

# Public Document Pack

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



**Belfast  
City Council**

11th April, 2018

## **MEETING OF LICENSING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Wednesday, 18th April, 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 - 14)
- (c) Entertainments Licence applications for the Wellington Park Hotel and Botanic Inn (Pages 15 - 42)
- (d) Consideration of Designating Resolutions for Street Trading Sites – Hot Food (Pages 43 - 64)

- (e) Consideration of the variation of Designated Commodities for Street Trading Sites – sale of bus tour tickets (Pages 65 - 90)

3. **Non-Delegated Matters**

- (a) Road Closure – Categorisation of Events, Fees and Advertising of Notices (Pages 91 - 116)



<b>Subject:</b>	<b>Licences Issued Under Delegated Authority</b>
<b>Date:</b>	18 <sup>th</sup> April, 2018
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	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.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	The Committee is requested to note the applications which have been issued under the Scheme of Delegation.

<b>3.0</b>	<b>Main report</b>		
<b>3.1</b>	<b><u>Key Issues</u></b>		
	Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 the following Entertainments Licences were issued since your last meeting.		
	<b>Premises and Location</b>	<b>Type of Application</b>	<b>Hours Licensed</b>
	1st Shankill N. Ireland Supporters Club, 352-356 Shankill Road, Belfast, BT13 3AD.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00
	Accidental Theatre, 12-13 Shaftesbury Square, Belfast, BT2 7DB.	Grant	Sun - Sat: 08.00 - 01.00
	American Bar, 65-65a Dock Street, Belfast, BT15 1LF.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00
	Belvoir Players Rehearsal Studio, 94 Belvoir Drive, Belfast, BT8 7FR.	Variation	Sun - Sat: 09.00 - 23.00
	Belvoir Players Rehearsal Studio, 94 Belvoir Drive, Belfast, BT8 7FR.	Renewal	Sun - Sat: 09.00 - 23.00
	Crowne Plaza Hotel, 117 Milltown Road, Shaw's Bridge, Belfast, BT8 7XP.	Renewal	Sun - Sat: 09.00 - 03.00
	Ligoniel & District Homing Pigeon Club, 46a Glenbank Place, Belfast, BT14 8AN.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00
	Muldoons Bar, 13 Corporation Square, Belfast, BT1 3AJ.	Grant	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00
	Royal British Legion, 13 Sandbrook Gardens, Belfast, BT4 1NH.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00
	Royal British Legion, Montgomery Road, Belfast, BT6 9JD.	Renewal	Sun - Sat: 12.00 - 00.00
	Stix and Stones, 44-46 Upper Queens Street, Belfast, BT1 6FD.	Grant	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00
	The Berliner, 1-3 Lower Garfield Street, Belfast, BT1 1FP.	Renewal & Transfer	Sun: 12.30 - 00.00 Mon: 11.30 - 03.00 Tue - Wed: 11.30 - 01.00 Thurs - Sat: 11.30 - 03.00
	The Berliner, 1-3 Lower Garfield	Renewal (Outdoor)	Sun - Sat: 11.30 - 23.00

	Street, Belfast, BT1 1FP.				
	Whites Tavern, 2-4 Winecellar Entry, Belfast, BT1 1QN.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	BCD Events Ltd.	
	York Road Civil Defence Association, 30 St. Aubyn Street, Belfast, BT15 3QF.	Renewal	Sun - Sat: 08.00 - 01.00	Mr Thomas Moore	
<b>3.2</b>	Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 the following Amusement Permits were issued since your last meeting.				
	<b>Premises and Location</b>	<b>Type of Application</b>	<b>Hours Licensed</b>	<b>Applicant</b>	
	Onassis Amusements, 2nd Floor, 25-41 Botanic Avenue, Belfast, BT7 1JG.	Renewal	Sun - Sat: 00.00 - 00.00	Hazeldene Enterprises Limited	
<b>3.3</b>	Under the terms of the Street Trading Act (Northern Ireland) 2001 the following Street Trading Licences were issued since your last meeting.				
	<b>Premises and Location</b>	<b>Type of Application</b>	<b>Commodity</b>	<b>Hours Licensed</b>	<b>Applicant</b>
	Bank Square outside Kelly's Cellars	Temporary	Alcoholic beverages	12.00 – 24.00 17 <sup>th</sup> March	Miss Elizabeth Mulholland
	Dargan Crescent at Musgrave Marketplace	Stationary	Hot food & non-alcoholic beverages	Mon – Sat: 07.00 – 15.00	Mrs Linda Guy
<b>3.4</b>	<b><u>Financial &amp; Resource Implications</u></b>				
	None				
<b>3.5</b>	<b><u>Equality or Good Relations Implications</u></b>				
	There are no equality and good relations issues.				
<b>4.0</b>	<b>Appendices – Documents Attached</b>				
	<ul style="list-style-type: none"> <li>• None</li> </ul>				

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<b>Subject:</b>	<b>Consideration of Entertainments Licences where the applicant has been convicted of an offence</b>
<b>Date:</b>	18 <sup>th</sup> April 2018
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435

<b>Restricted Reports</b>	
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Never	<input type="checkbox"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	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.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	Taking into account the information presented, you are required to consider the applications and to:-  <ol style="list-style-type: none"> <li>1. Approve the applications, or</li> <li>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.</li> </ol>
<b>3.0</b>	<b>Main report</b>

**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.

<b>Premises and Location</b>	<b>Applicant</b>	<b>Application Type</b>	<b>Offence Details</b>	<b>Date of Conviction &amp; Penalty</b>
<b>Muriel's Bar</b> 12-14 Church Lane, Belfast, BT1 4 QN	Ms Janine Kane JK Pubs Ltd.	Grant	<b>December 2014</b> <b><u>The Spaniard</u></b> Entertainment taking place in an area of the premises not covered by the Entertainments Licence	<b>11 August 2015</b> £150 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**

**Muriel's Bar**

3.4 This is an application for the grant of an Entertainments Licence and it is being placed before Committee because the applicant was convicted of offences under the Order at Belfast Magistrates' Court on 11 August 2015, regarding one of their other premises; namely The Spaniard, 3 Skipper Street. During an inspection at the Spaniard it was found that entertainment was being provided in the ground floor area, without a valid entertainments licence being in place.

3.5 This is the fourth time an application has been considered since the applicant was convicted on 11 August 2015.

3.6 Previous renewal applications for the Spaniard were brought before the Committee on 20 January 2016, 19 April 2017 and 14 February 2018 and, after consideration, you agreed to renew the licence on each occasion.

3.7 Since the licence for the Spaniard was renewed the premises have been subject to one during performance inspection whilst Muriel's has been subject to a grant inspection and we have found that management procedures are being implemented effectively.

**Representations**



<p><b>3.8</b></p> <p><b>3.9</b></p> <p><b>3.10</b></p> <p><b>3.11</b></p> <p><b>3.12</b></p> <p><b>3.13</b></p>	<p>Public notice of the application has been placed and no written representations have been lodged as a result of the advertisements.</p> <p><b><u>PSNI</u></b></p> <p>The PSNI has been consulted and has confirmed that they have no objections to the application. A copy of their correspondences are attached as Appendix 1.</p> <p><b><u>NIFRS</u></b></p> <p>The Northern Ireland Fire Rescue Service has been consulted in relation to the application and confirmed that they have no objections.</p> <p><b><u>Applicants</u></b></p> <p>The applicant 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><b><u>Financial and Resource Implications</u></b></p> <p>Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.</p> <p><b><u>Equality and Good Relations Implications</u></b></p> <p>There are no equality or good relations issues associated with this report.</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – PSNI Correspondence</li> <li>• Appendix 2 – Application Forms</li> </ul>

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<b>Subject:</b>	<b>Entertainments Licence applications for the Wellington Park Hotel and Botanic Inn</b>
<b>Date:</b>	18th April, 2018
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435

<b>Restricted Reports</b>	
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Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	<p>The purpose of this report is to:</p> <ol style="list-style-type: none"> <li>1. Consider an application for the grant of a 7-Day Annual Outdoor Entertainments Licence for the Wellington Park Hotel based on the Council's standard conditions to provide outdoor musical entertainment.</li> <li>2. Consider an application for the variation of the 7-day Annual Indoor Entertainments Licence for the Botanic Inn based on the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind.</li> <li>3. Update Members on representations, previously discussed at your meeting of 19 April 2017, received from the Lower Malone Residents Association objecting to both applications. The Lower Malone Residents Association has confirmed that they are happy to withdraw their objection on the basis that both licences are issued for a six month period.</li> </ol>

1.2	Members are reminded that all applications for the grant of Outdoor Entertainments Licences <u>and</u> applications for the extension of hours of entertainment beyond 1.00am must be brought before the Committee for consideration.																				
<b>2.0</b>	<b>Recommendations</b>																				
2.1	Taking into account the information presented and any representations made in respect of the applications you are required to make a decision to either: <ol style="list-style-type: none"> <li>1. Approve the application for the grant of the 7-day Annual Outdoor Entertainments Licence for the Wellington Park Hotel and / or the variation of the 7-day Annual Indoor Entertainments for the Botanic Inn, or</li> <li>2. Approve the application for the grant of the 7-day Annual Outdoor Entertainments Licence with special conditions, and / or the application for the variation of the 7-day Annual Indoor Entertainments with special conditions, or</li> <li>3. Refuse the application for the 7-day Annual Outdoor Entertainments Licence and / or the variation of the 7-day Annual Indoor Entertainments.</li> </ol>																				
2.2	If the applications are refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.																				
2.3	In the case that the applicant subsequently decides to appeal outdoor entertainment may not be provided at the Wellington Park Hotel until any such appeal is determined and the Botanic Inn will continue with its present hours until that appeal is determined.																				
<b>3.0</b>	<b>Main report</b>																				
	<b><u>Key Issues</u></b>																				
	<table border="0"> <thead> <tr> <th></th> <th><b>Premises and Locations</b></th> <th><b>Ref. Nos.</b></th> <th><b>Applicant</b></th> </tr> </thead> <tbody> <tr> <td>3.1</td> <td>Wellington Park Hotel 19-21 Malone Road Belfast BT9 6RU</td> <td>WK/201600883</td> <td>Mr Felix Mooney Dunadry Development Company Ltd Wellington Park Hotel 19-21 Malone Road Belfast, BT9 6RU.</td> </tr> <tr> <td>3.2</td> <td>Botanic Inn 23-27 Malone Road Belfast BT9 6RU</td> <td>WK/201602416</td> <td>Mr Felix Mooney Cathal GM Ltd Botanic Inn 23-27 Malone Road Belfast, BT9 6RU.</td> </tr> <tr> <td>3.3</td> <td colspan="3">Both premises currently hold indoor Entertainments Licences and have previously been considered by the Licensing Committee as a result of objections by the Lower Malone Residents Association to the applications although no objections have been received in recent years.</td> </tr> <tr> <td>3.4</td> <td colspan="3">A copy of both application forms are attached to this report as Appendix 1.</td> </tr> </tbody> </table>		<b>Premises and Locations</b>	<b>Ref. Nos.</b>	<b>Applicant</b>	3.1	Wellington Park Hotel 19-21 Malone Road Belfast BT9 6RU	WK/201600883	Mr Felix Mooney Dunadry Development Company Ltd Wellington Park Hotel 19-21 Malone Road Belfast, BT9 6RU.	3.2	Botanic Inn 23-27 Malone Road Belfast BT9 6RU	WK/201602416	Mr Felix Mooney Cathal GM Ltd Botanic Inn 23-27 Malone Road Belfast, BT9 6RU.	3.3	Both premises currently hold indoor Entertainments Licences and have previously been considered by the Licensing Committee as a result of objections by the Lower Malone Residents Association to the applications although no objections have been received in recent years.			3.4	A copy of both application forms are attached to this report as Appendix 1.		
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## **Details of the Premises and Proposals**

### **Wellington Park Hotel**

3.5 The applicant proposes to provide outdoor entertainment within the external beer garden, which is located to the front of the Wellington Park Hotel. The external area will be utilised by both the Botanic Inn and the Wellington Park Hotel.

3.6 The proposed occupancy of the external beer garden will be 350 persons.

3.7 The capacity of 350 persons for the outdoor area will be included in the existing overall maximum occupancy of the indoor areas; it is not in addition to this occupancy.

3.8 Members are advised that the maximum indoor occupancy for both premises will be managed in conjunction with the external area to ensure numbers do not exceed capacity.

3.9 The days and hours during which entertainment is proposed to be provided within the external area is as follows:

- Monday to Saturday 11.30 am to 11.00 pm, and
- Sunday 12.30 pm to 10.00 pm.

3.10 The applicant has advised that, if a licence is granted for the area, it is his intention to provide low key entertainment in the form of solo performers, live bands or a DJ through the in-house speaker system.

3.11 Layout plans of the proposed external area are attached to this report for your information as Appendix 2.

### **Botanic Inn**

3.12 Whilst the applicant applied to provide entertainment to 3.00am from Monday to Saturday this has been revised after discussion with the Lower Malone residents and he now only wishes to extend the hours during which entertainment is to be provided on a Wednesday from 11.30am to 3.00am the following morning.

3.13 The areas currently licensed to provide entertainment are the:

- Ground Floor Bar, with a maximum capacity of 550 persons.
- First Floor, with a maximum capacity of 500 persons.

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

- Monday to Saturday: 11.30 am to 01.00 am the following morning
- Sunday: 12.30 am to 12.00 midnight.

3.15 The current licence has a special condition noting that entertainment may be provided until 2.00am the following morning on Wednesday, Thursday and Saturday in the first floor areas only. In addition, entertainment will be permitted to 2.00am should Christmas eve, New Year's eve, St. Patrick's night, Easter Monday, May Day or Halloween fall on a Sunday, Monday, Tuesday or Friday night.

3.16 There are also special conditions that:

1. The Licensee must adhere to the Pubs of Ulster's voluntary code of practice in relation to drinks promotions, and

	<p>2. Licensee to attend, as required, liaison meetings between Belfast City Council Officers, the Lower Malone Residents' Association and the Police Service of Northern Ireland.</p>
3.17	<p>The premise operates as a public bar and nightclub with entertainment being provided on both floors in the form of bands and DJs.</p>
	<p><b><u>Representations</u></b></p>
3.18	<p>At your meeting of 19 April 2017 it was reported that representations had been received from the Lower Malone Residents Association objecting to both of these applications. The Committee agreed, in view of the explanation which had been provided and relevance of the objections, to exercise its discretion and consider the objections outside the 28-day statutory period at a future meeting of the Committee.</p>
3.19	<p>However, in the interim period there has been ongoing mediation between the parties and an agreement has now been reached whereby the Lower Malone Residents Association has confirmed that they are happy to withdraw their objection on the basis that both licences are issued for a six month period.</p>
3.20	<p>The applicant has confirmed that he would be agreeable to accepting a 6 month licence for both applications.</p>
3.21	<p>A copy of the email from Lower Malone Residents Association withdrawing their objection is attached as Appendix 3.</p>
	<p><b><u>PSNI</u></b></p>
3.22	<p>The PSNI has been consulted and confirmed that they have no objections to the application.</p>
	<p><b><u>NIFRS</u></b></p>
3.23	<p>The Northern Ireland Fire and Rescue Service has been consulted in relation to the applications and confirmed that they have no objections to them.</p>
	<p><b><u>Health, safety and welfare inspections</u></b></p>
3.24	<p>Members are advised that Officers have carried out one recent During Performance Inspection at the Wellington Park Hotel and the conditions of the Entertainments Licence were being adhered to with the exception of some minor issues.</p>
3.25	<p>Officers have carried out two recent During Performance Inspection at the Botanic Inn and on each occasion all technical matters were satisfactory and the appropriate measures and management procedures were being implemented effectively.</p>
	<p><b><u>Building Works to link both premises</u></b></p>
3.26	<p>As both premises are now owned by the same applicant a link has been created between them at ground floor level. The works included an area of the hotel being altered for use as a pool room. This is in an area that was covered by the existing entertainments licence and the alteration will not increase the occupancy of the area. A Building Regulations application has been received and the works are nearing completion. A copy of the floor plan is attached as Appendix 4.</p>
	<p><b><u>Noise issues</u></b></p>
3.27	<p>The Environmental Protection Unit (EPU) has been consulted in relation to the applications and they have confirmed that no complaints have been received relating to noise break out from the premises or due to patron dispersal in the past 12 months.</p>

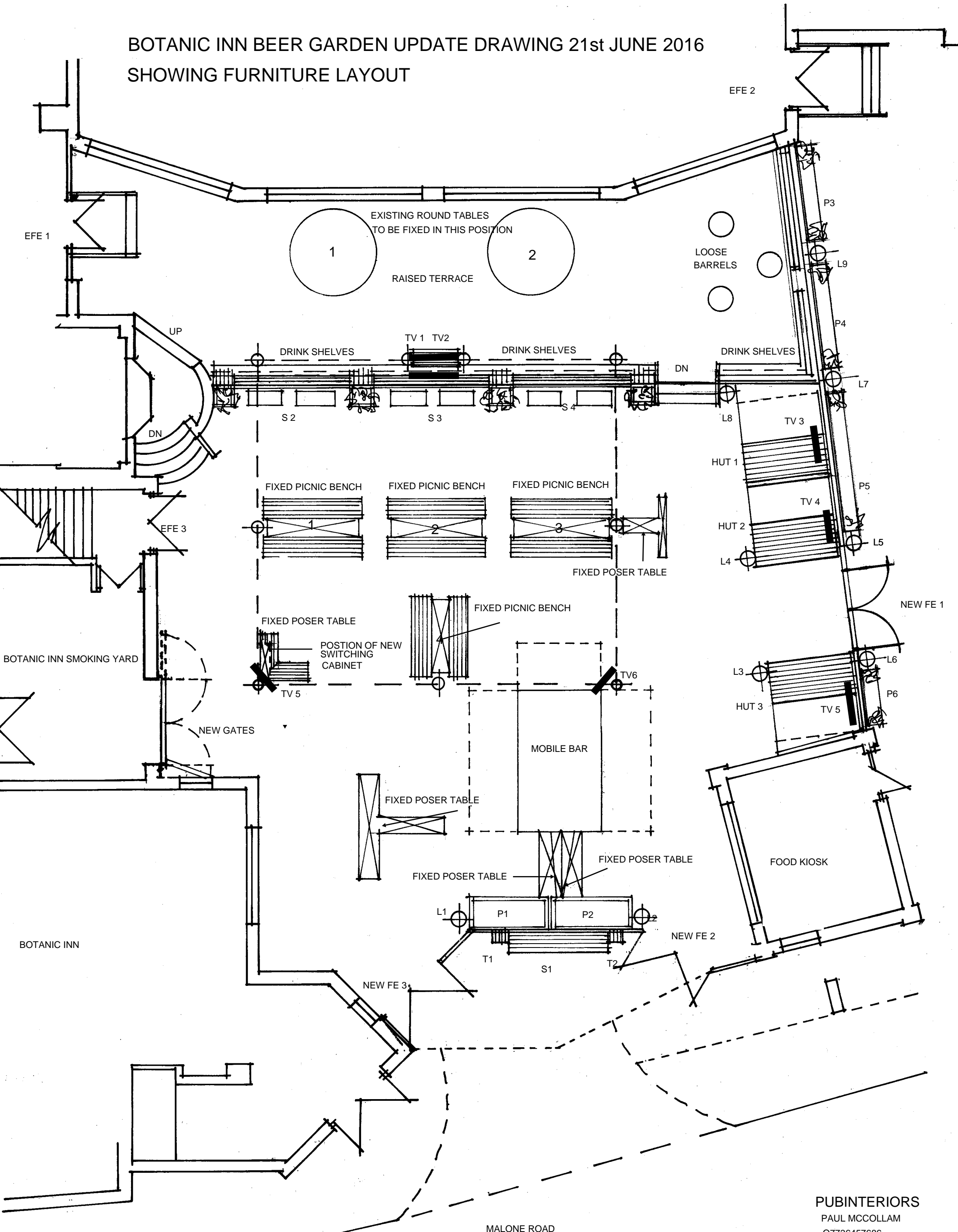
3.28	As the proposal is to provide outdoor entertainment to the front of the Wellington Park Hotel, an acoustic report outlining the measures to be taken to ensure minimal disturbance to neighbouring residential premises, both due to noise breakout or from patron activity, was requested and forwarded to the Council's Environmental Protection Unit (EPU).
3.29	EPU have recommended that, a sound test is conducted to verify that the noise limit proposed of 75 dBL <sub>Aeq,5mins</sub> will not exceed the background noise level at the façade of the noise sensitive receptors.
3.30	Members are advised that Officers will ensure that the technical noise matters are addressed before the Entertainments Licence is granted.
3.31	EPU also advised that entertainment in the outdoor area should be managed in line with the Proposed Noise and Nuisance Management Strategy for Botanic Inn, Wellington Park Hotel and the common beer garden which were supplied by the Management. This management document is attached to this report for your information as Appendix 5.
3.32	Members may wish to consider making it a condition of the Outdoor licence that the area is managed in accordance with this Management Strategy.
3.33	Layout plans of the proposed external area are attached to this report for your information as Appendix 2.
<b><u>Financial and Resource Implications</u></b>	
3.34	Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.
<b><u>Equality and Good Relations Implications</u></b>	
3.35	There are no equality or good relations issues associated with this report.
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Application Forms</li> <li>• Appendix 2 – Layout Plans of Proposed External Area</li> <li>• Appendix 3 – E-mail withdrawing Objection</li> <li>• Appendix 4 – Floor Plan of new link</li> <li>• Appendix 5 - The Proposed Noise and Nuisance Management Strategy for Botanic Inn, Wellington Park Hotel and the common beer garden</li> </ul>

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BOTANIC INN BEER GARDEN UPDATE DRAWING 21st JUNE 2016  
 SHOWING FURNITURE LAYOUT



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**From:** David Hayton  
**Sent:** 30 March 2018 13:23  
**To:** Quintin Thompson  
**Subject:** RE: Wellington Park Hotel and Botanic Inn Outdoor Area

Thanks, Quintin.

I can confirm that.

David Hayton

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**From:** Quintin Thompson  
**Sent:** Friday, March 30, 2018 12:54 PM  
**To:** David Hayton  
**Subject:** RE: Wellington Park Hotel and Botanic Inn Outdoor Area

David

Further to our conversation this morning I have received confirmation from the Licensee that he will accept the following:-

Grant of the outdoor entertainment licence for a period of 6 months

Grant of the 3am extension on a Wednesday night for the Botanic Inn for a period of 6 months

Licensee to attend meetings, as and when required, with the PSNI and a representative group drawn from local residents, chaired by the Council, to discuss issues relating to entertainments licensing.

Please confirm if the LMRA are happy to withdraw their objection due to the above.

Regards

Quintin

Quintin Thompson  
Senior Building Control Surveyor - Licensing

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**LEGEND**

- Maintained exit sign
- Non maintained unit
- 2D non-maintained
- Manual call point
- Automatic detector

Note: the majority of these are existing. Where additional units are required, they are indicated as "New"

**FIRE SAFETY**  
 ALTERATIONS AND ADDITIONS TO FIRE ALARM TO COMPLY WITH BS5839-1 2017  
 ALTERATIONS AND ADDITIONS TO EMERGENCY LIGHTING TO COMPLY WITH BS5266-1 2016  
 ALTERATIONS AND ADDITIONS TO ELECTRICAL INSTALLATION TO COMPLY WITH BS 7671 2008 (AMD 2015)  
 PROVISION OF FIRE-FIGHTING EQUIPMENT TO COMPLY WITH BS 5306-8 2012  
 FIRE SAFETY NOTICES TO COMPLY WITH BS 5499-10 2014  
 SPREAD OF FLAME CHARACTERISTIC OF WALL AND CEILING FINISHES TO BE EUROPEAN CLASS C-s,d2 IN ACCORDANCE WITH BSEN 13501-1 2007 +A1  
 ALL DOORS ON ESCAPE ROUTES TO OPEN IN THE DIRECTION OF TRAVEL AND TO BE FITTED WITH VISION PANELS TO DETAIL  
 (SEE DOOR SCHEDULE)  
 NEW WALLS TO PROVIDE 30MIN FIRE PROTECTION  
 WALLS TO STORE AREAS, KEG ROOM, PREP AREA TO HAVE 30MIN FIRE RESISTANCE. DOORS TO STORE AREAS TO BE E30  
 WALL CONSTRUCTION: 125MM SW STUDS AT 450MM CENTRES WITH 12.5MM GYPROC PLASTERBOARD OVER ON BOTH SIDES. BOTH SIDES SKIMMED OR DRY-LINE FINISHED. WHERE METAL FRAME PARTITIONS ARE USED THEY SHALL BE GYPROC INSTALLED IN FULL COMPLIANCE WITH MANUFACTURERS INSTRUCTIONS TO GIVE 30MIN FIRE RESISTANCE  
 OTHER DOORS THAT ARE REQUIRED TO BE FIRE DOORS TO BE E30S  
 ALL FIRE DOORS, ASSOCIATED FRAMES, DOOR STOPS, GLAZING, FURNITURE AND INTUMESCENT SEALING ARRANGEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE INSTRUCTIONS GIVEN BY THE MANUFACTURER OF THE DOOR SET.  
 SEE SEPARATE DETAIL ON OCCUPANCY CALCULATION  
 SEE SEPARATE SEATING, TABLE AND FURNITURE LAYOUT PLAN

**NOTE: THE PREMISES MUST MEET THE PROVISIONS OF ENTERTAINMENT LICENSING**  
 THIS ALL FURNISHINGS MUST BE NON-COMBUSTIBLE, DURABLY OR INHERENTLY FLAME RETARDANT.  
 THE FURNITURE SHALL COMPLY WITH BS7176 2007 FOR MEDIUM HAZARD. DRAPES CURTAINS AND WINDOW BLINDS SHALL COMPLY WITH BS5867 PART 2 2008 FOR TYPE B PERFORMANCE. DOCUMENTATION /CERTIFICATION MUST BE PROVIDED TO PROVE COMPLIANCE.

**ACCESS AND USE**  
 NEW BAR COUNTERS TO HAVE LOWER SECTION OF MINIMUM LENGTH 1500MM AND MAXIMUM HEIGHT 850MM  
 LIGHT REFLECTANCE VALUES FOR NEW DOORS TO COMPLY WITH BS8206 PART 2 1992 TABLE 4 WITH A 30 POINTS DIFFERENCE BETWEEN THE ELEMENTS. DOOR SURROUNDS SHALL BE DISTINGUISHABLE THROUGH VISUAL CONTRAST FROM ADJACENT WALL SURFACE IN WHICH IT IS SET (SEE SEPARATE DOOR SCHEDULE FOR DETAIL).  
 ALL NEW DOORS THAT ARE FITTED WITH SELF CLOSING DEVICES SHALL REQUIRE A FORCE ON THE OPENING ARC OF NOT MORE THAN 30 NEWTONS TO OPEN FROM THE CLOSED POSITION TO 30 DEGREES OF THE OPENING ARC AND NOT MORE THAN 22.5NEWTONS THEREAFTER.

**GENERAL**  
 THERE ARE NO PROPOSED ALTERATIONS OR ADDITIONS TO THE EXISTING HEATING, VENTILATION AND AIR CONDITIONING SERVICES OTHER THAN TO ALLOW PROPOSED LAYOUT TO PROCEED. ANY ALTERATIONS THAT MAY BE REQUIRED TO BE COMMISSIONED AND CERTIFIED TO THE SATISFACTION OF CLIENT REPRESENTATIVE.  
 ALL NEW LIGHTING ARRANGEMENTS TO PROVIDE AN EFFICACY OF AT LEAST 60LUMENS PER CIRCUIT WATT.  
 ALL NEW FLOOR FINISHES TO HAVE LOW SLIP POTENTIAL EVIDENCE TO BE PROVIDED  
 THERE ARE NO PROPOSED ALTERATIONS TO BELOW GROUND DRAINAGE AND ONLY MINOR ALTERATIONS TO ABOVE GROUND DRAINAGE. ARCHITECT TO BE INFORMED IMMEDIATELY IF OTHERWISE.  
 FINAL POSITIONS AND DIMENSIONS TO BE AGREED WITH ARCHITECT BEFORE SETTING TO WORK.

**BREAK THROUGH FROM HOTEL TO BOTANIC INN**  
 60 MINUTE FIRE COMPARTMENTATION TO BE ESTABLISHED TO WALLS AND CEILING AT CORRIDOR SECTION AT HEAD OF NEW STAIRS (PROTECTION FROM BOTH SIDES). 60MIN FIRE DOOR TO BE FITTED ACROSS CORRIDOR (DA1) AND SWITCHROOM (DA2) AS INDICATED. DOOR ACROSS CORRIDOR TO BE FITTED WITH VISION PANEL, PUSH/PULL PLATES AND SELF CLOSING DEVICE. DOOR TO SWITCHROOM TO BE FITTED WITH SELF CLOSING DEVICE AND DEAD LOCK.  
 DOORS, FRAMES, VISION PANELS AND FURNITURE TO BE FITTED TO MANUFACTURERS INSTRUCTIONS SUCH THAT THE COMPLETE ASSEMBLY IS PROVIDED WITH AN APPROPRIATE DECLARATION OF CONFORMITY.  
 DOOR ACROSS CORRIDOR TO BE HELD OPEN BY ELECTRO-MAGNETIC DEVICE. RELEASING ON FIRE SIGNAL INPUT FROM THE FIRE ALARM SYSTEMS SERVING THE BOTANIC INN AND THE HOTEL. ATLAS FIRE AND SECURITY TO DESIGN, INSTALL AND COMMISSION.  
 DUE TO RESTRICTION ON HEAD HEIGHT IMMEDIATELY BELOW STRUCTURAL STEEL BEAM OVER LANDING, BEAM TO REMAIN EXPOSED. 60MIN FIRE RESISTANCE TO BE ACHIEVED WITH SPECIALIST PAINT APPLICATION. ALL APPROPRIATE CERTIFICATION TO BE APPLIED.  
 EMERGENCY LIGHTING TO BE REFITTED AS INDICATED.  
 EXISTING VENTILATION IN TOILET TO BE CHECKED FOR OPERATION AND COMMISSIONED.  
 NEW STAIRS CONSTRUCTED IN 25mm MDE BY SPECIALIST JOINERY WORKSHOP. GOING 300mm RISE. NOT LESS THAN 150mm AND NOT MORE THAN 170mm. STAIR WIDTH TO BE 1200mm BETWEEN HANDRAILS WHICH ARE TO BE FIXED BOTH SIDES AT A HEIGHT OF NOT LESS THAN 900mm AND NOT MORE THAN 1000mm ABOVE THE PITCH LINE. HAND RAIL TO BE SECURELY FIXED NOT MORE THAN 50mm FROM THE STAIR STRING LINE. PROTRUDE FOR NOT LESS THAN 300mm BEYOND THE END OF THE FLIGHT TOP AND BOTTOM. THE HANDRAIL IS TO BE FIXED FLUSH AT THE TOP AND BE CURVED IN TO THE ADJACENT WALL AT THE BOTTOM ON BOTH SIDES.  
 SLOPING CAPPER AT STRING HEIGHT EITHER SIDE.  
 BARR MCCORMICKS STRUCTURAL ENGINEERS TO PROVIDE DETAIL FOR LINTELS AND STEELWORK FOR NEW OPENINGS. PLEASE SEE SEPARATE SPECIFICATION.

GENTS TOILET PROVISION IN BOTANIC INN WHICH IS TO BE REMOVED TO MAKE WAY FOR THE ACCESS ROUTE BETWEEN THE HOTEL AND THE BOTANIC INN IS TO BE PROVIDED BY REPLACING THE EXISTING LADIES FACILITY SERVING THE GAMES ROOM OF THE HOTEL. ONE WC STALL IS TO BE REMOVED AND REPLACED BY A 2500mm URINAL WHICH IS TO BE CONNECTED TO THE UPSTAND LEFT ON REMOVAL OF THE WC. EXISTING WHBS TO BE RE-LOCATED AS INDICATED ON THE PLAN.



rev	description	date
1	Emergency lighting and fire alarm. Escape Route designation. Door identification	21.12.17
2	Emergency lighting, fire alarm, escape route designation, door identification for Phase one	24.1.18
3	Emergency lighting, fire alarm, escape route designation, door identification for Phase one. Breakthrough to Botanic Inn	24.2.18

LICENSED DESIGN SOLUTIONS			
project	drawing title	status	information
wellington park hotel & botanic inn, malone road, Belfast	proposed plans	scale	1:100



PROPOSED NOISE AND NUISANCE MANAGEMENT STRATEGY FOR BOTANIC INN  
WELLINGTON PARK HOTEL AND THE COMMON BEER GARDEN

Please also see Noise Management Strategy provided by FR Mark and Associates dated  
January 2018

## INTRODUCTION

The intention of this management strategy is to ensure that so far as is reasonably practicable we, as a company, minimise noise and nuisance disturbance that might emanate from our premises. The strategy will have at its core a robust complaints procedure. However, we intend to ensure that the strategy is not one that functions solely on a complaints-based response. Rather, we will take a pro-active role in identifying and controlling noise disturbance such that our neighbours, both residential and commercial, are protected against unacceptable levels of noise.

In compiling this strategy we have consulted with the Environmental Protection Unit of Belfast City Council, FR Mark Noise and Acoustic Consultants, all levels of our own Management team and the company that provides our door staff. We have carefully considered the recommendations given in relation to noise mitigation measures in guidance such as that issued by the Institute of Acoustics and the British Beer and Pub Association.

We have also paid close attention to comments and proposals arising out of our recent meeting with the Lower Malone Residents Association.

## IDENTIFICATION OF NOISE AND NUISANCE SOURCES

Our business welcomes a broad spectrum of people. We have, for example a young and vibrant student clientele who mostly use the Botanic Inn and the Beer Garden while the Hotel is used by many people who demand a more sedate experience. It is clear that we have a vested interest in ensuring that noise disturbance is minimised especially in relation to the residential guests in the Hotel.

In that regard, it is of great advantage that our company exercises control over the cluster of facilities that comprise the Botanic Inn, the Wellington Park Hotel and the common Beer Garden area.

We accept that noise and nuisance disturbance can issue from the following sources;

1. Noise breakout from activities within the Botanic Inn and the Wellington Park Hotel. Such activities include the nightclub and sporting events in the Botanic Inn and wedding and Christmas parties in the Hotel.
2. The open nature of the Beer Garden.
3. Crowd behaviour immediately outside our premises.
4. The arrival of taxis.
5. Dispersal of customers and the coming and going of vehicles in our car park including the slamming of car doors.
6. The departure of entertainers from the premises.
7. Deliveries and collections
8. Air-conditioning and ventilation equipment.

## CONTROL MEASURES

1. Noise breakout from activities within the Botanic Inn and the Wellington Park Hotel.

The entertainment licence in force for the Botanic Inn is as follows;

DAY	HOURS	COMMENT
Sunday	12.30pm to 12 midnight	
Monday	11.30am to 1.00am	
Tuesday	11.30am to 1.00am	
Wednesday	11.30am to 1.00am	Granted to 2.00am on first floor
Thursday	11.30am to 1.00am	Granted to 2.00am on first floor
Friday	11.30am to 1.00am	
Saturday	11.30am to 1.00am	Granted to 2.00am on first floor
Further relaxation is available to 2.00am for Christmas Eve, New Years Eve, Easter Monday, St Patricks Day, May day and Halloween where the fall on a Sunday, Monday Tuesday or Friday.		

The entertainment licence in force for the Wellington Park is as follows;

DAY	HOURS	COMMENT
Sunday	12.30pm to 10pm	
Monday	11.30am to 1.00am	
Tuesday	11.30am to 1.00am	
Wednesday	11.30am to 1.00am	
Thursday	11.30am to 1.00am	
Friday	11.30am to 1.00am	
Saturday	11.30am to 1.00am	

We have made application for an extension to 3am for our indoor entertainment licence for the Botanic Inn.

Following a meeting with LMRA 19.5.16 we accept that the proposal made to commence with an initial one day trial period would be reasonable. We propose that day to be a Wednesday.

It is obvious that noise breakout from within our premises will peak when entertainment is underway. Up until 11.00pm most of that noise will be masked by the ambient noise of traffic on the busy Malone Road. After 11.00pm, ambient noise levels are likely to be reduced and the potential for noise disturbance from our premises will be enhanced. We have engaged FR Mark Noise and Acoustic Consultants to conduct a noise survey and advise on measures to mitigate such noise breakout. They have provided us with their Report



dated January 2018. The key measures that have been recommended in the Report by FR Mark and Associates relating to the internal areas of the Botanic Inn and the Wellington Park Hotel are;

(B) With respect to the internal areas of the Botanic Inn and the Hotel, the report acknowledges that the attenuation properties of the structural envelope and orientation of the buildings will permit relatively high internal noise levels and thus there is no requirement made in the Report to employ automatic sound limiting equipment. However, the Report also acknowledges that noise breakout can occur where doors are opened. In that regard the Report advises that this should be properly managed. All our door staff have been given clear instruction to reduce the time that any door is open where that door would serve to attenuate noise breakout.

We undertake to comply with all recommendations made in the Report from FR Mark as well as any stipulations that are made by the Environmental Protection Unit of Belfast City Council.

A condition of our entertainment licence is to attend, as required, liaison meetings with the PSNI and the Lower Malone Residents Association. It is our commitment to give the fullest attention to the outcome of these meetings and to put in place any measures necessary to minimise disturbance to our neighbours.

## 2. The open nature of the Beer Garden.

We have made an application for the grant of an entertainment licence for the Beer Garden.

Our intention here is to allow certain major sporting events to be viewed on big-screen TV and for a softer approach to music provision than might be available inside the premises. In that regard we would intend to provide, for example, a two-piece jazz band from time to time.

The key measures that have been recommended in the Report by FR Mark and Associates relating to the Beer Garden are;

An Apart Sound Block System should be employed to limit music noise. The levels are to be set in conjunction with the Environmental Protection Unit of Belfast City Council. The Report recommends a reduction of the set limit after 23.00 hours, however, we have no intention of permitting entertainment beyond 23.00 hours not least of all because we will want to minimise nuisance to guests in the hotel bedrooms.

The duty manager will ensure that the limiter is properly employed.

We undertake to comply with all recommendations made in the Report from FR Mark as well as any stipulations that are made by the Environmental Protection Unit of Belfast City Council.



We will also;

- ensure that live performances and speakers are arranged such that sound is not directed towards Wellington Park Avenue.
- consider the provision of appropriately located sound attenuation screening. Note that this is not called for in the Report by FR Mark.

We are aware that quite apart from entertainment provision, the noise generated by people socialising in an open Beer Garden can create a threshold of noise that could be regarded as unacceptable.

We will;

(A) Place internal and external signage to advise and persuade customers to be considerate of our neighbours.

(B) Instruct DJs and entertainers to make announcements to customers at the beginning and end of events to be considerate of our neighbours.

(C) Place messages on the plasma screen display to advise and persuade customers to be considerate of our neighbours.

(D) When using social media to advertise events, sign off with a succinct slogan to persuade customers to be considerate of our neighbours.

(E) Employ only door supervisors who are licensed by the Security Industry Authority.

(F) Ensure that all security staff are aware of this strategy.

(G) Ensure all management and other staff are aware of this strategy.

(H) provide adequate door staff oversight for the Beer Garden area which we recognise as being a vulnerable aspect of our noise control strategy. Door staff will have a strict but advisory approach to rowdy elements.

3. Crowd behaviour immediately outside our premises.

We understand that we can exercise little in the way of direct control over people who have exited our premises and continue to mingle outside. However, it is obvious that people who have consumed alcohol to excess will be less responsible and less considerate to the neighbourhood.

We will;

(A) undertake to follow guidance provided in the Pubs of Ulster Voluntary Code of Practice.

(B) employ security staff for a period of at least one hour after an event to assist in customers making an orderly exit and in achieving the message that we desire our patrons to have a responsible and considerate attitude to the neighbourhood.

(C) ensure that our customers do not leave our premises with glasses or bottles.

(D) provide a clean-up squad for the public areas around the perimeter of the site including in to Wellington Park Avenue

(E) on event nights provide trained staff to patrol the environ to ensure patrons are not causing nuisance.

(F) stagger closing times of the nightclub, Botanic Inn and Beer Garden to facilitate the efficient dispersal of patrons.

(G) manage the taxi rank immediately outside the Botanic Inn to ensure that taxis can leave the site as efficiently as possible.

#### 4. Arrival of Taxis

Most taxis companies now provide a text message alert. It is not acceptable for any taxi driver to sound the horn. If that were to occur, we will make formal complaint to the relevant company.

In any event we have the aforementioned taxi rank immediately outside the Botanic Inn and drivers are aware of our arrangements.

5. Dispersal of customers and the coming and going of vehicles in our car park including the slamming of car doors.

The dispersal of people away from our premises and in to the surrounding neighbourhood brings with it a higher risk of noise disturbance.

We will endeavour to persuade our customers to have respect for our residential neighbours. Items (A) to (G) in Sections 2 and 3 above will assist in that regard.

6. The departure of entertainers from the premises.

It is sometimes required that entertainers will need to pack equipment away in vehicles at the end of an event.

We will insist that entertainers and their crews perform their tasks as quietly as possible. This will be supervised and monitored by the Duty Manager.

#### 7. Deliveries and collections

We will;

(A) Seek to ensure that deliveries and collections are made during the hours 9am to 5pm.

(B) Undertake not to empty in to bottle skips until the following day. This will not be permitted before 7am weekdays and 8am at the weekend.

(C) Ensure that empty kegs and other items are not brought in to external areas after 10.00pm.

8. Air-conditioning and ventilation equipment.

No issues identified.

## MANAGEMENT OVERSIGHT

The management of the system will be the responsibility of Mr Cathal Sinnott.

He will;

- (A) Ensure that all there is in place formal procedures to record communications and complaints.
- (B) Ensure that complaints are dealt with in a timely way by a senior manager and the outcomes recorded.
- (C) Ensure that all managers are aware of the intricacies of the strategy.
- (D) Ensure that all staff are made aware of the key points of the strategy.
- (E) Provide the information necessary to relevant staff to ensure that the control measures set out in this strategy continue to remain effective
- (F) Provide and maintain in good order all necessary control equipment
- (G) Provide the necessary instruction on the proper use of equipment to relevant staff
- (H) Monitor and periodically review the strategy
- (I) Promote the need for a pro-active approach to the mitigation of noise disturbance

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## LICENSING COMMITTEE



**Belfast**  
City Council

<b>Subject:</b>	<b>Consideration of Designating Resolutions for Street Trading Sites – Hot Food</b>
<b>Date:</b>	18th April, 2018
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	James Cunningham, Regulatory Services Manager, Ext 3375

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	Members will recall that, at your meeting on 13 December 2017, the Committee considered proposals for Designating Resolutions for a number of Street Trading sites across the City.
<b>1.2</b>	Committee deferred some of these proposals to allow for additional information to be obtained. Some of those proposals related to the sale of hot food and further information has now been received for consideration.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	Based on the information presented the Committee is requested to consider each proposal in turn and to decide whether to: <ol style="list-style-type: none"> <li>1. Approve a Designating Resolution to designate the site, where it may allocate a street trading pitch. The Designating Resolution will include the operational date and may stipulate either:</li> </ol>

<p>2.2</p> <p>2.3</p> <p>2.4</p>	<ul style="list-style-type: none"> <li>• Only specified articles, things or services or classes of specified articles, things or services that may be sold or supplied; or</li> <li>• Specified articles, things or services or classes of specified articles, things or services that are prohibited.</li> </ul> <p>2. Decide not to proceed with the proposal.</p> <p>In addition to making any Designating Resolution, Members may, having considered all comments, record any reasonable conditions that should be applied to a subsequent licence. For example, these may include hours of trade, days of trade, duration of licence, etc.</p> <p>Members are reminded that once a site becomes designated you will subsequently have to consider any applications that may be received for a Street Trading Licence on that site.</p> <p>At that time, you will assess the suitability and quality of the proposals and may decide to grant or refuse a licence within the requirements of the Act. Any Street Trading Licence granted may also be subject to reasonable conditions which can be used to control the commodities being sold, and potential nuisance, etc.</p>
<p>3.0</p>	<p><b>Main report</b></p>
<p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p>	<p><b><u>Key Issues</u></b></p> <p>The designation process involved seeking comments from interested parties, including relevant statutory bodies, through public advertisement and consultation.</p> <p>The Street Trading Act (NI) 2001 requires the Council to ensure that each application is fairly and objectively assessed, that all relevant factors are considered and, in doing so, the Council must consult with the:</p> <ul style="list-style-type: none"> <li>a) PSNI, and</li> <li>b) Department for Infrastructure - Roads.</li> </ul> <p>The Council may also consult other persons as it considers appropriate. Such consultees may include:</p> <ul style="list-style-type: none"> <li>a) Relevant Belfast City Council Departments.</li> <li>b) Belfast City Centre Management Company (BCCM)</li> <li>c) Nearby Street Trading Licence holders who may be affected.</li> <li>d) Local residents, business and commercial premises in the vicinity of the site in respect of which the application has been received.</li> </ul> <p>Members are advised that BCCM conducts its business within a determined geographical area of Belfast City Centre and has therefore responded to the proposals at locations within this boundary only.</p> <p><b><u>Deferred applications</u></b></p> <p>Committee deferred consideration of the designation of the sites in Bridge Street, Donegall Street and Gordon Street for the sale at night of hot and cold food and non-alcoholic beverages or similar commodities, to enable information to be provided in relation to:</p> <ul style="list-style-type: none"> <li>a. the location of those hot food stalls which were licensed currently to operate within the City centre:</li> </ul>

	<p>b. other applications for the designation of sites for the sale at night of hot and cold food which had been considered by the Committee in the past five years and the outcome of those applications; and</p> <p>c. the licensing of hot food stalls in other cities.</p>
3.6	<p>The Committee agreed also that a representative of the Police Service of Northern Ireland, which had objected to the sites being designated, be invited to attend the meeting.</p>
	<p><b><u>Additional information</u></b></p>
3.7	<p>a. There are currently 3 hot food stalls licensed to operate within the City centre at:</p> <ul style="list-style-type: none"> <li>• Donegall Street opposite the Kremlin</li> <li>• Tomb Street</li> <li>• Donegall Square East at Santander.</li> </ul>
3.8	<p>b. In the past five years the Committee have considered two separate designation applications for a site at Ormeau Baths for the sale of hot food at night; in January 2014 and March 2015.</p>
3.9	<p>Each time the application was refused as the circumstances had not changed since it was previously refused at Licensing Committee in December 2008. On that occasion the PSNI had expressed concerns that hot food vans at night in this area would encourage people to hang around after closing time causing disturbance and congestion. This would also run counter to the aims of the Community Safety Partnership which is to deter people from remaining in the centre of town and to return home as soon as possible after closing time.</p>
3.10	<p>c. Obtaining information about the licensing of hot food stalls in other cities has proved difficult. A summary of information provided by councils is detailed below:</p>
3.11	<p><b>Dublin City Council</b></p> <p>Consider requests for new designations on an annual basis. No specific policy on designation of night time hot food stalls.</p>
3.12	<p><b>Manchester City Council</b></p> <p>No specific night time policy for designations.</p>
3.13	<p><b>Westminster City Council</b></p> <p>Their policy states:</p> <p>Trading hours for other types of street trading covered by this policy will be set on the basis of promoting the following purposes:</p> <ul style="list-style-type: none"> <li>(a) Preventing crime, disorder and anti-social behaviour</li> <li>(b) Avoiding public nuisance</li> <li>(c) Protecting public safety</li> <li>(d) Preventing obstruction of the highway</li> <li>(e) Location and neighbouring hours of business activity</li> </ul> <p>Licences will not be granted or varied beyond the hours of 08.00 to 23.00 unless there are exceptional circumstances and to do so would promote the purposes set out above.</p>

3.14	<p><b>Glasgow City Council</b></p> <p>The city centre area has sufficient provision for street trading, therefore no further street traders licences will be granted within the city centre area.</p> <p>Hot food sites in the city centre cannot operate past 4am, hot food sites outside the city centre cannot operate past 3am. A special dispensation to work past these hours can be granted but must be approved by Committee.</p>
3.15	<p><b>Edinburgh City Council</b></p> <p>Traders selling food will be granted hours of operation no later than 11pm.</p>
3.16	<p><b>Cardiff City Council</b></p> <p>CCC has determined that they will not consider any new applications within the central city area as there are no other suitable locations for street traders available</p> <p>They have no specific policy on hot food</p>
<p><b><u>Consideration of the Designation of new streets or part thereof</u></b></p>	
3.17	<p>Each site is listed separately from A to C and indicated with their specific site location.</p>
3.18	<p>Where appropriate, the commodities are also considered in addition to a synopsis of the comments received during the consultation period. Copies of all the responses are also attached to this report for your information as Appendix 1.</p>
3.19	<p>Maps and photographs of each location will be presented to you at your meeting.</p>
<p><b><u>Site A – Gordon Street, at junction with Dunbar Street beside metal artwork for night time trading.</u></b></p>	
3.20	<p>The proposal is for hot and cold food and non-alcoholic beverages or similar commodities from a hot food trailer. The site will operate during the night into the morning.</p>
3.21	<p><b>PSNI</b> Police wish to object to the application. They believe that a Street Trading Pitch here would provide a focus for concentrated groups when licensed premises close leading to disorder and violence.</p>
3.22	<p><b>DFI Roads</b> No objection.</p>
3.23	<p><b>Department for Communities Belfast Regeneration Directorate</b> The Department has advised they own the land at Gordon Street with the junction at Dunbar Street. They wish to offer no objection to the proposed designation of a trading pitch nor the commodities to be sold.</p>
3.24	<p><b>Published 28 day Notice</b> No responses were received to the notice.</p>
<p><b><u>Site B – Bridge Street, in lay-by outside 12-16 Bridge Street for night time trading.</u></b></p>	



<p><b>3.25</b></p> <p><b>3.26</b></p> <p><b>3.27</b></p> <p><b>3.38</b></p> <p><b>3.39</b></p> <p><b>3.40</b></p> <p><b>3.41</b></p> <p><b>3.42</b></p> <p><b>3.43</b></p> <p><b>3.44</b></p> <p><b>3.45</b></p>	<p>The proposal is for hot and cold food and non-alcoholic beverages or similar commodities from a hot food trailer. The site will operate during the night into the morning.</p> <p><b>PSNI</b> Police wish to object to the application. They believe that a Street Trading Pitch here would provide a focus for concentrated groups when licensed premises close leading to disorder and violence.</p> <p><b>DFI Roads</b> The Department has advised that this location is to be changed to a 24hr public hire taxi rank in the very near future. Therefore, no street trading will be allowed at this site.</p> <p><b>BCCM</b> Has no issue with the new designation for night time trading.</p> <p><b>Published 28 day Notice</b> No responses were received to the notice.</p> <p><b><u>Site C – Donegall Street, in parking bay near the junction with Waring Street for night time trading.</u></b></p> <p>The proposal is for hot and cold food and non-alcoholic beverages or similar commodities from a hot food trailer. The site will operate during the night into the morning.</p> <p><b>PSNI</b> Police wish to object to the application. They believe that a Street Trading Pitch here would provide a focus for concentrated groups when licensed premises close leading to disorder and violence.</p> <p><b>DFI Roads</b> The Department has advised that this part of the footway is too narrow to accommodate street trading because of street trees, etc.</p> <p><b>Published 28 day Notice</b> No responses were received to the notice.</p> <p><b><u>Financial &amp; Resource Implications</u></b></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><b><u>Equality or Good Relations Implications</u></b></p> <p>There are no equality or good relations issues.</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Copies of correspondence received</li> </ul>

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## LICENSING COMMITTEE



**Belfast**  
City Council

<b>Subject:</b>	<b>Consideration of the variation of Designated Commodities for Street Trading Sites – sale of bus tour tickets</b>
<b>Date:</b>	18th April, 2018
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	James Cunningham, Regulatory Services Manager, Ext 3375

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	Members will recall that, at your meeting on 13 December 2017, the Committee considered proposals for Designating Resolutions including the variation of designated commodities for a number of Street Trading sites across the City.
<b>1.2</b>	Committee deferred a number of the proposals, some of which related to the sale of bus tour tickets, to allow for further information to be provided which has now been obtained.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	Based on the information presented the Committee is requested to consider each proposal in turn and to decide whether to: <ol style="list-style-type: none"> <li>1. Approve the variation of the Designating Resolution for either or both sites A and B.</li> </ol>

	<p>The Designating Resolution will include the operational date and may stipulate either:</p> <ul style="list-style-type: none"> <li>• Only specified articles, things or services or classes of specified articles, things or services that may be sold or supplied; or</li> <li>• Specified articles, things or services or classes of specified articles, things or services that are prohibited.</li> </ul> <p>2. Decide not to proceed with any or all of the proposals.</p> <p><b>2.2</b> In addition to making any Designating Resolution Members may, having considered all comments, record any reasonable conditions that should be applied to a subsequent licence. For example, these may include hours of trade, days of trade, duration of licence, etc.</p> <p><b>2.3</b> Members are reminded that once the sites become designated you will subsequently have to consider any applications that may be received for a Street Trading Licence on any of the sites.</p> <p><b>2.4</b> At that time, you will assess the suitability and quality of the proposals and may decide to grant or refuse a licence within the requirements of the Act. Any Street Trading Licence granted may also be subject to reasonable conditions which can be used to control the commodities being sold, and potential nuisance, etc.</p>
<b>3.0</b>	<b>Main report</b>
	<p><b><u>Key Issues</u></b></p> <p><b>3.1</b> The Designation process involved seeking comments from interested parties, including relevant statutory bodies, through public advertisement and consultation.</p> <p><b>3.2</b> The Street Trading Act (NI) 2001 requires the Council to ensure that each application is fairly and objectively assessed, that all relevant factors are considered and, in doing so, the Council must consult with the:</p> <ul style="list-style-type: none"> <li>• PSNI, and</li> <li>• Department for Infrastructure - Roads.</li> </ul> <p><b>3.3</b> The Council may also consult other persons as it considers appropriate. Such consultees may include:</p> <ul style="list-style-type: none"> <li>• Relevant Belfast City Council Departments.</li> <li>• Belfast City Centre Management Company (BCCM)</li> </ul> <p><b>3.4</b> Subsequently, the Service has received responses to the applications from a variety of interested parties and individuals.</p> <p><b>3.5</b> Members are advised that BCCM conducts its business within a determined geographical area of Belfast City Centre and is therefore responding to the proposals at locations within this boundary only.</p> <p><b><u>Previously Deferred Decisions of the applications to vary the designating resolutions for sites at Castle Junction Kiosk and Castle Place</u></b></p>

3.6	Members are advised that, at your meetings of 16 April 2014 and 18 March 2015, the Licensing Committee had deferred consideration of the applications to vary the designating resolutions for sites at Castle Junction Kiosk and Castle Place (opposite Donegall Arcade) respectively, to provide for the sale of bus tour tickets, pending the outcome of a review which was being undertaken by the Council's Development Department into sightseeing coach provision in the City.
3.7	The outcome of that research had, on 14 October 2015, been presented to the Council's City Growth and Regeneration Committee. See Appendix 2.
3.8	In light of that Committee's decision, the Licensing Committee agreed to initiate a new process in relation to those applications to vary the designating resolutions at sites in Castle Place (opposite Donegall Arcade) and the Castle Junction Kiosk. The Committee requested that the Department for Infrastructure, Driver & Vehicle Agency, be specifically consulted on these proposals.
<b><u>Recently deferred applications</u></b>	
3.9	At your meeting on 13 December 2017 Committee deferred consideration of the variation of the designated commodities at the sites in Castle Junction and Castle Place to enable further information to be provided on the previous problems that have been associated with the sale of bus tour tickets and the review which had been undertaken by the Development Department and presented to the City Growth and Regeneration Committee in October 2015.
3.10	Members are reminded that neither Belfast City Council nor the Licensing Committee has any legislative authority or responsibility for the licensing of Bus Tours.
<b><u>Previous problems</u></b>	
3.11	Members may be aware that the Council has previously discussed a range of issues associated with hop on hop off bus tours for tourists due to concern that the behaviour of some of the bus tours staff could have a negative impact on the city as a welcoming tourism destination.
3.12	A number of agencies including the Council, Belfast Visitor and Convention Bureau (BVCB), Northern Ireland Tourist Board (NITB), Belfast City Centre Management (BCCM), PSNI and DfI Driver & Vehicle Agency had become very concerned about problems that have arisen in the City regarding how these tours were being offered and how the tickets were being sold, often through aggressive street selling.
3.13	This issue had been of particular concern to BVCB when cruise ships had visited the City. Some days, during the height of the season and in particular on cruise ship days, there had been up to 50 staff "selling" certain tours to visitors and actively discouraging them from taking another company's tours. The numbers of those selling tickets has decreased in recent years.
3.14	BVCB and some of their accommodation providers had received and reported several complaints and numerous comments all mentioning the fact that visitors are being unduly hassled to buy tickets, together with witnessing bad language, fighting and threats between different companies. All of this impacts negatively on the visitor welcome and visitor experience and deters return visits to the City.
3.15	As a result BCCM, in conjunction with BVCB, introduced a voluntary Code of Conduct which most bus tour operators had signed up to. BVCB advised that they would not sell the tickets belonging to any company who failed to adhere to the Code of Conduct.

### **Review by Development Department**

A copy of the report (and minutes) which was presented to the City Growth and Regeneration Committee in October 2015 is attached as Appendix 2.

3.16

The report noted that the Council, through the Licensing Committee, had already issued licences to four street traders to sell tickets. However, two of these sites (in Fountain Street and Fountain Lane) were not currently selling tickets. Those licences were granted at a special meeting of the Licensing Committee in September 2011.

3.17

At the special meeting in September 2011, Members had heard from objectors, namely Belfast Visitor and Convention Bureau, Belfast City Centre Management and Police Service of Northern Ireland, regarding the sale of bus tour tickets. Following discussions, the Committee had agreed to grant the licences to sell bus tour tickets.

3.18

Reference is made to the applications for the sale of bus tour tickets at Castle Junction and Castle Place, which are the subject of this report, in the City Growth and Regeneration Committee report in October 2015. At paragraph 3.10 it is stated *“Decisions on these applications will be subject to agreement by the Licensing Committee. From the perspective of managing the operations, it would appear logical that the operators use these locations as a base for their ticket sales, given that they are located near the start point for both tours.”*

3.19

Para 3.11 states *“With regard to feedback from tourists, much of the feedback is generally positive with good reviews on social media including the TripAdvisor website. Both companies have recently applied to Tourism NI for the Quality Grading Scheme”*

3.20

Para 3.12 notes *“The main complaints tend to relate to the behaviour of staff on the street, particularly at the time of large cruise ship arrivals and on days of high visitor footfall. On these occasions, complaints numbers tend to increase significantly. Most complaints on social media tend to refer to the sales techniques of street staff.”*

3.21

### **Additional correspondence received**

Committee may wish to note that a licensed street trader, Mr Joseph Rea, who is licensed for Castle Place has written to the Council, his letter is attached as Appendix 3. Mr Rea points out that he has been a licensed trader for 42 years and he had requested that bus tour tickets could be sold at his site.

3.22

He has read the Licensing Committee Minutes from your meeting in December 2017. Mr Rea wants to point out that the Lombard Street site which is referred to is 30-40 metres from his site and approximately 10 metres to Carroll’s Irish Gifts (shop), both of whom sell Belfast City Sightseeing tour tickets. Mr Rea states that he would sell tickets for Belfast Titanic Tours and this could go a long way, in his opinion, to redress the balance.

3.23

### **Consideration of the variation of designated commodities**

Each site is listed separately and indicated with their specific site location.

Where appropriate, the commodities are also considered in addition to a synopsis of the comments received during the consultation period. Copies of all the responses are also attached to this report for your information as Appendix 1.

3.24

Maps and photographs of each location will be presented to you at your meeting.

3.25



**Site A – Castle Junction Kiosk**

**3.26** The current designated site is for the sale of hot and cold non-alcoholic beverages, confectionery, ice-cream and cold food or similar commodities including the sale of theatre and event tickets. The proposal is to allow for the sale of bus tour tickets.

**3.27** **PSNI**  
No objection.

**DFI Roads**  
No objection.

**3.28** **Department for Communities Belfast Regeneration Directorate**  
**3.29** DfC own the Castle Junction Kiosk (run under licence by a private operator). They have no objection as long as there is no limitation to a single bus tour operator.

**3.30** **Department for Infrastructure Driver & Vehicle Agency**  
They have consulted with Passenger Transport Licensing and DVA Enforcement for their views and confirmed they have no issues with the proposal.

**3.31** **BCCM**  
They state they are opposed to the proposed variation to include the sale of bus tour tickets at this location or any other mobile location within Belfast City centre.

**3.32** Historically, there has been tension between rival bus tour companies which included verbal and physical altercations between staff that have been played out in view of the public, including tourists and visitors to Belfast City centre; such incidents have also been widely reported in the media. BCCM state that when cruise ship visitors alight from shuttle buses in the City, the conduct of rival bus tour staff can appear to be aggressive and intimidating.

**3.33** Anecdotally, the 2017 summer tourist season was relatively peaceful between the rival bus tour companies; however, we believe that the provision of additional bus tour ticket outlets in Belfast City Centre may increase the chances of confrontations and hostility could escalate between rival bus tour staff.

**3.34** If the variation of commodities is approved, BCCM recommend that the sale of bus tour tickets is introduced on a trial basis for 6 months and then reviewed to consider what the impact of ticket sales from additional mobile locations has had on the conduct of bus tour staff.

**3.35** **Visit Belfast**  
They have advised that, if approved, the tenant will be able to decide which operator they sell tickets for and that this will be a commercial decision.

**3.36** Visit Belfast also consider this is an attractive kiosk and could work well for the sale of bus tickets. However, while relationships have improved between the two bus operators, they still have some concerns that introducing another sales outlet could cause issues amongst the street staff, with a risk that the area around the Kiosk could become unpleasant for visitors.

**3.37** They have suggested that the Committee make a temporary provision to allow this variation of commodities for initially up to one year, with conduct around the kiosk monitored by all relevant agencies with a view to extension of the period, or termination, dependent on the results of the trial period.

**3.38**

	Members are advised that any such temporary provision would be dealt with during the licensing process if you are minded to vary the designation.
<b>3.39</b>	<p><b>Published 28 day Notice</b> No responses were received to the notice.</p> <p><b><u>Site B – Castle Place opposite Donegall Arcade</u></b></p>
<b>3.40</b>	The current designated site allows for the commodity to be determined but excludes the sale of hot food and tour tickets. The proposal is to allow for the sale of bus tour tickets.
<b>3.41</b>	<p><b>PSNI</b> No objection.</p> <p><b>DFI Roads</b> No objection.</p>
<b>3.42</b>	
<b>3.43</b>	<p><b>Department for Infrastructure Driver &amp; Vehicle Agency</b> They have consulted with Passenger Transport Licensing and DVA Enforcement for their views and confirmed they have no issues with the proposal.</p>
<b>3.44</b>	<p><b>BCCM</b> They state they are opposed to the proposed variation to include the sale of bus tour tickets at this location or any other mobile location within Belfast City centre.</p>
<b>3.45</b>	Historically, there has been tension between rival bus tour companies which included verbal and physical altercations between staff that have been played out in view of the public, including tourists and visitors to Belfast City centre; such incidents have also been widely reported in the media. BCCM state that when cruise ship visitors alight from shuttle buses in the City, the conduct of rival bus tour staff appear to be aggressive and intimidating.
<b>3.46</b>	
<b>3.47</b>	<p>Anecdotally, the 2017 summer tourist season was relatively peaceful between the rival bus tour companies; however, we believe that the provision of additional bus tour ticket outlets in Belfast City Centre may increase the chances of confrontations and hostility could escalate between rival bus tour staff.</p> <p>If the variation of commodities is approved, BCCM recommend that the sale of bus tour tickets is introduced on a trial basis for 6 months and then reviewed to consider what the impact of ticket sales from additional mobile locations has had on the conduct of bus tour staff.</p>
<b>3.48</b>	<p><b>Visit Belfast</b> They state that this site is too close to the site at the bottom of Lombard Street, which already sells bus tour tickets, and, if granted, could cause issues between rival companies.</p>
<b>3.49</b>	Visit Belfast's preference is for temporary approval to the Castle Junction Kiosk. If for any reason the Castle Junction Kiosk was not suitable, then this option would need to be piloted in the same way as the recommendation for the Castle Junction Kiosk.
<b>3.50</b>	<p><b>Published 28 day Notice</b> No responses were received to the notice.</p> <p>Members are advised that should you be minded to grant the variation to either or both Designating Resolutions that it would still be necessary for the trader at each location to</p>

<p><b>3.51</b></p> <p><b>3.52</b></p> <p><b>3.53</b></p> <p><b>3.54</b></p>	<p>apply to the Council to trade in the additional commodity of selling bus tour tickets and that those applications, if received, would be considered at a future meeting of the Licensing Committee.</p> <p><b><u>Financial &amp; Resource Implications</u></b></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><b><u>Equality or Good Relations Implications</u></b></p> <p>There are no equality or good relations issues.</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Designation consultation responses</li> <li>• Appendix 2 – City Growth and Regeneration Committee minute 14 October 2015</li> <li>• Appendix 3 – Letter from Mr Rea</li> </ul>

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**Belfast Tourist Bus – Update**

The Committee considered the undernoted report:

**“1.0 Purpose of Report**

**1.1 The purpose of this report is to update Members on the findings of a recent review into issues associated with the operation of hop on hop off bus tours in the city and to consider any relevant actions that the Council and partners might undertake in order to address these issues.**

**2.0 Recommendations**

**2.1 Members are asked to:**

- Note the update on issues relating to tourist bus operators in the city
- Support the development of a code of conduct for operators and work with partners and the operators to explore how this can be managed

**3.0 Main report**

**3.1 Tourism in Belfast was worth £460m in 2014. It is imperative as we seek to grow that figure in the coming years that we are very mindful of the visitor experience at all levels. Large numbers of visitors are currently using the hop on and hop off bus services and it is important that this experience complements the overall message of the city as a quality visitor destination.**

**3.2 Members may be aware that the Council has previously discussed a range of issues associated with the conduct of companies providing hop on hop off bus tours for tourists to the city. There had been some concern that the behaviour of staff could have a negative impact on the city as a welcoming tourism destination. The issue appeared to be particularly challenging during busy periods and on cruise ship days.**

**3.3 During the summer of 2015, some of these tensions arose. However, according to Visit Belfast, these were not on the scale on previous events. Despite this, there have been a range of complaints raised through organisations such as Belfast City Centre Management (BCCM) and Visit Belfast themselves and the issue was discussed at the Board meetings of both organisations recently.**

**3.4 Currently, there are two operators licensed to operate tours in Belfast. They are:**

- Belfast City Sightseeing Tours
- Belfast City Tours (Titanic Bus Tours).

**3.5 In order to identify whether there was an opportunity for the Council and partners to take any specific action on the matter, some research was undertaken to understand the operating framework within which the**

organisations work; the current sales policy for those wishing to buy tickets for the tours and the view of tourists on the services provided.

- 3.6 With regard to the operating environment, bus tour operators are governed by the Transport Act (1967) and licences are issued by DVA within the context of this Act and must be renewed on an annual basis. This sets out the conditions under which licences are granted, as well as potential conditions for refusal. These can include the previous conduct of applicants and the financial standing of businesses applying for the licence. The Act does not provide sufficient cover to take action against instances that have prompted concern in the past.
- 3.7 A new Bus Act has been proposed by the Northern Ireland Executive and this could provide an opportunity to take action. However it is likely to be some time before this Act comes law. In the interim, it appears that there is a legislative gap which makes it almost impossible to take action against operators who are behaving aggressively towards tourists.
- 3.8 In the absence of the legislative framework, this issue is continually monitored through the appropriate agencies including Visit Belfast and BCCM. A new Code of Conduct is currently being developed with Visit Belfast leading on this element. It is proposed that companies are encouraged to sign up to this code of conduct (which cannot be enforced). Any breaches of the code could lead to the suspension of ticket sales by Visit Belfast for a defined period of time, subject to agreement by their Board.
- 3.9 With regard to ticket sales, these are currently being sold through a number of channels including:
- Visit Belfast Welcome Centre
  - Street trading pitch at Castle Place
  - City Centre hotels and shops
  - Online through company websites
  - On the buses.
- 3.10 Belfast City Council has issued licences to four street traders to sell tickets. However two of these sites (in Fountain Street and Fountain Lane) are not currently operating. There have recently been requests from two other street traders to sell tickets from street trading pitches in the Castle Place/High Street area of the city. Decisions on these applications will be subject to agreement by the Council's Licensing Committee. From the perspective of managing the operations, it would appear logical that the operators use these locations as a base for their ticket sales, given that they are located near the start point for both tours.
- 3.11 With regard to feedback from tourists, much of the feedback is generally positive with good reviews on social media including the Tripadvisor website. Both companies have recently applied to Tourism NI for the Quality Grading Scheme and have been ranked 4 stars (Belfast City Sightseeing) and 3 stars (Belfast City Tours). The scheme helps companies work towards continuous improvement. While this ranking is positive, there is room for improvement and the companies have the



potential to make some progress in terms of customer service and language skills of the staff.

**3.12** The main complaints tend to relate to the behaviour of staff on the street, particularly at the time of large cruise ship arrivals and on days of high visitor footfall. On these occasions, complaints numbers tend to increase significantly. Most complaints on social media tend to refer to the sales techniques of street staff. As previously mentioned, the current legislative regime makes it difficult to take any action against operators. However, given the potentially negative impact on tourists and on the tourist industry in the city, it is essential that the Council and its partners continue to work together to encourage improvements in standards until the necessary legislative cover is in place.

**3.13** There is a working group in place which is Chaired by DVA and involves Belfast City Council, Belfast City Centre Management, the Federation of Passenger Transport and Visit Belfast; which meets throughout the year to discuss any ongoing issues and attempts to find resolutions. This includes engagement with the coach operators.

**3.14 Financial & Resource Implications**

There will be a cost implication to Belfast City Council in terms of Welcome Host training. Depending upon uptake from the operators it is not anticipated that this will cost in excess of £3000. This can be paid for through the existing Development Department budgets.

**3.15 Equality or Good Relations Implications**

**No specific equality or good relations implications.”**

The Committee:

1. Noted the update on issues relating to tourist bus operators in the city;
2. Supported the development of a code of conduct for operators and work with partners and the operators to explore how this can be managed; and
3. Agreed that the issues in relation to better enforcement and legislative change be referred to the Licensing Committee and suggested that the DVA could be invited in to a future meeting of that Committee.

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<b>Subject:</b>	<b>Road Closure – Categorisation of Events, Fees and Advertising of Notices</b>
<b>Date:</b>	18th April, 2018
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	James Cunningham, Regulatory Services Manager, Ext 3375

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	The Committee is requested to consider the contents of the report and the deferred Road Closure report from your meeting of 14 February 2018.
<b>1.2</b>	Members are asked to determine a schedule of fees for applications to close roads and the parameters for placing the legal notice which the Council must publish in respect of each application.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	Members are asked to consider the information presented and make recommendations, subject to any necessary amendments, as to: <ul style="list-style-type: none"> <li>1. Whether a fee scheme based on indicative notional costs should be established;</li> <li>2. the categories and definition of events for which fees will be charged;</li> <li>3. the appropriate paper(s) that may be used to advertise an application for an order;</li> </ul>

2.2	<p>4. the appropriate fees that are set for events; and,  5. if a concessionary fee should be introduced in respect of voluntary organisations or charities and the level of that fee.</p> <p>As these decisions are not a delegated function of the Licensing Committee any decision will be subject to ratification by Council.</p>
3.0	<b>Main report</b>
3.1	<p><b><u>Key Issues</u></b></p> <p>Members will recall that, at your meeting in February 2018, you considered the proposed fees for road closures and agreed to defer consideration to enable Officers to discuss with Athletics NI and other relevant parties the fees which they could potentially be required to pay to allow for road closures for 10k runs and other sporting events.</p> <p>3.2 A copy of the minutes from your February meeting is attached as Appendix 1. As a reminder for Members some of the key points from that report are:</p> <p><b><u>Classification of events</u></b></p> <p><b>Small local events</b></p> <p>3.3 The event is a small, local, neighbourhood event where people attending are not from outside the street (e.g. street party) or immediate neighbourhood. To be considered a ‘small event’ the event should meet the following criteria:</p> <ol style="list-style-type: none"> <li>1. It is held on minor residential roads (e.g. cul-de-sacs or side streets);</li> <li>2. The proposed road to be closed must not have a bus route along it;</li> <li>3. The proposed road to be closed must not have a car park located on it which is accessed via the road to be closed (other than a car park for residents of the road);</li> <li>4. The event must not be publicised for the general public and therefore will not draw in people from the wider area;</li> <li>5. The event should apply to residents of one or two streets only and not to larger areas of the district/borough/city. It is up to the Council to consider factors such as the proposed attendance figures, etc. when making its decision on whether to grant an Order.</li> <li>6. The event should finish by 11.00 pm and: <ol style="list-style-type: none"> <li>a. Not have a stage built from which entertainment would be provided</li> <li>b. Not have amplified entertainment which may cause nuisance to the wider area</li> <li>c. Not have fireworks, pyrotechnics or bonfires on the street</li> <li>d. Not have alcohol or food <b><u>sold</u></b> at the event.</li> </ol> </li> </ol> <p><b>Large event</b></p> <p>3.4 If the event does not meet the above criteria, then the event will be considered a large event. This includes all filming events.</p> <p><b><u>Publication of a Legal Notice</u></b></p> <p>3.5 The Act requires that the Council must publish a notice in at least one newspaper, circulating in the district, stating that representations may be made in writing to any application for an Order to close a road for a special event.  Members will be aware that the Council has brand guidelines which apply to any advert or notice placed in the press to portray an instantly recognisable visual image for the</p>

3.6	<p>organisation.</p> <p>During the Party Briefings there was unanimous agreement on minimising the cost to applicants regarding our requirement to publish a notice in the newspaper.</p>																		
3.7																			
3.8	<p>In light of this Committee may wish to consider adopting the same procedures currently agreed for Entertainments Licence advertising and publish the notice in a local newspaper distributed or sold in the area where the special event is being held. Or, if the special event is being held within the City Centre, then the notice will be advertised in either the Belfast Telegraph, Daily Mirror (Northern Ireland Edition), Irish News or Newsletter (Ulster Edition) on a rotational basis as each new application is received.</p>																		
3.9	<p>Where a special event extends beyond the City Centre to various areas of the City, such as the Belfast Marathon, then it is proposed that the advert is placed in one of the four main newspapers. These proposals would be regardless of the notice being for a large or small event.</p>																		
3.10	<p>To help heighten awareness about any proposed road closure the Notice will also be published on the Council's website which will benefit from being available over a longer period of time and to a wider audience.</p>																		
3.11	<p>To ensure Members are kept informed, it is also proposed to notify all Councillors directly of any application to close a road for a special event so that your views may be considered prior to making an Order.</p>																		
3.12	<p>Additionally, anyone who applies to close a road will be required to demonstrate that they have notified those in the vicinity regarding the road closure. This should ensure that the views of those most affected by the closure are also taken into account.</p>																		
3.13	<p>If the Committee agrees to adopt the same procedures currently used for Entertainments Licensing, the overall cost including current salary, employee on-costs and advertising expenditure result in the proposed fees:</p>																		
	<table border="1" data-bbox="359 1261 1380 1680"> <thead> <tr> <th data-bbox="359 1261 821 1361">Newspaper used</th> <th data-bbox="821 1261 1008 1361">Fee* for Large event</th> <th data-bbox="1008 1261 1195 1361">Fee* for Small event</th> <th data-bbox="1195 1261 1380 1361">Location of event</th> </tr> </thead> <tbody> <tr> <td data-bbox="359 1361 821 1400">Belfast Telegraph</td> <td data-bbox="821 1361 1008 1400" rowspan="4">£1000</td> <td data-bbox="1008 1361 1195 1400" rowspan="4">£800</td> <td data-bbox="1195 1361 1380 1400" rowspan="4">City centre</td> </tr> <tr> <td data-bbox="359 1400 821 1438">Irish News</td> </tr> <tr> <td data-bbox="359 1438 821 1476">Newsletter</td> </tr> <tr> <td data-bbox="359 1476 821 1514">Daily Mirror</td> </tr> <tr> <td data-bbox="359 1514 821 1552">Andersonstown News</td> <td data-bbox="821 1514 1008 1552" rowspan="4">£650</td> <td data-bbox="1008 1514 1195 1552" rowspan="4">£400</td> <td data-bbox="1195 1514 1380 1552" rowspan="4">Outside city centre</td> </tr> <tr> <td data-bbox="359 1552 821 1590">North Belfast News</td> </tr> <tr> <td data-bbox="359 1590 821 1628">South Belfast News</td> </tr> <tr> <td data-bbox="359 1628 821 1680">East Belfast and Shankill Mirror</td> </tr> </tbody> </table>	Newspaper used	Fee* for Large event	Fee* for Small event	Location of event	Belfast Telegraph	£1000	£800	City centre	Irish News	Newsletter	Daily Mirror	Andersonstown News	£650	£400	Outside city centre	North Belfast News	South Belfast News	East Belfast and Shankill Mirror
Newspaper used	Fee* for Large event	Fee* for Small event	Location of event																
Belfast Telegraph	£1000	£800	City centre																
Irish News																			
Newsletter																			
Daily Mirror																			
Andersonstown News	£650	£400	Outside city centre																
North Belfast News																			
South Belfast News																			
East Belfast and Shankill Mirror																			
3.14	<p><b>* Fees have been rounded for convenience.</b></p> <p><b><u>Concessionary fees</u></b></p> <p>Through the Party Briefings concerns were raised about the impact the Act would have on organisers of community based/small scale events who have limited resources and often rely on small levels of Council funding to assist with the holding of their events. In setting the fees in respect of Entertainments Licence applications the then Department of the Environment had determined that any application for an outdoor licence by a voluntary</p>																		

**3.15** organisations or charity would benefit from a reduced fee equivalent to 12.5% of the total standard application fee.

**3.16** A voluntary organisation is defined as an organisation carrying on activities other than for the purpose of gain by the organisation or individual members thereof. This will include community based organisations whose events are organised in pursuit of a general public benefit, when the funds raised from the event, if any, are used for that purpose.

**3.17** Members may wish to consider setting a similarly reduced fee for voluntary organisations or charities applying for an Order to restrict the use of or close a road for a small scale event.

**3.18** If Committee were to agree to this concession then, based on the proposed fees at 3.13, the suggested fee for a small event would be:

<b>Newspaper</b>	<b><i>Small event total</i></b>	<b>Concession fee for small events</b>	<b>Location of event</b>
Belfast Telegraph	£800	£100	City centre
Irish News			
Newsletter			
Daily Mirror			
Andersonstown News	£400	£50	Outside city centre
North Belfast News			
South Belfast News			
East Belfast and Shankill Mirror			

**3.19** During Party Briefings there was wide support for having no charge applied to small scale events. This is a further option for Members to consider.

**Deferred actions**

**3.20** Committee deferred consideration to enable Officers to discuss with Athletics NI and other relevant parties the fees which they could potentially be required to pay to allow for road closures for 10k runs and other sporting events.

**3.21** Officers have met with Mr David Seaton, Chairman and Mr John Allen, General Secretary of Athletics NI and organisers of some of the other running races such as Spar 10k, Laganside 10k, Queens 5k and Belfast marathon.

**3.22** There was a general preference that running events should still be dealt with as parades, which were facilitated by the PSNI, and meant they paid nothing to hold them on the road. PSNI has advised race organisers that the power now lies with the Councils to deal with these events.

**3.23** Athletic NI, as the governing body, recognise that the changes, whilst challenging for running clubs, should raise the standard of how running events are organised. It was also accepted that the clear majority of runs on the road already had traffic management plans in place.

During our discussions it became clear that running races fall into two classifications:

3.24	<p>1. Commercial events or running races that have a substantial impact on the road network or are within the City centre. Examples, based on current events, would include the Belfast Marathon, ½ Marathon &amp; Craic 10k.</p> <p>2. Club runs or running races that have minor impact on the road network and are outside the City Centre in a small geographical area. Examples, based on current events, would include Laganside 10k (mostly off road) &amp; Queens 5k. These types of running races are generally organised by voluntary organisations and any profit made from them is used to fund the activities of the club</p>
3.25	<p>It has been suggested that <b>classification 1</b> running races as above, given their impact across the City, be considered a large event in our pricing schedule and <b>classification 2</b> running races should be considered eligible for the concessionary fees open to voluntary organisations or charities.</p>
3.26	<p>Members may also wish to consider if classification 1 running races organised by registered charities for fund raising purposes should be included within the voluntary classification and benefit from the reduced fee equivalent to 12.5% of the total standard application fee.</p> <p>If so the fees, based on the proposals at 3.13, would be:</p>
3.27	<p><b>Classification 1 Running Races: £1000 generally (But a reduced fee of £125 for events organised by registered charities for fund raising purposes).</b></p> <p><b>Classification 2 Running Races: £50.</b></p>
3.28	<p>Members may also wish to include triathlons and cycling races within the definition of a running race.</p> <p><b><u>Financial &amp; Resource Implications</u></b></p>
3.29	<p>There will be direct financial costs attached to the administration of the Act by the Council 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 implications for the Council.</p>
3.30	<p>As we process more Road Closure applications the resources and costs associated with administering the Act will be reviewed annually to ensure that any necessary adjustments to fees may be brought to Committee for further consideration.</p> <p><b><u>Equality or Good Relations Implications</u></b></p> <p>There are no equality or good relations issues associated with this report.</p>
3.31	
4.0	<p><b>Appendices – Documents Attached</b></p> <ul style="list-style-type: none"> <li>• Appendix 1 – February report</li> <li>• Appendix 2 – Breakdown of Administration Costs</li> <li>• Appendix 3 – Summary of fees</li> </ul>

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## LICENSING COMMITTEE



**Belfast**  
City Council

<b>Subject:</b>	<b>Road Closure – Categorisation of Events, Fees and Advertising of Notices</b>
<b>Date:</b>	14th February, 2018
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext. 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, Ext. 6446

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (the Act) allows the Council to recover the whole of the costs incurred in connection with making an Order relating to the restricting or prohibiting traffic using a road for the holding of special events.
1.2	Members are asked to determine a schedule of fees for applications to close roads and the parameters for placing the legal notice which the Council must publish in respect of each application.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	Members are asked to consider the information presented and make recommendations, subject to any necessary amendments, as to: <ol style="list-style-type: none"> <li>1. whether a fee scheme based on indicative notional costs should be established;</li> </ol>

2.2	<ol style="list-style-type: none"> <li>2. the categories and definition of events for which fees will be charged will be those as set out in paragraphs 3.10 – 3.12;</li> <li>3. the appropriate paper(s) that may be used to advertise an application for an order;</li> <li>4. the appropriate fees that are set for events; and,</li> <li>5. if a concessionary fee should be introduced in respect of voluntary organisations or charities and the level of that fee.</li> </ol> <p>As these decisions are not a delegated function of the Licensing Committee, any decision will be subject to ratification by Council.</p>
3.0	<b>Main Report</b>
3.1	<p><b><u>Key Issues</u></b></p> <p>The Council is permitted to recover the whole of the costs incurred in connection with or in consequence of making an Order relating to the restricting or prohibiting of traffic using a road for the holding of special events.</p>
3.2	<p>These costs may include:</p> <ol style="list-style-type: none"> <li>1. Officer time for tasks including: <ol style="list-style-type: none"> <li>a. assessing information relating to the application</li> <li>b. consultation with all relevant parties</li> <li>c. dealing with representations</li> <li>d. drafting the Order</li> <li>e. on-costs such as office accommodation, IT, stationary, training, etc.</li> </ol> </li> <li>2. The cost of placing the advertisement in a local paper.</li> <li>3. Any other relevant costs associated with the Order.</li> </ol>
3.3	<p>There will be other costs which the applicant may be required to meet including:</p> <ul style="list-style-type: none"> <li>• DfI Roads and PSNI costs</li> <li>• Traffic management planning</li> <li>• Erecting signage, cones and barriers, etc.</li> <li>• Insurance</li> </ul>
3.4	<p>Further to Party Briefings that took place during September and October 2017, the views of Members have been reflected in the following proposals to assist Committee with your decision making.</p>
3.5	<p><b><u>SOLACE Working Group</u></b></p> <p>SOLACE, the umbrella body for the 11 District Council Chief Executives, established a working group to consider how the regulation of Road Closures could be implemented. The Group reviewed a number of key issues but, in particular, considered the setting of fees and how they are charged.</p>
3.6	<p>In considering fees, the SOLACE Working Group was mindful of the potential that the level of fees may deter some event organisers / film producers and be prohibitive to communities wanting to run small scale events such as a street party.</p>

3.7	The SOLACE Working Group recommended that applications fall into two categories as defined below and also suggested the fees to be charged for those categories.
3.8	Whilst there has been agreement in relation to the categories of events the setting of fees has been a matter, for those who have considered them, which each council has been keen to determine individually.
3.9	The legislation enables the Council to recover any costs incurred in dealing with an application from event organisers and film companies. This is discretionary and any decision taken by the Council in terms of recovering costs may be influenced by the nature of an event.
<b><u>SOLACE Recommendation on Categories of Events</u></b>	
<b>Small Local Events</b>	
3.10	The event is a small, local, neighbourhood event where people attending are not from outside the street (e.g. street party) or immediate neighbourhood.
3.11	<p>In order to be considered a 'small event', the event should meet the following criteria:</p> <ol style="list-style-type: none"> <li>1. be held on minor residential roads (e.g. cul-de-sacs or side streets);</li> <li>2. the proposed road to be closed must not have a bus route along it;</li> <li>3. the proposed road to be closed must not have a car park located on it which is accessed via the road to be closed (other than a car park for residents of the road);</li> <li>4. the event must not be publicised for the general public and therefore will not draw in people from the wider area;</li> <li>5. the event should apply to residents of one or two streets only and not to larger areas of the district/borough/city. It is up to the Council to consider factors such as the proposed attendance figures, etc. when making its decision on whether to grant an Order.</li> <li>6. the event should finish by 11.00 p.m. and: <ol style="list-style-type: none"> <li>a. Not have a stage built from which entertainment would be provided</li> <li>b. Not have amplified entertainment which may cause nuisance to the wider area</li> <li>c. Not have fireworks, pyrotechnics or bonfires on the street</li> <li>d. Not have alcohol or food <b><u>sold</u></b> at the event.</li> </ol> </li> </ol>
<b>Large Event</b>	
3.12	If the event does not meet the above criteria, then the event will be considered to be a large event.
<b>Estimated Costs</b>	
3.13	<p>The SOLACE working group estimated the following costs were associated with an application (averaging times for both small and larger events):</p> <ol style="list-style-type: none"> <li>a) Estimated time spent for processing application <ul style="list-style-type: none"> <li>• 5 hours' professional officer (@ £25 per hour)</li> <li>• 2 hours' administration officer (@ £18 per hour)</li> </ul> </li> </ol> <p>Total 7 hours processing time; Approximate cost £165</p>

b) Estimated advertising fees (dependent on council advertising policy)  
Approximately £150-£250

**SOLACE working group proposed application fees**

**Small local event**

3.14 Proposal is to waive any administration cost but the applicant would be required to pay the newspaper advertising cost (as set on an individual council basis) of approximately £150 - £250.

**Large event**

3.15 For large events, including filming on the road, the proposed fee will include an application fee of £165 plus the cost of the newspaper advertising of approximately £150- £250.

**Belfast City Council proposals**

3.16 Following the Party Briefings there was general consensus that the SOLACE approach of classifying events into two categories of small local events and large events was acceptable.

3.17 It was also accepted that, rather than have a fee scheme where recovery of costs is calculated following every individual event, fees should be based on indicative notional costs which will be sufficient, on aggregate, to cover any reasonable costs associated with administering the Act.

**Fees**

3.18 The estimated cost of officer time involved in processing notional applications for small scale and large events is set out below. A breakdown of the administration costs is attached at Appendix 1.

3.19 Costs are based on current salary and employee on-costs and an estimate of the amount of time necessary, based on experience of dealing with other types of licensing applications, to complete the process to make an Order for:

A large event	£460
A small local event	£220

3.20 These costs do not include the mandatory publishing of a notice of the application by the Council in a local paper.

**Publication of a Legal Notice**

3.21 The Act requires that the Council must publish a notice in at least one local newspaper circulating in the district and that representations may be made in writing to any application for an Order to close a road for a special event.

3.22 Members will be aware that the Council has brand guidelines which apply to any advert or notice placed in the press to portray an instantly recognisable visual image for the organisation.

3.23	Following these guidelines, a notice, drafted in accordance with the requirements of the Act, was prepared by Corporate Communications and estimated publication costs sought from various Belfast newspapers.																								
3.24	The costs are detailed below and based on an 18 x 2 notice.																								
	<table border="1"> <thead> <tr> <th data-bbox="323 360 1002 389">Newspaper</th> <th data-bbox="1007 360 1214 389">Cost</th> <th data-bbox="1219 360 1417 389">Ave. cost*</th> </tr> </thead> <tbody> <tr> <td data-bbox="323 396 1002 425">Belfast Telegraph</td> <td data-bbox="1007 396 1214 425">£896.83</td> <td data-bbox="1219 396 1417 551" rowspan="4">£573</td> </tr> <tr> <td data-bbox="323 432 1002 461">Irish News</td> <td data-bbox="1007 432 1214 461">£593.28</td> </tr> <tr> <td data-bbox="323 468 1002 497">Newsletter</td> <td data-bbox="1007 468 1214 497">£513.36</td> </tr> <tr> <td data-bbox="323 504 1002 533">Daily Mirror</td> <td data-bbox="1007 504 1214 533">£288.36</td> </tr> <tr> <td data-bbox="323 539 1002 568">Andersonstown News</td> <td data-bbox="1007 539 1214 568">£270.00</td> <td data-bbox="1219 539 1417 694" rowspan="4">£199</td> </tr> <tr> <td data-bbox="323 575 1002 604">North Belfast News</td> <td data-bbox="1007 575 1214 604">£187.20</td> </tr> <tr> <td data-bbox="323 611 1002 640">South Belfast News</td> <td data-bbox="1007 611 1214 640">£187.20</td> </tr> <tr> <td data-bbox="323 647 1002 676">East Belfast and Shankill Mirror</td> <td data-bbox="1007 647 1214 676">£151.20</td> </tr> <tr> <td data-bbox="323 683 1002 712">Belfast Gazette</td> <td data-bbox="1007 683 1214 712">£150.00</td> <td data-bbox="1219 683 1417 712">n/a</td> </tr> </tbody> </table>	Newspaper	Cost	Ave. cost*	Belfast Telegraph	£896.83	£573	Irish News	£593.28	Newsletter	£513.36	Daily Mirror	£288.36	Andersonstown News	£270.00	£199	North Belfast News	£187.20	South Belfast News	£187.20	East Belfast and Shankill Mirror	£151.20	Belfast Gazette	£150.00	n/a
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	* Utilising an average advert cost will mean that we can set a standard application fee to cover officer time and advertising costs.																								
3.25	It should be noted that the advertising costs in Belfast are generally higher than those suggested by the SOLACE working group.																								
3.26	Presently, the Council has no formal agreed policy on advertising. In most cases notices are placed in two of the three main papers, on a rotational basis, to ensure that all sections of the community are informed. On that basis the average cost of publishing notice of the application would be approximately £1,150.																								
3.27	Taking officer time with advertising costs the estimated total cost to the Council to process an application to close a road would therefore be:																								
	<table> <tr> <td data-bbox="416 1205 1007 1234">A large event</td> <td data-bbox="1031 1205 1126 1234">£1,610</td> </tr> <tr> <td data-bbox="416 1240 1007 1272">A community based / small scale event</td> <td data-bbox="1031 1240 1126 1272">£1,370</td> </tr> </table>	A large event	£1,610	A community based / small scale event	£1,370																				
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3.28	During the Party Briefings, there was unanimous agreement on minimising the cost to applicants regarding our requirement to publish a notice in the newspaper and a number of Parties were supportive of the notice being published in the Belfast Gazette.																								
3.29	The Belfast Gazette is an official newspaper of the UK government and is published by The Stationery Office (TSO) and includes official government related notices. It available only via a subscription.																								
3.30	Further to the Party Briefings, Legal Services has advised that The Belfast Gazette is not considered a 'local newspaper circulating in the district' as per the legislative requirements and the use of same does not adequately fulfil the Council's obligation to notify those who may be affected by the road closure thus has the potential to leave the Council open to challenge from persons affected.																								
3.31	In light of the legal advice, the Committee may wish to consider adopting the same procedures currently agreed for Entertainments Licence advertising and publish the notice in a local newspaper distributed or sold in the area where the special event is being held. Alternatively, if the special event is being held within the City Centre, then the notice will be advertised in either the Belfast Telegraph, Daily Mirror (Northern Ireland Edition), Irish News or Newsletter (Ulster Edition) on a rotational basis as each new application is received.																								

- 3.32 Where a special event extends beyond the City Centre to various areas of the City, such as the Belfast Marathon, then it is proposed that the advert is placed in one of the four main newspapers. These proposals would be regardless of the notice being for a large or small event.
- 3.33 To help heighten awareness about any proposed road closure, the notice will also be published on the Council's website which will benefit from being available over a longer period of time and to a wider audience.
- 3.34 To ensure Members are kept informed, it is also proposed to notify all Councillors directly of any application to close a road for a special event so that your views may be taken into account prior to making an Order.
- 3.35 Additionally, anyone who applies to close a road will be required to demonstrate that they have notified those in the vicinity regarding the road closure. This should ensure that the views of those most affected by the closure are also taken into account.
- 3.36 If the Committee agrees to adopt the same procedures currently used for Entertainments Licensing the overall costs would then be:

Newspaper	Average* Advert cost	Fee** for Large event	Fee** for Small event	Location of event
Belfast Telegraph	£573	£1000	£800	City centre
Irish News				
Newsletter				
Daily Mirror				
Andersonstown News	£199	£650	£400	Outside city centre
North Belfast News				
South Belfast News				
East Belfast and Shankill Mirror				

\* Utilising an average advert cost will mean that we can set a standard application fee to cover officer time and advertising costs.

\*\* Fees have been rounded for convenience.

- 3.37 However, if Members are concerned that the above proposals do not adequately fulfil the Council's obligation to notify those who may be affected by a road closure for a large event then an alternative proposal for the placing of a public notice to consider would be that for:

- A large event, advertising would be undertaken in accordance with paragraph 3.26 and that this cost will be borne by the applicant as reflected in the proposed fee at 3.27; and
- A small event, the notice will be published in a local newspaper which is sold or distributed in the area where the road is situated or in 1 of the main papers if held in the City centre.

**Concessionary fees**

- 3.38 Through the Party Briefings concerns were raised about the impact the Act would have on organisers of community based/small scale events who have limited resources and often rely on small levels of Council funding to assist with the holding of their events.

- 3.39 In setting the fees in respect of Entertainments Licence applications, the then Department of the Environment had determined that any application for an outdoor licence by a voluntary organisations or charity would benefit from a reduced fee equivalent to 12.5% of the total standard application fee.
- 3.40 A voluntary organisation is defined as an organisation carrying on activities other than for the purpose of gain by the organisation or individual members thereof.
- 3.41 Members may wish to consider setting a similarly reduced fee for voluntary organisations or charities applying for an Order to restrict the use of or close a road for a small scale event.
- 3.42 If Committee were to agree to this concession then, based on the proposed fees at 3.37, the suggested fee for a small event would then be:

Newspaper	Average* Advert cost	Small event total	Concession fee for small events	Location of event
Belfast Telegraph	£573	£793	£100	City centre
Irish News				
Newsletter				
Daily Mirror				
Andersonstown News	£199	£419	£50	Outside city centre
North Belfast News				
South Belfast News				
East Belfast and Shankill Mirror				

\* Utilising an average advert cost will mean that we can set a standard application fee to cover officer time and advertising costs.

- 3.43 During Party Briefings there was wide support for having no charge applied to small scale events. This is a further option for Members to consider.

**Summary of fee options**

- 3.44 Attached at appendix 2 is a summary of the options discussed and Members are asked to consider choosing option 1,2 or 3 for the fees and advertising criteria for large events and any of options 1-5 for small events.

**Financial and Resource Implications**

- 3.45 There will be direct financial costs attached to the administration of the Act by the Council 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 implications for the Council.

- 3.46 As we process more Road Closure applications the resources and costs associated with administering the Act will be reviewed annually to ensure that any necessary adjustments to fees may be brought to Committee for further consideration.

3.47	<p><b><u>Equality or Good Relations Implications</u></b></p> <p>There are no equality or good relations issues associated with this report.</p>
<b>4.0</b>	<b>Documents Attached</b>
	<p>Appendix 1 – Breakdown of Administration Costs</p> <p>Appendix 2 – Summary of fee options</p>



# Road Closure

## Administration Cost

Large Event	£ 460
Small Community / Street Party	£ 220

Large scale

Task	Hrs	Rate	Cost	
Pre application discussions	2	£ 43.50	£ 87.00	RS
Validation of application, checks, telephone calls	1	£ 37.00	£ 37.00	TSO
Consultation letters merge, edit and assign to BS. (PSNI, NIFRS, ASNI, Roads)	0.5	£ 43.50	£ 21.75	RS
Meetings may be required with consultees	1.5	£ 43.50	£ 65.25	RS
Assessment of response from consultees	1	£ 43.50	£ 43.50	RS
Merge, edit and assign to BS for a refusal	0.25	£ 43.50	£ 10.88	RS
Prepare notice for advertising	1	£ 43.50	£ 43.50	RS
Viewing proposals with customers that call at the office	0.75	£ 37.00	£ 27.75	TSO
Assessment of representations received	0.75	£ 37.00	£ 27.75	TSO
Assessment of all relevant information relating to the application including submission of insurance requirements and agreement to the undertaking	0.5	£ 43.50	£ 21.75	RS
Merge, edit and assign the Order	0.5	£ 37.00	£ 18.50	RS
<b>Time allocation</b>	9.75			
All tasks			£ 404.63	

**Business Support tasks**

Task	Hrs	Rate	Cost	
Input procedure for new application	0.25	£ 36.50	£ 9.13	BS
Issue of letters assigned from BCS (up to 4 letters)	0.25	£ 36.50	£ 9.13	BS
Telephone call queries relating to Road Closures	0.5	£ 36.50	£ 18.25	BS
Customer queries at reception	0.5	£ 36.50	£ 18.25	BS
<b>Time allocation</b>	1.5			
All tasks	11.25		£ 54.75	

**Total Cost**

£ 459.38  
Say £ 460

### Community Event

Task	Hrs	Rate	Cost	
Pre application discussions	0.5	£ 37.00	£ 18.50	TSO
Validation of application, checks, telephone calls	0.5	£ 37.00	£ 18.50	TSO
Consultation letters merge, edit and assign to BS. (PSNI, NIFRS, ASNI, DRD)	0.75	£ 37.00	£ 27.75	TSO
Assessment of response from consultees	0.5	£ 37.00	£ 18.50	TSO
Merge, edit and assign to BS for a refusal	0.25	£ 37.00	£ 9.25	TSO
Prepare notice for advertising	0.5	£ 37.00	£ 18.50	TSO
Assessment of representations received	0.5	£ 37.00	£ 18.50	TSO
Assessment of all relevant information relating to the application including submission of insurance requirements and agreement to the undertaking	0.5	£ 50.00	£ 25.00	RS
Merge, edit and assign the Order	0.25	£ 37.00	£ 9.25	TSO
<b>Time allocation</b>	4.25			
All tasks			£ 163.75	

### Business Support tasks

Task	Hrs	Rate	Cost	
Input procedure for new application	0.25	£ 36.50	£ 9.13	BS
Issue of letters assigned from BCS (up to 4 letters)	0.25	£ 36.50	£ 9.13	BS
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Customer queries at reception	0.5	£ 36.50	£ 18.25	BS
<b>Time allocation</b>	1.5			
All tasks	5.75		£ 54.75	

**Total Cost**

**£ 218.50**  
**Say £ 220**

## EXPLANATORY NOTES

How was the hourly rate worked out?

The rate is based on the average cost for the Unit. The cost per hour of each officer was taken and the average rate was worked out.

Business Support @ SO2 (£39.50) + Scale 6 (£33.50)  
Total £73 , 2 = £36.50

Regulatory Services @ 1 Regulatory Services Manager (£50) + 1 R. S. Officer (£37)  
Total £87 , 2 = £43.50

Technical Support Officer @ £37

What is the Hourly rate based on?

The Hourly rate is based on the total cost for an officer including salary, employer's National Insurance contributions, superannuation contributions. This is not what an Officer is paid.

	Options	Large event			Small event		
		Advert	Officer cost	Proposed fee	Advert	Officer cost	Proposed fee
1	Any location, any applicant (see 3.27)	2 main papers	£460	£1610	2 main papers	£220	£1370
2	City centre location, any applicant	1 main paper	£460	£1000	1 main paper	£220	£800
	Outside city centre, any applicant (see 3.37)	1 local paper		£650	1 local paper		£400
3	City centre location, any applicant	2 main papers	£460	£1610	1 main paper	£220	£800
	Outside city centre, any applicant (see 3.38)	2 main papers		£1610	1 local paper		£400
4	City centre - Voluntary organisations				1 main paper	£220	£100
	Outside centre - Voluntary organisations (see 3.43)				1 local paper		£50
5	City centre - Voluntary organisations				1 main paper	£220	£0
	Outside centre - Voluntary organisations (see 3.44)				1 local paper		£0

NB. Where a special event extends beyond the City Centre to various areas of the City, such as the Belfast Marathon, then it is proposed that the advert is placed in one of the four main newspapers. These proposals would be regardless of the notice being for a large or small event.

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# Road Closure

## Administration Cost

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Small Community / Street Party £ 220

Large scale

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<b>Time allocation</b>	9.75			
All tasks			£ 404.63	

**Business Support tasks**

Task	Hrs	Rate	Cost	
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Issue of letters assigned from BCS (up to 4 letters)	0.25	£ 36.50	£ 9.13	BS
Telephone call queries relating to Road Closures	0.5	£ 36.50	£ 18.25	BS
Customer queries at reception	0.5	£ 36.50	£ 18.25	BS
<b>Time allocation</b>	1.5			
All tasks	11.25		£ 54.75	

**Total Cost**

£ 459.38  
Say £ 460



### Community Event

Task	Hrs	Rate	Cost	
Pre application discussions	0.5	£ 37.00	£ 18.50	TSO
Validation of application, checks, telephone calls	0.5	£ 37.00	£ 18.50	TSO
Consultation letters merge, edit and assign to BS. (PSNI, NIFRS, ASNI, DRD)	0.75	£ 37.00	£ 27.75	TSO
Assessment of response from consultees	0.5	£ 37.00	£ 18.50	TSO
Merge, edit and assign to BS for a refusal	0.25	£ 37.00	£ 9.25	TSO
Prepare notice for advertising	0.5	£ 37.00	£ 18.50	TSO
Assessment of representations received	0.5	£ 37.00	£ 18.50	TSO
Assessment of all relevant information relating to the application including submission of insurance requirements and agreement to the undertaking	0.5	£ 50.00	£ 25.00	RS
Merge, edit and assign the Order	0.25	£ 37.00	£ 9.25	TSO
<b>Time allocation</b>	4.25			
All tasks			£ 163.75	

### Business Support tasks

Task	Hrs	Rate	Cost	
Input procedure for new application	0.25	£ 36.50	£ 9.13	BS
Issue of letters assigned from BCS (up to 4 letters)	0.25	£ 36.50	£ 9.13	BS
Telephone call queries relating to Road Closures	0.5	£ 36.50	£ 18.25	BS
Customer queries at reception	0.5	£ 36.50	£ 18.25	BS
<b>Time allocation</b>	1.5			
All tasks	5.75		£ 54.75	

**Total Cost**

**£ 218.50**  
**Say £ 220**

## EXPLANATORY NOTES

How was the hourly rate worked out?

The rate is based on the average cost for the Unit. The cost per hour of each officer was taken and the average rate was worked out.

Business Support @ SO2 (£39.50) + Scale 6 (£33.50)  
Total £73 , 2 = £36.50

Regulatory Services @ 1 Regulatory Services Manager (£50) + 1 R. S. Officer (£37)  
Total £87 , 2 = £43.50

Technical Support Officer @ £37

What is the Hourly rate based on?

The Hourly rate is based on the total cost for an officer including salary, employer's National Insurance contributions, superannuation contributions. This is not what an Officer is paid.

Options		Large event		Small event	
		Advert	Proposed fee	Advert	Proposed fee
1	Any location, any applicant	2 main papers	£1610	2 main papers	£1370
2	City centre location, any applicant	1 main paper	£1000	1 main paper	£800
	Outside city centre, any applicant	1 local paper	£650	1 local paper	£400
3	City centre location, any applicant	2 main papers	£1610	1 main paper	£800 <small>As per table 3.36</small>
	Outside city centre, any applicant	2 main papers	£1610	1 local paper	£400 <small>As per table 3.36</small>
4	City centre - Voluntary organisations			1 main paper	£100
	Outside centre - Voluntary organisations			1 local paper	£50
5	City centre - Voluntary organisations			1 main paper	£0
	Outside centre - Voluntary organisations			1 local paper	£0

**NB.** Where a special event extends beyond the City Centre to various areas of the City, such as the Belfast Marathon, then it is proposed that the advert is placed in one of the four main newspapers. These proposals would be regardless of the notice being for a large or small event.

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