

Public Document Pack

**Democratic Services Section
Chief Executive's Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

13th April, 2017

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Wednesday, 19th April, 2017 at 5.00 p.m., for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. Routine Matters

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

2. Delegated Matters

- (a) Licences Issued Under Delegated Authority (Pages 1 - 4)
- (b) Application for the Grant of a Seven-Day Annual Entertainments Licence with a Recent Conviction - Crusaders Football, Athletic and Sports Club (Pages 5 - 20)
- (c) Applications for the Renewal of Seven-Day Annual Entertainments Licences with Previous Convictions – Teach na Monagh/The Spaniard (Pages 21 - 34)

- (d) Application for Extended Hours - Belfast City Blues Festival, Custom House Square (Pages 35 - 44)
- (e) Applications for the Variation of Seven-Day Annual Indoor Entertainments Licences – Botanic Inn and Wellington Park Hotel/Application for the Grant of a Seven-Day Annual Outdoor Entertainments Licence - Wellington Park Hotel (Pages 45 - 52)
- (f) Consideration of Designating Resolutions for Street Trading Sites/Variation of Commodities and Services (Pages 53 - 56)
- (g) Application for the Renewal of a Seven-day Annual Entertainments Licence - Thompson's Garage, 3 Patterson's Place (Pages 57 - 116)

3. **Non-Delegated Matters**

- (a) Fees for Street Trading Licences (Pages 117 - 126)



Subject:	Licences Issued Under Delegated Authority
Date:	19th April, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

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

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

1.0	Purpose of Report/Summary of main Issues
1.1	Under the Scheme of Delegation, the Director of Planning and Place 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 Entertainments Licences where adverse representations have been made. Those applications which were dealt with under the Scheme are listed below.
2.0	Recommendation
2.1	The Committee is requested to note the applications which have been issued under the Scheme of Delegation.

3.0	Main Report			
	<u>Key Issues</u>			
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:			
	Premises and Location	Type of Application	Hours Licensed	Applicant
	The Great Eastern Bar, 273 Newtownards Road, Belfast, BT4 1AF	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Alan Irvine
	Frames Complex, 2-14 Little Donegall Street, Belfast, BT1 2JD	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Gracemount Enterprises Limited
	The Topsy Bird, 96-100 Ann Street, Belfast, BT1 3HH	Grant	Sun: 12.30 - 01.00 Fri - Sat: 11.30 - 01.00	W & R Holdings Limited
	City Hall Outdoor, Donegall Square, Belfast, BT1 5GS	Renewal	Sun - Sat: 08.00 - 01.00	BCC
	Aether and Echo Inc, 1-3 Lower Garfield Street, Belfast, BT1 1FP	Renewal	Sun: 12.30 - 01.00 Mon: 11.30 - 03.00 Tue - Wed: 11.30 - 01.00 Thur - Sat: 11.30 - 03.00	Imbibe Limited
	Mount Masonic Social Club, 45 Park Avenue, Belfast, BT4 1PU	Renewal	Sun: 12.30 - 22.00 Fri - Sat: 11.30 - 23.00	Mr. Randal Armstrong
	Katy Dalys, Limelight, and Limelight 2, 17-21 Ormeau Avenue, Belfast, BT2 8HD	Renewal	Sun: 12.30 - 03.00 Mon - Sat: 11.30 - 03.00	The Limelight Belfast Limited
	Royal British Legion, 13 Sandbrook Gardens, Belfast, BT4 1NH	Renewal	Sun: 12.30 - 22.00 Fri - Sat: 11.30 - 23.00	Mr. George Roberts
	Cotton Court (Outdoor), Waring Street, Belfast, BT1 2ED	Renewal	Sun - Sat: 11.30 - 23.00	Department for Communities
	Custom House Square (Outdoor), Belfast, BT1 3BG	Renewal	Sun - Sat: 11.30 - 23.00	Department for Communities
	Custom House Square (Marquee), Belfast, BT1 3BG	Renewal	Sun - Sat: 11.30 - 23.00	Department for Communities
	Writers Square (Outdoor), Donegall Street, Belfast, BT1 1ZZ	Renewal	Sun - Sat: 11.30 - 23.00	Department for Communities
	Writers Square (Marquee), Donegall Street, Belfast, BT1 1ZZ	Renewal	Sun - Sat: 11.30 - 23.00	Department for Communities
	Bank Square (Outdoor), Chapel Lane, Belfast	Renewal	Sun - Sat: 11.30 - 23.00	Department for Communities

	Bank Square (Marquee), Chapel Lane, Belfast	Renewal	Sun - Sat: 11.30 - 23.00	Department for Communities
	Donegall Quay, Lagan Lookout and Lagan Weir (Outdoor), Donegall Quay, Belfast	Renewal	Sun - Sat: 11.30 - 23.00	Department for Communities
3.2	Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 there were no Amusement Permits issued since your last meeting.			
3.3	Under the terms of the Street Trading Act (Northern Ireland) 2001 there were no Street Trading Licences issued since your last meeting.			
	<u>Financial and Resource Implications</u>			
3.4	None			
	<u>Equality or Good Relations Implications</u>			
3.5	There are no equality and good relations issues.			
4.0	Documents Attached			
	None			

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Subject:	Application for the Grant of a Seven-Day Annual Entertainments Licence with a Recent Conviction - Crusaders Football Athletic and Sports Club
Date:	19th April, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

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

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

1.0	Purpose of Report/Summary of Main Issues						
1.1	<p>To consider, in accordance with the Local Government Miscellaneous Provisions (NI) Order 1985 (the Order), if the Council wishes to refuse an Entertainments Licence where the applicant has been convicted of an offence.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Premises and Location</td> <td style="width: 33%;">Ref. No.</td> <td style="width: 33%;">Applicant</td> </tr> <tr> <td>Crusaders Football Athletic and Sports Club Seaview 59-63 Shore Road Belfast BT15 3LP</td> <td>WK/201601662</td> <td>Mr Alexander Cromie (Secretary) Crusaders Football Athletic and Sports Club</td> </tr> </table>	Premises and Location	Ref. No.	Applicant	Crusaders Football Athletic and Sports Club Seaview 59-63 Shore Road Belfast BT15 3LP	WK/201601662	Mr Alexander Cromie (Secretary) Crusaders Football Athletic and Sports Club
Premises and Location	Ref. No.	Applicant					
Crusaders Football Athletic and Sports Club Seaview 59-63 Shore Road Belfast BT15 3LP	WK/201601662	Mr Alexander Cromie (Secretary) Crusaders Football Athletic and Sports Club					
1.2	Members are advised that when considering applications, the Council may refuse an Entertainments Licence because the applicant has been convicted of an offence under the Order within the period of five years immediately preceding the date when the application was made.						

1.3	As a result of a previous conviction, the applicant is now required to appear before Committee and convince Members as to why their application for an Entertainments Licence should not be refused.
2.0	Recommendations
2.1	Taking into account the information presented and any representations received you are required to consider the application in light of the recent legal proceedings and determine if you wish to refuse the Entertainments Licence on the grounds that the applicant has been convicted of an offence under the Order.
2.2	Should Members be satisfied that the application need not be refused you are then required to: <ol style="list-style-type: none"> 1. approve the application for the grant of the Seven-day Annual Entertainments Licence, or 2. approve the application for the grant of the Seven-day Annual Entertainments Licence with special conditions.
2.3	If the application is refused, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court. The applicant may also appeal any special conditions attached to the Entertainments Licence.
3.0	Main Report
	<p><u>Key Issues</u></p> <p>3.1 The matter is before Committee because the applicant and Secretary of the club, Mr. Alexander Cromie and the Club Treasurer, Mr. Tommy Whiteside were convicted of offences under the Order at Belfast Magistrates Court on 14th March 2017, having been found to be holding indoor entertainment on the premises on 23rd July 2016 without an Entertainments Licence being in place.</p> <p>3.2 As a result, the applicant was convicted and an Absolute Discharge was imposed on both defendants and they were ordered to pay court costs of £138.</p> <p>3.3 Members are advised that the Club previously held an Indoor Entertainments Licence, which expired on 31 March 2013. Despite several attempts by officers to get the club to make application they confirmed that they did not wish to renew the Entertainments Licence.</p> <p><u>Premises</u></p> <p>3.4 Currently the premises operate as a registered members club with ground and first floor bar areas. The applicant has applied to provide entertainment in both locations, as was previously licensed, with a combined occupancy of 410 people, as follows:</p> <ul style="list-style-type: none"> • Ground Floor Bar – 110 persons • First Floor Bar – 300 persons <p>3.5 Officers are working with senior club officials and their representatives to agree the occupancy of these respective areas and do not expect that they will differ greatly from those previously granted.</p>

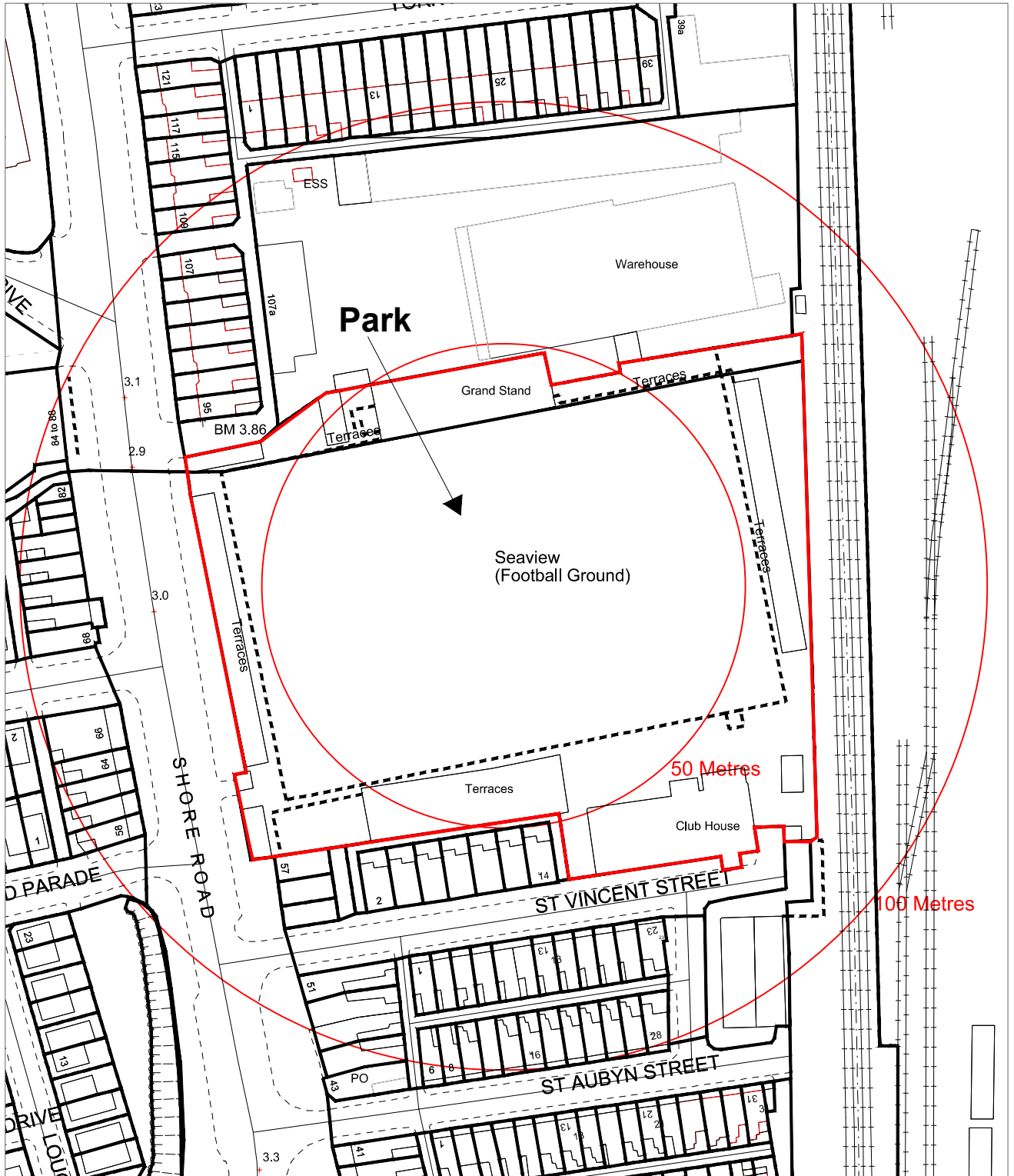
3.6	A copy of the application form is attached at Appendix 1.
3.7	<p>As the premises is a registered club, the days and hours during which entertainment can be provided are:</p> <ul style="list-style-type: none"> • Monday to Saturday: 11.30 pm to 11.00 pm • Sunday: 12.30 pm to 10.00 pm.
3.8	<p>However, a registered club can apply to the local Police Service Sub-Divisional Commander for authorisation to extend the hours during which alcohol may be sold on up to 85 occasions in any period of 12 months. On those occasions the above hours may be extended:</p> <ul style="list-style-type: none"> • from Monday to Saturday (except Good Friday or Christmas Day), from 11:00 pm to 1:00 am on the following day; • on Sunday (except Christmas Day or Easter Day), not being 31 December, from 10:00 pm to 12 midnight; or • on Sunday, being 31 December, from 10:00 pm to 1:00 am on the following day.
3.9	Where such authorisations are obtained, entertainment may be provided to the latest hour to which alcohol may be sold.
3.10	The long-term plan for the club is to move into a new development within the confines of the existing site.
3.11	A location map is attached at Appendix 2.
<u>Representations</u>	
3.12	Public notice of the application has been placed and no written representations have been lodged as a result of the advertisement.
<u>PSNI</u>	
3.13	The PSNI has been consulted and has confirmed that it has no objections to the application. A copy of its correspondence is attached at Appendix 3.
<u>Health, Safety and Welfare Inspections</u>	
3.14	Following the offence, Officers of the Service met with the management of the Club to discuss the use of the club and the short and long term plans for the club. The meetings also allowed Officers to explain the procedures for the grant of an Entertainments Licence and included advice on fire safety procedures and measures that should be in place for safe evacuation from the club should an emergency situation occur.
<u>NIFRS</u>	
3.15	The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and has confirmed that it has no objection.
<u>Noise Issues</u>	
3.16	The Environmental Protection Unit has been consulted in relation to the application and they have confirmed that no complaints have ever been received relating to noise break out from the premises or due to patron dispersal.

<p>3.17</p> <p>3.18</p> <p>3.19</p> <p>3.20</p>	<p><u>Applicant</u></p> <p>The applicant has been made aware of the concerns raised by the Committee regarding the level of fines imposed by the Court and the new procedure which you have adopted to give Members the opportunity to seek assurances as to why their application for an Entertainments Licence should not be refused.</p> <p>As a result, they have been invited to attend your meeting to answer any queries you may have in relation to the future management of the premises.</p> <p><u>Financial and Resource Implications</u></p> <p>Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.</p> <p><u>Equality and Good Relations Implications</u></p> <p>There are no equality or good relations issues associated with this report.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<p>Appendix 1 – Application Form</p> <p>Appendix 2 – Location Map</p> <p>Appendix 3 – PSNI Comments</p>

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

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Subject:	Applications for the Renewal of Seven-Day Annual Entertainments Licences with Previous Convictions – Teach na Monagh / The Spaniard
Date:	19th April, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

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

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

1.0	Purpose of Report/Summary of Main Issues
1.1	To consider applications for Entertainments Licences where the applicant has been convicted of an offence under the Local Government Miscellaneous Provisions (NI) Order 1985 (the Order) within the previous five years.
2.0	Recommendations
2.1	<p>Taking into account the information presented, you are required to consider the applications and to:-</p> <ol style="list-style-type: none"> 1. approve the applications, or 2. should you be of a mind to refuse any of the applications, or approve any applications with additional special conditions, an opportunity of appearing before and of being heard by the Committee must be given to the applicants.

3.0	Main Report															
	<p data-bbox="264 255 421 286"><u>Key Issues</u></p> <p data-bbox="165 322 1474 421">3.1 Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the licence will be granted as provided for in the Council's Scheme of Delegation.</p> <p data-bbox="165 456 1474 555">3.2 However, as each applicant has been found guilty of committing an offence within five years of the application for a licence being submitted to the Council, you are required to consider the following applications.</p> <table border="1" data-bbox="264 591 1468 1352"> <thead> <tr> <th data-bbox="264 591 568 743">Premises and Location</th> <th data-bbox="568 591 740 743">Applicant</th> <th data-bbox="740 591 932 743">Application Type</th> <th data-bbox="932 591 1251 743">Offence Details</th> <th data-bbox="1251 591 1468 743">Date of Conviction & Penalty</th> </tr> </thead> <tbody> <tr> <td data-bbox="264 743 568 1048"> <p data-bbox="287 828 545 860">Teach Na Monagh</p> <p data-bbox="296 896 536 994">2a Monagh Grove Belfast BT11 8EJ</p> </td> <td data-bbox="568 743 740 1048"> <p data-bbox="593 779 715 842">Patrick Donnelly</p> <p data-bbox="603 878 705 1012">Regent House Mews Limited</p> </td> <td data-bbox="740 743 932 1048"> <p data-bbox="772 878 900 909">Renewal</p> </td> <td data-bbox="932 743 1251 1048"> <p data-bbox="1021 810 1161 842">May 2012</p> <p data-bbox="951 878 1232 1012">Locked Fire Exit Obstructed Means of Escape Logbook not provided</p> </td> <td data-bbox="1251 743 1468 1048"> <p data-bbox="1267 810 1452 873">29th January 2013</p> <p data-bbox="1267 909 1452 972">£800 and £66 Court Costs</p> </td> </tr> <tr> <td data-bbox="264 1048 568 1352"> <p data-bbox="319 1115 507 1146">The Spaniard</p> <p data-bbox="309 1182 517 1281">3 Skipper Street Belfast BT1 2DZ.</p> </td> <td data-bbox="568 1048 740 1352"> <p data-bbox="606 1115 695 1178">Janine Kane</p> <p data-bbox="596 1214 705 1276">JK Pubs Limited</p> </td> <td data-bbox="740 1048 932 1352"> <p data-bbox="772 1182 900 1214">Renewal</p> </td> <td data-bbox="932 1048 1251 1352"> <p data-bbox="979 1079 1203 1111">December 2014</p> <p data-bbox="944 1146 1238 1317">Entertainment taking place in an area of the premises not covered by the Entertainments Licence</p> </td> <td data-bbox="1251 1048 1468 1352"> <p data-bbox="1270 1115 1449 1178">11th August 2015</p> <p data-bbox="1264 1214 1455 1276">£150 and £69 Court costs</p> </td> </tr> </tbody> </table> <p data-bbox="165 1388 1474 1487">3.3 Notwithstanding the possibility of refusing an Entertainments Licence on any other grounds, the Council may refuse an application on the grounds that the applicant has been convicted of an offence under the Order.</p> <p data-bbox="264 1523 536 1554"><u>Application History</u></p> <p data-bbox="264 1590 517 1621">Teach Na Monagh</p> <p data-bbox="165 1657 1474 1792">3.4 This is the fifth time that an application for the premises has been considered since the applicant was convicted on 29th January 2013. The last renewal application was brought before the Committee at your meeting on 17th August 2016 and, after consideration, you agreed to renew the licence.</p> <p data-bbox="165 1827 1474 1962">3.5 Since the previous renewal, the premises have been subject to three during performance inspections as well as the renewal inspection to ensure that there has been no recurrence of these or any other safety issues. As a result, we have found that management procedures are being implemented effectively.</p>	Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction & Penalty	<p data-bbox="287 828 545 860">Teach Na Monagh</p> <p data-bbox="296 896 536 994">2a Monagh Grove Belfast BT11 8EJ</p>	<p data-bbox="593 779 715 842">Patrick Donnelly</p> <p data-bbox="603 878 705 1012">Regent House Mews Limited</p>	<p data-bbox="772 878 900 909">Renewal</p>	<p data-bbox="1021 810 1161 842">May 2012</p> <p data-bbox="951 878 1232 1012">Locked Fire Exit Obstructed Means of Escape Logbook not provided</p>	<p data-bbox="1267 810 1452 873">29th January 2013</p> <p data-bbox="1267 909 1452 972">£800 and £66 Court Costs</p>	<p data-bbox="319 1115 507 1146">The Spaniard</p> <p data-bbox="309 1182 517 1281">3 Skipper Street Belfast BT1 2DZ.</p>	<p data-bbox="606 1115 695 1178">Janine Kane</p> <p data-bbox="596 1214 705 1276">JK Pubs Limited</p>	<p data-bbox="772 1182 900 1214">Renewal</p>	<p data-bbox="979 1079 1203 1111">December 2014</p> <p data-bbox="944 1146 1238 1317">Entertainment taking place in an area of the premises not covered by the Entertainments Licence</p>	<p data-bbox="1270 1115 1449 1178">11th August 2015</p> <p data-bbox="1264 1214 1455 1276">£150 and £69 Court costs</p>
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	<p>The Spaniard</p> <p>3.6 This is the second time that an application for the premises has been considered since the applicant was convicted on 11th August 2015. The last renewal application was brought before the Committee at your meeting on 20th January 2016 and, after consideration, you agreed to renew the licence.</p> <p>3.7 Since the previous renewal, the premises have been subject to two during performance inspections as well as the renewal inspection to ensure that there has been no further safety issues. As a result, we have found that management procedures are being implemented effectively.</p> <p><u>Representations</u></p> <p>3.9 Notice of the applications has been advertised and no written representations have been received.</p> <p><u>PSNI</u></p> <p>3.10 The PSNI has confirmed that it has no objections to the applications.</p> <p><u>NIFRS</u></p> <p>3.11 The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and has confirmed that it has no objections.</p> <p><u>Applicants</u></p> <p>3.12 The applicants and/or their representatives will be available at your meeting to answer any queries you may have in relation to their respective applications. Copies of the respective application forms for the premises are attached.</p> <p><u>Financial and Resource Implications</u></p> <p>3.13 Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.</p> <p><u>Equality and Good Relations Implications</u></p> <p>3.14 There are no equality or good relations issues associated with this report.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<p>Application Forms</p>

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

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Subject:	Application for Extended Hours - Belfast City Blues Festival, Custom House Square
Date:	19th April, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

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

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

1.0	Purpose of Report/Summary of Main Issues
1.1	To consider a request from the organisers of the Belfast City Blues Festival to operate their annual festival over three nights within a marquee at Custom House Square, running from Friday 23rd to Sunday 25th June 2017, and to permit the entertainment to 12.00 am on each of those nights.
2.0	Recommendations
2.1	<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"> 1. agree if any or all of the three proposed nights should be permitted to take place beyond the standard hours of licence or; 2. refuse to extend any or all of the hours as requested.

3.0	Main Report
	<p data-bbox="272 248 427 277"><u>Key Issues</u></p> <p data-bbox="165 309 1474 405">3.1 Custom House Square is the responsibility of the Department for Communities and it currently holds both a Seven-Day Annual Outdoor Entertainments Licence and a Seven-Day Annual Marquee Entertainments Licence for the Square.</p> <p data-bbox="165 434 1474 495">3.2 The standard days and hours during which the marquee is currently licensed to provide entertainment are:</p> <ul data-bbox="284 533 906 566" style="list-style-type: none"> • Monday to Sunday: 11.30 am to 11.00 pm. <p data-bbox="165 595 1310 629">3.3 In addition, the following conditions are attached to the Entertainments Licence:</p> <ol data-bbox="284 667 1390 1104" style="list-style-type: none"> 1. maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual concert set up proposals; 2. 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; 3. any requests to provide entertainment later than 23:00hrs must be considered by the Licensing Committee and therefore must be made at least 3 months in advance of the proposed event; and 4. should the Council receive a significant number of noise complaints for any event which has successive nights of entertainment permitted beyond 23:00hrs or if a complaint about an event beyond 23:00hrs is of major concern, then those successive nights with later hours may be subject to reduction and the promoter should have appropriate arrangements in place should this occur. <p data-bbox="165 1133 1474 1193">3.4 This is the ninth year of the festival, which is now established as one of the main blues festivals in Northern Ireland and the Republic of Ireland.</p> <p data-bbox="165 1223 1474 1328">3.5 It is a standard condition of the Marquee Entertainments Licence that all requests to operate beyond the permitted hours of entertainment must be considered by the Licensing Committee.</p> <p data-bbox="165 1357 1474 1529">3.6 Members will recall that, last year, the Committee granted an extension beyond the standard hours of 11.00 pm for the Belfast City Blues Festival at Writers Square. On that occasion, the event operated from Friday 24th to Sunday 26th June and the organisers requested that entertainment be permitted beyond 11.00 pm to 12.00 am on each of those three nights of the event and, after consideration, you agreed to grant the request to extend the hours.</p> <p data-bbox="165 1559 1474 1664">3.7 Members will also be aware that the Committee has previously granted extensions beyond the standard hours of 11.00 pm for other events and festivals at the venue, most recently for the Cathedral Quarter Arts Festival and the Belfast Beer Festival.</p> <p data-bbox="165 1693 1474 1776">3.8 Whilst recognising that such music events contribute to the overall ‘vibrancy’ of the City, it is also the case that noise from these events has the potential to cause widespread disturbance to those living and working in the vicinity.</p> <p data-bbox="165 1805 1474 1977">3.9 Before granting any extension, the Committee has always carefully considered the financial and commercial benefits of such events against the interests of residents within the area and has, on occasions, agreed with respective promoters to reduce the number of nights they had originally intended to go beyond the standard hours of 11.00 pm in order to reduce the impact the event may have upon them.</p>

Rationale for Additional Hours

- 3.10 The organisers are still in the process of finalising the programme of entertainments for this year's festival but they have confirmed that the purpose of the festival is to celebrate the musical heritage of the City and that, through the event, they will promote this message with over 45 live performances by local and international blues artists taking place. The event will also consist of screenings of archive film of local musical greats and music workshops.
- 3.11 They aim to deliver a great festival experience and one of the main reasons they wish to run the live performances at the marquee to 12.00am is to allow patrons a greater opportunity to attend the event whilst also availing of the great local restaurants and other establishments within Belfast before and after the festival.
- 3.12 As this is not an application to vary the terms of the Marquee Entertainments Licence but a request for Council's permission to extend the hours under an existing licence condition, there is no requirement to advertise the application.
- 3.13 Officers are currently working with the organisers to develop their event documentation, namely the Event Management Plan and layout plan for the site, and to agree a suitable occupancy and other provisions in order to manage the event safely.
- 3.14 Officers will also ensure the organiser produces a suitable resident's notification letter and ensure that it is distributed to the correct addresses prior to the event taking place.
- 3.15 Representatives of the Belfast City Blues Festival will be available at your meeting should you wish to seek further information about the festival.
- 3.16 A copy of the letter from the organisers outlining the background to the festival and reasons for requesting the extended hours to 12.00 am is attached at Appendix 1.
- 3.17 A location map is attached at Appendix 2.

PSNI

- 3.18 The PSNI has been consulted regarding the festival and their request to operate all three nights of the event to 12.00 am. It has confirmed that it has no objections to this proposal. A copy of their correspondence is attached at Appendix 3.

NIFRS

- 3.19 The Northern Ireland Fire and Rescue Service has also been consulted about the application and has confirmed that it has no concerns about the event and has requested to be kept involved with the planning for the event.
- 3.20 Members are advised that, as with all such events, planning meetings will be held in due course, and attended by officers of the PSNI and NIFRS to look at public safety, traffic management, transport and any wider operational issues.

Health, safety and welfare issues

- 3.21 Officers from the Service have carried out inspections for previous Belfast City Blues Festivals and have found the organisers to be professional in their approach and have had no issues with the health, safety and welfare management of the event during that time.

3.22	<p>A pre-event planning meeting has already been held with the organisers, the Department for Communities and the PSNI and they are co-operating fully to ensure that everything is being done to protect public safety and to reduce the potential for noise disturbance and general nuisance from the event.</p>
<p><u>Noise Issues</u></p>	
3.23	<p>The Environmental Protection Unit has been consulted in relation to the request for late night entertainment to run beyond 11.00 pm to 12.00 am on each of the three nights at the venue.</p>
3.24	<p>Due to the cumulative impact of the consecutive nights proposed and potential sleep disturbance to nearby residents, officers are concerned that there is a greater potential for complaints after 11.00 pm. Members are reminded that the Clean Neighbourhood and Environment Act (Northern Ireland) 2011 gives councils additional powers in relation to entertainment noise after 11.00 pm.</p>
3.25	<p>However, considerable work has been done with organisers of various events and festivals at the venue and as a result, the level of complaints and noise issues has been reduced. Last year's festival, which took place at Writers Square did not generate any complaints.</p>
3.26	<p>Nevertheless, officers are currently working with the organisers and their representatives on a noise management plan and procedure for the festival. As per all events at the venue, the noise management plan must demonstrate that noise from the event will not cause unreasonable disturbance to both the commercial and residential premises of the area.</p>
3.27	<p>Officers will consider all reports and supporting information to ensure the technical requirements are in accordance with all the relevant legislation and guidance.</p>
<p><u>Financial and Resource Implications</u></p>	
3.28	<p>Officers will be required to carry out inspections at the event but this is catered for within existing Service budgets.</p>
<p><u>Equality and Good Relations Implications</u></p>	
3.29	<p>There are no equality or good relations issues associated with this report.</p>
4.0	Documents Attached
<ul style="list-style-type: none"> • Appendix 1 – Applicant's Rationale for requesting the extended hours • Appendix 2 – Location Map • Appendix 3 – PSNI Comments 	

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of the Local Government Act (Northern Ireland) 2014.

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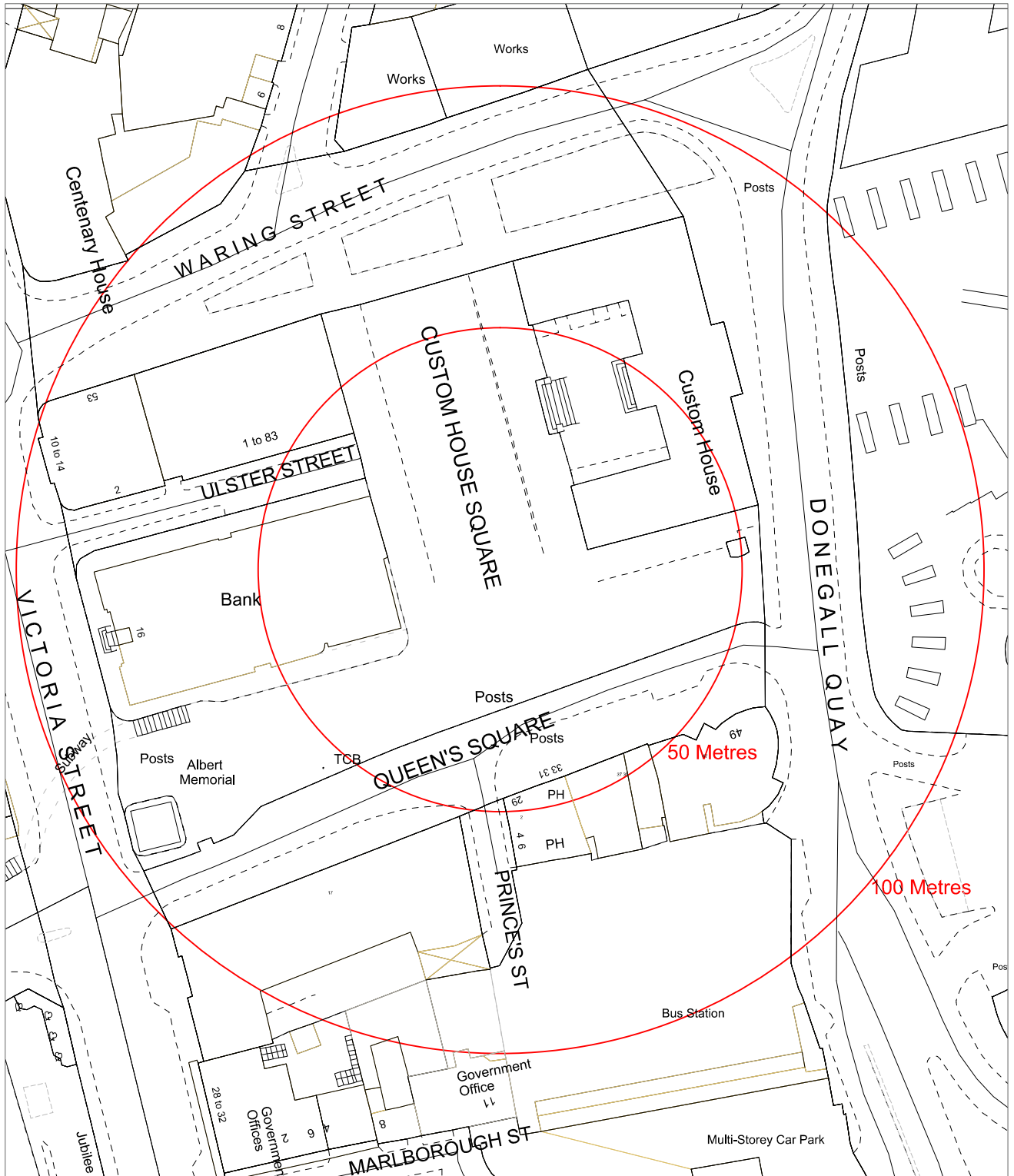
Building Control Service

Belfast Mapping Data v3.0
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Based upon the Ordnance Survey
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Appendix 2



100 METRES



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Subject:	Applications for the Variation of Seven-Day Annual Indoor Entertainments Licences – Botanic Inn and Wellington Park Hotel /Application for the Grant of a Seven-Day Annual Outdoor Entertainments Licence – Wellington Park Hotel
Date:	19th April, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

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

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

1.0	Purpose of Report or Summary of main Issues
1.1	To consider applications for the variation of the Seven-Day Annual Indoor Entertainments Licences for the Wellington Park Hotel and the Botanic Inn, based on the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind where objections have been received.
1.2	Members are also requested to consider an application for the grant of a Seven-Day Annual Outdoor Entertainments Licence for the Wellington Park Hotel, based on the Council's standard conditions to provide outdoor musical entertainment where objections have been received.

	Premises and Locations	Ref. Nos.	Applicant
	Wellington Park Hotel 19-21 Malone Road Belfast BT9 6RU	WK/201602412 WK/201600883	Mr. Felix Mooney Dunadry Development Company Ltd Wellington Park Hotel 19-21 Malone Road Belfast BT9 6RU.
	Botanic Inn 23-27 Malone Road Belfast BT9 6RU	WK/201602416	Mr. Felix Mooney Cathal GM Ltd Botanic Inn 23-27 Malone Road Belfast BT9 6RU.
1.3	The variation applications for both premises were received on 22nd November, 2016 and the outdoor grant application for the Wellington Park Hotel was received on 3rd May, 2016.		
1.4	The outdoor grant application was delayed pending the outcome of an application made to the Planning Service to vary one of the conditions of the planning permission, which had been originally granted on 19th May 2016, which prevented amplified music from being played within the outdoor area.		
1.5	The matter has now been resolved and amplified music can be provided in the outdoor area.		
1.6	Both premises currently hold Entertainments Licences and have previously been considered by the Licensing Committee as a result of objections to the applications although none have been received in recent years.		
2.0	Recommendations		
2.1	As the objection against the applications was received outside the 28 day statutory period, you are required to determine if you wish to exercise your discretion to consider it and, if so, give the objectors and the applicant an opportunity of appearing before and being heard by the Committee.		
2.2	Members will recall that, at your meeting on 18th January 2017, you considered a report regarding representations received outside the 28 day statutory period and agreed to adopt the following criteria when considering late objections: <ol style="list-style-type: none"> 1. has a reasonable explanation been provided, in writing, by the objector on why their representation was not made within the 28 day period; 2. does the representation provide substantially different additional information to that already contained within representations that have been received within the 28 day period; 3. how far outside the 28 day period were the representations received; 4. the proximity of the objectors to the premises; 5. the number of other representations received outside the 28 day period; and 6. whether there are any other material considerations which would warrant consideration of the objection. 		

<p>2.3</p> <p>2.4</p> <p>2.5</p> <p>2.6</p>	<p>A copy of an email explaining why the objection from the Lower Malone Residents Association is outside the 28 day period and explaining why Members should take it into account is attached at Appendix 1.</p> <p>A factor which Members may also wish to take into consideration is the previous history of objection, Committee hearings and court cases associated with these premises and the fact that the Entertainments Licences for both premises currently have conditions which require the licensee to attend liaison meetings between Belfast City Council, the Lower Malone Residents Association and the PSNI.</p> <p>If you decide not to take the late representation into account then the indoor applications will be dealt with under the Scheme of Delegation and the outdoor application will be brought before you at a future meeting for your consideration.</p> <p>However, should you exercise your discretion, you are required to set a suitable date and time to receive the persons who made the representation, the applicant, and/or their representatives and, after having received their submissions, make a recommendation regarding the applications.</p>
<p>3.0</p>	<p>Main Report</p>
<p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p>	<p><u>Key Issues</u></p> <p>Written representation objecting to the applications has been received from the Lower Malone Residents' Association. This was received outside the 28 day statutory period in the form of an email.</p> <p>The nature of the objection relates to the following:</p> <ul style="list-style-type: none"> • the ability of the premises to operate to 3.00 am would have very serious detrimental effects on residential amenity in and beyond the immediate vicinity of the premises; • Wellington Park is designated as a 'residential area' for planning purposes, and an increasing number of properties in the area close by are occupied by residents. The extension of an Entertainments Licence until 3.00 am will result in a prolongation of the noise and other concomitant nuisances produced by late night revelry until well beyond that time; • noise would be bad enough at weekends, but to have the disturbance going on for most of the night during the working week will make life intolerable for residents, who have to get up to go to work in the morning or to take their children to school; • in the long term it would also make it difficult to resist similar extensions in other establishments nearby. It is one thing to have a night-time economy, but this proposes what is effectively an all-night economy in a residential area; and • the density of residential occupation is increasing, and the area is wholly inappropriate for this type of Entertainments Licence. <p>A copy of the email of objection from Lower Malone Residents' Association is attached at Appendix 2.</p> <p>Members are advised that we are currently mediating with all parties to try and resolve the issues.</p>

3.5	<p><u>Financial and Resource Implications</u></p> <p>None</p>
3.6	<p><u>Equality or Good Relations Implications</u></p> <p>None</p>
4.0	<p>Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 – Explanation from Lower Malone Residents’ Association re statutory period • Appendix 2 – E-mail of Objection

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Subject:	Consideration of Designating Resolutions for Street Trading Sites/Variation of Commodities and Services
Date:	19th April, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, Ext 6446

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

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

1.0	Purpose of Report/Summary of Main Issues
1.1	An important feature of the licensing provisions in the Street Trading Act (NI) 2001 is the power of a district council to Designate 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.

2.0	<u>Recommendations</u>												
2.1	The Committee is requested to consider the applications which have been received for the creation of new designated sites and for the variation of commodities and services at current designated sites and, subject to any amendments you may have, permission is sought to allow the publication of the statutory 28-day notice of the proposed resolution and to commence consultation with statutory bodies and other persons who may have an interest in the proposals.												
3.0	Main Report												
3.1	<p><u>Key Issues</u></p> <p>The Act sets down the procedures which must be followed in considering a Designating Resolution, including the types of trading which may or may not take place in that street. The main steps the Council must undertake may be summarised as follows:</p> <ol style="list-style-type: none"> a) Give public notice of the proposed resolution in 2 or more newspapers in the district; b) Consult with the PSNI and the Department for Infrastructure and other persons it considers appropriate; c) Consider any representations relating to the proposed resolution which it has received; d) After the Council has considered those representations it may, if it thinks fit, pass the Designating resolution; e) Publish notice of the outcome for 2 consecutive weeks in 2 or more newspapers, giving not less than 28 days between the date of the publication and the date set out by the Council when the resolution will come into effect. <p>3.2 A further report will be brought to a future meeting of the Committee, detailing the outcome of the process of consultation. At this stage, Members will be able to determine the designation of the streets, along with any restriction on the commodity to be sold and any recommendations regarding the restriction on the times of trading.</p> <p>3.3 Members are aware that the Committee has previously considered a number of locations throughout the City and determined their appropriateness for designation. There are currently approximately 60 streets or parts of streets designated as being suitable for Stationary Street Trading.</p> <p>Proposed New Streets or Part Thereof</p> <p>3.4 Designation applications or expressions of interest have been received for the creation of new Designated sites in streets at various locations throughout the City as listed below:</p> <table border="1" data-bbox="301 1668 1439 1944"> <thead> <tr> <th></th> <th>Location</th> <th>Commodity</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Lisburn Road outside premises of Café Maud's, 555 Lisburn Road.</td> <td>Ice cream and non-alcoholic beverages.</td> </tr> <tr> <td>2</td> <td>Balmoral Road, situated outside the now closed B&Q site on the left-hand side of the road.</td> <td>Hot and cold food and non-alcoholic beverages or similar commodities.</td> </tr> <tr> <td>3</td> <td>Oldpark Road, in lay-by 45ft from the junction with Hillview Road.</td> <td>Hot and cold food and non-alcoholic beverages or similar commodities.</td> </tr> </tbody> </table>		Location	Commodity	1	Lisburn Road outside premises of Café Maud's, 555 Lisburn Road.	Ice cream and non-alcoholic beverages.	2	Balmoral Road, situated outside the now closed B&Q site on the left-hand side of the road.	Hot and cold food and non-alcoholic beverages or similar commodities.	3	Oldpark Road, in lay-by 45ft from the junction with Hillview Road.	Hot and cold food and non-alcoholic beverages or similar commodities.
	Location	Commodity											
1	Lisburn Road outside premises of Café Maud's, 555 Lisburn Road.	Ice cream and non-alcoholic beverages.											
2	Balmoral Road, situated outside the now closed B&Q site on the left-hand side of the road.	Hot and cold food and non-alcoholic beverages or similar commodities.											
3	Oldpark Road, in lay-by 45ft from the junction with Hillview Road.	Hot and cold food and non-alcoholic beverages or similar commodities.											

4	Gordon Street, at junction with Dunbar Street beside metal artwork for night time trading.	Hot and cold food and non-alcoholic beverages or similar commodities.
5	Bridge Street, in lay-by outside 12-16 Bridge Street for night time trading.	Hot and cold food and non-alcoholic beverages or similar commodities.
6	Donegall Street, in parking bay near the junction with Waring Street for night time trading.	Hot and cold food and non-alcoholic beverages or similar commodities.
7	Cupar Way.	Tourist souvenirs or similar commodities.
8	The Arc, Titanic Quarter (5 sites)	Hot and cold food and non-alcoholic beverages or similar commodities. Gifts and souvenirs.
9	Hamilton Dock, Titanic Quarter (4 sites)	Hot and cold food and non-alcoholic beverages or similar commodities. Gifts and souvenirs.
10	Titanic Plaza, Titanic Quarter (3 sites)	Hot and cold food and non-alcoholic beverages or similar commodities. Gifts and souvenirs.

Variation of Commodities and Services to be Provided

3.5

The Act also allows the Council to vary a Designating Resolution in relation to the part of the street where trading is permitted, this includes consideration of the commodities or services which can be offered at that location. The procedures that must be followed for varying a Designating Resolution are the same as those for making the designation in the first place.

3.6

Applicants have asked for the Council to consider the variation of the commodities and services which are permitted to be offered at the following designated sites where they are already licensed:

	Location	Current Commodity	Proposed Variation to include:
1	Lower Garfield Street at the junction with North Street	Commodity is to be determined but excludes the sale of hot food.	Hot food to include crepes, waffles, roasted nuts, sandwiches, paninis and hot pastries.
2	Donegall Square North at front of City Hall	Ice cream and hot and cold non-alcoholic beverages from an ice cream tricycle.	Hot food to include crepes, wraps and other artisan foods.
3	Castle Junction Kiosk	Hot and cold non-alcoholic beverages, confectionery, ice cream and cold food or similar commodities including the sale of theatre and event tickets	Bus tour tickets.
4	Castle Place opposite Donegall Arcade	Commodity is to be determined but excludes the sale of hot food and tour tickets.	Bus tour tickets.

Financial and Resource Implications

3.7	<p>The cost of all notices is included in current revenue budgets. The required notice to confirm the designation will cost approximately £5,000 as our policy states that it must be placed in three newspapers for two consecutive weeks.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relations issues.</p>
3.8	
4.0	Documents Attached
	None

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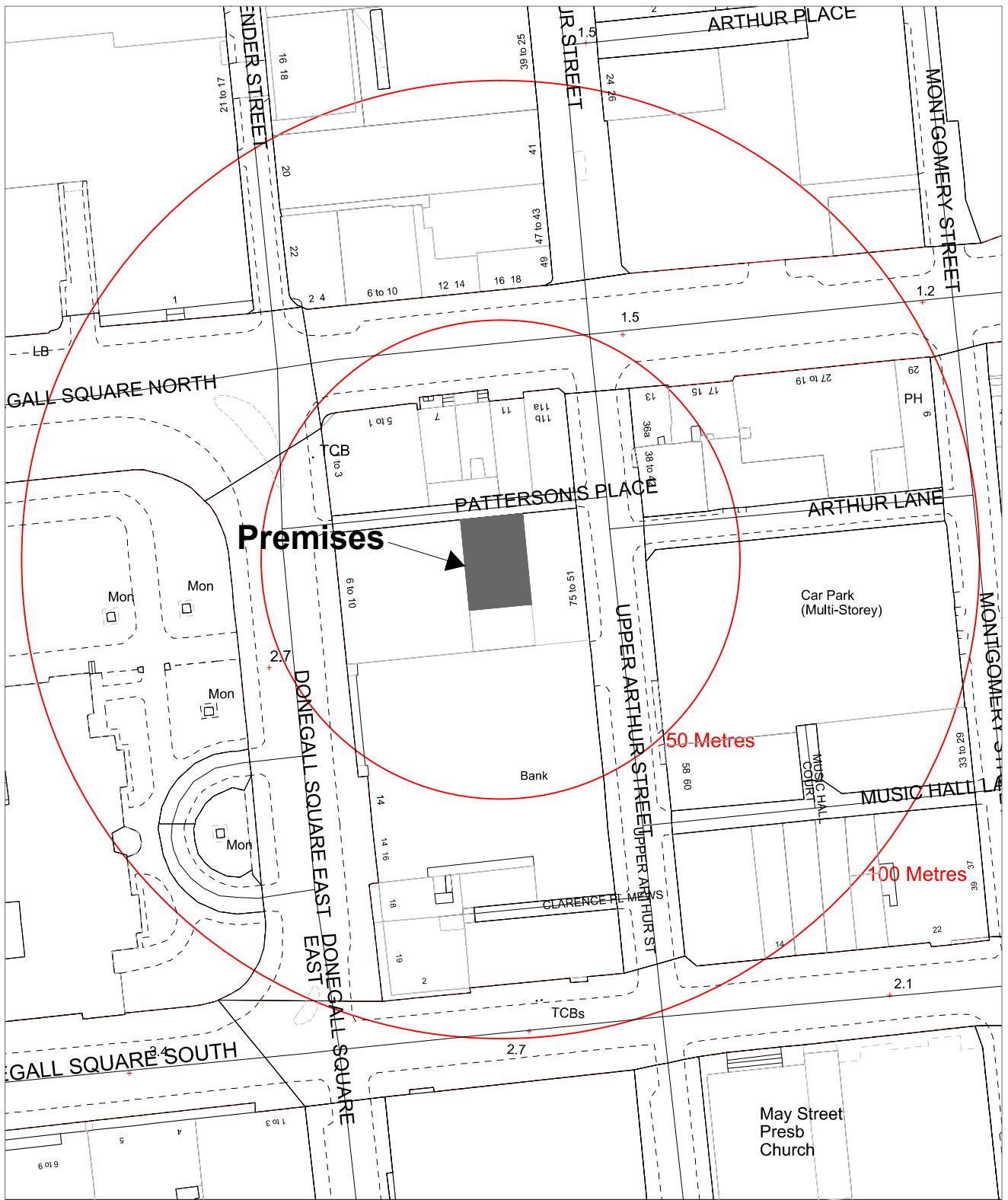
Building Control Service

Belfast Mapping Data v3.0
Prepared by I.S.B.
Based upon the Ordnance Survey
Of Northern Ireland map with the
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Appendix 2



100 METRES



Premises

50 Metres

100 Metres

DRAWN BY MT
DATE 12/01/2016

Page 69
Thompsons Garage
3 Pattersons Place

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of the Local Government Act (Northern Ireland) 2014.

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Subject:	Fees for Street Trading Licences
Date:	19th April, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

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

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

1.0	Purpose of Report/Summary of Main Issues
1.1	To consider proposed options regarding the appropriate level of fees which Belfast City Council may charge for Street Trading Licences.
2.0	Recommendations
2.1	<p>The Committee is requested to consider the contents of the report and the deferred Street Trading Fees report from your meeting in January 2017 and:</p> <ol style="list-style-type: none"> 1. choose which fee charging option you consider most appropriate to introduce for a Street Trading Licence, or 2. determine appropriate fees for a Street Trading Licence arising from your discussions on the various options presented.

3.0	Main Report																																				
	<p data-bbox="276 241 432 275"><u>Key Issues</u></p> <p data-bbox="165 315 1469 479">3.1 Members will recall that, at your meeting in January, you considered the outcome of the public consultation on the proposed fees for Street Trading Licences and agreed to defer the report to enable officers to provide additional information, to examine options for introducing the proposed fees on a phased basis over the term of a licence and for establishing a fee for a one day licence.</p> <p data-bbox="165 517 1251 551">3.2 A copy of the minute from your January meeting is attached at Appendix 1.</p> <p data-bbox="165 589 1469 651">3.3 Below is a summary of the proposed fees which you provisionally agreed at your meeting on 15th June, 2016.</p> <table border="1" data-bbox="400 714 1342 1227"> <thead> <tr> <th colspan="2" data-bbox="400 714 1206 748">STATIONARY and MOBILE LICENCE</th> <th data-bbox="1206 714 1342 748">Fee</th> </tr> </thead> <tbody> <tr> <td data-bbox="400 748 1206 792">Application Fee - <i>Non refundable</i></td> <td data-bbox="1206 748 1342 792"></td> <td data-bbox="1206 748 1342 792">£617</td> </tr> <tr> <td data-bbox="400 792 1206 837">Renewal Application Fee - <i>Non refundable</i></td> <td data-bbox="1206 792 1342 837"></td> <td data-bbox="1206 792 1342 837">£523</td> </tr> <tr> <td data-bbox="400 837 1206 882">Licensed for Monday to Friday</td> <td data-bbox="1206 837 1342 882"></td> <td data-bbox="1206 837 1342 882">£1,500</td> </tr> <tr> <td data-bbox="400 882 1206 927">Licensed for Monday to Sunday</td> <td data-bbox="1206 882 1342 927"></td> <td data-bbox="1206 882 1342 927">£1,570</td> </tr> <tr> <td data-bbox="400 927 1206 972">Licensed for Weekend</td> <td data-bbox="1206 927 1342 972"></td> <td data-bbox="1206 927 1342 972">£1,350</td> </tr> <tr> <td data-bbox="400 972 1206 1016">Licensed for Sunday</td> <td data-bbox="1206 972 1342 1016"></td> <td data-bbox="1206 972 1342 1016">£1,220</td> </tr> <tr> <th colspan="2" data-bbox="400 1016 1206 1061">TEMPORARY LICENCE</th> <th data-bbox="1206 1016 1342 1061"></th> </tr> <tr> <td data-bbox="400 1061 1206 1106">Application Fee - <i>Non refundable</i></td> <td data-bbox="1206 1061 1342 1106"></td> <td data-bbox="1206 1061 1342 1106">£677</td> </tr> <tr> <td data-bbox="400 1106 1206 1151">Licence Fee</td> <td data-bbox="1206 1106 1342 1151"></td> <td data-bbox="1206 1106 1342 1151">£130</td> </tr> <tr> <td data-bbox="400 1151 1206 1196"></td> <td data-bbox="1206 1151 1342 1196"></td> <td data-bbox="1206 1151 1342 1196"></td> </tr> <tr> <td data-bbox="400 1196 1206 1227">Variation of Licence Particulars</td> <td data-bbox="1206 1196 1342 1227"></td> <td data-bbox="1206 1196 1342 1227">£440</td> </tr> </tbody> </table> <p data-bbox="276 1296 727 1330">Implementation of Revised Fees</p> <p data-bbox="165 1364 1469 1464">3.4 Members may wish to note that, when they set revised fees our existing Stationary and Mobile, licensees will only pay the new licence fee at the commencement of their next trading year.</p> <p data-bbox="165 1503 1469 1603">3.5 For example, a trader who was granted a 3 year licence in December 2016, will not pay any reviewed annual licence fee until December 2017. Additionally they will not pay the revised renewal fee until December 2019.</p> <p data-bbox="276 1637 448 1671"><u>Fee Options</u></p> <p data-bbox="165 1704 1469 1805">3.6 A number of fee charge options are outlined below for consideration following your previous meeting. To assist the Committee, an overview of all of the options below is attached at Appendix 2.</p>	STATIONARY and MOBILE LICENCE		Fee	Application Fee - <i>Non refundable</i>		£617	Renewal Application Fee - <i>Non refundable</i>		£523	Licensed for Monday to Friday		£1,500	Licensed for Monday to Sunday		£1,570	Licensed for Weekend		£1,350	Licensed for Sunday		£1,220	TEMPORARY LICENCE			Application Fee - <i>Non refundable</i>		£677	Licence Fee		£130				Variation of Licence Particulars		£440
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OPTION 1

- 3.7** By far the largest single expense identified in dealing with the Street Trading Licensing scheme arises from the tasks associated with the application for the grant of a new licence.
- 3.8** We have critically re-visited the amount of time spent on each task and have identified some areas where processes could be streamlined with enhanced use of IT systems in an effort to reduce costs.
- 3.9** We have also examined the current frequency of licence compliance checks for permanent traders to determine if we can reduce that element of the costs.
- 3.10** Currently, Stationary and Mobile traders are inspected 4 times a year. It is proposed to reduce the number of inspections to 1 compliance visit per year. Should Members agree to this option, the effectiveness of this reduced level of compliance checks will be monitored closely.
- 3.11** A detailed review of the reports brought before Committee for consideration was undertaken. Approximately 50% of Stationary and Mobile licence applications and 33% of Temporary Licence applications are considered at Committee.
- 3.12** By recovering the respective percentage cost for the applications that are considered by Committee and spreading it across all of the respective licences we are further able to reduce each application cost.
- 3.13** In 2002, when the first fees were calculated, it was envisaged that Designation would not happen yearly. Members will be well aware that Designation has subsequently become an annual consideration as there have been regular requests from both the Council and from members of the public for new areas to be designated.
- 3.14** For this option, it is proposed that Designation will not take place yearly, but every other year, thus the Designation cost can be halved and spread across two years.
- 3.15** This saving will not change the cost of a Temporary Licence as the Designation costs are not applied to this type of licence.
- 3.16** By undertaking these proposals the following revised fees have been calculated:

STATIONARY and MOBILE LICENCE		Proposed fee	
Application Fee - <i>Non refundable</i>	£ 432.25	£ 430	
Renewal Application Fee - <i>Non refundable</i>	£ 337.50	£ 340	
			<i>Per Week</i>
Licensed for Monday to Friday	£ 1,064.75	£ 1,065	£ 20.48
Licensed for Monday to Sunday	£ 1,086.50	£ 1,085	£ 20.87
Licensed for Weekend	£ 956.00	£ 956	£ 18.38
Licensed for Sunday	£ 956.00	£ 956	£ 18.38

TEMPORARY LICENCE			
Application Fee - <i>Non refundable</i>	£ 432.25	£ 400	
Licence Fee	£ 130.50	£ 130	
Variation of Licence Particulars	£ 315.75	£ 315	

- 3.17** What these new fees will mean for an existing mobile trader who trades Monday to Sunday is shown below. Over the 3 years the cost of having a licence will increase by £829 or on average £276 per year which equates to £5.30 per week.

	Year 1	Year 2	Year 3	over 3 years
Old fee	£1,002	£882	£882	£2,766
New fee	£1,425	£1,085	£1,085	£3,595

- 3.18** The cost of a Temporary licence for the 12th July or Saint Patrick's day is currently £165. Under this option it will be now be £530, an increase of £365.

OPTION 2

- 3.19** Another option to consider would be to apply the cost of inflation to the current fees set in 2002 to determine the 2017 fees.
- 3.20** Adopting this option will give Committee, in any future fee review exercise, a better baseline for comparison as these fees will be more relevant to present day monetary value.
- 3.21** However, this option will not address the significant shortfall in cost recovery for the licensing application process.
- 3.22** This option would also require the use of the current charging structure and not the proposed new fee structure consulted on in June 2016 which had included, for example, a reduced fee for the renewal of a licence and the harmonisation of mobile and stationary licence fees.
- 3.23** However, by using the original fee structure this would address Members concerns regarding the increased cost of a Temporary Licence for one day.
- 3.24** The cost of inflation increase was determined using the Bank of England's inflation calculator.

STATIONARY LICENCE	Current	Inflation	Proposed fee
Application Fee - Non refundable	£ 100	£ 149.29	£ 150
Licensed for Monday to Friday	£ 629	£ 939.02	£ 940
Licensed for Monday to Saturday	£ 800	£1194.30	£1,195
Licensed for Monday to Sunday	£1017	£1518.26	£1,520
Licensed for Saturday	£ 426	£ 635.97	£ 635
Licensed for Sunday	£ 472	£ 704.64	£ 705

MOBILE LICENCE			
Application Fee - Non refundable	£ 120	£ 179.15	£ 180
Licensed for Monday to Friday	£ 429	£ 640.44	£ 640
Licensed for Monday to Saturday	£ 628	£ 937.53	£ 940
Licensed for Monday to Sunday	£ 882	£1316.72	£1,315
Licensed for Saturday	£ 199	£ 297.08	£ 295
Licensed for Sunday	£ 254	£ 379.19	£ 380
TEMPORARY LICENCE			
Application Fee - <i>Non refundable</i>	£ 120	£ 179.15	£ 180
Licensed for Monday to Friday, per day	£ 26	£ 38.81	£ 39
Licensed for Saturday	£ 36	£ 53.74	£ 54
Licensed for Sunday or Public holiday	£ 45	£ 67.18	£ 67
Variation of Licence Particulars	£ 50	£ 74.64	£ 75

- 3.25** What these new fees will mean for an existing mobile trader who trades Monday to Sunday is shown below. Over the 3 years the cost of having a licence will increase by £1,359 or on average £453 per year which equates to £8.71 per week.

	Year 1	Year 2	Year 3	over 3 years
Old fee	£1,002	£882	£882	£2,766
New fee	£1,495	£1,315	£1,315	£4,065

- 3.26** The cost of a Temporary licence for the 12th July or Saint Patrick's day is currently £165. Under this option it will be now be £247, an increase of £82.

OPTION 3

- 3.27** For completeness a further option is to consider the proposed fees you provisionally agreed at your meeting of 15th June 2016:

STATIONARY and MOBILE LICENCE	Fee
Application Fee - <i>Non refundable</i>	£ 617
Renewal Application Fee - <i>Non refundable</i>	£ 523
Licensed for Monday to Friday	£1,500
Licensed for Monday to Sunday	£1,570
Licensed for Weekend	£1,350
Licensed for Sunday	£1,220

TEMPORARY LICENCE

Application Fee - <i>Non refundable</i>	£ 677
Licence Fee	£ 130
Variation of Licence Particulars	£ 440

3.28 What these new fees will mean for an existing mobile trader who trades Monday to Sunday is shown below. Over the 3 years the cost of having a licence will increase by £2,467 or on average £822 per year which equates to £15.80 per week.

	Year 1	Year 2	Year 3	over 3 years
Old fee	£1,002	£882	£882	£2,766
New fee	£2,093	£1,570	£1,570	£5,233

3.29 The cost of a Temporary licence for 12th July or Saint Patrick's day is currently £165. Under this option it will be now be £807, an increase of £642.

Additional Request from the Committee

Trading one Day a Week - Monday to Friday

3.30 Committee, at your meeting in January 2017, asked Officers to consider the fee for a permanent trader who has a Monday – Friday licence but only trades on one day during the week.

3.31 It must be stated that the costs associated with processing the grant or renewal of the licence is the same whether it is used for one day or every day of the week. However, based on the original proposed fees of £1,500 (Mon-Fri) Members may wish to consider using a fifth of that cost and decide that a fee of £300 is set specifically for one day's trade. This fee can be set dependant on what Options above Committee agree on.

Financial and Resource Implications

3.32 There are significant financial and resource implication associated with this report.

3.33 The proposed Licence fees at option 3 are most likely to ensure the cost of the operational and administration processes are proportionate to the licensing scheme; particularly in relation to the costs for processing a grant or renewal of licence application.

Equality or Good Relations Implications

3.34 The Council's Equality and Diversity Officer has been consulted and there are no issues with regards to the setting of fees.

4.0 Documents Attached

- Appendix 1 – Copy of the minute – January, 2017
- Appendix 2 – Overview of fee options

Extract of Minutes

Licensing Committee

Wednesday, 18th January, 2017

Fees for Street Trading Licences

The Committee agreed to defer until its next meeting a report in respect of proposed fees for Street Trading Licences to enable officers to provide additional information and to examine options for introducing the proposed fees on a phased basis over the term of a licence and for establishing a fee for a licence to cover one day only.

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Appendix 2

	Current	Option 1	Option 2	Option 3
STATIONARY LICENCE				
Application Fee - Non refundable	£ 100	£ 430	£ 150	£ 617
Renewal Application Fee - Non refundable	£ 100	£ 340	£ 150	£ 523
Licensed for Monday to Friday	£ 629	£ 1,065	£ 940	£ 1,500
Licensed for Monday to Saturday	£ 800		£ 1,195	
Licensed for Monday to Sunday	£ 1,017	£ 1,085	£ 1,520	£ 1,570
Licensed for Saturday	£ 426		£ 635	
Licensed for Sunday	£ 472	£ 956	£ 705	£ 1,220
Licensed for Weekend*	£ 898	£ 956	£ 1,340	£ 1,350

MOBILE LICENCE				
Application Fee - Non refundable	£ 120	£ 430	£ 180	£ 617
Renewal Application Fee - Non refundable	£ 120	£ 340		£ 523
Licensed for Monday to Friday	£ 429	£ 1,065	£ 640	£ 1,500
Licensed for Monday to Saturday	£ 628		£ 940	
Licensed for Monday to Sunday	£ 882	£ 1,085	£ 1,315	£ 1,570
Licensed for Saturday	£ 199		£ 295	
Licensed for Sunday	£ 254	£ 956	£ 380	£ 1,220
Licensed for Weekend*	£ 453	£ 956	£ 675	£ 1,350

TEMPORARY LICENCE				
Application Fee - Non refundable	£ 120	£ 400	£ 180	£ 677
Licence Fee (for up to 7 days)	£ 211	£ 130	£ 316	£ 130
Licensed for Monday to Friday, per day	£ 26		£ 39	
Licensed for Saturday	£ 36		£ 54	
Licensed for Sunday or Public holiday	£ 45		£ 67	

Variation of Licence Particulars	£ 50	£ 315	£ 75	£ 440
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* Weekend fees do not currently exist, they were proposed as part of the fee structure. Under the old structure if a trader only wanted weekend trade, a Saturday Fee and a Sunday Fee would be combined.

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