

Licensing Committee

Wednesday, 16th December, 2015

MEETING OF LICENSING COMMITTEE

Members present: Councillor Hussey (Chairperson);
the Deputy Lord Mayor (Alderman Spence);
Alderman L. Patterson; and
Councillors Armitage, Attwood, Bell, Brown,
Bunting, Campbell, Carroll, Clark, Craig,
Dudgeon, Groves, Magennis, McConville,
Mullan and Sandford.

In attendance: Mr. T. Martin, Head of Building Control;
Ms. N. Largey, Divisional Solicitor; and
Mr. H. Downey, Democratic Services Officer.

Apology

An apology was reported on behalf of Councillor Hutchinson.

Minutes

The minutes of the meeting of 12th November were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st December, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were reported.

Non-Delegated Matters

Schedule of Meetings for 2016

The Committee approved the following schedule of meetings for the Licensing Committee during 2016, commencing at 5.00 p.m:

Wednesday, 20th January;
Wednesday, 17th February;
Wednesday, 16th March;
Wednesday, 20th April;
Wednesday, 18th May;
Wednesday, 15th June;
No meeting in July (Council in recess)
Wednesday, 17th August;

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Wednesday, 21st September;
Wednesday, 19th October;
Wednesday, 16th November; and
Wednesday, 14th December.

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE
POWERS DELEGATED TO IT UNDER STANDING ORDER 37(d)**

Licences issued under Delegated Authority

The Committee noted a list of licensing applications which had been granted under the Council's Scheme of Delegation.

**Application for the Grant of a Seven-day Annual Entertainments Licence –
Hole in the Wall, 1-3 Baltic Avenue**

The Committee was advised that an application had been received for the grant of a Seven-day Annual Indoor Entertainments Licence in respect of the above-mentioned premises, based upon the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind. The Head of Building Control reported that a petition, consisting of thirteen signatures, had been submitted within the twenty-eight statutory period, which related primarily to noise nuisance and anti-social behaviour. He pointed out that, under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the Committee, when considering an application, must have regard to any representation which had been received within that period.

Accordingly, the Committee agreed to consider the application at its next monthly meeting, to which the objector and the applicant would be invited to attend.

**Applications for the Renewal, Transfer and Variation of a Seven-day Annual
Entertainments Licence - Hatfield House, 128-130 Ormeau Road**

The Committee considered the undernoted report:

“1.0 Purpose of Report/Summary of Main Issues

- 1.1 To consider applications for the renewal and transfer of a Seven-day Annual Entertainments Licence for the Hatfield House, based upon the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind. The transfer is from Kevin Cassidy as an individual to Cavanreagh Ltd. of which Kevin Cassidy and his son Kieran are the sole directors.**
- 1.2 The applicant initially applied to vary the Entertainments Licence to increase the numbers on the first floor of the premises and to extend the hours of the Entertainments Licence to 3.00 a.m., on seven nights per week. However, after objections were received regarding the applications and**

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in particular against the extension of hours, that particular part of the variation application has now been withdrawn and the applicant only wishes to increase the numbers on the first floor under their existing hours.

Premises and Location	Ref. No.	Applicant
Hatfield House 128-130 Ormeau Road, Belfast BT7 2EB	WK/2015/00696	Cavanreagh Limited 53bMaryville Park Belfast BT9 6LP

- 1.3 Letters of objection were received in October 2015 from local residents and representative community groups regarding the applications. All objections were received considerably outside the 28 day statutory period as the applications were lodged with Building Control on 26th June 2015. Copies of the objection letters and the application forms have been forwarded to Members.
- 1.4 The reason that the application has not been brought before you for consideration until now is that Officers of the Service have, by mutual agreement, engaged extensively with all parties affected by the application and have convened a series of meetings and negotiations on the matters. Details of these meetings including the attendees have been circulated to the Committee.
- 1.5 All of the objectors, except two, have agreed to the terms and conditions as agreed at the Liaison Meetings and have withdrawn their objections. An agreement has been drawn up reflecting those terms and conditions and has been signed by the applicant and those who have withdrawn their objections.
- 1.6 The remaining two objectors are i) the mother of a resident of Lavinia Square, which is in close proximity to the Hatfield Bar, and ii) a resident of Hatfield Street, which runs alongside the premises and is the closest property on that street to it. Both objectors have confirmed that they are not withdrawing their objection and have requested to make representations at the meeting on 16th December. The mother of the resident of Lavinia Square has informed us within the appropriate timeframe of her request to maintain her objection under the operating protocol and we have thus been able to share the documentation with the relevant parties. The resident of Hatfield Street has only just confirmed their request to maintain their objection at the time of writing this report and,

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therefore, due to the limited timeframe available, we are unable to share any documentation between the relevant parties, as required under the protocol. However, we have informed them that they can, subject to the Committee exercising its discretion to consider objections received outside the 28-day timeframe, make representation with the other objector as their concerns are related. The applicant has been made aware of, and has consented to this.

- 1.7 A location map has been forwarded to Members.
- 1.8 Copies of agreements from relevant parties to withdraw their objections and allow the Entertainments Licence to be granted have been circulated to the Committee.
- 2.0 **Recommendations**
 - 2.1 As there remains two objections against the applications received outside the 28-day statutory period, you are required to determine if you wish to exercise your discretion to consider them and, if so, give the objectors an opportunity of appearing before and being heard by the Committee.
 - 2.2 If you decide not to take the objections into account then the application will be dealt with under the Scheme of Delegation.
 - 2.3 If Members wish to exercise your discretion and consider the objections you are required to also receive the applicant and/or their representatives and, after having received their submissions, make a decision regarding the application.
- 3.0 **Main report**
 - Key Issues**
 - 3.1 As a result of the public notice of application lodged on 26th June 2015, no written representation objecting to the application was received until October 2015. All these objectors, apart from two, have now withdrawn their objections.
 - 3.2 Under the terms of the Local Government (Miscellaneous Provisions) (NI) Order 1985, the Committee, when considering an application, must have regard to any representation which is received inside the 28 day statutory period. Where objections have been received outside the 28 day period you have discretion, but not a duty, to hear those objections. Members should note that the Council is not

prohibited from taking all relevant representations into account, whether they have been communicated by objectors or others, early or late, or in any other way. When deciding if you wish to consider the objections received outside the 28 day period, facts that you may wish to take into account could include the relevance of the objections and how far outside the 28 day period the objections were received, or any other matters that appear important in the circumstances at hand.

Outstanding Objections to the Application

- 3.3** A letter from the objector, on behalf of a resident of Lavinia Square, was received within the appropriate timeframe and they have submitted a Representation Form which also includes a statement summarising their objection and providing specific examples of the problems that have been encountered. Copies of those documents have been forwarded to the Committee.
- 3.4** The general nature of the objections submitted on behalf of the resident of Lavinia Square received relate to:
- the smoking area will diminish the quality of life in her home as they will be unable to sleep in their bedroom;
 - her children will also be unable to use their back garden for fear of overhearing adult conversation from the area;
 - when patrons leave the premises at 1.00 am, this will create further disruption to the children, her and their home routine;
 - she feels that the building is an impingement on her human rights and will be detrimental to her children's education and well being;
 - this will be further compromised should the numbers be allowed to increase from what they have now to 375 patrons. She also cites that it will increase over time to the 700 that it was reportedly built for;
 - she took a home behind a local bar, which had occasional entertainment upstairs and not a venue that is used twice a week for young students; and
 - the development of Lavinia Square was to house young families and as the houses are great family

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homes, she feels that, should the increase in numbers to the premises go ahead, it will undermine a great public development of family homes.

- 3.5 She has confirmed that not all of their concerns have been dealt with through the Liaison Meetings and that she has grave concerns about noise and her daughter's ability to live in her home. She feels that no account has been taken of the assurances the applicant and his architect gave two years ago that there would never be a door onto the roof of Hatfield House, which she indicates is the reason for her concern and distrust. She is also concerned that the applicant wants to protect his own interests by turning his Bar into a Limited company (as per the transfer application), citing that the Limited company will make it more difficult for anyone to hold any one person to account.**
- 3.6 A copy of the applicant's Representation Form has been provided to the objector and a copy of her response has been forwarded to the Committee.**
- 3.7 The objector and/or their representative will be available to discuss any matters relating to their objection should they arise during your meeting.**

Details of the Premises

- 3.8 The premises have held an Entertainments Licence since 1990 and were originally licensed on the first floor for 150 persons.**
- 3.9 The areas currently licensed to provide entertainment are the:**
- Ground floor bar with a maximum capacity of 100 persons,**
 - Graduate Bar Ground Floor with a maximum capacity of 120 persons**
- 3.10 The areas to be included in the variation are the:**
- First Floor with a maximum capacity of 375 persons (increase of 225 persons)**
- 3.11 The Second Floor area will only be used as a smoking area limited to maximum 50 persons and Members are advised that the number of persons to be accommodated in the new area is included in the new overall maximum occupancy of the indoor area of 595 persons; they are not in addition to**

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this occupancy. No entertainments are permitted at this location.

- 3.12 Members are advised that with the increase in number of persons to be accommodated in the new areas, measures will be implemented by the applicant to ensure that occupancies are controlled on all floors such that overcrowding does not take place.
- 3.13 The days and hours during which the premises are currently licensed to provide entertainment are:
- Monday to Saturday: 11.30 am to 1.00 am the following morning, and
 - Sunday: 12.30 pm to midnight
- 3.14 These hours are unaffected by these applications.
- 3.15 Entertainment is currently provided in the form of live band performances.
- 3.16 The special conditions attached to the current Entertainments Licence is as follows:
- security gates outside final emergency exit door to be locked open when premises are occupied;
 - the main front door to be hooked in the open position when entertainment is taking place; and
 - the front gates to be hooked open when entertainment is taking place.

Building Works

- 3.17 A Building Regulations application was also lodged with the Service on 30th June 2014 for the alterations to the building consisting of changes to the ground floor off-licence area, a fit out to the first floor area to extend the bar area and further amendments to the second floor to make provision for a new smoking area. Those works were satisfactorily completed on 8th October 2014.

Planning

- 3.18 A Planning Application for the works was lodged on 9th January 2014 for the 'demolition of existing central rear return, new 2 storey rear infill extension, with second floor smoking terrace bounded 2.5m high rendered walls, partial removal of rear roof to create new dormer, associated

internal and external alterations to facilitate amended layout at ground, first and second floor and extension of railing along Hatfield Street'. The project and the associated works received planning approval on the 23rd December 2014. As part of the approval a number of conditions were imposed. Some of these have been imposed in consultation with the Council's Environmental Protection Unit (EPU)

- 3.19 A series of informatives were also attached, which included a requirement that patron noise associated with the development should be suitably managed and controlled to ensure that nearby residential premises are not disturbed by noise. A copy of the Planning Approval Notice and conditions has been forwarded to the Committee.

Liaison Meetings

- 3.20 Two liaison meetings have taken place on 29th October and 25th November 2015. Whilst these have proven to be challenging, all parties have testified to them being necessary and constructive. Details have been circulated to Members.

- 3.21 In addition to the two liaison meetings, there have been several separate meetings with the applicant and objectors.

3.22 Applicants' Representations

The application has co-operated fully with the Council and appears keen to address residents' concerns. The measures taken by the owner, both actual and proposed have been made available to the Committee.

- 3.23 The applicant has also completed a Representation Form which includes details of the measures they have put in place to try and alleviate problems, such as door staff and patron dispersal. A full copy of the applicants Representation Form has been circulated to the Committee and has been provided to the objector. We have also provided the applicant with a copy of the objector's Representation Form, as required by the protocol, and a copy of their response to this information has also been forwarded to Members.

- 3.24 The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the applications.

PSNI

- 3.25** The PSNI has been consulted and been involved extensively with the liaison meetings. It previously also had concerns with the operation of the premises in addition to the increase in occupancy. However, it will also be involved in developing the roles of the new door staff going forward and, as a result of outcome of the liaison meetings and the continuing engagement going forward, it has agreed to sign the agreement referred to in paragraph 1.5 and, therefore, has no objection. A copy of its correspondence has been circulated to Members.

Health, Safety and Welfare Inspections

- 3.26** As noted above, officers of the Service have been working extensively with all parties, particularly the applicant in order to help resolve the concerns from residents.
- 3.27** Seven during performance inspections have been carried out on the premises by officers from the Service in the last 12 months. The inspections revealed that the conditions of the Entertainments Licence were being adhered to and the officers were satisfied that all operational and management procedures were being implemented effectively. Additionally, since the Service was made aware of the issues from residents at the liaison meetings, we have carried out 3 specific monitoring inspections to assess and observe the alleged issues and ensure that the actions and measures agreed at the liaison meetings was being implemented effectively. This has mainly involved monitoring of the premises externally and observing the conduct and control of door staff when dealing with patrons.
- 3.28** At the time of writing, we have found that the premises have been operating in accordance with the terms and conditions of the Entertainments Licence and the measures as agreed at the liaison meetings.

Noise Issues

- 3.29** EPU has confirmed that no complaints have been received over the last 12 months relating to noise break out from the premises or due to patron dispersal. The new second floor smoking area was subject to assessment by EPU and the current provisions and measures put in place, such as the high level screening were erected upon their liaison and advice with the applicants acoustic engineer.

Financial and Resource Implications

- 3.30 Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.**

Equality and Good Relations Implications

- 3.31 There are no equality or good relations issues associated with this report.”**

The Head of Building Control provided an overview of the applications and pointed out that, in terms of the variation of the Entertainments Licence, the applicant had, following liaison meetings, withdrawn the request for additional hours and was now seeking only to increase the numbers permitted on the first floor of the venue. He confirmed that the alterations to the premises had been approved by both the Building Control Service and the Planning Service and that, as the smoking area on the second floor, which had been referred to by one of the objectors within her representation, did not form part of the licensing application, the conditions which had been placed upon it as part of the planning process would remain unchanged.

He drew the Committee's attention to the fact that the two remaining objections to the applications had been received outside the twenty-eight day statutory period and that, in such cases, it could exercise its discretion and hear from the objectors, both of which were in attendance, although it did not have a duty to do so.

The Committee agreed to exercise its discretion and, accordingly, Mr. D. McPhee and Mrs. L. Livingstone, representing local residents Mrs. A. McDonald and Ms. G. Livingstone, respectively, were invited to make representation on the applications.

Mr. McPhee informed the Members that Mrs. McDonald had lived in the area for approximately thirty-eight years and that she had not, until now, had any issues in relation to the operation of the Hatfield House. He explained that the area surrounding the premises was primarily residential in nature and highlighted a number of ongoing problems of anti-social behaviour which had been experienced by local people. He argued that the proposal to increase the capacity of what was now generally recognised as being a student bar by over two hundred patrons would be likely to lead to an influx of young people from outside the area and have a further detrimental impact upon local residents, particularly in terms of additional noise and anti-social behaviour. Whilst residents recognised and appreciated that the licensee had endeavoured to ease their concerns by implementing, for example, an alcohol policy and dispersal procedures, they were not convinced that patrons would be controlled effectively once they were outside the premises. Mr. McPhee added that properties within the nearby Holylands area had, in recent years, been devalued as a result of similar difficulties and indicated that, should the application to increase the capacity of the Hatfield House be approved by the Committee, it could have a comparable effect upon surrounding properties and the overall amenity of that neighbourhood.

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Mrs. Livingstone explained that her daughter's home was located approximately fifty feet from the premises and that it was one of a number which had been constructed by the Clanmil Housing Association specifically for young families. She pointed out that the clientele had changed considerably since the current licensee had assumed control of the premises and stressed that, should the application to increase the capacity of the premises be granted, it would diminish the quality of life for her daughter and her children due to noise, anti-social behaviour and the extended operation of the smoking area. That view had been reinforced as a result of incidents which had occurred as recently as October, during which patrons leaving the venue had, for example, blocked traffic and played football on the Ormeau Road and urinated in adjacent streets. She concluded by stating that the applicant had failed through the liaison meetings to address fully her daughter's concerns in relation to the future operation of the premises, which had led her to sustain her objection to the application for the variation of the Entertainments Licence.

Mrs. E. Cassidy, the wife of one of the director's of the applicant company, together with Ms. M. Fisher, her legal representative, were then invited to address the Committee.

Ms. Fisher reported that her client's family had operated the Hatfield House for the past forty years and that they were now seeking to expand the business by increasing the numbers permitted on the first floor. Importantly, however, it would not be operating as a nightclub, as had been demonstrated by their withdrawal of the request to provide entertainment till 3.00 a.m. She explained that the alterations to the premises had obtained both Building Control and Planning Service approval and highlighted the measures which had either been put in place or would be put in place to address the issues which had been raised during liaison meetings and, subsequently, by the objectors. Those included improved soundproofing on the first floor, the installation of silencers on extractor fans, the location of receptacles at exits for bottle collection, the provision of a dedicated telephone to contact taxi firms and their continued cleansing of the area outside the premises on a regular basis. Additional staff, including door supervisors, would be deployed on busy nights and at peak periods such as St. Patrick's Day.

She confirmed that the applicant was reviewing currently the type of entertainment to be offered within the venue, with a view to ensuring that it would cater for all age groups. Ms. Fisher concluded by stating that the applicant was committed fully to engaging on an ongoing basis with community groups, local residents, the Building Control Service and the Police Service of Northern Ireland to address issues of concern and that potential dates for the next meeting in January were in the process of being identified.

Mrs. Cassidy informed the Committee that liaison meetings had been held in October and November, once her husband had been made aware of the extent of the objections which had been lodged in relation to the application to provide entertainment till 3.00 a.m. and that he had almost immediately withdrawn that element of the variation. She explained that, prior to that, two awareness sessions had been held in the venue, at which her husband and the architect had outlined to local residents the details of the planning application relating to the proposed alterations. That had resulted in a

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number of changes being made to the application. She indicated that, should the Committee grant the applications, she would be agreeable to a condition being attached to the Entertainments Licence requiring the continuation of regular liaison meetings.

After discussion, it was

Moved by Councillor Campbell,
Seconded by Councillor Attwood,

That the Committee, in its capacity as Licensing Authority, agrees to grant an application for the renewal, transfer and variation of a Seven-day Annual Indoor Entertainments Licence in respect of the Hatfield House, 128-130 Ormeau Road, with the capacity of the first floor of the premises being increased to 375 persons and the additional condition being imposed that officers of the Building Control Service facilitate regular liaison meetings.

Amendment

Moved by Councillor Brown,
Seconded by Councillor Carroll,

That the Committee, in its capacity as Licensing Authority, agrees to grant for a period of six months an application for the renewal, transfer and variation of a Seven-day Annual Indoor Entertainments Licence in respect of the Hatfield House, 128-130 Ormeau Road, with the capacity of the first floor of the premises being increased to 375 persons and the additional condition being imposed that officers of the Building Control Service facilitate regular liaison meetings.

On a vote by show of hand, two Members voted for the amendment and thirteen against and it was declared lost.

The original proposal standing in the name of Councillor Campbell and seconded by Councillor Attwood was thereupon put to the meeting when thirteen Members voted for and none against and it was accordingly declared carried.

**Application for the Grant of a Seven-day Annual Entertainments Licence –
Beckett's Bar, 241 Stewartstown Road**

The Committee was reminded that, at its meeting on 12th November, it had been advised that an application had been received for the grant of a Seven-day Annual Indoor Entertainments Licence in relation to Beckett's Bar, based upon the Council's standard conditions to provide music, singing, or any other entertainment of a like kind. The Committee had agreed, in view of the concerns which had been raised by the Head of Building Control around public safety and by the Divisional Solicitor in terms of the management of other premises operated by the applicant's family, to consider the application at its next monthly meeting and that the Northern Ireland Fire and Rescue Service and the applicant be invited to attend.

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Accordingly, the Head of Building Control submitted for the Committee's consideration a report which provided information in respect of the application. He reported that Beckett's Bar had been one of a number of licensed premises which had, under Local Government Reform, been transferred into the Belfast City Council area and that it had been brought to the attention of the Building Control Service that entertainment was being advertised there, despite there being no Entertainments Licence in place. As had been the case with all of those premises which had been transferred, officers had met with the management of Beckett's Bar to advise them of their requirements under the entertainments licensing legislation and had provided them with an information pack containing the necessary documentation for submission. As no application had been received, officers had visited the premises on several occasions in June and early July and had advised the applicant's representatives that, since no Licence had been granted, she should not be providing entertainment and, should she continue to do so, legal action could be initiated. However, the venue had continued to offer entertainment and an inspection which had been undertaken on 10th July had found that it was taking place both inside and outside the premises.

The Head of Building Control informed the Members that that visit had identified also a series of safety issues, such as fire doors being held open and escape and final exit doors being blocked. As a result, the Council's Legal Services Section was now reviewing a file, with a view to considering the potential for initiating legal proceedings against the applicant. However, he stressed there was not, at this point, any conviction against the applicant in terms of Beckett's Bar.

He explained that an application for the grant of an Entertainments Licence had since been submitted for Beckett's Bar and was now being presented to the Committee for its consideration. He confirmed that all of the information which had been requested previously by Members in relation to the Hughes family and the premises which they operated within the City had been included within the Committee report and that additional information, including a series of emails, had been circulated to the Members following the publication of that report. No written representation had been received in respect of the application and the Police Service of Northern Ireland had offered no objection. He added that, whilst the Northern Ireland Fire and Rescue Service had, initially, objected to the grant of the Entertainments Licence, it had since withdrawn that objection. However, the Fire Service had accepted the Committee's invitation of 12th November to attend this meeting in order to provide clarification around the fire safety issues which had been identified during the inspection on 10th July and a representative was present.

In response to a question from a Member, the Divisional Solicitor explained that the Subject Access Requests, which had been referred to within the Committee report, had been submitted by Mrs. Carol Hughes, Mr. Eugene Hughes and Mr. John Hughes, following the meeting on 12th November, at which officers had suggested that it would be beneficial for Members, before determining the application, to obtain information on the various issues which had been identified previously in relation to bars owned by the Hughes family. Each person had requested details on all information being held by the Council in relation to them. The Head of Building reported that the Council was obliged to issue a response to such a request within forty working days and that it was

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envisaged that those for the three members of the Hughes family would be formulated within the next seven to ten days.

In response to a further question regarding other applications which had been approved by the Committee whilst a prosecution had been pending and the associated number of offences, the Divisional Solicitor indicated that she could not confirm if any application for the grant of any Entertainments Licence had been delayed, pending the outcome of legal proceedings. However, it was normal practice in presenting an application to bring to the Committee's attention instances where there had been either a previous conviction or where a prosecution was pending and it was a matter for the Committee to decide whether to take those issues into consideration. She stated that the applicant had highlighted within her submission a number of premises which had been granted an Entertainments Licence by the Committee, despite the fact that there had been either legal proceedings pending or a previous conviction. The Divisional Solicitor confirmed that, in those instances, there appeared to have been only one or two issues relating to the premises which had given rise to legal proceedings. In terms of Beckett's Bar, however, there had been a number of issues detected, as had been highlighted within the Committee report. She added that the important point was whether or not the outcome of any criminal proceedings would be material to the Committee's decision in relation to the grant of the Licence.

At this point in the meeting, it was

Moved by Councillor Armitage,
Seconded by Councillor Attwood,

That the Committee, in its capacity as Licensing Authority, agrees to defer consideration of the application for Beckett's Bar until such time as the outcome of any legal proceedings being undertaken by the Council had been determined and the applicant had had the opportunity to consider fully the Council's response to the Subject Access Requests.

The Chairperson pointed out that Mr. D. Rodgers, the applicant's legal representative, was in attendance and he suggested that the Committee might wish to offer him the opportunity to address it on the proposal to defer the application, particularly around the issue of potential legal proceedings.

The Committee agreed that it would be beneficial to hear from Mr. Rodgers and he was welcomed by the Chairperson.

Mr. Rodgers highlighted the fact that the Committee had already established a precedent by granting, in the past two years, an Entertainments Licence for Flame Restaurant, where there had been a prosecution pending for providing entertainment on more than one occasion without an Entertainments Licence and for fire safety issues. The Committee had, in that instance, been made aware that there was likely to be a prosecution and, in his view, had followed the correct process and had acted fairly in considering and granting that application. He made the point that all factors needed to be taken into consideration in assessing an application, such as the impact upon the livelihood of employees and, accordingly, he suggested that the Committee, in keeping with its approach for other applications where there had been

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potential legal proceedings, should again act fairly and consider the application for Beckett's Bar at this meeting.

In response to a point which had been raised by Mr. Rodgers, the Divisional Solicitor confirmed that the prosecution for Flame Restaurant had related solely to the provision of entertainment without an Entertainments Licence. She added that the time limit for issuing proceedings in the case of Beckett's Bar would expire on 20th January, after which time the Council would be unable to pursue a prosecution.

The Head of Building Control confirmed that the premises had never held an Entertainments Licence within Belfast and that its previous Licence, which had been issued by Lisburn City Council, had expired in 2010.

The Chairperson reminded the Committee that a proposal to defer consideration of the application had been made earlier in the meeting by Councillor Armitage, which had been seconded by Councillor Attwood.

Accordingly, the proposal was put to the Committee and resolved.

Chairperson