

Public Document Pack

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



**Belfast
City Council**

15th June, 2017

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Wednesday, 21st June, 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/Permits Issued Under Delegated Authority (Pages 1 - 6)
- (b) Revocation/Renewal of a Seven-Day Annual Entertainments Licence with a Recent Conviction - The Belfast Barge, Lanyon Quay (Pages 7 - 18)
- (c) Applications for the Grant of Seven-Day Entertainments Licences with Previous Convictions – Box Nightclub/Caulfield's Bar/Malone Rugby Football Club (Pages 19 - 38)

- (d) Application for Extended Hours - Wilgar Rock and Blues Festival and Community Fun Day, Blanchflower Playing Fields (Pages 39 - 50)
- (e) Application for Extended Hours - Belfast Oktoberfest, Custom House Square (Pages 51 - 60)
- (f) Rescinding of a Designating Resolution for a Street Trading Site - Blackstaff Square (Pages 61 - 64)

3. **Non-Delegated Matters**

- (a) Fees for Street Trading Licences (Pages 65 - 74)
- (b) Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 – Road Closures for Special Events (Pages 75 - 78)



Subject:	Licences/Permits Issued Under Delegated Authority
Date:	21st June, 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"/>
Some time 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
Alexandra Social Club, 170b Alexandra Park Avenue, Belfast, BT15 3GJ	Renewal	Mon - Sat: 11.30 - 23.00	Mr. Samuel Crozier
Andersonstown Social Club, 8e South Link, Belfast, BT11 8GX	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. Gerard Hawkins
Beechlawn House Hotel, 4 Dunmurry Lane, Dunmurry, Belfast, BT17 9RR	Renewal	Sun: 12.00 - 22.00 Mon - Sat: 07.30 - 01.00	Ethril Limited
Belfast Boat Club, 12 Lockview Road, Belfast, BT9 5FJ	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. Andrew Gault
Belfast Community Circus School, 23-25 Gordon Street, Belfast, BT1 2LG	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Will Chamberlain
Belfast Harlequins, 45A Deramore Park, Belfast, BT9 5JX	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Ms. Jill Gilpin
Belfast Royal Academy, 3-17 Cliftonville Road, Belfast, BT14 6JL	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Ms. Elisabeth Hull
Ulster Sports Club, 96-98 High Street, Belfast, BT1 2BG	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. Stephen Watson
Brantwood Football & Recreation Club, Jellicoe Avenue, Belfast, BT15 3FZ	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. Noel Holmes
Bridge House, 35-37 Bedford Street, Belfast, BT2 7EJ	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	JD Wetherspoon PLC
Chelsea Wine Bar, 346 Lisburn Road, Belfast, BT9 6GH	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Wine Inns Limited
Clayton Hotel Belfast, 22-26 Ormeau Avenue, Belfast, BT2 8HR	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Stephen Redden
Cregagh Congregational Church, Graham Gardens, Belfast, BT6 9FB	Renewal	Mon - Fri: 08.00 - 01.00 Sat: 08.00 - 00.00	Mr. Warnock Craig
Crescent Arts Centre, 2-4 University Road, Belfast, BT7 1NH.	Renewal	Sun - Sat: 08.00 - 03.00	Mr. Keith Acheson
Cumann Na Meirleach Poblachtach Eire, 537 Falls Road, Belfast, BT11 9AB	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. Gerard O' Scollain

Ewarts Bowling Club, Somerdale Park, Belfast, BT14 7HD	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Ms. Mandy Cunningham
Fratelli Belfast, Unit 1, 60 Great Victoria Street, Belfast, BT2 7BB	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Fratelli Belfast Limited
Hannahstown Community Centre, 23a Hannahstown Hill, Belfast, BT17 0LT	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Jim Ferguson
Harland and Wolff Staff Sports and Rec. Club, 8-10 Dundela Avenue, Belfast, BT4 3BQ	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. Douglas Murray
Harlem Cafe, 34-36 Bedford Street, Belfast, BT2 7FF	Transfer & Renewal	Sun: 12.00 - 00.00 Mon - Sat: 11.30 - 23.00	Harlem Café Limited
Horatio Todd's, 406-408 Upper Newtownards Road, Belfast, BT4 3EZ	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Wandsworth Pubs Limited
Lamh Dhearg CLG, 168 Upper Springfield Road, Belfast, BT17 0LZ	Grant	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. Michael Boyle
Lavery's Bar, 12-22 Bradbury Place, Belfast, BT7 1RS	Renewal	Sun: 12.30 - 00.00 Mon - Fri: 11.30 - 01.00 Sat: 11.30 - 02.00	Mr. Bernard Lavery
Leopold and Heather Street Social Club, 2 Heather Street, Belfast, BT13 3DQ	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. David Fallis
Longfellows Bar, 115-119 My Lady's Road, Belfast, BT6 8FD	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Maxwell Swain
Lyric Theatre NI, 55 Ridgeway Street, Belfast, BT9 5FB	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Ciaran McAuley
Morrisons, 21 Bedford Street, Belfast, BT2 7EJ	Renewal	Sun: 12.30 - 03.00 Mon - Sat: 11.30 - 03.00	Mr. Keith Carmichael
The Fly, 5 Lower Crescent, Belfast, BT7 1NE	Renewal	Sun: 12.30 - 01.00 Mon - Sat: 11.30 - 03.00	Mr. Dean McFarland
Rosemary Presbyterian Church Hall, 19 North Circular Road, Belfast, BT15 5HB	Renewal	Mon - Fri: 08.00 - 01.00 Sat: 08.00 - 00.00	Mr. Roy Eakin
Royal Bar, 33-35 Donegall Road, Belfast, BT12 5JJ	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Ronald Brown
Shamrock Sports and Social Club, 5A Flax Street Belfast, BT14 7LG	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. Patrick McAuley

Shawsbridge Sports Association, 123 Milltown Road, Belfast, BT8 4XP	Renewal	Mon - Sat: 11.30 - 23.00	Mr. Sean Campbell
Spectrum Centre, 331-333 Shankill Road, Belfast, BT13 3AA	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Robert Foster
St Bartholomew's Parochial Hall, 183 Stranmillis Road, Belfast, BT9 5EE	Renewal	Mon - Fri: 08.00 - 01.00 Sat: 08.00 - 00.00	Mr. Stephen John Green
The Black Box, 18-22 Hill Street, Belfast, BT1 2LA	Renewal	Sun: 12.00 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Tomas Gorman
The House, 12 Stranmillis Road, Belfast, BT9 5AA	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	DJTJ Enterprises Limited
The Ivory Restaurant/Bar, House of Fraser, Unit 41 Victoria Square, Belfast, BT1 4QG	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Spirit Restaurants Limited
The Metropolitan Arts Centre (MAC) 10 Exchange Street West, Belfast, BT1 2LJ	Renewal	Sun - Sat: 08.00 - 01.00	Ms. Anne Mc Reynolds
The Stadium Bar, 346-348 Shankill Road, Belfast, BT13 3AB	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Steven Harrison

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

Premises and Location	Type of Application	Hours Licensed	Applicant
Oasis Gaming Centre, 19 North Street, Belfast, BT1 1NA.	Renewal	Sun: 10.30 - 00.00 Mon - Sat: 09.00 - 00.00	Oasis Retail Service Limited
Oasis Gaming Centre, 7 Wellington Place, Belfast, BT1 6GB	Renewal	Sun - Sat: 00.00 - 00.00	Oasis Retail Service Limited
Funtime Amusements, 91 Castle Street, Belfast, BT1 1GJ	Renewal	Sun: 13.00 - 23.00 Mon - Sat: 09.00 - 23.00	Mr Patrick Quinn

3.3 Under the terms of the Street Trading Act (Northern Ireland) 2001, there were no Street Trading Licences issued since your last meeting.

Financial and Resource Implications

3.4 None

Equality or Good Relations Implications

3.5 There are no equality and good relations issues.

4.0	Documents Attached
	None

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Subject:	Revocation/Renewal of a Seven-Day Annual Entertainments Licence with a Recent Conviction, The Belfast Barge, Lanyon Quay
Date:	21st June, 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"/>
Some time 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 paragraph 10 (5) of the Local Government Miscellaneous Provisions (NI) Order 1985 (the Order), if the Council wishes to revoke an Entertainments Licence where the applicant has been convicted of an offence.</p> <table style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 35%;">Premises and Location</th> <th style="width: 20%;">Ref. No.</th> <th style="width: 45%;">Applicant</th> </tr> </thead> <tbody> <tr> <td>The Belfast Barge, Lanyon Quay, Belfast, BT1 3LQ</td> <td>WK/201600314</td> <td>Mr Jim Crooks Lagan Legacy Limited Lanyon Quay, Belfast, BT1 3LQ</td> </tr> </tbody> </table>	Premises and Location	Ref. No.	Applicant	The Belfast Barge, Lanyon Quay, Belfast, BT1 3LQ	WK/201600314	Mr Jim Crooks Lagan Legacy Limited Lanyon Quay, Belfast, BT1 3LQ
Premises and Location	Ref. No.	Applicant					
The Belfast Barge, Lanyon Quay, Belfast, BT1 3LQ	WK/201600314	Mr Jim Crooks Lagan Legacy Limited Lanyon Quay, Belfast, BT1 3LQ					
1.2	The Committee is reminded that, at its meeting on 18th January, it agreed to consider the option to revoke an Entertainments Licence immediately after a licensee is convicted of an offence.						

1.3	Rather than wait until the licence falls due for renewal, the licence holder is now required to appear before Committee and convince Members as to why their licence should not be revoked.
1.4	The applicant has also applied to renew the licence so if the Committee decides not to revoke the licence it must then determine whether to grant the renewal application.
2.0	Recommendations
	<p>Revocation</p> <p>2.1 Taking into account the information presented and any representations received, you are required to consider the recent legal proceedings and determine if you wish to revoke the Entertainments Licence, on the grounds that the applicant has been convicted of an offence under the Order.</p> <p>2.2 If the licence is revoked the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.</p> <p>Renewal Application</p> <p>2.3 Should Members be satisfied that the Entertainments Licence need not be revoked you are then required to consider the application to renew the licence and:</p> <ol style="list-style-type: none"> 1. approve the application for the renewal of the 7-day Annual Entertainments Licence, or 2. approve the application for the renewal of the 7-day Annual Entertainments Licence with special conditions. <p>2.4 If the licence is renewed with special conditions the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.</p>
3.0	Main Report
	<p><u>Key Issues</u></p> <p>3.1 Members are advised that, whilst you are primarily considering if you wish to revoke the Entertainments Licence on the grounds that the applicant has been convicted of an offence, an application has been received for the renewal of the licence which you are asked to determine should you not revoke the licence.</p> <p>3.2 The matter is before the Committee because the applicant, Lagan Legacy Limited, was convicted of offences under the Order at Belfast Magistrates Court on 23rd May 2017, after a during performance inspection carried out in July 2016 found that the rear exit door from the multi-function space was obstructed by a band set-up, the emergency exit light above this exit was not illuminated and the external gate on the rear escape walkway was padlocked closed. One leaf of the main entrance/exit doors was also locked closed with a barrel bolt and the appropriate pre-entertainments checks were not carried out prior to the entertainment taking place.</p> <p>3.3 As a result, the applicant was fined a total of £150 and ordered to pay court costs of £76.</p>

	<p><u>Premises</u></p>
3.4	<p>The applicant currently holds a Seven-Day Annual Indoor Entertainments Licence and the areas licensed to provide entertainment are the:</p> <ul style="list-style-type: none"> • Multi-function Space, with a maximum capacity of 110 persons • Gallery Restaurant, with a maximum capacity of 60 Persons
3.5	<p>The days and hours during which the premises are currently licensed to provide entertainment are:</p> <ul style="list-style-type: none"> • Monday to Sunday: 08.00 am to midnight.
3.6	<p>A copy of the application form is attached at Appendix 1.</p>
3.7	<p>A location map is attached at Appendix 2.</p>
	<p><u>Representations</u></p>
3.8	<p>Public notice of the application has been placed and no written representations have been lodged as a result of the advertisement.</p>
	<p><u>PSNI</u></p>
3.9	<p>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.</p>
	<p><u>Health, Safety and Welfare Inspections</u></p>
3.10	<p>Following the offence, officers of the Service met with the management of the premises to review their fire safety procedures and ensure that appropriate measures are in place for safe evacuation from the premises should an emergency situation occur</p>
3.11	<p>The premise has also been subject to two further during performance inspections since the offences were uncovered but, on both occasions, there has been no entertainment being provided. However, from the renewal inspection we are satisfied that safety measures and management procedures are being followed and implemented effectively.</p>
	<p><u>NIFRS</u></p>
3.12	<p>The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and has confirmed that it has no objection.</p>
	<p><u>Noise Issues</u></p>
3.13	<p>The Environmental Protection Unit (EPU) has been consulted in relation to the application and has confirmed that, since the last renewal, no complaints have been received relating to noise break out from the premises or due to patron dispersal.</p>
	<p><u>Applicant</u></p>
3.14	<p>The applicant has been made aware of the procedure you have adopted to give Members the opportunity to seek assurances as to why their Entertainments Licence should not be revoked.</p>

3.15	<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>
3.16	<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>
3.17	<p>There are no equality or good relations issues associated with this report.</p>
4.0	<p>Documents Attached</p>
	<p>Appendix 1 – Application Form</p> <p>Appendix 2 – Location Map</p> <p>Appendix 3 – PSNI Correspondence</p>

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

Document is Restricted

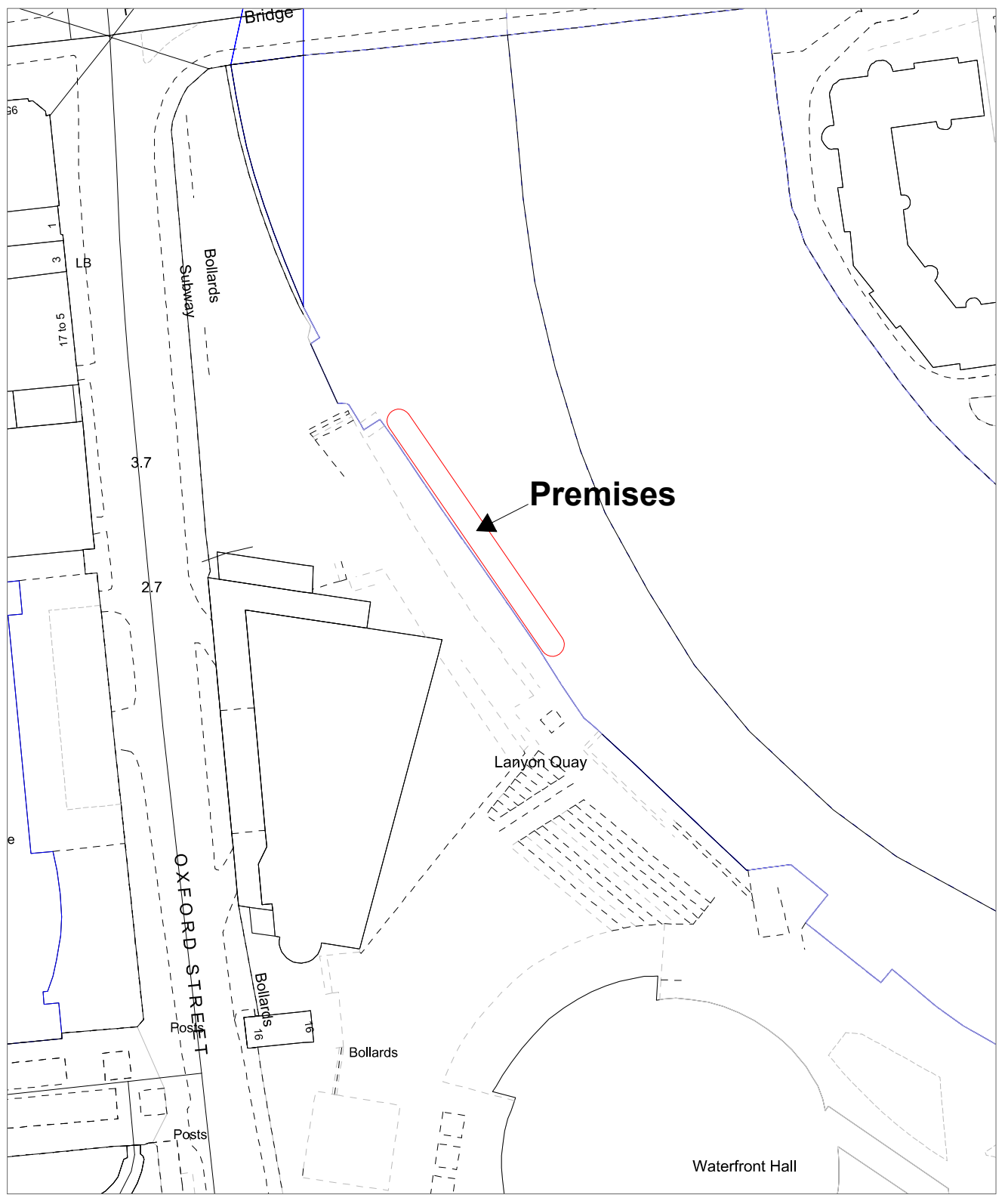
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Building Control Service

Belfast Mapping Data v3.0
Prepared by I.S.B.
Based upon the Ordnance Survey
Of Northern Ireland map with the
permission of the Director & Chief Executive.
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Appendix 2



DRAWN BY JC
DATE 14/06/2017

Page 15
The Belfast Barge -
Lanyon Quay

SCALE 1:1250

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

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Subject:	Applications for the Grant of Seven-Day Entertainments Licences with Previous Convictions – Box Nightclub/ Caulfield’s Bar/Malone Rugby Football Club
Date:	21st June, 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"/>
Some time 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><u>Key Issues</u></p> <p>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>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"> <thead> <tr> <th>Premises and Location</th> <th>Applicant</th> <th>Application Type</th> <th>Offence Details</th> <th>Date of Conviction and Penalty</th> </tr> </thead> <tbody> <tr> <td> Caulfield's Bar 685 Springfield Road Belfast BT12 7FP </td> <td> Tony Clarke Douglas Adams </td> <td>Renewal</td> <td> 4th July 2015 Final exit locked shut and an obstructed means of escape </td> <td> 8th March 2016 £200 and £69 Court Costs </td> </tr> <tr> <td> Malone Rugby Football Club 8 Gibson Park Avenue Belfast BT6 9GL </td> <td> Raymond Thomas Honorary Secretary </td> <td>Renewal</td> <td> 22nd August 2015 Entertainment taking place without an Entertainments Licence </td> <td> 5th April 2016 Conditional Discharge £69 Court costs </td> </tr> <tr> <td> Box Nightclub Units 1 & 8 Odyssey Pavilion 2 Queens Quay Belfast BT3 9QQ </td> <td> Sheridan Nightclubs Limited </td> <td> Indoor and Outdoor Renewals </td> <td> 25th September 2014 Entertainment taking place in an outdoor area without an Outdoor Entertainments Licence </td> <td> 17th November 2015 £200 and £69 Court costs </td> </tr> </tbody> </table>	Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction and Penalty	Caulfield's Bar 685 Springfield Road Belfast BT12 7FP	Tony Clarke Douglas Adams	Renewal	4th July 2015 Final exit locked shut and an obstructed means of escape	8th March 2016 £200 and £69 Court Costs	Malone Rugby Football Club 8 Gibson Park Avenue Belfast BT6 9GL	Raymond Thomas Honorary Secretary	Renewal	22nd August 2015 Entertainment taking place without an Entertainments Licence	5th April 2016 Conditional Discharge £69 Court costs	Box Nightclub Units 1 & 8 Odyssey Pavilion 2 Queens Quay Belfast BT3 9QQ	Sheridan Nightclubs Limited	Indoor and Outdoor Renewals	25th September 2014 Entertainment taking place in an outdoor area without an Outdoor Entertainments Licence	17th November 2015 £200 and £69 Court costs
Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction and Penalty																	
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Box Nightclub Units 1 & 8 Odyssey Pavilion 2 Queens Quay Belfast BT3 9QQ	Sheridan Nightclubs Limited	Indoor and Outdoor Renewals	25th September 2014 Entertainment taking place in an outdoor area without an Outdoor Entertainments Licence	17th November 2015 £200 and £69 Court costs																	
3.3	<p>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><u>Application History</u></p> <p>Caulfield's Bar</p>																				
3.4	<p>This is the second time an application for the premises has been considered since the applicant was convicted on 8th March 2016. The last renewal application was brought before the Committee at your meeting on 18 May 2016 and, after consideration, you agreed to renew</p>																				

	the licence.
3.5	Members are reminded that you have considered applications for other premises for which the applicant is licensee since their conviction for the offences involving Caulfield's Bar, namely, The Suffolk Inn, which you considered at your meeting on 17th August 2016, the Sliabh Dubh, which you considered at your meeting on 21st September 2016 and Failte Restaurant, which you considered on 14th December 2016.
3.6	After taking account of the conviction, you agreed to renew each of these licences respectively.
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 recurrence of the breaches or any other safety issues. As a result, we have found that safety measures and management procedures are being implemented effectively.
	Malone Rugby Football Club
3.9	This is the second time an application for the premises has been considered since the applicant was convicted on 5th April 2016. The last application was brought before the Committee at your meeting on 20th April 2016 and, after consideration, you agreed to grant the licence.
3.10	Since the licence was granted, the premises have been subject to one during performance inspection as well as the renewal inspection to ensure that there have been no issues.
3.11	No entertainment was found to be taking place at the time of the during performance inspection but from the renewal inspection we are satisfied that safety measures and management procedures are being implemented effectively.
	Box Nightclub
3.12	This is the second time applications for the premises has been considered since the applicant was convicted on 17th November 2015. The renewal application for the Indoor Entertainments Licence and Grant application for the Outdoor Entertainments Licence were brought before the Committee at your meeting on 18th May 2016 and, after consideration, you agreed to grant the licences.
3.13	Since the granting of those licences, the premises have been subject to four during performance inspections as well as the renewal inspection to ensure that there have been no issues. As a result, we have found that safety measures and management procedures are being implemented effectively.
	<u>Representations</u>
3.14	Notice of the applications has been advertised and no written representations have been received.
	<u>PSNI</u>
3.15	The PSNI has confirmed that it has no objections to the applications.

<p>3.16</p> <p>3.17</p> <p>3.18</p> <p>3.19</p>	<p><u>NIFRS</u></p> <p>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>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>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>Application Forms</p>

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

Document is Restricted

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Subject:	Application for Extended Hours - Wilgar Rock and Blues Festival and Community Fun Day, Blanchflower Playing Fields
Date:	21st June, 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"/>
Some time 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 Wilgar Community Forum, organisers of the 6 th Annual Wilgar Rock and Blues Festival and Community Fun Day, to permit entertainment to run to 1:00 am on Friday 4 th and Saturday 5 th August and to 12.00 am on Sunday 6 th August, 2017.
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 days should be permitted to take place beyond the standard hours of licence of 11:00 pm, or 2. refuse to extend any or all of the hours as requested.

3.0	Main Report
	<p data-bbox="272 226 427 255"><u>Key Issues</u></p> <p data-bbox="165 282 1469 412">3.1 Members are advised that a Seven-Day Annual Licence for a Marquee has been granted for Blanchflower Playing Fields. No musical events have ever been held at the venue. The licence is held by the Parks Service of the City and Neighbourhood Services Department and is transferred to the organisers for the duration of their event.</p> <p data-bbox="165 443 1362 472">3.2 The days and hours during which entertainment may be provided in a marquee are:</p> <ul data-bbox="325 510 986 539" style="list-style-type: none"> • Monday to Sunday from 11.30 am to 11.00 pm. <p data-bbox="165 568 1469 629">3.3 In addition, the following special conditions are attached to the Marquee Entertainments Licence:</p> <ol data-bbox="293 674 1385 1099" 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. 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 1128 1469 1323">3.4 The organisers have confirmed the artists to perform at this year's event will be popular local acts, performing rock and blues music, including a Thin Lizzy tribute band, Kenny McDowell Project, Albert Mills, Rab McCullough Band, Mac Fleetwood and Bob Strong. A copy of the proposed running order is attached at Appendix 1. The Parks Service has sought permission from the People and Communities Committee for the use of the venue for the event. This was granted approval on 5th May 2017.</p> <p data-bbox="165 1352 1469 1451">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 1480 1469 1579">3.6 As this is not an application to vary the terms of the marquee licence, but a request for Council's permission to extend the hours under an existing licence condition, there is no requirement for public advertisement in this case.</p> <p data-bbox="165 1608 1469 1803">3.7 Members will be aware that the Committee has previously granted extensions beyond the standard hours of 11.00 pm for other events and festivals, most recently for the FOCAL Festival at Lower Crescent Park at your May meeting; the Belfast City Blues Festival at your April Meeting, the Cathedral Quarter Arts Festival at your March meeting and the Belfast Beer Festival at your February meeting, with the latter three events all being held at Custom House Square.</p> <p data-bbox="272 1839 699 1868">Rationale for Additional Hours</p> <p data-bbox="165 1899 1469 1995">3.8 The organisers have confirmed that this is the 6th year of the Wilgar Rock & Blues Festival and Community Fun Day. Members may be aware that the event was previously held within the grounds of Dundela Football, Athletic and Social Club in Wilgar Street. However, they</p>

	decided to move it to another venue in order to try and increase the capacity of the event which has always been well attended.
3.9	The event is staged as a community event, held over a number of days, and includes a mixture of entertainments, artistic performances and children's fun day activities.
3.10	The ability to operate beyond the permitted hours to 1.00 am on Friday 4th and Saturday 5th August and to 12.00 am on Sunday 6th August allows the organiser's to offer a good experience for the community and its members as many of those attending do not have the opportunity to attend other events or festivals of this kind.
3.11	Officers have engaged with the organisers and Officers of the Parks Service and the organisers are currently compiling event documentation including a site layout plan and an Event Management Plan.
3.12	The organisers will also be required to produce a suitable resident's notification letter and we will agree the extent of its distribution prior to the event taking place.
3.13	A representative of the Parks Service will be available at your meeting should you wish to seek further information about the event.
3.14	A copy of the letter from the organisers outlining the background to the festival and reasons for requesting the extended hours to 1.00 am is attached at Appendix 2.
3.15	A location map is attached at Appendix 3.
	<u>PSNI</u>
3.16	The PSNI has been consulted in relation to the event and has confirmed that it has no objection to the event or request to operate the event to 1.00 am.
3.17	It has also confirmed that it has made contact with the organisers regarding their application for an Occasional Liquor Licence. A copy of its comments is attached at Appendix 4.
	<u>NIFRS</u>
3.18	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 request to operate to 1.00 am. It has requested to be kept involved with the planning for the event and will attend meetings, if required.
3.19	As with all such events, a planning meeting will be held in due course, to be attended by officers of the PSNI and NIFRS, to look at public safety, traffic management, transport and any wider operational issues.
	<u>Health, Safety and Welfare Issues</u>
3.20	Officers from the Service have carried out during performance inspections at previous events organised by the Wilgar Community Forum and have found them to be professional in their approach and have had no issues with the health, safety and welfare management of events during that time.
3.21	Officers will continue to work with the organisers of the event and coordinate the relevant agencies required to be involved in any pre-event planning meetings.

	<p><u>Noise issues</u></p>
3.22	The Environmental Protection Unit (EPU) has been consulted in relation to the request for late night entertainment to run to 1:00am on each night of the event at Blanchflower Playing Fields.
3.23	Given the cumulative impact of several late consecutive nights 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.
3.24	However, officers will work with the organisers and their representatives regarding a suitable noise assessment and noise management plan for the festival. The noise assessment must demonstrate that noise from the event will not cause unreasonable disturbance to commercial and residential premises.
3.25	Officers will consider all reports and supporting information to ensure the technical requirements are in accordance with relevant legislation and guidance.
	<p><u>Financial and Resource Implications</u></p>
3.26	Officers will be required to carry out inspections at the event but this is catered for within existing Service budgets.
	<p><u>Equality and Good Relations Implications</u></p>
3.27	There are no equality or good relations issues associated with this report
4.0	Documents Attached
	<p>Appendix 1 – Festival Running Order</p> <p>Appendix 2 – Rationale for requesting extended hours</p> <p>Appendix 3 – Location Map</p> <p>Appendix 4 – PSNI Correspondence</p>

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

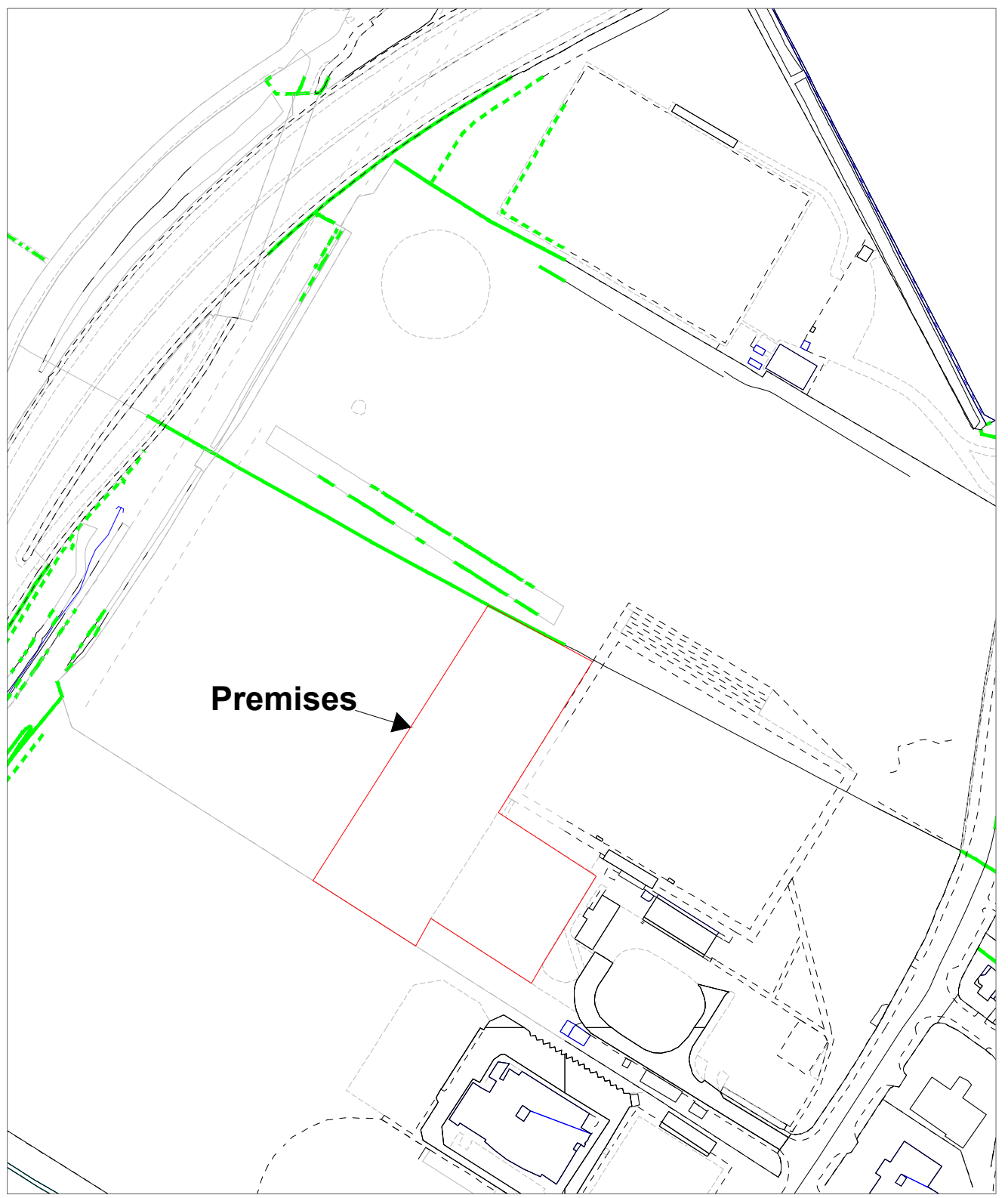
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Subject:	Application for Extended Hours - Belfast Oktoberfest, Custom House Square
Date:	21st June, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, 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"/>
Some time 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 Oktoberfest to operate their event over ten nights within a marquee at Custom House Square, running from Thursday 19th to Saturday 28th October 2017, and to permit the entertainment to operate to 12.00 am on six 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 six 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
	<u>Key Issues</u>
3.1	Custom House Square is the responsibility of the Department for Communities and they currently hold both a Seven-Day Annual Outdoor Entertainments Licence and a Seven-Day Annual Marquee Entertainments Licence for the Square.
3.2	The standard days and hours during which the marquee is currently licensed to provide entertainment are: <ul style="list-style-type: none"> • Monday to Sunday: 11.30 am to 11.00 pm.
3.3	In addition, the following conditions are attached to the Entertainments Licence: <ol 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. 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.
3.4	Belfast Oktoberfest is a new festival for Belfast, which the organisers hope will become a regular event in the city's social calendar.
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.
3.6	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 Custom House Square, most recently for the Belfast City Blues Festival, Cathedral Quarter Arts Festival and the Belfast Beer Festival. You also granted an extension for the FOCAL Festival at Lower Crescent Park at your May meeting.
3.7	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 disturbance to those living and working in the vicinity.
3.8	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.
	Rationale for additional hours
3.9	The organisers has not yet provided the event documentation but are currently working on it in conjunction with their marketing material. Details of the event programme and running order is also being developed.

3.10	They have requested that their application to operate six nights beyond the standard hours be presented to this month's Committee meeting in order that they can have appropriate time to plan and organise for the event and engage with residents.
3.11	The organisers have advised that Belfast Oktoberfest is a beer festival celebrated the world over and is an important part of Bavarian culture, having been held since the middle ages. Many cities across the world hold Oktoberfest celebrations that are modelled after the original Munich event.
3.12	Their intention is to create a vibrant, interactive festival which will showcase a range of German beer and other drinks, with Bavarian style food and live music to create a truly memorable experience for locals and visitors alike.
3.13	They have also advised that they wish to extend the entertainment beyond the permitted hours to help promote and compliment the festival and to maximise the experience that patrons will have when attending. They hope it will provide visitors with a memorable festival experience, value for money and will let those attending avail of the services of other bars and restaurants in the surrounding area both before and after the event.
3.14	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.
3.15	Officers will work with the organisers to agree a suitable occupancy and develop their event documentation to manage the event safely. Officers will also ensure the organiser produces a suitable resident's notification letter and that it is distributed to the correct addresses prior to the event taking place.
3.16	The organiser for the Belfast Oktoberfest will be available at your meeting should you wish to seek further information about the festival. 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.
	<u>PSNI</u>
3.18	The PSNI has been consulted regarding the festival and their request to operate six nights of the event to 12.00 am. It has confirmed that it has no objections to this proposal. A copy of its correspondence is attached at Appendix 3.
	<u>NIFRS</u>
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. It has requested to be kept involved with the planning for the event and will attend meetings, if required.
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.

	<p><u>Health, Safety and Welfare Issues</u></p> <p>3.21 Officers from the Service have had discussions with the organisers and representatives from the Department for Communities about the event. We have advised them of what is required by way of event documentation and explained the terms and conditions of the Entertainments Licences.</p> <p>3.22 No pre-event meetings have yet been held but officers will continue to work with the organisers and other relevant parties to ensure that measures are taken to protect public safety and reduce the potential for noise disturbance and general nuisance from the event.</p> <p><u>Noise issues</u></p> <p>3.23 The Environmental Protection Unit (EPU) has been advised of the request for late night entertainment to run beyond 11.00 pm to 12.00 am on six of the ten nights at the venue.</p> <p>3.24 A Noise Management Plan has not yet been completed but is currently being put together by the organiser in conjunction with other event documentation. 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> <p>3.25 Officers are concerned that there is a greater potential for complaints after 11.00 pm given the cumulative impact of the consecutive nights proposed. 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> <p>3.26 Officers will assess the report 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> <p>3.27 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> <p>3.28 There are no equality or good relations issues associated with this report.</p>
4.0	Documents Attached
	<p>Appendix 1- Rationale for extended hours</p> <p>Appendix 2 – Location Map</p> <p>Appendix 3 – PSNI Correspondence</p>

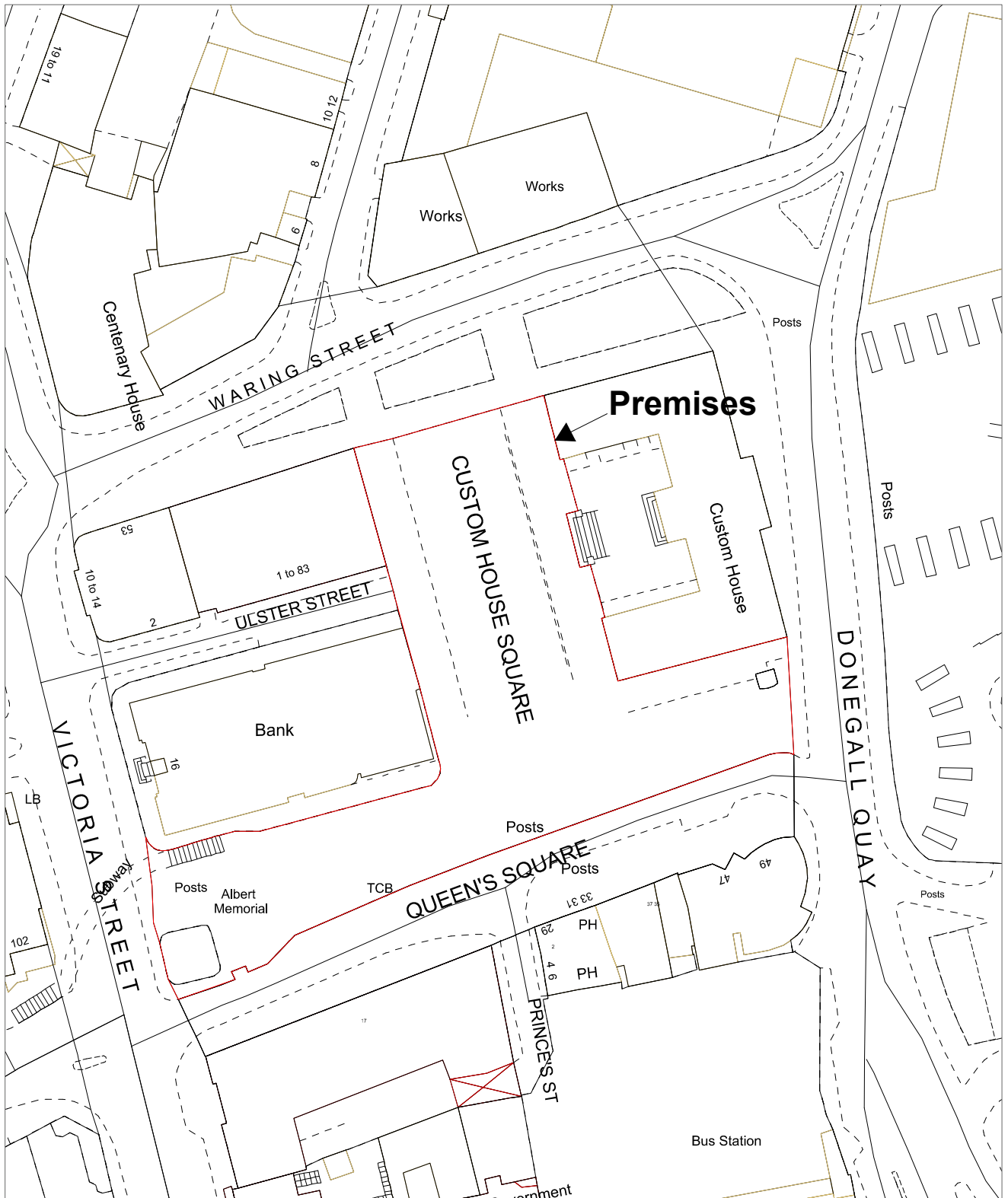
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Subject:	Rescinding of a Designating Resolution for a Street Trading Site - Blackstaff Square
Date:	21st June, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control 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"/>
Some time 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 the rescinding of an existing street trading pitch in Blackstaff Square.
1.2	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 rescind a previous Designating Resolution in relation to the location, commodities or services to be supplied in specific streets.
1.3	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.

2.0	Recommendation
2.1	The Committee is requested to consider rescinding the street trading pitch in Blackstaff Square. 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
	<u>Key Issues</u>
3.1	Members will recall that you previously considered a report regarding the Designating Resolutions for a number of new street trading sites and the variation of commodities and services to be provided at existing sites at your meeting on 19th April 2017.
3.2	After considering the report, the Committee agreed to all proposals and 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.
3.3	However, the Department for Communities, as landowner of Blackstaff Square, has written to the Council requesting that the street trading pitch within Blackstaff Square be rescinded.
3.4	The street trading pitch was, until recently, used by Cafe Continental to sell tea, coffee, etc. However, the licensee has ceased trading and has confirmed to the Department for Communities that they no longer wish to use the Square. The use of the Square has proved to be problematic over the years with the various developments taking place around it.
3.5	The Department for Communities has thus reconsidered having a street trading pitch at this location and is of the view that it is no longer viable.
3.6	The Act sets down the procedures which must be followed in considering rescinding a Designating Resolution. The main steps the Council must undertake may be summarised as follows: <ul style="list-style-type: none"> a) Give public notice of the proposed resolution; 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 resolution rescinding the Designation; 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.
3.7	A further report will be brought to a future meeting of the Committee detailing the outcome of the process of consultation. At that stage, Members will be able to determine the rescinding.
3.8	The procedures that must be followed for rescinding a Designating Resolution are the same as those for making the original Designation.
3.9	We will include the details to rescind this site in the public notice of the proposals the Committee previously considered on 19th April, which was in the process of being finalised.

3.10	<p><u>Financial and Resource Implications</u></p> <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>
3.11	<p>There are no equality or good relations issues.</p>
4.0	<p>Documents Attached</p>
	<p>None</p>

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Subject:	Fees for Street Trading Licences
Date:	21st June, 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"/>
Some time 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 the report in respect of proposed fees for Street Trading Licences, which was deferred at your May meeting 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.
2.0	Recommendations
2.1	<p>The Committee is requested to consider the report and the deferred Street Trading Fees reports from your January and April 2017 meetings 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																																																																																												
	Key Issues																																																																																												
3.1	Members will recall that, at your meetings in January, April and May, you considered the outcome of the public consultation on the proposed fees for Street Trading Licences and agreed to defer the reports to enable officers to provide specific additional information after each meeting.																																																																																												
3.2	Copies of the minutes from your January, April and May 2017 meetings are attached at Appendix 1. Attached at Appendix 2 is an overview of all the fees options for comparison against the current fees.																																																																																												
3.3	At your meeting in May, Members identified aspects of proposed options 1b and 2 as preferred fees and asked officers to formulate a further option, based around a combination of these options, with a view to keeping the increases for each licence type at a similar level.																																																																																												
3.4	Members were content with the inflation increase for application fees and Temporary Licences. Temporary Licences have been rounded up or down to the nearest £10.																																																																																												
3.5	Taking account of discussions to date, including previous views on application fees and Temporary Licence fees, revised fees proposals are set out below. The increase in the licensing fees varies between 23% and 28%.																																																																																												
	<table border="1"> <thead> <tr> <th></th> <th>Current Fee</th> <th></th> <th>Revised</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="text-align: center;">STATIONARY LICENCE</td> </tr> <tr> <td>Application Fee - <i>Non refundable</i></td> <td>£ 100</td> <td></td> <td>£ 150</td> </tr> <tr> <td>Renewal Application Fee - <i>Non refundable</i></td> <td>£ 100</td> <td></td> <td>£ 150</td> </tr> <tr> <td>Licensed for Monday to Friday</td> <td>£ 629</td> <td></td> <td>£ 800</td> </tr> <tr> <td>Licensed for Monday to Saturday</td> <td>£ 800</td> <td></td> <td>£ 1,000</td> </tr> <tr> <td>Licensed for Monday to Sunday</td> <td>£ 1,017</td> <td></td> <td>£ 1,250</td> </tr> <tr> <td>Licensed for Saturday</td> <td>£ 426</td> <td></td> <td>£ 520</td> </tr> <tr> <td>Licensed for Sunday</td> <td>£ 472</td> <td></td> <td>£ 580</td> </tr> <tr> <td colspan="4" style="text-align: center;">MOBILE LICENCE</td> </tr> <tr> <td>Application Fee - <i>Non refundable</i></td> <td>£ 120</td> <td></td> <td>£ 180</td> </tr> <tr> <td>Renewal Application Fee - <i>Non refundable</i></td> <td>£ 120</td> <td></td> <td>£ 180</td> </tr> <tr> <td>Licensed for Monday to Friday</td> <td>£ 429</td> <td></td> <td>£ 550</td> </tr> <tr> <td>Licensed for Monday to Saturday</td> <td>£ 628</td> <td></td> <td>£ 800</td> </tr> <tr> <td>Licensed for Monday to Sunday</td> <td>£ 882</td> <td></td> <td>£ 1,100</td> </tr> <tr> <td>Licensed for Saturday</td> <td>£ 199</td> <td></td> <td>£ 300</td> </tr> <tr> <td>Licensed for Sunday</td> <td>£ 254</td> <td></td> <td>£ 380</td> </tr> <tr> <td colspan="4" style="text-align: center;">TEMPORARY LICENCE</td> </tr> <tr> <td>Application Fee - <i>Non refundable</i></td> <td>£ 120</td> <td></td> <td>£ 180</td> </tr> <tr> <td>Licensed for Monday to Friday, per day</td> <td>£ 26</td> <td></td> <td>£ 40</td> </tr> <tr> <td>Licensed for Saturday</td> <td>£ 36</td> <td></td> <td>£ 50</td> </tr> <tr> <td>Licensed for Sunday or Public holiday</td> <td>£ 45</td> <td></td> <td>£ 70</td> </tr> <tr> <td>Variation of Licence Particulars</td> <td>£ 50</td> <td></td> <td>£ 100</td> </tr> </tbody> </table>		Current Fee		Revised	STATIONARY LICENCE				Application Fee - <i>Non refundable</i>	£ 100		£ 150	Renewal Application Fee - <i>Non refundable</i>	£ 100		£ 150	Licensed for Monday to Friday	£ 629		£ 800	Licensed for Monday to Saturday	£ 800		£ 1,000	Licensed for Monday to Sunday	£ 1,017		£ 1,250	Licensed for Saturday	£ 426		£ 520	Licensed for Sunday	£ 472		£ 580	MOBILE LICENCE				Application Fee - <i>Non refundable</i>	£ 120		£ 180	Renewal Application Fee - <i>Non refundable</i>	£ 120		£ 180	Licensed for Monday to Friday	£ 429		£ 550	Licensed for Monday to Saturday	£ 628		£ 800	Licensed for Monday to Sunday	£ 882		£ 1,100	Licensed for Saturday	£ 199		£ 300	Licensed for Sunday	£ 254		£ 380	TEMPORARY LICENCE				Application Fee - <i>Non refundable</i>	£ 120		£ 180	Licensed for Monday to Friday, per day	£ 26		£ 40	Licensed for Saturday	£ 36		£ 50	Licensed for Sunday or Public holiday	£ 45		£ 70	Variation of Licence Particulars	£ 50		£ 100
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Licensed for Saturday	£ 36		£ 50																																																																																										
Licensed for Sunday or Public holiday	£ 45		£ 70																																																																																										
Variation of Licence Particulars	£ 50		£ 100																																																																																										

<p>3.6</p> <p>3.7</p> <p>3.8</p> <p>3.9</p>	<p><u>Additional Request from Committee</u></p> <p>Trading one day a week - Monday to Friday</p> <p>Members are reminded, that at your meeting in January 2017, you 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. This was also deferred at your April meeting.</p> <p>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 regardless of any of the Options Committee agree on.</p> <p><u>Financial and Resource Implications</u></p> <p>The proposed fees at option 3 most closely reflect the cost of the operational and administration processes that currently are undertaken for the street trading licensing scheme; particularly in relation to the costs for processing a grant or renewal of licence application.</p> <p><u>Equality or Good Relations Implications</u></p> <p>The Council’s Equality and Diversity Officer has been consulted and there are no issues with regards to the setting of fees.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<p>Appendix 1 – Minutes of January, April and May 2017 meetings</p> <p>Appendix 2 – Overview of fee options</p>

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Extract of Minutes of Meeting of 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.

Extract of Minutes of Meeting of 19th April, 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 allow for Members to give it further consideration and for officers to provide additional information, including the number of traders registered currently under each licence type.

Extract of Minutes of Meeting of 17th May, 2017

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

	2002/ Current Fee	Option 1a	Option 1b	Option 2	Option 3
		(one compliance visit per year)	(two compliance visits per year)	2002/ Current fee + Inflation	Agreed 15/6/2016 for Public Consultation)
STATIONARY LICENCE					
Application Fee - Non refundable	£ 100	£ 430	£ 430	£ 150	£ 617
Renewal Application Fee - Non refundable	£ 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

MOBILE LICENCE					
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

TEMPORARY LICENCE					
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	

Variation of Licence Particulars	£ 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.

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	Current	Revised	Option 1a	Option1b	Option 2	Option 3
STATIONARY LICENCE						
Application Fee - Non refundable	£ 100	£ 150	£ 430	£ 430	£ 150	£ 617
Renewal Application Fee - Non refundable	£ 100	£ 150	£ 340	£ 340	£ 150	£ 523
Licensed for Monday to Friday	£ 629	£ 800	£ 1,065	£ 1,173	£ 940	£ 1,500
Licensed for Monday to Saturday	£ 800	£ 1,000			£ 1,195	
Licensed for Monday to Sunday	£ 1017	£ 1,250	£ 1,085	£ 1,218	£ 1,520	£ 1,570
Licensed for Saturday	£ 426	£ 520			£ 635	
Licensed for Sunday	£ 472	£ 580	£ 956	£ 1,260	£ 705	£ 1,220

	Current	Revised	Option 1a	Option1b	Option 2	Option 3
MOBILE LICENCE						
Application Fee - Non refundable	£ 120	£ 180	£ 430	£ 430	£ 180	£ 617
Renewal Application Fee - Non refundable	£ 120	£ 180	£ 340	£ 340	£ 180	£ 523
Licensed for Monday to Friday	£ 429	£ 550	£ 1,065	£ 1,173	£ 640	£ 1,500
Licensed for Monday to Saturday	£ 628	£ 800			£ 940	
Licensed for Monday to Sunday	£ 882	£ 1,100	£ 1,085	£ 1,218	£ 1,315	£ 1,570
Licensed for Saturday	£ 199	£ 300			£ 295	
Licensed for Sunday	£ 254	£ 380	£ 956	£ 1,260	£ 380	£ 1,220

	Current	Revised	Option 1a	Option1b	Option 2	Option 3
TEMPORARY LICENCE						
Application Fee - Non refundable	£ 120	£ 180	£ 400	£ 400	£ 180	£ 677
Licensed for Monday to Friday, per day	£ 26	£ 40			£ 39	
Licensed for Saturday	£ 36	£ 50			£ 54	
Licensed for Sunday or Public holiday	£ 45	£ 70			£ 67	

Variation of Licence Particulars	£ 50	£ 100	£ 315	£ 315	£ 75	£ 440
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Subject:	Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 – Road Closures for Special Events
Date:	21st June, 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"/>
Some time 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	The purpose of this report is to consider the scope of the Licensing Committee in the decision making process relating to the making of Orders restricting or prohibiting temporarily the use of a public road in connection with special events and to consider proposed amendments to the Scheme of Delegation.
2.0	Recommendations
2.1	As these decisions are not a delegated function of the Licensing Committee, the Committee is requested to: <ol style="list-style-type: none"> 1. agree that the Scheme of Delegation be amended, as outlined in paragraphs 3.11 and 3.12, and 2. provide feedback, if necessary, to be incorporated into a subsequent report to the SP&R Committee on the amendments proposed.

2.2	Any decision of Committee in relation to amendments to Standing Orders or the Scheme of Delegation will be subject to ratification by Council.
3.0	Main Report
	<p data-bbox="276 387 432 421"><u>Key Issues</u></p> <p data-bbox="167 456 1463 555">3.1 The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (the Roads Act) gives the Council the power to temporarily prohibit or restrict the use of public roads, to facilitate the holding of a special event, which includes filming.</p> <p data-bbox="167 591 1463 757">3.2 Members may recall that the legislation was previously planned to commence in 2013 and, at a meeting of the Licensing Committee on 20th March 2013, it was agreed that the Council be recommended to delegate authority to the Licensing Committee to determine all applications under the Act, this was subsequently adopted by Council at their meeting of 3 April, 2013.</p> <p data-bbox="167 792 1463 891">3.3 At that time, the Committee undertook to consider all applications whether or not any representations had been received by the Council. Members may wish to reconsider that decision to allow for applications to be dealt with as quickly as possible.</p> <p data-bbox="167 927 1463 1059">3.4 Members were advised, at your meeting in May 2017, that the Department for Infrastructure (the Department) had determined that those aspects of The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (the Act) related to the holding of special events on roads will commence on the 4 September 2017.</p> <p data-bbox="167 1095 1463 1227">3.5 From then on, any person wishing to close a public road for a special event will be required to apply to the Council and, after public notification and consultation with various statutory bodies including the PSNI and NIFRS and after receiving the consent of the Department, the Council will determine if a Road Closure Order is to be made.</p> <p data-bbox="167 1263 1463 1328">3.6 The Act defines special events as any sporting event, social event or entertainment which is held on a public road or the making of a film on a public road.</p> <p data-bbox="167 1364 1463 1496">3.7 Officers met recently with Northern Ireland Screen, which is an agency established to maximise the economic, cultural and educational value of the screen industries for the benefit of Northern Ireland. They advised that in 2016 there would have been 16 Road Closure Orders required to facilitate filming in Belfast.</p> <p data-bbox="167 1532 1463 1630">3.8 During the meeting, it became clear that, if all Road Closure Order applications had to be determined by the Committee, including those where there is no objection, this could have an impact on filming taking place in Belfast.</p> <p data-bbox="167 1666 1463 1798">3.9 The film industry operates on relatively short lead in times prior to filming commencing on site and, whilst they are keen to see the legislation implemented, Northern Ireland Screen are concerned that our estimated turnaround time from application to determination could be 3 months or more if all applications are to be considered by Committee.</p> <p data-bbox="167 1834 1463 1933">3.10 It is estimated that, if delegated authority is granted to issue Orders where no objection is received, an application could be determined within approximately 35 days; taking account of a statutory 21 days within which representations may be made.</p>

	<p><u>Scheme of Delegation</u></p>
3.11	To deal with applications to close roads for special events in a timely fashion, it is suggested that the Scheme of Delegation be amended such that the exercise of the following functions, in line with relevant Council policies, is delegated to the Director of Planning and Place:
3.12	<p>Exercising all powers in relation to the making of an Order restricting or prohibiting temporarily the use of a public road in connection with special events, excluding provisions relating to:</p> <ul style="list-style-type: none"> • applications for an Order where adverse representations are received, • the recovery of costs incurred by the Council as a consequence of making an Order, and • such other matters as the Director deems appropriate.
3.13	Members are advised that the ultimate responsibility for the administration of the making of an Order restricting or prohibiting temporarily the use of a public road in connection with special events will remain with the Committee.
3.14	Any decision of the Committee in relation to policy and legislation concerning licensing matters must be ratified by Council.
	<p><u>Financial and Resource Implications</u></p>
3.15	There will be direct financial costs attached to the administration of the new legislation and, whilst such costs may be recovered from applicants, decisions in relation to the extent of public notification required and the fee charging option chosen will determine the actual financial implication. This will be determined by the Licensing Committee.
3.16	We have not had the opportunity to factor the role and costs of administering this legislation into our budget for the financial year 2017–2018.
	<p><u>Equality or Good Relations Implications</u></p>
3.17	We had previously assessed the equality and good relations implications with the introduction of the legislation and liaised with the Council's Equality and Diversity Officer to ensure all potential issues are appropriately addressed. We will continue to do this.
4.0	Documents Attached
	<ul style="list-style-type: none"> • None

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