



Subject:	Licensing Legislation and Training for the Licensing Committee
Date:	15th February, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, Ext. 6446

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

1.0	Purpose of Report/Summary of Main Issues
1.1	Members will recall that, at a recent meeting of the Committee, the Chairman raised the matter of the licensing legislation which the Council is responsible for and also how liquor licensing interacts with these Council's functions.
1.2	The Chairman also proposed that it might be beneficial to develop some training around the legislation and the role of the Licensing Committee when determining applications under the legislation.
1.3	Previously, Members have raised concerns regarding the decision-making processes of the Licensing Committee and the general powers, functions and legal issues the Committee is exposed to when executing their duties.
1.4	The Chairman also requested Members to notify the Divisional Solicitor about any matters on which you would like to receive training which would assist in your role within the Committee.
2.0	Recommendations
2.1	Members are asked to consider: I. If they wish to avail of a training programme tailored to suit your needs as a Member of the Licensing Committee and, if so, to: II. Identify any specific areas which would be essential to cover in the training, and III. Identify a suitable time when the training could be delivered to best suit Members.

3.0	Main Report
	<p data-bbox="272 248 427 277"><u>Key Issues</u></p> <p data-bbox="165 315 1453 383">3.1 As background information for Members, the Licensing Committee has delegated authority for determining the following matters noted below.</p> <p data-bbox="165 416 1453 483">3.2 Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the Committee will, in relation to Entertainment Licences, consider:</p> <ul data-bbox="323 517 1326 712" style="list-style-type: none"> • Applications for the grant of Outdoor Entertainments Licences; • Applications for the grant, renewal, transfer or variation of licences where objections are received; • Suspension and revocation of licences; • Applications for a waiver to permit entertainment involving striptease or nudity. <p data-bbox="165 752 1453 819">3.3 Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the Committee will, in relation to Sex Establishments, consider:</p> <ul data-bbox="323 853 1158 949" style="list-style-type: none"> • Applications for the grant of licences; • Applications for the renewal, transfer or variation of licences; • Revocation of licences. <p data-bbox="165 987 1453 1055">3.4 Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, the Committee will consider:</p> <ul data-bbox="323 1088 1374 1218" style="list-style-type: none"> • Applications for the grant of Amusement and Pleasure Permits • Applications for the renewal of Amusement Permits where adverse representations have been made; • Registration of Societies in relation to the running of lotteries. <p data-bbox="165 1256 1453 1323">3.5 Under the terms of the Street Trading Act (Northern Ireland) 2001, the Committee will consider:</p> <ul data-bbox="323 1357 1374 1554" style="list-style-type: none"> • Applications for the grant of licences; • Applications for the renewal, transfer or variation of licences where objections are received; • Revocation of licences; • Designation of streets or part thereof; • Setting of licence fees <p data-bbox="165 1592 1453 1659">3.6 Under the terms of the Licensing of Pavement Cafés Act (NI) 2014, the Committee will consider:</p> <ul data-bbox="323 1693 1374 1957" style="list-style-type: none"> • Applications for the grant, renewal or variation of licences where adverse representations are received; • Compulsory variation of licences; • Revocation of licences; • Setting of licence fees; • Suspension of licences except where in the public interest the Director, in consultation with the City Solicitor, considers that there are particular circumstances which make it necessary to suspend a licence immediately.

<p>3.7</p> <p>3.8</p> <p>3.9</p> <p>3.10</p> <p>3.11</p> <p>3.12</p>	<p>The Committee is responsible also for:</p> <ul style="list-style-type: none"> • the administration of the provisions of the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996 relating to entertainments and liquor licensing in licensed premises and registered clubs, and; • such other licensing matters as the Director of Planning and Place considers appropriate to bring to the attention of the Licensing Committee. <p>Whilst the Committee has full delegated authority in relation to licensing decisions, there may be exceptional circumstances where it may reconsider any decision made which is referred back to it by the Director of Planning and Place, in consultation with the City Solicitor.</p> <p>The Licensing Committee is responsible also for the consideration of all policy and legislation in relation to licensing issues but in this case any recommendations made will be subject to approval by the Strategic Policy and Resources Committee and further ratification by full Council.</p> <p>Any training identified will be organised in collaboration with Legal Services.</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</u></p> <p>There are no equality or good relations issues.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<p>None</p>