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



Belfast City Council

14th March, 2019

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Wednesday, 20th March, 2019 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) Applications Approved Under Delegated Authority (Pages 1 4)
- (b) Variation of Street Trading Licence Mr. J. Rea (Pages 5 8)

3. Non-Delegated Matters

(a) Road Closures - Review of Fees (Pages 9 - 14)



Agenda Item 2a

LICENSING COMMITTEE





Subject:	Licences Issued Under Delegated Authority
Date:	20 th March 2019
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 No X
If Yes, when will the report become unrestricted?	
After Committee Decision	
After Council Decision	
Some time in the future	
Never	

Call-in	
Is the decision eligible for Call-in?	Yes No X

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

Key Issues						
Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Orde 1985 the following Entertainments Licences were issued since your last meeting.						
Premises and Location	Type of Application	Hours Licensed	Applicant			
Allen Memorial Hall, 102- 104 Cregagh Road, Belfast, BT6 9ER.	Renewal	Mon - Fri: 08.00 01.00 Sat: 08.00 - 00.00	Mr Jim McCurry			
Basement Bar & Grill, 18 Donegall Square East, Belfast, BT1 5HE.	Renewal	Sun: 12.30 - 01.00 Mon - Thur: 11.30 - 01.00 Fri - Sat: 11.30 - 03.00	Mr Christopher Kearney, Loughview Leisure Group			
Central Catholic Club, 43a Rosemary Street, Belfast, BT1 1QB.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr James Mc Quillan			
Deanes' Deli, 42-44 Bedford Street, Belfast, BT2 7FF.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mrs Rachel McCreight, Deanes Restaurant Group			
Dunmurry Recreation Football Club, 23 Ashley Park, Dunmurry, BT17 9EH.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Ivor Moore			
Falls Park, Falls Road, Belfast, BT12 6AN.	Renewal (Outdoor)	Sun - Sat: 11.30 - 23.00	Mrs Rose Crozier, Belfast City Council			
Falls Park, Falls Road, Belfast, BT12 6AN.	Renewal (Marquee)	Sun - Sat: 11.30 - 23.00	Mrs Rose Crozier, Belfast City Council			
Fortwilliam Golf Club, 8a Downview Ave, Belfast, BT15 4EZ.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Michael Graham			
Michael Davitt Gac , 75- 79 Falls Road, Belfast, BT12 4PE.	Grant	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Eugene Gallagher			
Pug Uglys, 21 Bedford Street, Belfast, BT2 7EJ.	Renewal & Transfer & Variation	Sun: 12.30 - 03.00 Mon - Sat: 11.30 - 03.00	Mr Colin Dalley, Bedford Taverns Ltd			
Radisson Blu Hotel, The Gasworks, 3 Cromac Place, Belfast, BT7 1JB.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr Neil Maclaren, Inislyn Ltd			
Ramada Encore Hotel, 20 Talbot Street, Belfast, BT1 2LD.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr Marc McCrea, Ducalse Asset No1 Ltd			
Red Devil Bar, 194-198 Falls Road, Belfast, BT12 6AG.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr Martin Rooney, EMC Properties (NI) Ltd			
Rock Bar, 491-493 Falls Road, Belfast, BT12 6DE.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr Gerard Mcilhone G&M Rock Ltd			
Roddy McCorley Social Club, 203 Glen Road, Belfast, BT11 8BU.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Kevin Crawford			

Premises and Location	Type of Application	Hours Licensed	Applicant
Shaftesbury Recreation Centre, 97 Balfour Avenue, Belfast, BT7 2EW.	Renewal	Sun - Sat: 08.00 - 01.00	Miss Natasha Brennan
St John's Presbyterian Church, 374-378 Ormeau Road, Belfast, BT7 3HX.	Variation	Mon - Fri: 08.00 01.00 Sat: 08.00 - 00.00	Ms Patricia Mills
The Cuckoo, 149 Lisburn Road, Belfast, BT9 7AJ.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr Jim Crawford Silverpine Inns Lt
The Mount Inn, 156 North Queen Street, Belfast, BT15 1HQ.	Renewal	Sun: 12.30 - 00.00 Mon - Thur: 11.30 - 23.00 Fri - Sat: 11.30 - 01.00	Mr Desmond Quir
The Playwright Bar & Time Nightclub, 5-6 Lower Crescent, Belfast, BT7 1NR.	Renewal & Transfer	Sun: 12.30 - 01.00 Mon - Sat: 11.30 - 03.00	Mr Patrick Scullio 1 Oak Leisure (Ireland) Ltd
The Tipsy Bird, 96-100 Ann Street, Belfast, BT1 3HH.	Grant	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Mr Willis Mc Laughlin, W+R Holdings Ltd
Town Square, 12-13 Lower Crescent, Belfast, BT7 1NR.	Renewal	Sun: 12.30 - 01.00 Mon - Sat: 11.30 - 01.00	Mr Ben Ringland Victoria 1 Ltd
West Belfast HPS Club, 19 Bootle Street, Belfast, BT13 3GQ.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 08.00 - 23.00	Mr Hugh Stockma
Whiterock Community Centre, Whiterock Road, Belfast, BT12 1FW.	Renewal	Sun - Sat: 08.00 - 01.00	Ms Catherine Taggart, Belfast C Council
Whiterock Leisure Centre, Whiterock Road, Belfast, BT12 7PG.	Renewal	Sun - Sat: 08.00 - 01.00	Ms Sinead Barne Greenwich Leisu Ltd
York Road Civil Defence Association, 30 St Aubyn Street, Belfast, BT15 3QF.	Renewal	Sun - Sat: 08.00 - 01.00	Mr Thomas Moo

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

Premises and Location	Type of Application	Hours Licensed	Applicant
Funland Amusement Arcade, 133B Andersonstown Road, Belfast, BT11 9BU.	Renewal	Sun - Sat: 10.00 - 22.00	Mrs Deirdre Fitzsimons

3.3 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	Applican
Lombard Street	Stationary	Belfast themed artwork and photos, baseball caps, t-shirts, bookmarks, key rings, tablemats, diaries, belts, calendars, ponchos, Celtic crafted plaques, hurling sticks, bus tour tickets, St Patrick's Day and Pride hats, flags, whistles and necklaces	Monday to Sunday 09.00 to 21.00	Mr Francis Brown
Great Victoria Street and at East Bridge Street	Temporary (x2)	Sample soft drinks to members of the public	26/02/19 12.00 – 18.00	Miss Lila Reynolds, Verve
Shankill, Glencairn, Fortwilliam, Ballysillan, Oldpark and Springmartin	Mobile	Ice cream, confectionery and soft drinks	Monday to Sunday 12.00 to 20.30	Mr Stephe Baxter
Botanic Avenue outside 99 Botanic Avenue	Temporary	Pancakes	05/03/19 from 09.00 - 17.00	Mr Robert French, French Village

Equality or Good Relations Implications/Rural Needs Assessment

3.5 There are no issues associated with this report.

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LICENSING COMMITTEE



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Subject:	Variation of the Stationary Street Trading Licence at Castle Place opposite Donegall Arcade to allow the sale of bus tour tickets.
Date:	20th March 2019
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 No X
If Yes, when will the report become unrestricted?	
After Committee Decision	
After Council Decision	
Some time in the future	
Never	

Call-in	
Is the decision eligible for Call-in?	Yes No X

1.0	Purpose of Report or Summary of main Issues
1.1	To consider an application from Mr Joseph Rea for the variation of commodities on his Street Trading Licence at the designated site in Castle Place opposite Donegall Arcade, to include the sale of bus tour tickets.
1.2	Committee is reminded that, at your meeting on the 19 September 2018, you agreed to vary the Designating Resolution to allow for the sale of bus tour tickets on condition that any resulting applications to sell bus tour tickets would be considered by the Committee and, if approved, be granted on a one-year trial basis.
2.0	Recommendations
2.1	Based on the information presented and considering any representations received, the Committee is requested to consider the application and decide whether it is minded:

 To grant and approve the variation to the Licence on a one-year trial basis, or; Minded to refuse the variation application. If the variation to the Licence is refused, the applicant may appeal the Council's decision within 21 days of notification of that decision to the Magistrates' Court. Main report Key Issues Under Section 11 of the Street Trading Act (NI) 2001, the Council may at any time vary the Conditions specified in a Street Trading Licence where an application is made under Section 5 by the Licence holder. The Act only allows the Council to vary what the Licence holder has requested; in this case, the variation is for an additional commodity to be permitted for sale, namely, bus tour tickets. The Act places a statutory obligation on the Council to grant an application for a Street Trading Licence unless there are sufficient grounds to refuse it. Section 9 (1) (a) of the Act sets out discretionary grounds under which a district council may refuse to grant an application. The location at which the applicant wishes to trade as a stationary trader is unsuitable; The space in the designated street in which the applicant wishes to trade as a stationary trader is inadequate for the applicant wishes to trade as a mobile trader are unsuitable for the applicant to do so without causing undue interference or inconvenience to persons or vehicles using the street; The area or areas of the district in which the applicant wishes to trade as a mobile trader are unsuitable for the applicant to do so without causing undue interference or inconvenience to persons or vehicles in the area; The area or areas of the district in which the applicant wishes to trade; The area or areas of the district in which the applicant wishes to trade; The area or areas of the district in whi
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activities, unsuitable to hold a street trading licence;d. That the applicant has, without reasonable excuse, failed to avail himself to a reasonable
extent of a previous street trading licence;

	None
4.0	Appendices – Documents Attached
3.13	There are no issues associated with this report.
	Equality or Good Relations Implications/Rural Needs Assessment
	Variation of Licence Application Fee - £100
3.12	If the Committee is of the mind to grant the applicant a variation on their Street Trading Licence, the fee is as follows:
	Financial and Resource Implications
3.11	After considering representation from Mr Rea you will then be required to determine the application.
3.10	Mr Rea has been invited to appear before Committee and to make a brief presentation on matters such as how he proposes to operate and manage the sale of bus tour tickets and address any concerns associated with the proposal.
3.9	Members may wish to note that Mr Rea only trades sporadically and seldom uses this site. Mr Rea trades without any other Licence infringements.
3.8	Mr Rea is a very long standing trader and has two other Street Trading Licences both in Castle Lane selling flowers, plants, arts and crafts, floral accessories, fruit and vegetables.
3.7	Mr Rea is currently licensed to trade Monday to Saturday from 8am to 9pm and on Sunday from 10am to 6pm selling flowers, plants, floral accessories, arts and crafts, balloons and cards from a 3m by 1.5m stall.
3.6	Mr Joseph Rea has applied to vary his Street Trading Licence for the site in Castle Place opposite Donegall Arcade to include the sale of bus tour tickets.
	Application
3.5	Should you be of a mind to use your discretionary power to refuse to vary Mr Rea's Street Trading Licence, Section 12 of the Act requires that he be afforded the opportunity to make representations in writing relating to the proposal, which must be considered by Committee at a future date before a final decision is made on the application.
	g. That the applicant has failed to provide or identify suitable or adequate arrangements for storing any articles, things or receptacles in or with which he proposes to trade.
	f. That the applicant has failed to provide the particulars required by the council to deal with the application;
	e. That the applicant has at any time been granted a street trading licence by the council, which was revoked or could have been revoked on the grounds that he had refused or neglected to pay fees or other charges due to the council in respect of the licence;

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LICENSING COMMITTEE





Subject:	Road Closures – Review Of Fees
Date:	20th March, 2019
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 No X
If Yes, when will the report become unrestricted?	
After Committee Decision	
After Council Decision	
Some time in the future	
Never	

Call-in		
Is the decision eligible for Call-in?	Yes X	No

1.0	Purpose of Report or Summary of main Issues
1.1	Committee will recall that, at your meeting of 20 November 2018, you considered a report on road closures for special events and the cost to administer the scheme. You agreed that Officers would submit proposals for revised fees for special events to a future meeting.
2.0	Recommendations
2.1	Members are asked to consider the fee for each of the 6 application types and decide, for each of those types, whether:
	 To continue to charge the current fee; or Set a revised fee for that application type.

3.0	Main report							
	Key Issues							
3.1	Committee will reca of events and the n							
3.2	It was agreed that Daily Mirror (Northe basis. Where a spe- as the Belfast Mara	rn Ireland edition	on), Irish News or Ids beyond the ci	r Newsletter (Ulster ity centre to various	edition) on a rotation areas of the city, s			
3.3	When the event is circulating in that a are only published at short notice mea resulting in addition	rea. This has p on a fortnightly aning that the a	proven to be pro basis and often advert has had	blematic, in that so applications for loc	ome local newspar al events are recei			
3.4	Where it has been one notice to help r			e road closures hav	e been combined			
3.5	The Council has re is a summary of the				r restrict roads. Be			
	Large eventCommercial	(City centre): 1 (Outside City of runs including runs, reduced	centre): 9 triathlons: 6					
3.6	The following table shows an overview of the total income and expenditure related t processing 37 Road Closure Orders to date.							
	Fee Income	Notice cost	Officer cost	Expenditure	Deficit			
	£21,325.00	£23,912.58	£16,490.67	£ 40,403.25	-£19,078.25			
	Review of fees	I	I	1	<u> </u>			
3.7	Members are advis 2018, 29 Orders for			ave been fully com	pleted and, since A			
3.8				o	e an Order have b			

	Application Type (Number of)	Total Cost	Current fee	Average processing cost				
	Large event (City centre) (11)	£16,102.02	£1000	£1,463.82				
	Large event (Outside centre) (8)	£6,294.88	£650	£786.86				
	Large running event (4)	£6,697.04	£1000	£1,674.26				
	Large running event – charity (1)	£2,598.95	£125	£2,598.95				
	Club run (3)	£2,413.50	Free	£804.50				
	Small local event (2)	£2,003.68	Free	£1001.84				
3.10	Committee is asked to note the costs cost of processing the large running number of roads to be closed or restri newspapers.	type events cted, which re	has been due equired large N	e to the complexity lotices being placed	of the in the			
3.11	Members will also be mindful of the need to balance the benefit many of these road closures have had for local communities and sports clubs.							
3.12	It is suggested that Members consider each of the application types in turn and decide if you wish to amend the fee for each bearing in mind the costs associated with processing that type of application.							
	Financial & Resource Implications							
3.13	Financial & Resource Implications There are direct financial costs attach whilst fees have been set, the cost to applicants based on our information to	administer the						
3.13	There are direct financial costs attach whilst fees have been set, the cost to	administer the o date.	e scheme is or	ly partially recovered				
3.13 3.14	There are direct financial costs attach whilst fees have been set, the cost to applicants based on our information to	administer the o date. tions/Rural N	e scheme is or leeds Assess	ily partially recovered				
	There are direct financial costs attach whilst fees have been set, the cost to applicants based on our information to Equality or Good Relations Implicat	administer the o date. tions/Rural N s issues asso	e scheme is or leeds Assess	ily partially recovered				

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										Α	ppendix 1
Event Name	Road Closed or Restricted	Application Type		Fee	No	otice + VAT		Officer Cost	Expenditure (Notice+Officer)		Profit/Loss
Union Street Pride Party	Union Street	Large event CC	£	1,000.00	£	771.26	£	297.17	£ 1,068.43	-£	68.43
Culture Night Belfast	Culture Night City Centre	Large event CC	£	1,000.00	£	1,026.43	£	637.75	£ 1,664.18	-£	664.18
Castle St Evening Fairs	Castle Street	Large event CC	£	1,000.00	£	830.59	£	320.33	£ 1,150.92	-£	150.92
Christmas Lights Switch On	Switch On - Belfast City Centre	Large event CC	£	1,000.00	£	1,245.89	£	683.25	£ 1,929.14	-£	929.14
Street Style Pop-UP Fashion Show	Arthur Street	Large event CC	£	1,000.00	£	896.83	£	322.67	£ 1,219.50	-£	219.50
Red Bull City Limits	Wellington Place	Large event CC	£	1,000.00	£	1,077.76	£	756.42	£ 1,834.18	-£	834.18
Harvest Fair	Fountain Lane, College Street, Fountain Street, Berry Street	Large event CC	£	1,000.00	£	1,434.92	£	320.33	£ 1,755.25	-£	755.25
Donegall Pass Community Fair	Donegall Pass, Conduit Street, Elm Street, Virginia Street and Maryville Street	Large event CC	£	1,000.00	£	1,173.60	£	585.00	£ 1,758.60	-£	758.60
City Centre Animation Events	Royal Av, Castle Place, Rosemary St, Lower Garfield St, Royal Avenue, Bank St	Large event CC	£	1,000.00	£	475.20	£	1,004.75	£ 1,479.95	-£	479.95
Bus & Train Week Road Safe	Oxford Street	Large event CC	£	1,000.00	£	280.80		563.08	£ 843.88		156.12
Filthy McNasty's St Patricks Day Concert	Ventry Street	Lage event CC	£	1,000.00	£	711.94	£	686.00	£ 1,397.94	-£	397.94
International Peace Day Event	Townsend Street	Large event OC	£	650.00	£	771.26	f	387.08	£ 1,158.34	-£	508.34
Belfast Telegraph Run Forest Run	Ballynahtty Rd, Edenderry Rd, New Forge Lane	Large event OC	£	650.00	£	1,255.56		190.58	£ 1,446.14		796.14
Mrs Wilson	Upper & Lower Crescent	Large event OC	£	650.00	£	162.24		422.75	£ 584.99		65.01
ABV Beer Festival	Regent Street	Large event OC	£	650.00	£	162.24	£	241.83	£ 404.07	£	245.93
Doing Money (Pacific Avenue)	Pacific Avenue	Large event OC	£	650.00	£	162.24	£	193.25	£ 355.49	£	294.51
Doing Money (The Mount) Line of Duty 5 (Rosetta Road/Mount	The Mount	Large event OC	£	650.00	£	280.80	£	195.25	£ 476.05	£	173.95
Merrion)	Rosetta Rd/Mount Merrion Av	Large event OC	£	650.00	£	1,077.76	£	362.58	£ 1,440.34	-£	790.34
Line of Duty 5 (Windsor Park)	Windsor Park	Large event OC	£	650.00	£	162.24	£	267.25	£ 429.49	£	220.51
Belfast Triathlon	Triathlon - Belfast City Centre	Large run	£	1,000.00	£	1,883.35	£	731.75	£ 2,615.10	-£	1,615.10
Belfast Half Marathon	Half Marathon - Belfast	Large run	£	1,000.00	£	864.00	£	1,442.58	£ 2,306.58	-£	1,306.58
Ciclovia	Ciclovia - City Centre	Large run	£	1,000.00	£	604.80	£	485.00	£ 1,089.80	-£	89.80
Spar Craic 10K	St Patricks Craic 10K - Belfast	Large run	£	1,000.00	£	1,382.40	£	977.42	£ 2,359.82	-£	1,359.82
Santa Dash for Cash	City Centre	Large run charity	£	125.00	£	2,062.70	£	536.25	£ 2,598.95	-£	2,473.95
Na Ceathrún Gaeltachta 10Km	Falls Rd, Glen Rd, Shaws Rd, Andersonstown Rd, Falls Park	Club run	£		£	270.00	£	312.33	£ 582.33	-£	582.33
Seeley Cup 10K Run	Seeley Cup	Club run	£	-	£	187.20		206.00			393.20
Queen's 5K Race		Club run	£	-	£	1,255.56	£	182.42	£ 1,437.98	-£	1,437.98
Deramore Avenue Street Party	Deramore Avenue	Small local event	£		C	187.44	£	231.75	£ 419.19	-£	419.19
Twaddell 11th July Street Party	Twaddell Avenue	Small local event	£		£	1,255.56	£	328.92	£ 1,584.48		1,584.48
	- Hadden / Hondo	Total	£	20,325.00	£	23,912.58	£	13,871.74	£ 37,784.32	-£	
Event Classification	Average processing cost	_									
Large event CC	£ 1,463.82										
Large event OC Large run	£ 786.86 £ 2,092.83	-									
Large run charity	£ 2,598.95	1									
Club run	£ 804.50	1									
	£ 1,001.84	_									

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