

Public Document Pack

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



**Belfast
City Council**

15th March, 2018

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Wednesday, 21st March, 2018 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. Routine Matters

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

2. Delegated Matters

- (a) Licences Issued Under Delegated Authority (Pages 1 - 4)
- (b) Consideration of Entertainments Licences where the applicant has been convicted of an offence (Pages 5 - 8)
- (c) Application to provide entertainment beyond 11.00 pm within a Marquee at Custom House Square for the Cathedral Quarter Arts Festival (Pages 9 - 16)

3. Restricted Item

- (a) Applications for the Grant of 7-Day Annual Indoor and Outdoor Entertainments Licences for South 13. (Pages 17 - 38)



Subject:	Licences Issued Under Delegated Authority
Date:	21 st March, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Stephen Hewitt, Building Control Manager, ext. 2435

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 or Summary of main Issues
1.1	Under the Scheme of Delegation, the Director of Planning and Building Control is responsible for exercising all powers in relation to the issue, but not refusal, of permits and licences, excluding provisions relating to the issue of Entertainments Licences where adverse representations have been made. Those applications which were dealt with under the Scheme are listed below.
2.0	Recommendations
2.1	The Committee is requested to note the applications which have been issued under the Scheme of Delegation.
3.0	Main report

Key Issues

3.1 Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 the following Entertainments Licences were issued since your last meeting:

Premises and Location	Type of Application	Hours Licensed	Applicant
Allen Memorial Hall, 102-104 Cregagh Road, Belfast, BT6 9ER.	Renewal	Mon - Fri: 8.00 - 1.00 Sat: 8.00 - 00.00	Mr Jim McCurry
Ballymac Glentoran Supporters Club, 72-74 Wilgar Street, Belfast, BT4 3BL.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Gary Cowan
Belfast Indoor Bowls, 115 Milltown, Shaw's Bridge, Belfast, BT8 7XP.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Kenneth Armstrong
Belfast Youth & Community Group, 10 Little Victoria Street, Belfast, BT2 7JH.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 1.00	Mr Jonathan McKee
Catch My Pal Billiards & Snooker Club, 191 Kingsway, Belfast, BT17 9RY.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 7.30 - 1.00	Mr Samuel Brown
Duncairn Community Centre, Upper Mervue Street, Belfast, BT13 2JZ.	Renewal	Sun - Sat: 8.00 - 1.00	Belfast City Council
Fortwilliam Golf Club, 8a Downview Ave, Belfast, BT15 4EZ.	Renewal & Variation	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Michael Graham
Glenburn Methodist Church Hall, Rochester Road, Belfast, BT6.	Renewal	Sun - Fri: 8.00 - 1.00 Sat: 8.00 - 00.00	Mr Geoffrey Stewart
Harland & Wolff Football & Social Club, 18-20 Dee Street, Belfast, BT4 1FT.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr John Davidson
Kelly's Cellars, 32 Bank Street, Belfast, BT1 1HL.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 1.00	Ms Elizabeth Mulholland
Maldron Hotel, 20 Brunswick Street, Belfast, BT2 7GE.	New Application	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 1.00	DHG Brunswick Ltd
Malone Presbyterian Church, 450 Lisburn Road, Belfast, BT9 6GT.	Renewal	Mon - Fri: 8.00 - 1.00 Sat: 8.00 - 00.00	Mr Chris Ross
National Football Stadium, Windsor Park, Donegall Avenue, Belfast, BT12 6LW.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 1.00	Mrs Louise Doyle
Radisson Blu Hotel, The Gasworks, 3 Cromac Place, Belfast, BT7 1JB.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 1.00	Inislyn Ltd
Rock Bar, 491-493 Falls Road, Belfast, BT12 6DE.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 1.00	Mr Gerard McIlhone
Royal British Legion, 13 Sandbrook Gardens, Belfast, BT4 1NH.	Renewal & Transfer	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr George Roberts

Short Brothers Recreation Club, 336a Hollywood Road, Belfast, BT4 1SL.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Jack Edmonds
St Johns GAC Social Club, Corrigan Park, Whiterock Road, Belfast, BT12 7PG.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Martin Crummey
The Fitzwilliam Hotel Belfast, Great Victoria Street, Belfast, BT2 7BQ.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 1.00	Graffan Properties Ltd
The Mount Inn, 156 North Queen Street, Belfast, BT15 1HQ.	Renewal	Sun: 12.30 - 00.00 Mon - Thur: 11.30 - 23.00 Fri - Sat: 11.30 - 01.00	Mr Desmond Quinn
Town Square, 12-13 Lower Crescent, Belfast, BT7 1NR.	Renewal	Sun: 12.30 - 01.00 Mon - Sat: 11.30 - 1.00	Victoria 1 Ltd
Ulster Hall, 30 Bedford Street, Belfast, BT2 7FF.	Renewal	Sun - Sat: 8.00 - 1.00	Belfast Waterfront & Ulster Hall Ltd
Ulster Museum, 4 Stranmillis Road, Belfast, BT9 5AB.	Renewal	Sun - Sat: 8.00 - 1.00	Mr Ray Williams
Westbourne Supporters of Glentoran Club, 3 Solway Street, Belfast, BT4 1HL.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Curtis Harvey

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

3.2

Premises and Location	Type of Application	Hours Licensed	Applicant
Jet Amusements, 32-46 Castlereagh Road, Belfast, BT5 5FP.	Renewal	Sun - Sat: 00.00 - 00.00	Mr James Johnston

Under the terms of the Street Trading Act (Northern Ireland) 2001 the following Street Trading Licence was issued since your last meeting.

3.3

Premises and Location	Type of Application	Commodity	Hours Licensed	Applicant
Cornmarket at junction with Ann Street	Temporary	Fruit smoothies	09.00 – 17.00 13 th – 15 th March	Miss Anna King
Tomb Street	Stationary	Hot food & non-alcoholic beverages	Mon – Sun: 23.00 – 04.00	Mr Bernard Rooney

Financial & Resource Implications

None

3.4 **Equality or Good Relations Implications**

There are no equality and good relations issues.

3.5

4.0 **Appendices – Documents Attached**

	<ul style="list-style-type: none">• None



Subject:	Consideration of Entertainments Licences where the applicant has been convicted of an offence
Date:	21 st March 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Stephen Hewitt, Building Control Manager, ext. 2435

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 or 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	Taking into account the information presented, you are required to consider the applications and to:- <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

Key Issues

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.

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.

Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction & Penalty
Bootleggers 46 Church Lane, Belfast, BT1 4QN	Mr Christopher Wolsey Quay Street Merchants Ltd	Renewal	May 2016 Breach of a special condition to ensure minimum width through the rear yard to the final exit maintained. Pre-event checks and Log Book not completed.	21 Feb 2017 £500 and £69 Court costs.
Dukes Hotel 65-67 University Street, Belfast, BT7 1HL	Mr Eamon Diamond Dukes Belfast LLP	Renewal	August 2015 <u>The Chester Park Inn</u> Providing entertainment without an Entertainments Licence in an outdoor area	22 March 2016 Conditional Discharge and £69 Court costs

3.3 Notwithstanding the possibility of refusing an Entertainments Licence on any other grounds, the Council may refuse an application on the grounds that the applicant has been convicted of an offence under the Order.

Application history

3.4 Previous applications for the aforementioned premises were considered by the Committee as follows:

Bootleggers

3.5	This application is being placed before Committee because the applicant was convicted of offences under the Order at Belfast Magistrates' Court on 21 February 2017, after a during performance inspection carried out in May 2016, found that the required minimum clear distance through a rear escape route was not being maintained and the appropriate pre-entertainments checks were not carried out prior to the entertainment taking place.
3.6	This is the second time an application for this premises have been brought before Committee as you previously considered the application at your meeting of 15 March 2017 and, after consideration, you agreed to renew the licence.
3.7	Since the previous renewal the premises has been subject to one further during performance inspection as well as the recent renewal inspection to ensure that there has been no recurrence of the breach or any other safety issues. We have found that management procedures are being implemented effectively.
Dukes at Queens	
3.8	This application is being placed before Committee because the applicant was convicted of offences under the Order at Belfast Magistrates' Court on the 22 March 2016, regarding one of their other premises; namely the Chester Park Inn. During an inspection it was found that entertainment was being provided in an outdoor area, without a valid entertainments licence being in place.
3.9	This is the second time an application for this premises have been brought before Committee as you previously considered the application for the Dukes Hotel at your meeting of 16 August 2017 and, after consideration, you agreed to renew the licence.
3.10	Since the previous renewal the premises have been subject to two further during performance inspections as well as the recent renewal inspection to ensure that there has been no recurrence of the breach or any other safety issues. An inspection in December 2017 identified a minor breach at the premises as the log book was not filled out.
3.11	A further inspection, which was carried out recently, showed no recurrence of this or any other safety issues and we have found that management procedures are being implemented effectively.
<u>Representations</u>	
3.12	Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisements.
<u>PSNI</u>	
3.13	The PSNI has been consulted and has confirmed that they have no objections to the applications. A copy of their correspondences are attached as Appendix 1.
<u>NIFRS</u>	
3.14	The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and confirmed that they have no objections.
<u>Applicants</u>	

<p>3.15</p> <p>3.16</p> <p>3.17</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 applications. Copies of the respective application forms for the premises are attached as Appendix 2.</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>Appendices – Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 – PSNI Correspondence • Appendix 2 – Application Forms



Subject:	Application to provide entertainment beyond 11.00 pm within a Marquee at Custom House Square for the Cathedral Quarter Arts Festival
Date:	21 st March, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Stephen Hewitt, Building Control Manager, ext. 2435

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

1.0	Purpose of Report or Summary of main Issues
1.1	The Cathedral Quarter Arts Festival will run their annual musical arts festival over eleven nights within a marquee at Custom House Square from Thursday 3 rd May to Sunday 13 th May 2018. This report is to consider a request from the organisers to permit entertainment to run beyond 11.00 pm to 12.00 am on two 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 either or both of the two proposed nights should be permitted to take place beyond the standard hours of licence or; 2. Refuse either or both of the extended 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 7-Day Annual Outdoor Entertainments Licence and a 7-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:

- Monday to Sunday: 11.30 am to 11.00 pm.

3.3 In addition, the following conditions are attached to the Entertainments Licence:

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 The Cathedral Quarter Arts festival has been taking place for the last 18 years and includes a wide programme of events of local, national and international music, literature, comedy and drama. The event is also regarded as being an integral part of the arts and cultural calendar in Belfast.

3.5 Members will recall that in previous years the Committee has granted extensions beyond the standard hours of 11.00 pm for the Cathedral Quarter Arts Festival. This was last considered by the Committee at your meeting on the 15 March 2017 when the organisers requested that entertainment be permitted beyond 11.00 pm to 12.00 am on three nights of the event. After consideration you agreed to grant the request to extend the hours.

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 the venue. The last such request was in June 2017 when permission was granted for the Oktoberfest to operate its event beyond the permitted hours of 11.00 pm on each of their six nights.

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 widespread 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.

3.9 The organisers are still in the process of finalising the programme of entertainments for this year's festival but they have confirmed that the type of entertainment will be similar to previous years consisting of mainly local talent mixed with some headline acts.

3.10 The organisers have requested that you give consideration to permitting two nights of the event to run beyond 11.00 pm as follows:

- Friday 4 May 12.00 am

- Saturday 5 May 12.00 am

Rationale for additional hours

- 3.11 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 as Appendix 1.
- 3.12 A Location Map is attached as Appendix 2.
- 3.13 The organisers have advised that the two weekends of the festival are regarded as the busiest evenings and they see more visitors from outside the city and further afield attending these festival events.
- 3.14 They hope that the extended hours will provide their visitors with a memorable festival experience and value for money and allow them to ‘make a night of it’ by availing of the many other venues and local restaurants before attending the event.
- 3.15 The organisers have also advised that the extra hour enables them to add local support acts to the bill and give them the opportunity to raise their profile and support a headline festival act.
- 3.16 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.
- 3.17 Officers have also discussed the resident’s notification and how this is essential to the success of events at the venue, particularly if hoping to operate beyond 11.00 pm. We will continue to liaise with organisers to ensure that the letter is issued to the correct addresses prior to the event taking place.
- 3.18 Representatives of the Cathedral Quarter Arts Festival will be available at your meeting should you wish to seek further information about the festival.

PSNI

- 3.19 The PSNI have been consulted regarding the event and their request to operate two nights of the event to 12.00 am. Their response will be reported at your meeting.

NIFRS

- 3.20 The Northern Ireland Fire and Rescue Service have also been consulted about the application and confirmed that they have no concerns about the event.

Health, safety and welfare issues

- 3.21 Officers from the Service have carried out inspections for previous festivals and have always found the organisers to be professional in their approach and have had no issues with the health, safety and welfare management of each individual event during that time.
- 3.22 A pre-event planning meeting will be arranged with the organisers, PSNI and NIFRS to ensure that everything is being done to protect public safety, review traffic management and wider operational issues for the event.

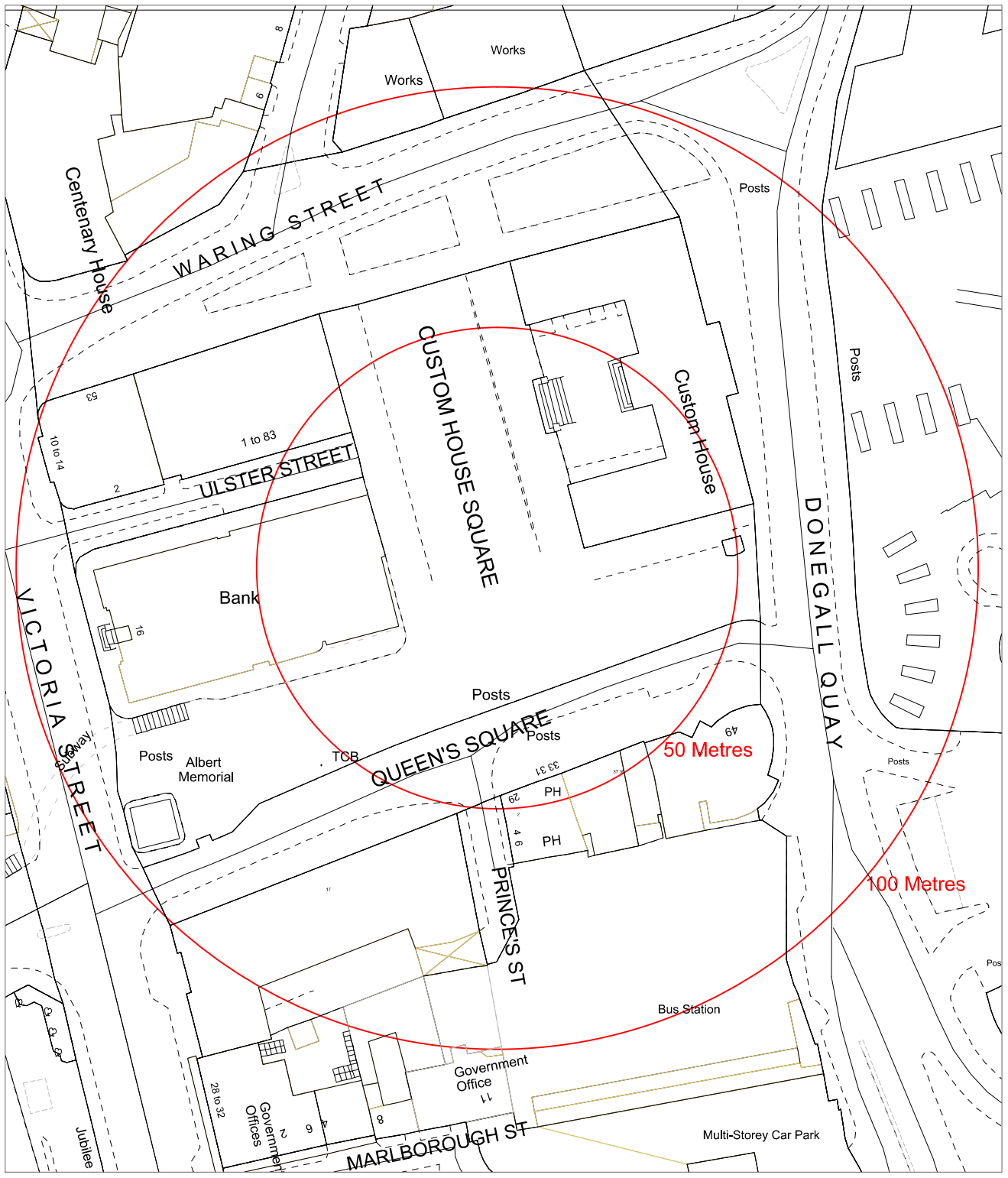
Noise issues

3.23	The Environmental Protection Unit (EPU) has been consulted in relation to the request for late night entertainment to run beyond 11.00 pm on two of the eleven nights at the venue.
3.24	Due to the cumulative impact of the consecutive nights proposed and potential sleep disturbance to nearby residents Officers are concerned that there is a greater potential for complaints after 11.00 pm. Members are reminded that the Clean Neighbourhood and Environment Act (Northern Ireland) 2011 gives councils additional powers in relation to entertainment noise after 11.00 pm.
3.25	However, considerable work has been done with organisers of various events and festivals at the venue and, as a result, the level of complaints and noise issues has been reduced.
3.26	Last year's festival did not generate any complaints.
3.27	Officers will work with the organisers and their representatives on appropriate noise management plans and procedures for the festival to ensure that noise from the event will not cause unreasonable disturbance to both the commercial and residential premises of the area.
<u>Financial and Resource Implications</u>	
3.28	Officers will be required to carry out inspections at the event but this is catered for within existing Service budgets.
<u>Equality and Good Relations Implications</u>	
3.29	There are no equality or good relations issues associated with this report.
4.0	Appendices – Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Location map • Appendix 2 – Rationale from the organiser outlining the reasons for requesting the extended hours



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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Cathedral Quarter Arts Festival 2018

Location: Marquee in Custom House Square
Set up: Tuesday 1st May and Wednesday 2nd May
Event dates: Thursday 3rd – Sunday 13th May
Take down: Monday 14th May

Now in its 19th year, the Cathedral Quarter Arts Festival has become an integral part of the arts and cultural events calendar in Belfast. Each year the festival delivers an eleven day, world class programme of local, national and international music, literature, comedy and drama. With the kind support of public sector bodies including Belfast City Council, NITB and ACNI, the festival is able to stage high quality events for nominal ticket prices, making the events accessible to communities from across the entire city and attractive to out of state visitors.

In addition to using arts and cultural venues across the city centre, the festival erects a beautiful marquee in Custom House Square. This has quickly become one of the most popular venues in the festival programme staging memorable folk and world music concerts and unforgettable stand-up comedy shows.

The marquee is managed by an experienced event management team with reliable and trusted suppliers. During the planning stages we work closely with regulatory bodies and local residents and businesses.

In 2018, CQAF plans to host the following events in the festival marquee:

Date	Day	Show	Doors open:	Finish time:
03/05/18	Thurs	Comedy Night (tbc)	7.45pm	11pm
04/05/18	Fri	The Go! Team	7.45pm	12am*
05/05/18	Sat	Nightmares on Wax	7.45pm	12am*
06/05/18	Sun	Jimmy Webb	7.45pm	11pm
07/05/18	Mon	London African Choir	7.45pm	11pm
08/05/18	Tues	Kate Rusby	7.45pm	11pm
09/05/18	Wed	Bridget Christie	7.45pm	11pm
10/05/18	Thurs	Joanne Shaw Taylor	7.45pm	11pm
11/05/18	Fri	Ben Folds	7.45pm	11pm
12/05/18	Sat	Roisin Murphy (tbc)	7.45pm	11pm
13/05/18	Sun	Fairport Convention (tbc)	7.45pm	11pm

Rationale for Late Licenses

The two weekends of the festival are undoubtedly the busiest evenings at the marquee in Custom House Square. This is when we see the majority of our visitors from outside the city and out of state attending festival events. In order to provide our visitors with a memorable festival experience and value for money, we would like to be able to extend the evening entertainment until 12am on Friday 4th and Saturday 5th May. This allows visitors to 'make a night of it' by going for dinner in the local area and still being able to see a full concert/show. We want the visitors to our festival/Belfast to have an experience which is

comparable to (or indeed exceeds) what they would have at cultural events in other UK or European cities.

Having an extra hour on weekend nights also enables us to add a local artist to the bill each evening. Being able to support a headline festival act is a priceless opportunity for local bands and performers, helping them to reach new audiences, build experience and ultimately achieve greater success.

Cathedral Quarter Arts Festival has been instrumental in the regeneration of the Cathedral Quarter area over the last 18 years. The festival is wholly committed to the continued economic and cultural development of the city.

Cathedral Quarter Arts Festival is committed to providing a safe, well managed festival experience for visitors, the management team work closely with local businesses and residents to ensure the events are delivered with as little disruption as possible to the neighbours of Custom House Square.

In previous years we have requested 5 late licenses, this year we are just requesting 2 late nights to 12am, the rest of the shows will finish before 11pm.

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