainment later than 11.00 pm must be considered by the Licensing Committee and therefore must be made at least 3 months in advance of the proposed event.</li> <li>• Should an application to provide entertainment beyond 11.00 pm be granted and the Council then receive a significant number of complaints regarding noise or the complaint is of such significant impact, authority is granted to the Director of Planning and Building Control, in consultation with the City Solicitor, to reduce the finishing time for any subsequent nights of the event, in which case the promoter will be required to make contingency arrangements.</li> </ul>
<b>3.4</b>	The applicant has indicated that outdoor music events are scheduled for Friday 2 <sup>nd</sup> , Saturday 3 <sup>rd</sup> and Sunday 4 <sup>th</sup> August, in conjunction with consecutive nights on Thursday 8 <sup>th</sup> , Friday 9 <sup>th</sup> , Saturday 10 <sup>th</sup> and Sunday 11 <sup>th</sup> August and has requested to operate beyond 11.00 pm on these seven nights. However, the applicant has indicated that it is intended only to operate to 1.00am for the diversionary dance music event on the Thursday 8 <sup>th</sup> August 2024.
<b>3.5</b>	It is a Standard Condition of the Outdoor Entertainments Licence that all requests to operate beyond the permitted hours of entertainment must be considered by the Licensing Committee.
<b>3.6</b>	As this is not an application to vary the terms of the Outdoor licence, but a request for Council's permission to extend the hours under an existing Licence Condition, there is no requirement for public advertisement in this case.
<b>3.7</b>	Members are reminded that in 2023 the Committee agreed to grant the organisers permission to operate on 6 nights of the event beyond the standard hours of 11.00 pm to 1.00 am and on all these nights entertainment did continue beyond 11.00 pm.
<b>3.8</b>	A Location Map is attached as Appendix 1

**Rationale for additional hours**

- 3.9 The event has been running for over 30 years as a community festival and has grown from being a 2-3 day to a full 10-11 day festival, offering a mix of arts and cultural events including music concerts, comedy, tours and walks, debates and discussions, exhibitions / visual arts, theatre, youth and community and sporting events.
- 3.10 In recent years the event organisers have consolidated the entertainment events at Falls Park to 6 nights. This decision was motivated by a desire to limit disruption to the community in close proximity to Falls Park.
- 3.11 The applicant has indicated that it is intended that entertainment will go on no later than 1am for the event on Thursday 8 August, due to the diversionary nature of the event. We await confirmation on actual finish time of the other six events for which extension beyond standard hours have been requested.
- 3.12 An explanatory letter provided by the applicant is attached as Appendix 2 and a representative from Feile has been invited to attend your meeting.

**PSNI**

- 3.13 The PSNI have been contacted by the Service in relation to the event, however, a response has not yet been received. We will update Committee on their views at your meeting.
- 3.14 In the absence of any police response, should Members be minded to approve the extended hours requested, this should be subject to a satisfactory response being received from the PSNI on the matter.

**Health, safety and welfare issues**

- 3.15 Officers have engaged with the event organisers and colleagues in City & Neighbourhood Services in relation to the festival and will participate in the multi-agency meeting to be held in advance of the event with the event organisers.
- 3.16 An Event Management Plan in support of the event has been received and is being evaluated by the Service and shared with other colleagues.
- 3.17 Officers from the Service have carried out during performance inspections at previous events organised by Féile an Phobail and found that the organisers have adhered to the health, safety and welfare management requirements during that time.

**Noise issues**

- 3.18 A significant consideration for Environmental Protection Unit (EPU) will be the proposal to provide outdoor entertainment after 11.00 pm. Members are reminded that the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 gives councils additional powers in relation to entertainment noise after 11.00 pm.
- 3.19 EPU received around 120 noise complaints regarding the festival in 2023. This was an increase from the festival in 2022 when 58 noise complaints were received. Many complaints related to the entertainment being permitted after 11.00pm during the working week.
- 3.20 Complaints received during the course of the festival were brought to the attention of the event organisers and following conclusion of the festival a detailed summary of all noise

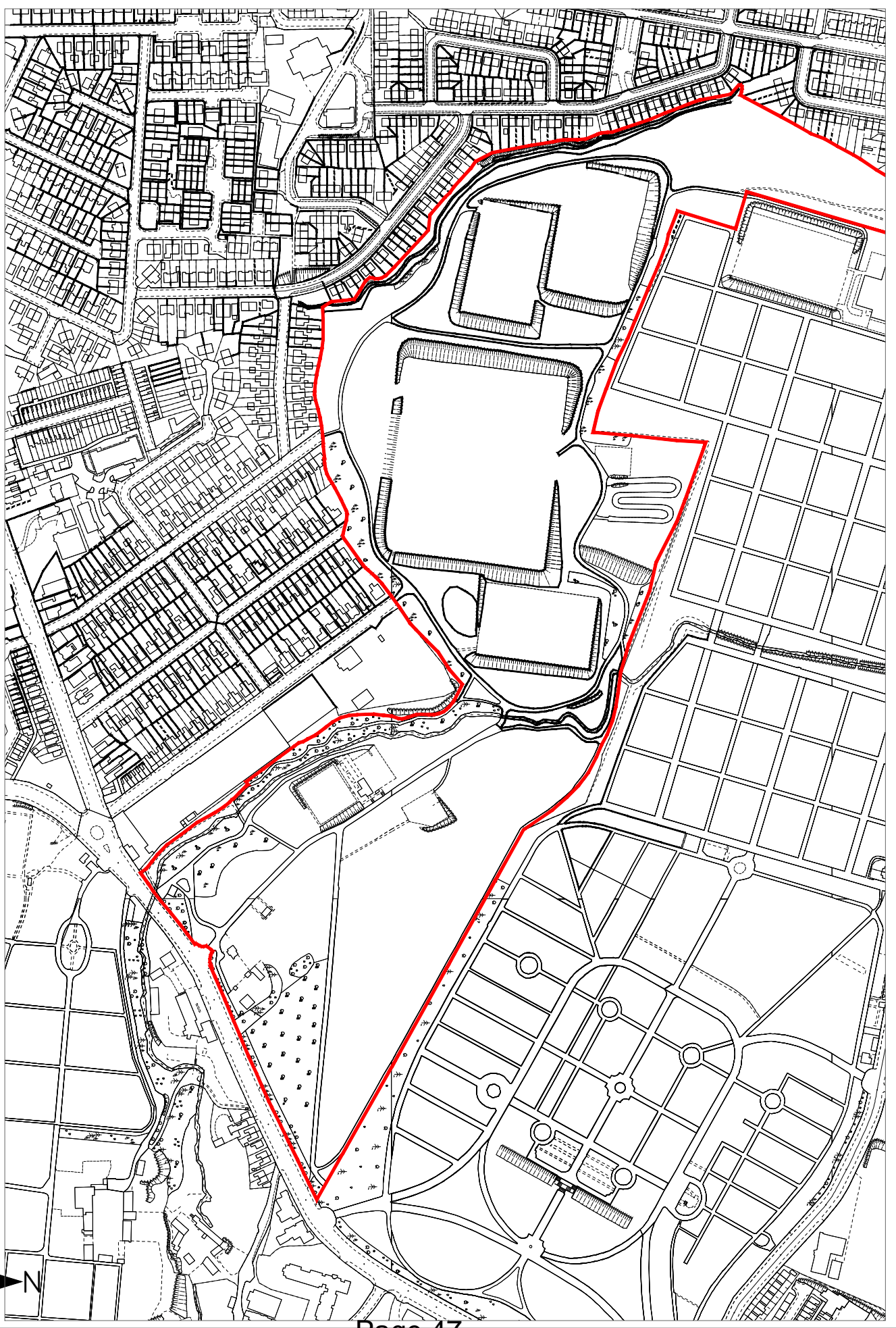
	complaints was provided for their consideration. No formal action was undertaken by EPU in respect of the noise complaints received.
3.21	Whilst the Service sought to arrange a post-event meeting with the applicant to discuss the event this did not take place.
3.22	In their letter to Committee Féile has committed, alongside local political and community representatives, to conduct a number of community consultations around this year's events in the park, specifically engaging with local residents and addressing any issues or concerns.
3.23	They also anticipate that entertainment will go to 1.00am on one occasion only, the diversionary event on Thursday 8 <sup>th</sup> August 2024.
3.24	The event organisers will again be required to engage with an acoustic consultant to document a noise mitigation strategy for each night of entertainment. The purpose of the strategy will be to demonstrate that noise from the event will not cause unreasonable disturbance to commercial and residential premises. Once received by the Service this strategy will be provided to EPU for appraisal.
3.25	The noise mitigation strategy will be discussed at the pre-event multi-agency meeting. Last year the sound consultant did not have a site presence on the nights of entertainment to carry out sound testing, and this would be a beneficial mitigation this year.
3.26	The organisers will also be required to produce a suitable residents pre-notification letter containing a nominated event organiser contact that residents may refer concerns or make complaints to. The extent of the letter's distribution, which will take place prior to the event will be agreed with the event organiser by the Service in consultation with EPU officers.
3.27	The event organisers will be reminded of the standard licence condition that receipt of significant complaints may lead to further late nights being curtailed. However, it can be impracticable during the festival to curtail further nights at short notice as complaints are not all received on the nights that are the subject of the complaint and a full picture does not emerge until all complaints are collated, by which time the events can be concluded.
3.28	Members may therefore wish to consider if it is appropriate to set an earlier time limit such as midnight for some of the events this year.
	<b><u>Financial and Resource Implications</u></b>
3.29	None. Officers will carry out inspections at the events which will be catered for within existing Service budgets.
	<b><u>Equality and Good Relations Implications/Rural Needs Assessment</u></b>
3.30	There are no issues associated with this report.
4.0	<b>Appendices – Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Location Map</li> <li>• Appendix 2 – Rationale from applicant for requesting the extended hours</li> </ul>



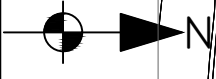


# Building Control Service

Belfast Mapping Data v3.0  
Prepared by I.S.B.  
Based upon the Ordnance Survey  
Of Northern Ireland map with the  
permission of the Director & Chief Executive.  
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DRAWN BY **MT**  
DATE **14/06/2023**

Page 47  
**Falls Park**

SCALE  
**NTS**

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30th May 2024

Dear members,

Féile an Phobail is Irelands biggest community arts festival and summer school, holding 3 festivals a year as well as a range of year-round community engagement and youth arts events. Our August Féile is our flagship international festival, attracting upwards of 80,000 to Belfast each year, and includes:

- • approximately 450 events in 30+ venues citywide, including iconic venues such as Clonard Monastery An Chulturlann, Shankill Road, East Belfast, Duncairn Arts Centre, Linen Hall Library, PRONI, Ulster Museum, Belfast City Hall, St Marys University College, Conway Mill, Milltown and City Cemeteries and the Falls Park.
- • 18 music concerts, including 5-6 12,000 capacity concerts in the Falls Park
- • Féile Dance night (2023) resulted in the first year since 1971 of NO Bonfires across the entire City– a significant achievement
- • 4 International comedy concerts,
- • 40+ exhibitions from artists worldwide,
- • 70+ discussions and debates events as part of ‘Irelands biggest Summer School’,
- • 24 youth events,
- • 12 literary events,
- • 9 drama / theatre productions,
- • over 100 family, outdoor and community events, street performances,
- • an internationally themed carnival parade,
- • international food fayre,
- • an event celebrating Pride week,
- • 20+ sporting events, and,
- • 10 various tours and walks
- • Approximately £4m contributed to local business as a result of August Féile events!

Féile an Phobail, literally means Festival of the People, and really is a festival for all the people of the City and beyond, with a community ethos at the heart of our events. The event has grown over the years from being held for 2-3 days to a full 11 day internationally acclaimed festival offering an eclectic mix of arts and cultural events, ranging from headline music concerts, comedy, tours and walks, debates and discussions, exhibitions / visual arts, theatre, youth and community and sporting events.

This year’s festival will run from Thursday 1<sup>st</sup> to Sunday 11<sup>th</sup> August.

In previous years, we had requested a license for, and operated between 8 and 11 headline music concerts in the Falls Park. Following significant consultation with the local community, and with our main stakeholders, and having successfully operated on the new event space since 2018, we are maintaining this year’s headline events to 5 - 6.

This year we would request that the Committee consider permitting us to operate this year’s headline music events in the Falls Park from Thursday 1<sup>st</sup> August to Sunday 11<sup>th</sup>, with

events taking place on the 3rd, 4<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup> & 11<sup>th</sup> with the potential for an additional concert on Friday 2nd August (TBC).

We would request that entertainment license be granted to 1am. It is envisaged that only one of these nights, Thursday 8th August will go to 1am, due to the diversionary nature of the event, which receives the support of the wider community and statutory agencies, including the PSNI and is funded by Belfast City Council. Féile has also agreed to limit / mitigate against any sound issues on this evening by introducing the main acts on stage at an earlier time, an initiative that has been well received in previous years.

This will allow us to develop our plans around some of the diversionary activities we are proposing to do to help with the ongoing antisocial behavior issues that exist within the Falls Park and surrounding areas.

This year Féile will also act as a lead partner for diversionary events on the 8<sup>th</sup> August (and the lead up to the 8<sup>th</sup>) right across the City, with events taking place and partnering with Féile in Ardoyne, New Lodge, the Market, Short Strand and the Ormeau Road, a significant cross City project aimed at reducing intra and inter community tension, not to mention the anti-social behavior on this date often associated with 'unwanted' bonfires.

Féile has committed alongside local political and community reps to conduct a number of community consultations around this year's events in the park, specifically engaging with local residents and addressing any issues / concerns. Indeed, we have already engaged in meetings with BCC Officers, the PSNI and local residents. We will continue to work alongside the park team and building control in this respect in the lead up to and throughout the festival.

We are currently finalising the acts for this year but have already lined up a range of headline artists that will appeal to all age groups. We would hope to have the running order completed in the next couple of weeks and will forward this to Building Control when completed.

As well as holding two operational meetings already with all stakeholders, we've provided a draft copy of our proposed Event Management Plan and Site Plan but wish to highlight that these are subject to change but can assure the Committee that we will continue to work with Building Control and provide them with regular updates as work progresses in this regard.

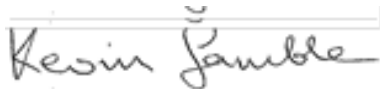
As in recent year's we have been in regular contact with the PSNI regarding the event to agree the policing, traffic and transport measures, including parking. The PSNI have always been very helpful and are happy with the plans we have discussed with them. The PSNI are also involved with the diversionary activities we are implementing for the event and the underage activities to resolve the issues of anti-social behavior, etc. currently being experienced in the area.

We've also been held discussion with the Council's Parks Unit regarding the event and the relevant access and egress arrangements along with the timeframe available in order to gain access to start the site build.

If you require any additional information in relation to this year's events, please do not hesitate to contact me.

Yours Sincerely

Kevin Gamble Director  
Féile an Phobail

A handwritten signature in black ink that reads "Kevin Gamble". The signature is written in a cursive style and is positioned below the typed name and title.

Address: St Comgalls, Divis Street, BT12 4AQ. Tel: 02895609984. Email:  
[info@feilebelfast.com](mailto:info@feilebelfast.com). Web [www.feilebelfast.com](http://www.feilebelfast.com)

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