

# Licensing Committee

Wednesday, 17th May, 2017

## MEETING OF LICENSING COMMITTEE

Members present: Councillor Armitage (Chairperson);  
The Deputy Lord Mayor (Councillor Campbell);  
Aldermen L. Patterson and Sandford; and  
Councillors Bell, Boyle, Bunting, Clarke,  
Collins, Copeland, Dudgeon, Groves,  
Heading, Hutchinson, Magennis, McConville  
and Milne.

In attendance: Mr. S. Hewitt, Building Control Manager;  
Mrs. L. McGovern, Solicitor; and  
Mr. H. Downey, Democratic Services Officer.

### Apologies

Apologies for inability to attend were reported on behalf of Aldermen McCoubrey and Spence.

### Minutes

The minutes of the meeting of 19th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 2nd May, 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.

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

### **Licences/Permits Issued under Delegated Authority**

The Committee noted a list of licences and permits which had been issued under the Council's Scheme of Delegation.

### **Application for Extended Hours**

The Building Control Manager informed the Committee that the Council's City and Neighbourhoods Services Department held various types of Entertainments Licences for those parks and open spaces which it managed across the City, which were transferred to organisers for the duration of their event. Under the terms of those licences, entertainment was permitted to take place from Monday to Sunday between the hours of 11.30 a.m. and 11.00 p.m. and special conditions were attached to each licence in relation to occupancy levels, early consultation with residents and businesses, extended hours and addressing complaints. He drew the Members' attention to

applications which had been received for the extension of the standard hours on the Entertainments Licences for the following parks:

**11th July Event, Woodvale Park**

The Building Control Manager reported that the Twaddell and Woodvale Residents' Association had requested that the Committee give consideration to permitting an outdoor musical event to run until 1.00 a.m. on the night of 11th July within the Woodvale Park.

He explained that the Residents' Association, which had, on 9th May, been granted the use of the venue by the People and Communities Committee, had, for several years, been an active participant in the Council's Bonfire and Cultural Expression Programme and that it had been involved in the design of the bonfire beacon, as an alternative to the traditional bonfire. The organisers had stated that the event taking place on the night of 11th July would bring to a close a family fun day, consisting of live entertainment, face painting and other activities and would conclude a week-long programme of cultural celebration.

He reminded the Committee that, in June, 2016, it had approved a similar request for an event which had been held in the park on 11th July, 2016 and that it had, at recent meetings, agreed that the standard hours on the Entertainments Licences for Custom House Square be extended beyond 11.00 p.m. to facilitate a number of events/festivals taking place there over the coming months. He pointed out that, since the Residents' Association was seeking to extend the hours permitted under an existing licence condition, rather than vary the Entertainments Licence itself, there had been no requirement for the application to be advertised. He confirmed that neither the Northern Ireland Fire and Rescue Service nor the Police Service of Northern Ireland had objected to the application and that the Police Service had stated that previous events of this nature had helped to ease tensions within the wider area. Both the Fire and Rescue Service and the Police Service would be invited to attend meetings in advance of the festival in order to examine public safety, transport, traffic management and wider operational issues.

He reported further that inspections in previous years by officers of the Building Control Service of similar events being held on the night of 11th July in the Woodvale Park had revealed no issues. Officers were working currently with the organisers to agree an event management plan and a layout plan for the site and to formulate an appropriate information letter to be forwarded to local residents. He added that the Council's Environmental Protection Unit had confirmed that it had received no complaints in relation to last year's event and that it would seek to ensure that an appropriate noise management plan was developed, in consultation with all relevant parties, with a view to keeping noise breakout and disturbance to a minimum.

After discussion, the Committee agreed that the standard hours on the Seven-day Annual Outdoor Entertainments Licence for the Woodvale Park be extended to enable entertainment to take place till 1.00 a.m. on the night of Tuesday, 11th July, as

part of the programme of cultural celebration taking place with the park during that week, subject to all technical requirements being met to the satisfaction of Council officers.

### **Féile an Phobail, Falls Park**

The Building Control Manager reported that Féile an Phobail would, this year, be taking place between 3rd and 13th August and that the organisers had sought the Committee's approval to extend the standard hours on the Seven-day Annual Marquee Entertainments Licence for the Falls Park to enable entertainment to be provided there until midnight on each of those nights. Approval for the use of the venue had been granted by the People and Communities Committee at its meeting on 4th April.

The organisers had stated that the ability to operate until midnight would allow them to develop a programme of diversionary activities for young people, which would assist in addressing ongoing antisocial behaviour issues, and to implement activities involving sport and discussion. The programme of entertainment was in the process of being finalised but would be similar to that of previous years.

He reminded the Committee that, at its meeting on 20th May, 2016, it had granted approval for the organisers to operate till midnight on all eleven nights of the festival and that it had, at recent meetings, approved similar requests for forthcoming events being held in Custom House Square. Since this application related to the extension of the hours permitted under an existing licence condition, rather than the variation of the Entertainments Licence itself, there had been no requirement for it to be advertised. He pointed out that neither the Northern Ireland Fire and Rescue Service nor the Police Service of Northern Ireland had objected to the application and that they would each be involved in pre-event meetings to review in detail public safety, traffic management, transport and wider operational issues. The organisers had submitted to the Building Control Service a draft event management plan and a proposed site plan and would again be engaging with local residents to address any concerns. He added that officers had, in the past, undertaken inspections of the venue whilst entertainment had been taking place and had identified no issues relating to health, safety and welfare management.

In terms of noise nuisance, he confirmed that one complaint had been received in 2016 and that two had been received in 2015, none of which had necessitated formal action being taken. As in previous years, officers were working with the organisers and their representatives to ensure that an appropriate noise management plan was produced, in order to ensure that noise from the marquee would not cause undue disturbance to local residents and businesses.

The Committee agreed to extend the standard hours on the Seven-Day Annual Marquee Entertainments Licence for the Falls Park, to enable entertainment to take place till midnight from Thursday, 3rd till Sunday, 13th August, as part of Féile an Phobail, subject to all technical requirements being met to the satisfaction of Council officers.

**Focal Festival, Lower Crescent Park**

The Building Control Manager informed the Members that the organisers of the Focal Festival, which was due to take place on 30th June and 1st July, had requested that the standard hours on the Seven-day Annual Outdoor Entertainments Licence for the Lower Crescent Park be extended until midnight on both nights.

He reported that the festival centred upon the celebration and promotion of local foods and drinks and that the organisers had engaged a number of musical and other acts in order to enhance the atmosphere and experience for patrons. Approval for the use of the park had been granted by the People and Communities Committee at its meeting on 9th May.

He explained that this was the first time that a request to operate beyond 11.00 p.m. had been received for this location and reminded the Committee that it had, in the past, approved requests for events being held in similar venues across the City. Since this application related to the extension of the hours permitted under an existing licence condition, rather than the variation of the Entertainments Licence itself, there had been no requirement for it to be advertised. He confirmed that neither the Northern Ireland Fire and Rescue Service nor the Police Service of Northern Ireland had objected to the application and that they would each be consulted on public safety, traffic management, transport and wider operational issues in the lead up to the festival. The organisers were working with the Building Control Service to agree a draft event management plan, a site plan and an appropriate occupancy level and would be distributing a letter to local residents informing them of the event. They were working also with the Council's Environmental Protection Unit to formulate an effective noise management plan.

The Committee agreed that the standard hours on the Seven-Day Annual Outdoor Entertainments Licence for the Lower Crescent Park be extended to enable entertainment to take place till midnight on 30th June and 1st July, as part of the Focal Festival, subject to all technical requirements being met to the satisfaction of Council officers.

**Application for the Grant of a Seven-Day Annual Entertainments Licence with Previous Convictions**

**Fitzgerald's Bar, 123-127 New Lodge Road**

The Building Control Manager reminded the Committee that, at its meeting on 18th January, it had agreed that, in future, any person applying for the renewal, variation or grant of an Entertainments Licence who had been convicted of an offence under the Entertainments Licensing legislation, would be invited to appear before the Committee to outline the reasons why their application should be approved.

Accordingly, he drew the Members' attention to an application which had been received from Dicey Reilly's Limited for the grant of a Seven-Day Annual Indoor Entertainments Licence for Fitzgerald's Bar. He reported that Mr. S. Mailey, a director of the company, together with Ms. A. Campbell, the manager of the bar, had, in March, 2014, been convicted of providing entertainment without an Entertainments Licence on

two occasions in 2013. They had each been fined a total of £400 and been ordered to pay costs of £207. In June, 2016, officers had again discovered that entertainment was taking place without a licence. That had resulted in Mr. Mailey being given a conditional discharge and Ms. Campbell being fined £250 and each having to pay costs of £69.

He explained that, following those offences, officers had met with both Mr. Mailey and Ms. Campbell to explain the application process governing the grant of an Entertainments Licence and had advised them not to provide further entertainment until that process had been concluded. However, despite repeated warnings and advice, officers had discovered entertainment taking place within the bar on two further occasions in 2016.

The Council's Solicitor reported that, on the previous day, Dicey Reilly's Limited, the applicant company, had been fined £1,000 for providing entertainment on 9th December, 2016 without an Entertainments Licence and had been given a conditional discharge for a period of twelve months for a similar offence relating to 30th October 2016. Mr. Mailey and Ms. Campbell had each been fined £385 and had received conditional discharges for twelve months for the offences which had been detected on 30th October and 9th December, respectively. Dicey Reilly's Ltd, Mr. Mailey and Ms. Campbell had each been ordered to pay court costs of £75.

The Building Control Manager informed the Committee that the premises operated currently as a public house, with ground floor and first floor bar areas. The applicant was seeking to provide entertainment in both of those areas from Monday to Saturday till 1.00 a.m. and on a Sunday till midnight and was working with Council officers to agree the appropriate occupancy levels. He reported that no written representations had been received in relation to the application and that neither the Northern Ireland Fire and Rescue Service nor the Police Service of Northern Ireland had offered objections. Since the latest offences had been detected, officers had met with the applicant to outline the application process for the grant of the licence and to provide advice on fire safety procedures and the safe evacuation of patrons in the event of an emergency. He concluded by pointing out that the Council's Environmental Protection Unit had confirmed that no noise complaints had been received in relation to noise breakout or patron dispersal from the bar.

The Committee was informed that Ms. A. Campbell, the manager of Fitzgerald's Bar, and Mr. M. Halleron, the applicant's legal representative, were in attendance and it agreed that it would be beneficial to obtain further information from them around the application.

Mr. Halleron informed the Members that the failure by his client to obtain an Entertainments Licence in the past had been due primarily to the relevant documentation not being submitted to the Council, despite it having been completed. He explained that the company accepted full responsibility for the offences and that it was now co-operating fully with Council officers to ensure that it complied with all of the requirements associated with the application process. He highlighted the detrimental impact which both the level of fines and the inability to provide regular entertainment had had upon the business and concluded by stressing that the applicant would, in future, ensure that the venue was operated to the satisfaction of the Council.

Ms. Campbell outlined the measures which had now been put in place to improve the overall operation of the premises, which had included raising awareness amongst staff of safety and other issues and the need to keep the log book updated, and reiterated the point which had been made by Mr. Halleron around the future operation of the bar.

The Chairperson thanked Ms. Campbell and Mr. Halleron for their contribution.

After discussion, the Committee agreed to grant a Seven-Day Annual Indoor Entertainments Licence in respect of Fitzgerald's Bar, 123-127 New Lodge Road.

**Application for the Grant of a Seven-Day Annual Outdoor Entertainments Licence - Thompson's Garage, 3 Patterson's Place**

The Committee considered the following report:

**1.0 Purpose of Report/Summary of Main Issues**

- 1.1 To consider an application for the grant of a Seven-Day Annual Outdoor Entertainments Licence for Thompsons Garage, based on the Council's standard conditions to provide outdoor musical entertainment.**

<b><u>Premises and Location</u></b>	<b><u>Ref. No.</u></b>	<b><u>Applicant</u></b>
Thompsons Garage 3 Patterson's Place Belfast BT1 4GW	WK/201600933	Mr Stephen Boyd Endless Music Limited 41 Downshire Road Belfast

- 1.2 A copy of the application form has been circulated to the Committee.**
- 1.3 A location map has been circulated to the Committee.**
- 1.4 Members are reminded that all applications for the grant of Outdoor Entertainments Licences must be brought before Committee for consideration.**

**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 legal proceedings against the applicant and determine if you wish to refuse the application for an Outdoor Entertainments Licence on the grounds that the applicant has been convicted of offences under the Order.**

**2.2** Should Members be satisfied that the application need not be refused you are then required to:

- 1.** approve the application for the grant of the Seven-Day Annual Outdoor Entertainments Licence, or
- 2.** approve the application for the grant of the Seven-Day Annual Outdoor Entertainments Licence with special conditions.

**2.3** If the licence is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.

**2.4** In the case that the applicant subsequently decides to appeal, outdoor entertainment may not be provided until any such appeal is determined.

### **3.0** Main Report

#### Key Issues

**3.1** Members will recall that, at the meeting on 19th April, the Committee agreed to renew the Seven-Day Annual Indoor Entertainments Licence, with a condition attached requiring the licensee to attend meetings with the PSNI, the Security Industry Authority and other relevant parties, as and when required. These meetings would be facilitated by the Council in order to discuss any issues arising from the operation of the premises.

#### Details of the Premises and Proposals

**3.2** The areas currently licensed to provide entertainment are:

- Ground Floor Bar, with a maximum capacity of 225 persons.
- Mezzanine Floor, with a maximum capacity of 190 persons.

**3.3** The days and hours during which the premises are currently licensed to provide entertainment are:

- Monday to Sunday: 11.30 am to 3.00 am the following morning

- 3.4 The premise operates as a public bar and nightclub with entertainment being provided on both floors in the form of DJs.
- 3.5 The applicant proposes to provide entertainment within the external beer garden, which is located to the rear of Thompsons Garage, towards Donegall Square East.
- 3.6 The proposed occupancy of the external beer garden will be 104 persons.
- 3.7 Members are advised that the maximum indoor occupancy for the premise of 415 persons will be managed in conjunction with the agreed maximum occupancy of the external area to ensure numbers do not exceed capacity.
- 3.8 The days and hours during which entertainment is proposed to be provided within the external area, is as follows:
- Monday to Saturday 11.30 am to 11.00 pm, and
  - Sunday 12.30 pm to 11.00 pm.
- 3.6 The applicant has advised that, if a licence is granted for the area, it is his intention to provide entertainment in the form of solo performers, live bands or a DJ through the in-house speaker system.
- 3.7 The proposed area is covered by the existing Liquor Licence. Layout plans of the proposed external area have been forwarded to the Committee.

#### Previous Convictions

- 3.8 The application is also being placed before the Committee because both Mr Stephen Boyd and Endless Music Limited were convicted of offences under the Local Government (Miscellaneous Provisions) Order 1985 at Belfast Magistrates' Court, on two occasions: 13 May 2014 and 24 May 2016.

#### First Conviction

- 3.9 The first conviction on 13th May, 2014 arose following breaches of the terms and conditions of the Entertainments Licence in that they failed to manage the permitted occupancy and migration between licensed areas. They also failed to ensure that the permitted numbers for the Smoking Area was limited to 50 persons as the area was found to be overcrowded.



- 3.10 As a result, Mr Stephen Boyd and Endless Music Limited were fined a total of £800 and ordered to pay court costs of £69.

**Second Conviction**

- 3.11 The second conviction on 24th May, 2016 arose following breaches of the terms and conditions of the Entertainments Licence in that the 2nd Floor of the premises was found to be overcrowded and in excess of the permitted occupancy.
- 3.12 As a result, Endless Music Limited was fined £750 and ordered to pay court costs of £66.
- 3.13 Following these offences, officers met with Mr Boyd and his representatives to review all their procedures to ensure that appropriate measures were in place to prevent a recurrence.
- 3.14 Members may recall that details of the first conviction was brought to your attention previously and both convictions were recently considered at your meeting in April 2017 in relation to the application for the renewal of the Indoor Entertainments Licence and, after consideration, you agreed to renew the licence.
- 3.15 The applicant and/or his representatives will be available to discuss any matters relating to the application at your meeting.

**Representations**

- 3.16 Notice of the application has been advertised and no written representation has been lodged.

**PSNI**

- 3.17 The PSNI has been consulted and has confirmed that it has no objections to the application and has previously discussed the details of it when dealing with previous matters. A copy of its correspondence has been circulated to the Committee.

**NIFRS**

- 3.18 The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and has confirmed that it has no objections to the application.

**Health, Safety and Welfare Inspections**

- 3.19 Members are advised that officers have carried out a total of 7 During Performance Inspections on the premises since 20th April 2016. On each occasion, all technical matters were satisfactory and the appropriate measures and management procedures were being implemented effectively.
- 3.20 Extensive meetings have also been held with the applicant regarding previous matters associated with the renewal application, future plans to improve the access and egress from the venue and how the applicant proposes to manage the migration of patrons between the relevant areas.

**Noise Issues**

- 3.21 Given the nature of the entertainment at the venue, an acoustic report outlining the measures to be taken to ensure minimal disturbance to neighbouring residential premises, both due to noise breakout or from patron activity, was requested and forwarded to the Council's Environmental Protection Unit (EPU).
- 3.22 EPU has recommended that, in the event that an Entertainments Licence being granted, the Committee consider the inclusion of a condition requiring the applicant to maintain a noise monitoring logbook to ensure compliance with the agreed music noise level of 79dB<sub>L<sub>Aeq5minutes</sub></sub> and to keep a regular check on volume levels at noise sensitive facades when outdoor entertainment is being provided.
- 3.23 Members are advised that the applicant has agreed to this condition being added to any Entertainments Licence being granted and officers will ensure that the technical noise matters are addressed before the Entertainments Licence is granted.
- 3.24 Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives councils additional powers in relation to the control of entertainment noise after 11.00 pm.

**Financial and Resource Implications**

- 3.25 Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.

### **Equality and Good Relations Implications**

#### **3.26 There are no equality or good relations issues associated with this report.”**

After discussion, the Committee agreed to grant a Seven-Day Annual Outdoor Entertainments Licence for Thompson’s Garage, 3 Patterson’s Place, with a condition to be attached requiring the licensee to maintain a noise monitoring logbook to ensure compliance with the agreed music noise level of 79dB<sub>L<sub>Aeq5minutes</sub></sub> and to check on a regular basis volume levels at noise sensitive facades when outdoor entertainment is being provided.

### **Applications for the Grant of Temporary Street Trading Licences - East Bridge Street/Great Victoria Street**

The Committee was advised that an application had been received from Ms. N. Coffey of Mixtape Marketing for the grant of Temporary Street Trading Licences for the free distribution of a soft drink, at the entrance to Central Station in East Bridge Street and in Great Victoria Street, near its junction with Glengall Street, in order to promote the product. The applicant was proposing to operate at both of those locations on 2nd June, between the hours of 11.00 a.m. and 3.00 p.m., from a sampling stand measuring 1 metre by 0.8 metres and two sampling trays.

The Building Control Manager explained that Section 14 of the Street Trading Act (Northern Ireland) 2001 permitted the Council to issue a Temporary Street Trading Licence, for a period not exceeding seven days, for special events, such as fairs and festivals, where a full-term Licence would not be required. The Council had discretion under the Act to develop criteria for deciding on applications for Temporary Street Trading Licences, in terms of the nature of occasions and events, the types of trading, the size and number of stalls and their locations and could attach to the Licence any conditions which it deemed appropriate.

He reported that the application had been assessed against the Council’s Temporary Street Trading Policy, following which it had been determined that it had not complied fully, in that it was not connected with a special event, such as the switch on of the Christmas lights, New Year’s Eve or Halloween. However, the Policy did allow for exceptions to be made where the grant of the Temporary Street Trading Licence would add colour, ambience, novelty and/or tradition in particular locations and considered applications in the context of seasonal/festive periods.

He informed the Members that both the Police Service of Northern Ireland and Transport NI had indicated that they had no objection to the proposal at either site and that Belfast City Centre Management, which had been consulted also, had provided no response.

The Committee agreed to grant to Mixtape Marketing two Temporary Street Trading Licences, permitting it to distribute free samples of a soft drink on 2nd June, between the hours of 11.00 a.m. and 3.00 p.m. at the entrance to Central Station in East Bridge Street and in Great Victoria Street, near its junction with Glengall Street.

**Application for the Grant of a Stationary Street Trading Licence - Donegall Quay**

The Building Control Manager reported that an application had been received from Mr. D. Kelly for the grant of a Stationary Street Trading Licence for a designated site in Donegall Quay. The applicant was seeking to provide a guided walking tour on the history of Belfast, which would commence at the designated site and end at the City Hall, and would be operating from Monday to Saturday between the hours of 10.00 a.m. and 5.00 p.m.

He explained that, in proposing to place an 'A' frame board on the site to advertise his tour, rather than using a standard street trading stall, Mr. Kelly would be contravening the Council's Street Trading Stall Design and Trading Policy, which provided guidance on the minimum standard of stall design which should be considered when deciding whether to grant a Street Trading Licence. However, the policy did allow the Committee, in exceptional circumstances, to consider in particular locations novel alternative designs of stall which could enhance the colour, ambience and vibrancy of the area. He added that the Department for Communities, which owned the land in Donegall Quay, had agreed that Mr. Kelly could operate from the site, on condition that he obtain a Stationary Street Trading Licence from the Council.

The Committee agreed to grant to Mr. D. Kelly a Stationary Street Trading Licence for a designated site in Donegall Quay, permitting him to operate a guided walking tour on the history of Belfast from Monday to Saturday between the hours of 10.00 a.m. and 5.00 p.m.

**Competing Applications for the Grant of a Stationary Street Trading Licence - Donegall Street**

The Building Control Manager reminded the Committee that, at its meeting on 19th October, 2016, it had considered two separate applications for the grant of a Stationary Street Trading Licence for a designated site in Donegall Street, opposite the Kremlin Nightclub. Having been addressed by each of the applicants, the Committee had agreed that it was minded to grant the Licence to Mr. S. McCallum, permitting him to sell hot food and non-alcoholic beverages from Monday to Sunday between the hours of 9.00 p.m. and 4.00 a.m., on the basis that he had been trading at that location since 2000 and that Ms. L. Swift, the other applicant, had indicated that she would be willing to consider an alternative site.

As a consequence of the decision to grant the Licence to Mr. McCallum and the fact that there was only one designated site available, the Committee had agreed that it was minded to refuse the application which had been submitted by Ms. L. Swift, on the grounds set out in Section 9(1) (a) (iv) of the Street Trading Act (Northern Ireland) 2001,

namely, that there were sufficient traders trading at that location in the articles, things or services in which she wished to trade and had authorised Council officers to work with her to identify other suitable sites from which she might wish to trade.

The Building Control Manager reported that Ms. Swift had, in accordance with Section 12(2)(b) of the Street Trading Act (Northern Ireland) 2001, been advised that she would be permitted to make written representation to the Council within twenty-one days of being notified of the Committee's decision. Whilst no representation had been received from her during that time in relation to that site, she had submitted recently an application for a number of locations which, in her view, would be suitable for designation. Those had been included in a number of proposed sites which the Committee, at its meeting on 19th April, had agreed should proceed to the first stage of the statutory designation process.

The Committee agreed to affirm its decision of 19th October, 2016, to grant the Stationary Street Trading Licence to Mr. S. McCallum, on condition that he forward the required documentation and licence fee, and agreed also to refuse the application which had been submitted by Ms. Swift.

### **Fees for Street Trading Licences**

The Committee was reminded that, at its meeting on 15th June, 2016, it had approved a list of proposed fees for street trading licences, as a basis for public consultation. The Committee was reminded further that, at its meetings on 18th January and 19th April, it had considered the outcome of that consultation and had, on each occasion, agreed to defer consideration of the matter to enable officers to provide additional information.

Accordingly, the Building Control Manger submitted for the Committee's consideration the following options for street trading fees, which had been formulated to date:

	<b>2002/ Current Fee</b>	<b>Option 1a</b>	<b>Option 1b</b>	<b>Option 2</b>	<b>Option 3</b>
		<b>(one compliance visit per year)</b>	<b>(two compliance visits per year)</b>	<b>2002/ Current fee + Inflation</b>	<b>Agreed 15/6/2016 for Public Consultation)</b>
<b>STATIONARY LICENCE</b>					
Application Fee - <b>Non refundable</b>	£ 100	£ 430	£ 430	£ 150	£ 617
Renewal Application Fee - <b>Non refundable</b>	£ 100	£ 340	£ 340	£ 150	£ 523
Licensed for Monday to Friday	£ 629	£ 1,065	£ 1,173	£ 940	£ 1,500
Licensed for Monday to Saturday	£ 800			£ 1,195	
Licensed for Monday to Sunday	£ 1017	£ 1,085	£ 1,218	£ 1,520	£ 1,570
Licensed for Saturday	£ 426			£ 635	

Licensed for Sunday	£ 472	£ 956	£ 1,260	£ 705	£ 1,220
Licensed for Weekend*	£ 898	£ 956	£ 1,240	£ 1,340	£ 1,350

<b>MOBILE LICENCE</b>					
Application Fee - <i>Non refundable</i>	£ 120	£ 430	£ 430	£ 180	£ 617
Renewal Application Fee - <i>Non refundable</i>	£ 120	£ 340	£ 340		£ 523
Licensed for Monday to Friday	£ 429	£ 1,065	£ 1,173	£ 640	£ 1,500
Licensed for Monday to Saturday	£ 628			£ 940	
Licensed for Monday to Sunday	£ 882	£ 1,085	£ 1,218	£ 1,315	£ 1,570
Licensed for Saturday	£ 199			£ 295	
Licensed for Sunday	£ 254	£ 956	£ 1,260	£ 380	£ 1,220
Licensed for Weekend*	£ 453	£ 956	£ 1,240	£ 675	£ 1,350

<b>TEMPORARY LICENCE</b>					
Application Fee - <i>Non refundable</i>	£ 120	£ 400	£ 400	£ 180	£ 677
Licence Fee (for up to 7 days)	£ 211	£ 130	£ 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	

<b>Variation of Licence Particulars</b>	£ 50	£ 315	£ 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.

The Building Control Manager addressed a number of issues which had been raised by Members and drew their attention to the fact that, under the current scale of fees, which had remained unchanged since 2002, the Council was recovering only 35% of its costs. However, it was estimated that that figure would rise to 61%, 65%, 53% and 91%, under options 1a, 1b, 2 and 3, respectively.

After a lengthy discussion, it was

Moved by Councillor Dudgeon,  
Seconded by Councillor Bunting,

That the Committee agrees to adopt the scale of fees for Street Trading Licences, as set out within option 2, with all licences to operate for a period of three years.

**Amendment**

Moved by Councillor Boyle,

That the Committee agrees that the current scale of fees for Street Trading Licences be increased by 25%.

As there was no seconder for the amendment it was not put to the meeting.

**Amendment**

Moved by Councillor Magennis,  
Seconded by the Deputy Lord Mayor (Councillor Campbell),

That the Committee agrees to defer until its next meeting consideration of the fees for Street Trading Licences to enable officers to formulate a further option, based around a combination of options 1b and 2, with a view to keeping the increases for each licence type at a similar level.

On a vote by show of hands eleven Members voted for the amendment and four against and it was declared carried.

The amendment was thereupon put to the meeting as the substantive motion and passed.

**Non-Delegated Matters**

**Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 – Road Closures for Special Events**

The Committee was advised that the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010, which had received Royal Assent on 13th August, 2010, sought to provide councils with the power to prohibit or restrict traffic using roads to facilitate special events taking place on them. The Act defined special events as any sporting event, social event, entertainment or film making on a public road.

The Building Control Manager reported that it had been the intention to introduce the legislation in 2013 and that the Committee, at its meeting on 20th March, 2013, had adopted a number of recommendations, primarily around future governance arrangements, processes and policies. However, in May, 2013, the then Minister for Regional Development had chosen to defer the commencement of the Act until a later date.

He reported further that the Council had, in late 2016, received notification from the Department for Infrastructure that it had begun the legislation process to commence the Act on 1st January, 2017. However, that had since been delayed until 4th September. From that date, a person wishing to close a public road for a special event would be required to apply to the Council and, after public notification and consultation with various statutory bodies and with the consent of the Department for

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**Licensing Committee**  
**Wednesday, 17th May, 2017**

Infrastructure, the Council would decide if a road closure order was to be made. That Department, through Transport NI, would, however, maintain responsibility for the closure of major roads, such as motorways and the Westlink. He pointed out that, whilst the introduction of the Act was to be welcomed, it would create an additional workload for the Building Control Service, given the significant number of tasks which would be required to be completed.

The Committee noted the information which had been provided and that a report outlining its future role in determining applications for road closures for special events, together with options for the charging of fees, would be submitted to a future meeting.

**Last Meeting**

Councillor Armitage referred to the fact that this had been his last meeting in the role of Chairperson, as his replacement was due to be appointed in June, and thanked the Members and officers for their support over the previous year.

Chairperson