

Licensing Committee

Wednesday, 19th August, 2015

MEETING OF LICENSING COMMITTEE

Members present: Councillor Clarke (Deputy Chairperson);
The Deputy Lord Mayor (Alderman Spence);
Councillors Armitage, Bell, Brown, Bunting,
Carroll, Craig, Dudgeon, Groves, Hutchinson,
Mullan and Sandford.

In attendance: Mr. T. Martin, Head of Building Control;
Ms. N. Largey, Divisional Solicitor; and
Mr. B. Flynn, Democratic Services Officer.

Apologies

Apologies were reported on behalf of the Chairperson (Councillor Hussey), Alderman L. Patterson and Councillors Campbell, Jones, Magennis and McConville.

Minutes

The minutes of the meetings of 17th and 23rd June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st July, 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 reported.

Tennents Vital 2015 - Crowd Management and Control of Alcohol

The Committee endorsed a series of measures which would be put in place to manage the crowds which would be attending the Tennents Vital events at the Boucher Road Playing Fields on Saturday 30th and Sunday 31st August, together with the regulations which had been introduced to control the use of alcohol, specifically on buses travelling to and from the concerts.

The Committee placed on the record its appreciation for the work which officers from within the Department's licensing team had undertaken in ensuring that the concerts would take place with the minimum of disturbance to local residents.

Mobile Street Trading Licence - Mr. T. Horner

In accordance with its decision of 20th August, 2014, the Committee noted an update in respect of the status of the account of the above-mentioned street trading licence holder.

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

Licences Issued Under Delegated Authority

The Committee noted a list of entertainment licences which had been granted under the Council's Scheme of Delegation.

Applications for the Grant of Outdoor Entertainment Licences

Cutters Wharf, the Parlour Bar and the Empire Bar

In accordance with the Council's Standing Orders, the Committee considered three applications for the grant of 7-Day Annual Outdoor Entertainments Licences at the following premises: Cutters Wharf, the Empire Bar and the Parlour Bar.

The Head of Building Control outlined the key aspects of each of the applications and answered a range of Members' questions in this regard. He reported that no written representations had been lodged and that neither the Northern Ireland Fire and Rescue Service nor the Police Service of Northern Ireland had offered objections in respect of each of the premises.

Accordingly, the Committee agreed in its capacity as Licensing Authority to grant 7-Day Annual Outdoor Entertainments Licences, subject to the applicants meeting with the technical conditions, in respect of the following premises:

- Cutters Wharf – Lockview Road;
- The Empire Bar – Botanic Avenue; and
- The Parlour Bar – Elmwood Avenue.

Giant's Ring - Shaw's Bridge

The Committee was advised that an application had been submitted on behalf of the Council's Development Department for the grant of a 14-Day Occasional Outdoor Entertainments Licence, which related to the 'Lughnasa International Friel Festival', which would celebrate the life and work of the playwright, Brian Friel.

The Head of Building Control explained that events associated with the Festival would take place in Belfast and County Donegal between the 20th and 31st August, one of which would be an outdoor musical event at the Giant's Ring on Saturday 29th August, between the hours of 6.00 a.m. and 8.00 a.m. to coincide with the sunrise. The event, he explained, would consist of music and 'soundscape' which would be hosted by the Sonic Arts Research Centre, which was based at The Queen's University of Belfast. He outlined the arrangements which would be put in place to manage the event and confirmed that no representations had been received in respect of the application.

The Committee agreed to grant a 14-Day Occasional Outdoor Entertainments Licence to the Development Department for the event, subject to the applicants adhering to the Council's standard conditions for the provision of outdoor musical

entertainment. It was noted that adequate neighbour notification would be carried out at dwellings in the surrounding areas regarding the nature, date and time of the event.

**Applications for the Grant of Amusement Permits –
'Players' - 22 Shaftesbury Square and 133 - 137 Lisburn Road**

The Committee considered two applications for the grant of amusement permits from Ms. K. Boyle, representing KB Shaft Limited, in respect of the two properties listed above. The Head of Building Control explained that amusement centres had operated at both sites for a number of years, however, both permits had been relinquished by the previous holder. Under the, Betting Gaming Lotteries and Amusements (Northern Ireland) Order 1985 no mechanism existed to transfer those permits. It was reported that the applications had been assessed against the Council's Amusement Permit Policy and, accordingly, the findings were being presented to Committee.

The applicant and her representative, Mr. K. Gibson, were invited to the table to answer a range of Members' questions. The applicant confirmed to the Committee that she was not connected with the previous permit holder.

Resolved - That the Committee agrees, in its capacity as licensing authority, to grant Amusement Permits to Ms. K. Boyle, representing KB Shaft Limited, for the premises located at 22 Shaftesbury Square and 133-137 Lisburn Road.

**Application for the Renewal and Variation of
Seven-Day Entertainments Licences**

The Beehive Bar

The Committee considered an application for the renewal of a 7-Day Annual Entertainments Licence in respect of the Beehive Bar, Falls Road. The variation of the licence to extend the hours during which entertainment could be provided from 1:00 a.m. until 2:00 a.m. on Friday and Saturday nights, was granted originally in June 2014. That decision had been valid for a trial period of 12 months, with a report in respect of the outcome of that variation to be submitted to the Committee thereafter.

The Head of Building Control pointed out that no written representations had been received in connection with the application for the renewal of the licence and that the Police Service of Northern Ireland had offered no objections. He confirmed also that the Environmental Protection Unit had confirmed that it had not received any complaints in relation to the premises over the previous twelve months.

Resolved – That the Committee in its capacity as licensing authority agrees to grant the application for the renewal of a 7-Day Annual Entertainments Licence for the Beehive Bar, Falls Road and, furthermore, affirms the variation of the licence to extend the hours during which entertainment might be provided from Friday to Sunday inclusively to 2.00 a.m.

St Paul's GAC - Shaw's Road

The Committee was reminded that, under the terms of the Local Government Miscellaneous Provisions (NI) Order 1985, any application for the grant, renewal, or transfer of an Entertainments Licence must have regard to any conviction of the applicant of an offence under that Order within the period of five years immediately prior to the date when the application was made.

Accordingly, the Committee considered an application for the renewal and variation of an Entertainments Licence for premises operated by St. Paul's GAC, Shaw's Road, in respect of which a club representative had been convicted of an offence in 2011, when a Council inspection had found that the ground floor of the premises was overcrowded. Since that conviction, the Committee had renewed the Entertainments License on two subsequent occasions.

The Head of Building Control reported that Council officials had undertaken an inspection of the premises in late-March and observed that further offences had taken place, these included:

- the log book and pre-event checks had not been completed before the night's entertainment;
- a games machine was obstructing a set of double doors leading from the ground floor area;
- the main entrance door was left unsupervised; and
- that entertainment was being provided on the first floor, which was not covered by the licence.

The Committee noted that a report in relation to the aforementioned matters would be submitted to the Council's Legal Services Section with a view to possible further legal action being instigated.

The Deputy Chairman, on behalf of the Committee, invited Dr. P. Donnelly and Mr. R. Murphy, representatives of the St. Paul's GAC Committee, to the table and they answered a range of Members' questions. Dr. Donnelly indicated that new management structures had been introduced at the club since the inspection had been carried out in March and that new procedures had been established to ensure that appropriate measures were now in place to prevent a repetition of the offences which had been uncovered.

Resolved – That the Committee in its capacity as licensing authority agrees to grant the application for the renewal of a 7-Day Annual Entertainments Licence for St. Paul's GAC, Shaw's Road, and, furthermore, grants the variation of the licence in order that entertainment be provided in the first-floor lounge.

Chairman