

Public Document Pack

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



**Belfast
City Council**

12th September, 2018

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall, on Wednesday, 19th September, 2018 at 5.00 p.m., for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. Routine Matters
 - (a) Apologies
 - (b) Minutes
 - (c) Declarations of Interest
2. Delegated Matters
 - (a) Applications approved under Delegated Authority (Pages 1 - 6)
 - (b) Application for the Grant of a Fourteen-Day Occasional Indoor Entertainments Licence – Holy Cross Boys' Pitch (Pages 7 - 22)
 - (c) Application for the Transfer and Renewal of a Seven-Day Annual Indoor Entertainments Licence – The Great Eastern Bar, 273 Newtownards Road (Pages 23 - 32)
 - (d) Review of Stationary Street Trading Licences – Fountain Lane and Fountain Street (Pages 33 - 38)
 - (e) Consideration of the Variation of Designated Commodities for Street Trading Sites – Sale of Bus Tour Tickets (Pages 39 - 54)

3. Non-Delegated Matters

- (a) Review of Licence Fees for Sex Establishments (Pages 55 - 56)
- (b) Training on the Role and Functions of the Licensing Committee (Pages 57 - 58)



Subject:	Applications approved under Delegated Authority
Date:	19th September, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	James Cunningham, Regulatory Services Manager, ext 3375

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

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

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

3.0	Main Report																																																										
3.1	<p>Key Issues</p> <p>Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the following Entertainments Licences were issued since your last meeting:</p>																																																										
	<table border="1"> <thead> <tr> <th>Premises and Location</th> <th>Type of Application</th> <th>Hours Licensed</th> <th>Applicant</th> </tr> </thead> <tbody> <tr> <td>Ballynafeigh Orange Hall, 413 Ormeau Road, Belfast BT7 3GP</td> <td>Renewal</td> <td>Sun - Sat: 08.00 - 01.00</td> <td>Mr. Cecil Hall</td> </tr> <tr> <td>BBC Blackstaff House, 62-64 Great Victoria Street, Belfast, BT2 8HQ</td> <td>Renewal</td> <td>Sun - Sat: 08.00 - 01.00</td> <td>Mr. Mark Taylor</td> </tr> <tr> <td>Belfast Community Circus School, 23-25 Gordon Street, Belfast, BT1 2LG</td> <td>Renewal</td> <td>Sun - Sat: 08.00 - 01.00</td> <td>Mr. Samuel Keith Hamilton</td> </tr> <tr> <td>Belfast Royal Academy, 3-17 Cliftonville Road, Belfast, BT14 6JL</td> <td>Renewal</td> <td>Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00</td> <td>Ms. Elisabeth Hull</td> </tr> <tr> <td>Belmont Bowling Club, 6A Kincora Avenue, Belfast, BT4 3DW</td> <td>Renewal</td> <td>Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00</td> <td>Mr. George White</td> </tr> <tr> <td>Belvoir Activity Centre, 100 Belvoir Drive, Belfast, BT8 7DT</td> <td>Renewal</td> <td>Sun - Sat: 08.00 - 01.00</td> <td>Greenwich Leisure Limited</td> </tr> <tr> <td>Church House, 2-10 Fisherwick Place, Belfast, BT1 6DW</td> <td>Renewal</td> <td>Mon - Fri: 08.00 - 01.00 Sat: 08.00 - 00.00</td> <td>Presbyterian Church Ireland</td> </tr> <tr> <td>Crescent Arts Centre, 2-4 University Road, Belfast, BT7 1NH</td> <td>Renewal</td> <td>Sun - Sat: 08.00 - 03.00</td> <td>Mr. Keith Acheson</td> </tr> <tr> <td>Donegall Quay, Lagan Lookout & Lagan Weir, Donegall Quay, Belfast.</td> <td>Renewal</td> <td>Sun - Sat: 11.30 - 23.00</td> <td>Belfast City Council</td> </tr> <tr> <td>Empire Social Club, 337A Donegall Road, Belfast, BT12 6FL</td> <td>Renewal</td> <td>Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00</td> <td>Mr. William Newman</td> </tr> <tr> <td>Falls Bowling & Lawn Tennis Club, 63 Andersonstown Road, Belfast, BT11 9AH</td> <td>Renewal</td> <td>Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00</td> <td>Mr. Paul McGeough</td> </tr> <tr> <td>Gilnahirk Presbyterian Church, 161 Gilnahirk Road, Belfast, BT5 7QP</td> <td>Renewal</td> <td>Sun - Sat: 08.00 - 01.00</td> <td>Ms. Hilary Gowdy</td> </tr> <tr> <td>Glen Park, 12-18 Ardoyne Avenue, Belfast, BT14 7DA</td> <td>Renewal</td> <td>Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00</td> <td>ADN NI Ltd</td> </tr> </tbody> </table>	Premises and Location	Type of Application	Hours Licensed	Applicant	Ballynafeigh Orange Hall, 413 Ormeau Road, Belfast BT7 3GP	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Cecil Hall	BBC Blackstaff House, 62-64 Great Victoria Street, Belfast, BT2 8HQ	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Mark Taylor	Belfast Community Circus School, 23-25 Gordon Street, Belfast, BT1 2LG	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Samuel Keith Hamilton	Belfast Royal Academy, 3-17 Cliftonville Road, Belfast, BT14 6JL	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Ms. Elisabeth Hull	Belmont Bowling Club, 6A Kincora Avenue, Belfast, BT4 3DW	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. George White	Belvoir Activity Centre, 100 Belvoir Drive, Belfast, BT8 7DT	Renewal	Sun - Sat: 08.00 - 01.00	Greenwich Leisure Limited	Church House, 2-10 Fisherwick Place, Belfast, BT1 6DW	Renewal	Mon - Fri: 08.00 - 01.00 Sat: 08.00 - 00.00	Presbyterian Church Ireland	Crescent Arts Centre, 2-4 University Road, Belfast, BT7 1NH	Renewal	Sun - Sat: 08.00 - 03.00	Mr. Keith Acheson	Donegall Quay, Lagan Lookout & Lagan Weir, Donegall Quay, Belfast.	Renewal	Sun - Sat: 11.30 - 23.00	Belfast City Council	Empire Social Club, 337A Donegall Road, Belfast, BT12 6FL	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. William Newman	Falls Bowling & Lawn Tennis Club, 63 Andersonstown Road, Belfast, BT11 9AH	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Paul McGeough	Gilnahirk Presbyterian Church, 161 Gilnahirk Road, Belfast, BT5 7QP	Renewal	Sun - Sat: 08.00 - 01.00	Ms. Hilary Gowdy	Glen Park, 12-18 Ardoyne Avenue, Belfast, BT14 7DA	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	ADN NI Ltd		
Premises and Location	Type of Application	Hours Licensed	Applicant																																																								
Ballynafeigh Orange Hall, 413 Ormeau Road, Belfast BT7 3GP	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Cecil Hall																																																								
BBC Blackstaff House, 62-64 Great Victoria Street, Belfast, BT2 8HQ	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Mark Taylor																																																								
Belfast Community Circus School, 23-25 Gordon Street, Belfast, BT1 2LG	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Samuel Keith Hamilton																																																								
Belfast Royal Academy, 3-17 Cliftonville Road, Belfast, BT14 6JL	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Ms. Elisabeth Hull																																																								
Belmont Bowling Club, 6A Kincora Avenue, Belfast, BT4 3DW	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. George White																																																								
Belvoir Activity Centre, 100 Belvoir Drive, Belfast, BT8 7DT	Renewal	Sun - Sat: 08.00 - 01.00	Greenwich Leisure Limited																																																								
Church House, 2-10 Fisherwick Place, Belfast, BT1 6DW	Renewal	Mon - Fri: 08.00 - 01.00 Sat: 08.00 - 00.00	Presbyterian Church Ireland																																																								
Crescent Arts Centre, 2-4 University Road, Belfast, BT7 1NH	Renewal	Sun - Sat: 08.00 - 03.00	Mr. Keith Acheson																																																								
Donegall Quay, Lagan Lookout & Lagan Weir, Donegall Quay, Belfast.	Renewal	Sun - Sat: 11.30 - 23.00	Belfast City Council																																																								
Empire Social Club, 337A Donegall Road, Belfast, BT12 6FL	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr. William Newman																																																								
Falls Bowling & Lawn Tennis Club, 63 Andersonstown Road, Belfast, BT11 9AH	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Paul McGeough																																																								
Gilnahirk Presbyterian Church, 161 Gilnahirk Road, Belfast, BT5 7QP	Renewal	Sun - Sat: 08.00 - 01.00	Ms. Hilary Gowdy																																																								
Glen Park, 12-18 Ardoyne Avenue, Belfast, BT14 7DA	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	ADN NI Ltd																																																								

Premises and Location	Type of Application	Hours Licensed	Applicant
Hannahstown Community Centre, 23a Hannahstown Hill, Belfast, BT17 0LT	Renewal	Sun - Sat: 08.00 - 01.00	Mr. Jim Ferguson
HMS Caroline, Alexandra Dock, Queens Road, Belfast, BT3 9DT	Grant	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Jamie Wilson
McKenna's, 25-29 Garmoyle Street, Belfast, BT15 1DY	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Brian McKenna
Orangefield Presbyterian Church, 464 Castlereagh Road, Belfast, BT5 6BH	Grant	Sun - Sat: 08.00 - 01.00	Mr. David Irvine
QUB South Dining Hall, University Road, Belfast, BT7 1NN	Renewal	Sat - Sun: 08.00 - 00.00 Mon - Fri: 08.00 - 01.00	Queens University Belfast
QUB, Centre For Drama and Film Studies, 20 University Square, Belfast, BT7 1PA	Renewal	Sun: 11.30 - 00.30 Mon - Sat: 10.30 - 01.00	Queens University Belfast
QUB, Elms Student Centre, 78 Malone Road, Belfast, BT9 5BU	Renewal	Sun: 08.00 - 00.00 Mon - Sat: 08.00 - 01.00	Queens University Belfast
QUB, Riddel Hall, 185 Stranmillis Road, Belfast, BT9 5EE.	Renewal	Sun - Sat: 08.00 - 01.00	Queens University Belfast
QUB, Sir William Whitla Hall, University Road, Belfast, BT7 1NN.	Renewal	Sun - Sat: 08.00 - 01.00	Queens University Belfast
QUB, Sonic Arts and Computer Science Research Centre, Cloreen Park, Belfast, BT9 5BX	Renewal	Sun - Sat: 08.00 - 01.00	Queens University Belfast
QUB, The Club House, Queen's Sport, Upper Malone Road, Belfast, BT9 5NB	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Queens University Belfast
QUB, The Harty Room, University Square, Belfast, BT7 1NN	Renewal	Sun: 08.00 - 23.00 Mon - Fri: 08.00 - 01.00 Sat: 08.00 - 00.00	Queens University Belfast
QUB, The Great Hall, University Road, Belfast, BT7 1NN	Renewal	Sun: 08.00 - 00.00 Mon - Sat: 08.00 - 01.00	Queens University Belfast
Royal Bar, 33-35 Donegall Road, Belfast, BT12 5JJ	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr. Ronald Brown

Premises and Location	Type of Application	Hours Licensed	Applicant
St. Bartholomews Parochial Hall, 183 Stranmillis Road, Belfast, BT9 5EE	Renewal	Mon - Fri: 08.00 - 01.00 Sat: 08.00 - 00.00	St. Bartholomews Select Vestry
St. Finnian's Church Hall, Cregagh Park, Belfast, BT6 9QH	Renewal	Sun - Sat: 10.00 - 23.30	Mr. Norman Halliday
The Black Box, 18-22 Hill Street, Belfast, BT1 2LA	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Ms. Sarah Jones
The Doyen, 829-831 Lisburn Road, Belfast, BT9 7GY	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Regency Hotel (NI) Limited
The Rose and Crown, 140-142 Ormeau Road, Belfast, BT7 2EB.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	L.A. Drinks Company Limited
The Speak-Easy, QUB Student Union Bar, 92-96 Lisburn Road, Belfast, BT9 6AG	Grant	Sun - Sat: 11.00 - 01.00	Queens University Belfast
The Stokers Halt, 195-199 Upper Newtownards Road, Belfast, BT4 3JB	Transfer and Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Approachable Group Limited
Tullycarnet Bowling Pavilion, Tullycarnet Park, Belfast, BT5 7GE	Renewal	Sun - Sat: 08.00 - 01.00	Belfast City Council
Ulster Hall, 30 Bedford Street, Belfast, BT2 7FF	Renewal	Sun - Sat: 08.00 - 01.00	Belfast Waterfront and Ulster Hall Ltd

3.2 Under the terms of the Street Trading Act (Northern Ireland) 2001, the following Street Trading Licences were issued since your last meeting:

Premises and Location	Type of Application	Commodity	Hours Licensed	Applicant
Donegall Quay	Stationary	Waffles, confectionery, non-alcoholic beverages	Mon – Sun: 07.00 – 21.00	Mr. Michael Henderson
Custom House Square	Temporary	Cosmetics	10.00 – 20.00 28/07/2018 - 29/07/2018	Mrs. Emily Crafford, Ice London Ltd
Titanic Building at pavilion area	Temporary	Hot food, non-alcoholic beverages	12.00 – 17.00 13/08/2018 - 19/08/2018	Mr. Lloyd Jackson
Donegall Street opposite Kremlin	Temporary	Hot food and non-alcoholic beverages	08.00 - 22.00 04/08/2018	Mr. Sydney McCallum

Premises and Location	Type of Application	Commodity	Hours Licensed	Applicant
Custom House Square	Temporary	Hats, flags, badges, whistles, bracelets	12.00 - 18.00 04/08/2018.	Mr. Sean McDade
Dunmurry, Twinbrook and Poleglass	Mobile	Ice cream, confectionery, non-alcoholic beverages	Mon – Fri: 15.00 - 19.30	Mr. Terence Campbell
Regent Street	Temporary	Hot food, non-alcoholic beverages	09.00 - 23.00 31/08/2018 - 01/09/2018	Mr. Darren Nugent
Poleglass, Twinbrook and Dunmurry	Mobile	Groceries, tinned goods, confectionery, non-alcoholic beverages, tobacco products	Mon – Sat: 07.45 - 21.00	Mr. John Ward
Ormeau, Malone, Windsor and Skegoneill	Mobile	Ice cream, confectionery, non-alcoholic beverages	Mon – Sun: 12.00 - 21.00	Mr. Terence Horner
Falcon Road	Stationary	Hot food, non-alcoholic beverages	Mon – Fri: 08.00 - 15.00	Mrs. Louise Vipers

3.3 Under the terms of the Road Traffic Regulation (Northern Ireland) Order 1997, the following Road Closure Orders were made since your last meeting.

Location	Type of Activity	Date and Hours permitted	Applicant
Castle Street	Street Fair	30 August 18.00 - 23.00 26 October 18.00 - 23.00	Belfast City Council
Deramore Avenue	Street Party	19 August 08.00 - 18.00	Mr. John G. Tubritt

Financial and Resource Implications

3.4 None

Equality or Good Relations Implications/Rural Needs Assessment

3.5 There are no issues associated with this report.

4.0 Documents attached

None



Subject:	Application for the Grant of a Fourteen-Day Occasional Indoor Entertainments Licence – Holy Cross Boys’ Pitch
Date:	19th September, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Moira Dougherty, Senior Building Control Surveyor, ext. 2458

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

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

1.0	Purpose of Report/Summary of Main Issues		
1.1	To consider an application for the Grant of a Fourteen-Day Occasional Indoor Entertainments Licence based on the Council’s standard conditions to provide indoor music, singing, dancing or any other entertainment of a like kind.		
1.2	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Premises and Location Holy Cross Boys’ Pitch Flax Street Belfast, BT14 7BZ </td> <td style="width: 50%; vertical-align: top;"> Applicant Cllr. Paul McCusker Ardoyne Association 111 Etna Drive Belfast, BT14 7NN </td> </tr> </table>	Premises and Location Holy Cross Boys’ Pitch Flax Street Belfast, BT14 7BZ	Applicant Cllr. Paul McCusker Ardoyne Association 111 Etna Drive Belfast, BT14 7NN
Premises and Location Holy Cross Boys’ Pitch Flax Street Belfast, BT14 7BZ	Applicant Cllr. Paul McCusker Ardoyne Association 111 Etna Drive Belfast, BT14 7NN		

1.3	The application is in relation to the Ardoyne Marrowbone Community Festival for a variety of events, including theatrical performances, which took place in a marquee commencing on 16th August and running to 26th August.
1.4	A copy of the application form is attached at Appendix 1.
1.5	A location map is attached at Appendix 2.
2.0	Recommendations
2.1	<p>Taking into account the information presented, you are required to consider the application and make a decision to either:</p> <ol style="list-style-type: none"> 1. approve the application for the grant of the Entertainments Licence, or 2. approve the application for the grant of the Entertainments Licence with special conditions, or 3. refuse the application for the grant of the Entertainments Licence.
2.2	If the application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the County Court.
3.0	Main report
	<u>Key Issues</u>
3.1	Members are reminded that the normal process for dealing with an Entertainments Licence application which is not the subject of objections is that the Director of Planning and Building Control will grant the licence as provided for in the Council's Scheme of Delegation.
	Consideration by the Licensing Committee
3.2	Members are advised that the application for this licence was received on 6th July, 2018, however, the legal advertisement was not placed until 11th August and therefore the 28-day statutory period during which representations to the application may be made did not expire until 31st August. This was after the event was scheduled to take place.
3.3	In the circumstances where a significant number of tickets had been sold, Chief Officers, in consultation with Party Group Representatives, agreed to grant approval for the festival events only and on condition that the application would then be brought to the September Licensing Committee meeting for consideration.
3.4	The Licence was, therefore, issued for the events on 16th August to 26th August as, from a regulatory and enforcement perspective, this is preferable to an event proceeding unlicensed.
3.5	It should be noted that the last-minute nature of the circumstances places significant pressure on Building Control staff to assess event safety documentation and ensure all technical requirements are in place for the safe operation of the events.

3.6	<p>The Fourteen-day Occasional Licence, if granted by Committee, will expire on 31st July, 2019. However, the application was for the specified days only of the Festival and the Licensee does not intend to hold any events for the remainder of the Licence period.</p> <p><u>PSNI</u></p> <p>3.7 The PSNI has no objection to the application.</p> <p>3.8 A copy of the PSNI's correspondence is attached at Appendix 3.</p> <p><u>NIFRS</u></p> <p>3.9 The Northern Ireland Fire Rescue Service has confirmed that it has no objection to the application.</p> <p><u>Health, Safety and Welfare Inspections</u></p> <p>3.10 Officers worked closely with the applicant and event organisers in the lead up to the events held to ensure all documentation and technical requirements were in place.</p> <p>3.11 Additionally, officers were present at each of the events and were satisfied that all safety measures and management procedures were in place.</p> <p><u>Noise Issues</u></p> <p>3.12 The applicant undertook measures regarding the management of noise. We received two noise complaints arising from the Festival on the weekend of 25th and 26th August. One complaint was received by Cllr. McCusker on 5th September for the event on 25th August and one complaint was received by the Council for the event on 26th August. No enforcement action was required.</p> <p><u>Applicant</u></p> <p>3.13 The applicant and/or their representatives will be available at your meeting should you choose to hear from them or have any queries in relation to the application.</p> <p><u>Financial and Resource Implications</u></p> <p>3.14 Officers carry out during performance inspections on premises and outdoor locations providing entertainment which is catered for within existing budgets.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>3.15 There are no issues associated with this report.</p>
4.0	Documents Attached
	<p>Appendix 1 – Application Form</p> <p>Appendix 2 – Location Map</p> <p>Appendix 3 – Copy of PSNI correspondence</p>

This page is intentionally left blank

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

Document is Restricted

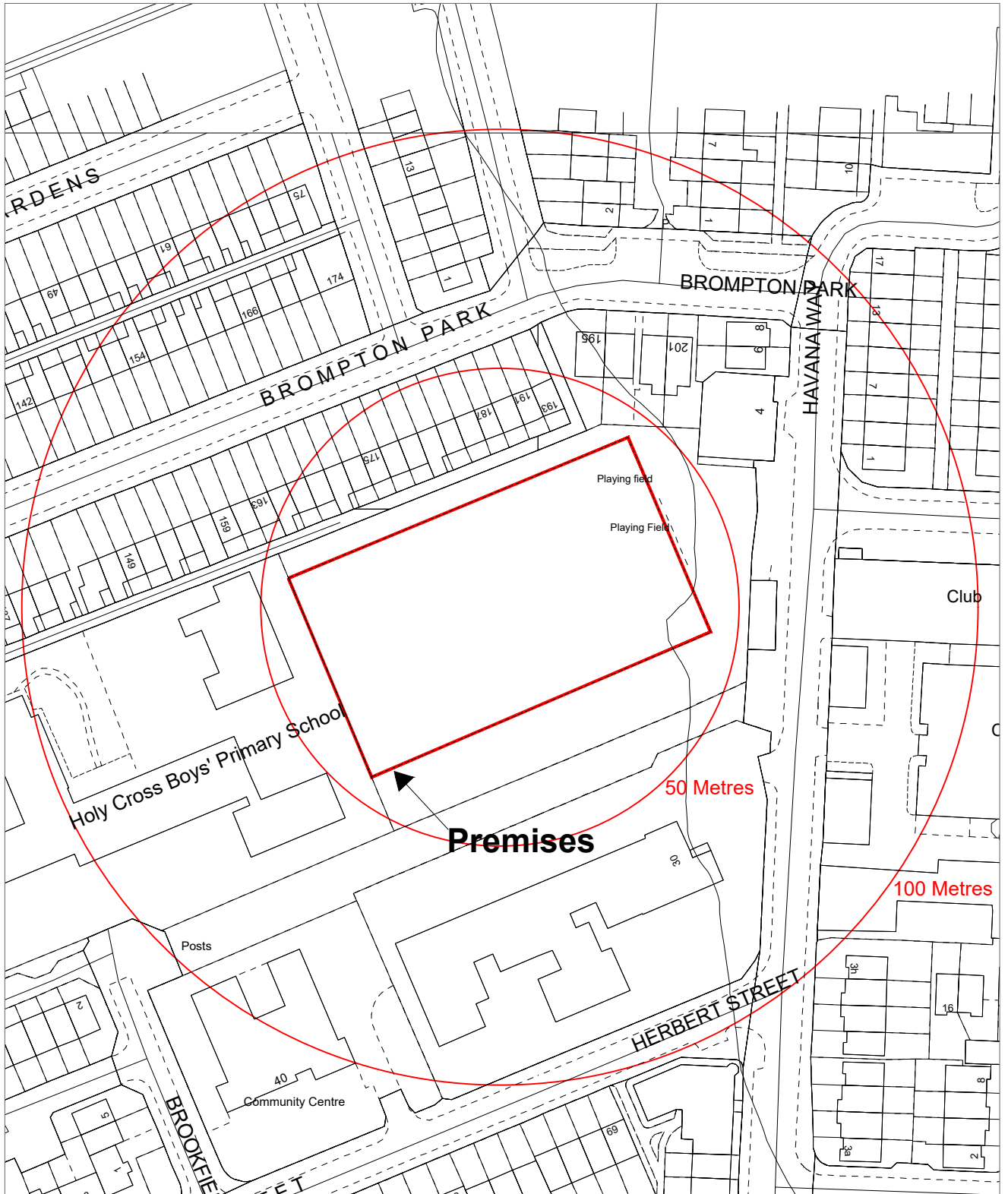
This page is intentionally left blank



Appendix 2



100 METRES



This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



Subject:	Applications for the Transfer and Renewal of a Seven-Day Annual Indoor Entertainments Licence – The Great Eastern Bar, 273 Newtownards Road
Date:	19th September, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officers:	Moira Dougherty, Senior Building Control Surveyor, ext. 2458

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

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

1.0	Purpose of Report/Summary of Main Issues				
1.1	<p>To inform the Committee that the PSNI has withdrawn its objection to the applications for the transfer and renewal of a Seven-day Annual Indoor Entertainments Licence for the following premises:</p> <table style="margin-left: 40px; width: 80%;"> <tr> <td style="width: 50%;">Premises and Location</td> <td style="width: 50%;">Applicant</td> </tr> <tr> <td>The Great Eastern Bar 273 Newtownards Road, Belfast, BT4 1AF</td> <td>Mr. Stephen Townsley</td> </tr> </table>	Premises and Location	Applicant	The Great Eastern Bar 273 Newtownards Road, Belfast, BT4 1AF	Mr. Stephen Townsley
Premises and Location	Applicant				
The Great Eastern Bar 273 Newtownards Road, Belfast, BT4 1AF	Mr. Stephen Townsley				
1.2	The applications are based on the Council's Standard Conditions to provide indoor music, singing, dancing or any other entertainment of a like kind and the licence is to be transferred from Mr. Alan Irvine to Mr. Stephen Townsley.				
1.3	A copy of the application forms for the renewal and transfer of the licence is attached at Appendix 1.				

2.0	Recommendation
2.1	The Committee is requested to note that the PSNI has withdrawn its objection to the transfer and renewal of the Seven-day Annual Indoor Entertainments Licence for the Great Eastern Bar and that the applications will now be approved under the Scheme of Delegation.
3.0	Main Report
	<u>Key Issues</u>
3.1	Members are reminded that, at your meeting on 14th February, you were advised that an objection had been received from the Police Service of Northern Ireland in relation to the transfer and renewal of the Entertainments Licence for the Great Eastern Bar and you agreed to hear from both the applicant and PSNI at a future meeting.
	<u>Representations</u>
3.2	Public notice of the application has been placed and no written representations have been lodged as a result of the advertisement.
	<u>PSNI</u>
3.3	Following your meeting in February, officers from the PSNI have been meeting with Mr. Townsley and they have now agreed a plan of action relating to their concerns regarding the operation of the premises outside of their permitted hours and other Liquor Licensing matters.
3.4	In light of this plan, the PSNI has now withdrawn its objection to the applications.
3.5	A copy of the PSNI letter is attached at Appendix 2.
	<u>NIFRS</u>
3.6	The Northern Ireland Fire Rescue Service has confirmed that it has no objections to the Entertainments Licence.
	<u>Health, Safety and Welfare Inspections</u>
3.7	The premises have been subject to inspections as part of the Entertainments Licence application process and Officers of the Service are satisfied with all safety measures and management procedures.
	<u>Financial and Resource Implications</u>
3.8	Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.9	There are no issues associated with this report.
4.0	Documents Attached
	Appendix 1 – Application Forms Appendix 2 – PSNI Comments

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



Subject:	Review of Stationary Street Trading Licences – Fountain Lane and Fountain Street
Date:	19th September, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	James Cunningham, Regulatory Services Manager, ext 3375

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

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

1.0	Purpose of Report/Summary of Main Issues
1.1	<p>The Committee will recall that, at your meeting on 16th May, you agreed that you were minded to revoke Stationary Street Trading Licences held by Mr. Joseph Kerr for designated sites at Fountain Lane and Fountain Street and agreed that he be invited to make representation regarding that decision. The Committee, on 15th August, agreed to defer the matter, on the basis that Mr. Kerr was on holiday and unable to attend that meeting.</p> <p>The licences are for:</p> <p>1. Fountain Lane (45ft from its junction with Donegall Place)</p>
1.2	<p>For the sale of confectionery, toys, clothing accessories, Halloween accessories, gift wrap, souvenirs and tour tickets including bus tours. The licence permits trading from Monday to Sunday from 08.00 hrs to 22.00 hrs.</p>

	2. Fountain Street (20ft from its junction with Wellington Place)
1.3	For the sale of confectionery, jewellery, bus tour tickets, Halloween costumes and accessories, toys, socks, non-alcoholic beverages, wrapping paper, cards, souvenirs, t-shirts, magnets, tea towels, key rings, mugs, lighters and clothing accessories. The licence permits trading from Monday to Saturday from 08.30hrs to 21.30hrs and on Sunday from 08.30hrs to 18.30hrs
1.4	The Committee having considered the matter on 16th May, agreed that it was minded to revoke the Licences held by Mr. Kerr in respect of both designated sites, on the grounds that he had failed to pay his licence fees, and agreed that he be invited to make representation to the Committee regarding that decision.
1.5	Mr. Kerr was subsequently notified of the Committee's decision but to date, no representation has been received and no payments have been made.
1.6	The outstanding debt is currently £2,410.90
2.0	Recommendation
2.1	Taking into account the information presented and after considering Mr. Kerr's representation, you are required to make a decision to either: <ol style="list-style-type: none"> 1. affirm your decision of 16th May and revoke either or both the Street Trading Licences, or 2. rescind your decision of 16th May and decide not to revoke the Street Trading Licences.
2.2	If the Committee decides not to revoke the licence, it is asked to consider making it a requirement upon renewal that Mr. Kerr must pay his Licence fee in full, instead of the current Council policy of offering any applicant the opportunity to pay their fee over the term of the licence, and that any subsequent licence must be renewed annually.
2.3	If the licence is revoked, the licensee may appeal the Council's decision within 21 days of notification of that decision to the Magistrates' Court. If an appeal is lodged the Licensee may continue to operate under the terms of the existing licence until such times as the Court make a determination in relation to the appeal. The Council will recover the outstanding debt.
3.0	Main Report
	<u>Key Issues</u>
3.1	The Street Trading Act (N.I.) 2001 provides that, at any time after a Street Trading Licence has been granted, the Council may, in certain circumstances, revoke a Licence.
3.2	The Act permits that a Council may revoke a Licence if it is satisfied that the licence holder has, without reasonable explanation, failed to pay any fees or charges due to the Council and if the licence holder has, without reasonable excuse, failed to avail himself to a reasonable extent of his licence.
3.3	Attached is a copy of the minute of the meeting of 15th August.

3.4	<p><u>Financial and Resource Implications</u></p> <p>If these Licences are revoked, there will be a loss in annual Licence Fees of £2500. However, it is anticipated that there will be sufficient interest in these sites that the vacancies will be filled within a short time.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>
3.5	There are no issues associated with this report.
4.0	Document Attached
	Minute of the Meeting of 15 th August

This page is intentionally left blank

Licensing Committee,
Wednesday, 15th August, 2018

The Committee was reminded that, at its meeting on 16th May, it had agreed that it was minded to revoke two Stationary Street Licences held by Mr. J. Kerr for designated sites in Fountain Lane and Fountain Street and agreed that he be invited to make representation to the Committee in that regard.

The Building Control Manager reported that the Committee's decision had been taken on the basis that Mr. Kerr had failed to pay the annual licence fee for each site and pointed out that his debt had since risen from £1,577.54 to £2,202.50. Mr. Kerr had been invited to address the Committee at this meeting, however, he had confirmed that he was on holiday and would, therefore, be unable to attend.

Accordingly, the Committee agreed to defer consideration of the matter until its next monthly meeting to enable Mr. Kerr to attend and noted information which had been provided in relation to the number of licensed stationary street trading sites within the City centre, together with their level of usage between March, 2015 and May, 2018 and those traders who had licence fees owing to the Council.

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



Subject:	Review of Licence Fees for Sex Establishments
Date:	19th September, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext 2435
Contact Officer:	James Cunningham, Regulatory Services Manager, ext 3375

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

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

1.0	Purpose of Report or Summary of Main Issues
1.1	Under Article 4 and Schedule 2 of The Local Government (Miscellaneous Provisions) (NI) Order 1985 (the Order), the Council has powers relating to the Licensing of Sex Establishments. Paragraph 19, Schedule 2 provides that an applicant for the grant, renewal or transfer of a licence shall pay a reasonable fee determined by the council.
1.2	Unlike the Street Trading Act (NI) 2001 and the Licensing of Pavement Cafés Act (NI) 2014, there is no procedure prescribed in the Order that the Council must follow in determining the licence fee.
1.3	The current Sex Establishment Licence fees were set by the Committee in June, 2016 and the same fees were agreed in September, 2017. The Committee agreed that a review of the fees be conducted each year.

2.0	Recommendation														
2.1	Members are asked to agree that the current fees, as set in September 2017, remain unchanged.														
2.2	Members are advised that the Licensing Committee does not have delegated powers in relation to policy decisions concerning licensing matters and as such your recommendation as to the appropriate fees for sex establishments licences will be subject to ratification by Council.														
3.0	Main Report														
	<u>Key Issues</u>														
3.1	A review of the time allocated to each task in the licensing process has been undertaken and costing estimates reviewed. This analysis has demonstrated that the current fees, as agreed by Committee last September, are still proportionate to the cost of the processes associated with administering a Sex Establishment Licence.														
3.2	As there has been no change in the current costs, it is proposed that the fees set last year remain as shown below:														
	<table border="1"> <tr> <td>Application Fee</td> <td>£3,200</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Renewal Fee</td> <td>£1,430</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Transfer Fee</td> <td>£1,125</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Licence Fee</td> <td>£500</td> </tr> </table>	Application Fee	£3,200			Renewal Fee	£1,430			Transfer Fee	£1,125			Licence Fee	£500
Application Fee	£3,200														
Renewal Fee	£1,430														
Transfer Fee	£1,125														
Licence Fee	£500														
	<u>Financial and Resource Implications</u>														
3.3	The Sex Establishment Licence fees will ensure the cost of the operational and administration processes are proportionate to the licensing scheme.														
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>														
3.4	There are no issues associated with this report.														
4.0	Documents Attached														
	None														



Subject:	Training on the Role and Functions of the Licensing Committee
Date:	19th September, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext 2435
Contact Officer:	James Cunningham, Regulatory Services Manager, ext. 3375

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

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

1.0	Purpose of Report/Summary of Main Issues
1.1	To outline proposals for the delivery of training sessions for Members on the role and functions of the Licensing Committee.
2.0	Recommendation
2.1	The Committee is asked to approve the proposed topics listed in paragraph 3.2 and advise of any additional topics to be included.
3.0	Main Report
	<u>Key Issues</u>
3.1	The Committee is reminded that, at its meeting on 15th August, it agreed to the development of training sessions which would be tailored to cater for Members' needs regarding licensing matters.

<p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p> <p>3.8</p>	<p>It is suggested that the training should primarily focus upon the following topics:</p> <ul style="list-style-type: none"> • an overview of the different types of regulatory functions for which the Committee is responsible; • protocol and representation process; • legal principles governing the decision-making process; • alcohol licensing matters and its relationship to entertainments licensing. <p>Training topics will be organised in collaboration with the Legal Services section. However, should Members have other queries or topics which they wish to discuss they can also be covered during the sessions.</p> <p>Previously, the Committee agreed that a similar programme should be delivered over two sessions and that they each commence at 5.00 p.m.</p> <p>The Democratic Services Officer will identify suitable dates on which to deliver the training sessions and will notify Members accordingly. Each of these training sessions will be held in the Lavery Room, City Hall.</p> <p>The Committee may wish to agree that the training be open to all Members of the Council.</p> <p><u>Financial and Resource Implications</u></p> <p>The training will be catered for within existing budgets.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no equality or good relations issues.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<p>None</p>