

**Extract of the Licensing Committee Minutes of Wednesday, 19th January, 2022**

**Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021**

The Building Control Manager submitted for the Committee's consideration the following report:

**“1.0 Purpose of Report/Summary of Main Issues**

- 1.1 To consider how Article 44A extension liquor licence applications for non-City centre locations for dates in February prior to the Committee meeting on 16th February, and, in particular, St. Valentine's night, are dealt with.**

**2.0 Recommendations**

- 2.1 The Committee is asked to consider if authority should be delegated to officers to deal with any Article 44A extension applications for non-City centre locations for dates up to and including 16th February 2022, in a similar way to that agreed for Biddy Duffy's and Horatio Todd's at the meeting on 15th December 2021.**
- 2.2 This would again be on the proviso that such applications did not relate to premises where the provision of entertainment had been subject to significant objections or prosecution in the past.**
- 2.3 In such instances, the application would be presented to the Committee for consideration.**

**3.0 Background**

- 3.1 At the meeting on 15th December, the Committee considered a report on the Licensing and Registration of Clubs (Amendment) Act (NI) 2021. The outcome is set out below:**

**Pubs and Hotels – City Centre Locations**

- 3.2 The Committee agreed that Article 44A extension applications for pubs and hotels in City centre locations should continue to be dealt with by Council officers under delegated authority, as follows:**
- i. to offer no objection to Article 44A extension applications which have been received to serve alcohol to 2.00 a.m. for City centre venues where they are in possession of an entertainments licence which permits entertainment to 3.00am every night of the week, and**
  - ii. to confirm that, in principle, the Council has no objection to Article 44A extension applications which have been received to serve alcohol to 2.00 a.m. for City centre venues where they are in possession of an**

entertainments licence which permits entertainment to 3.00 a.m. only on specified nights of the week but advising the Court of the fact that the Entertainments Licence does not permit entertainment to 3.00am on some of the dates to which the extension applications relate.

- 3.3 It was noted that, in cases where Article 44A extension applications had been received for premises where the provision of entertainment had been subject to significant objections or prosecution, those would be presented to the Committee for consideration.

**Pubs and Hotels – Non-City Centre Locations**

**Biddy Duffy’s, 133 Andersonstown Road/**

**Horatio Todd’s, 406 – 408 Upper Newtownards Road**

- 3.4 The Committee agreed to offer no objection to Article 44A extension applications for Biddy Duffy’s and Horatio Todd’s up to 31st January 2022 and that each applicant be requested:
- i. to agree to withdraw all Article 44A extension applications beyond 31st January, to allow officers to provide at the Committee meeting in February an update on any issues which had arisen from the operation of the premises during the month of January, given that both premises were located in close proximity to residential accommodation; and
  - ii. to agree not to provide entertainment after 2.00 a.m., unless an Entertainments Licence was in place which expressly permitted entertainment to take place beyond that time.

**Pubs and Hotels – Non-City Centre Locations Generally**

- 3.5 The Committee agreed that, should any further Article 44A extension applications for non-City centre locations be received between this meeting and 31st January 2022, officers should deal with them in a similar way as those for Biddy Duffy’s and Horatio Todd’s, as long as they did not relate to premises where the provision of entertainment had been subject to significant objections or prosecution in the past.
- 3.6 In such instances, the application would be presented to the Committee for consideration.

**Police Service of Northern Ireland**

**Authorisations for Additional Hours**

- 3.7 The Committee agreed that authority be delegated to Council officers to deal with Police Service of Northern Ireland authorisations for additional hours and that no representations be made unless there is reason to do so by virtue of any:
- a. restrictions placed upon the Entertainment Licence (if the premises associated with the application has an Entertainments licence),
  - b. complaints regarding the operation of, or anti-social behaviour in and around, the premises, and

c. **Building Regulation or other Council statutory enforcement issues.**

**3.8 The minute from the meeting of 15th December has been circulated.**

**4.0 Key issues**

**4.1 Members will be aware that new Coronavirus restrictions came into force on 26th December 2021 which, amongst other measures, required nightclubs to close and prohibited dancing in all other licensed premises.**

**4.2 Should these restrictions be lifted prior to the Committee meeting on 16th February, there is a possibility that a number of pubs and hotels in non-City centre locations may wish to apply for an Article 44A order for additional permitted hours to serve alcohol until 2.00 am for St. Valentine's night and/or the weekend nights leading up to it.**

**4.3 As your decision in relation to any Article 44A extension applications for non-City centre locations only covers the period to 31st January 2022, that would preclude officers from making any delegated decision in relation to applications associated with St. Valentine's night or any other application for dates from 1st February to 16th February.**

**4.4 Given the additional impact on the hospitality sector that the latest restrictions have created and the fact that any venues that have applied for extension licences will have had limited opportunity to utilise them to date, the Committee may wish to consider reviewing how any extension applications for dates prior to your meeting on 16th February, and in particular St. Valentine's night, are dealt with.**

**Financial and Resource Implications**

**4.5 None.**

**Equality or Good Relations Implications/ Rural Needs Assessment**

**4.6 None."**

After discussion, the Committee agreed:

- i. to delegate authority to the Director of Planning and Building Control, on a three-month trial basis, to deal with any Article 44A extension applications for non-City centre locations in a similar way to that which had been agreed for Biddy Duffy's and Horatio Todd's at the meeting on 15th December, 2021, with the proviso that such applications did not relate to premises where the provision of entertainment had been subject to significant objections or prosecution in the past. In such instances, those applications will be presented to the Committee for consideration;
- ii. that a report on the outcome of the aforementioned trial period be presented to the Committee for consideration; and

- iii. that the report on pubs and hotels in City centre locations, the operation of Biddu Duffy's and Horatio Todd's and on Police Service of Northern Ireland Authorisations for Additional Hours, which was due to be presented to the meeting in February, be submitted at the same time as that relating to non-City centre premises.