

Licensing Committee

Thursday, 9th November, 2017

MEETING OF LICENSING COMMITTEE

Members present: Councillor Carson (Deputy Chairperson) (in the Chair); the Deputy Lord Mayor (Councillor Copeland); and Councillors Bell, Campbell, Clarke, Collins, Craig, Dudgeon, Groves, Heading, Howard, Hussey, Hutchinson, McConville, McReynolds and Milne.

In attendance: Mr. S. Hewitt, Building Control Manager;
Mrs. L. McGovern, Solicitor;
Mr. H. Downey, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported on behalf of the Chairperson (Alderman Spence) and Councillors Boyle and Bunting.

Minutes

The minutes of the meeting of 18th October 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 November, 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.

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 licences which had been issued under the Council's Scheme of Delegation.

Application for the Variation of an Indoor Entertainments Licence - The Bear and The Doll, 2-14 Little Donegall Street

The Committee was informed that an application had been received from Gracemount Enterprises Limited for the variation of a Seven-day Annual Indoor Entertainments Licence in respect of The Bear and The Doll, based upon the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind.

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The Building Control Manager explained that entertainment, in the form of a DJ or live band, was provided currently from Monday to Friday till 1.00 a.m. the following morning, on a Saturday till 3.00 a.m. the following morning and on a Sunday till midnight. The company was now seeking to extend the hours of operation from Monday to Friday till 3.00 a.m. and on a Sunday till 1.00 a.m. to enable it to compete on an equal commercial footing with other venues in the area.

He reported that no written representation had been received in relation to the application and that the Northern Ireland Fire and Rescue Service and the Police Service of Northern Ireland had offered no objection. In such instances, it was normal practice for the Entertainments Licence to be issued under the Council's Scheme of Delegation. However, given that the application related to the extension of the hours of entertainment, it was being presented to the Committee for consideration.

He confirmed that, during the past year, officers of the Building Control Service had visited the premises on three occasions whilst entertainment had been taking place and on a number of other occasions as part of the current application process. Those had revealed that all of the operational and management procedures were being implemented. In addition, the Council's Environmental Protection Unit had indicated that, in the past year, it had received no complaints regarding noise from the premises and that it had no concerns in relation to this application.

The Committee agreed to vary the Seven-Day Annual Indoor Entertainments Licence for The Bear and The Doll, 2-14 Little Donegall Street, thereby allowing entertainment to take place till 3.00 a.m. from Monday to Saturday and till 1.00 a.m. on a Sunday.

Application for Extended Hours – Lower Crescent Park

The Building Control Manager informed the Committee that the City and Neighbourhoods Services Department held a Seven-day Annual Outdoor Entertainments Licence for Lower Crescent Park, which it transferred to any organiser seeking to hold an event. Under the terms of the licence, entertainment was permitted to take place from Monday to Sunday between the hours of 11.30 a.m. and 11.00 p.m., with special conditions being attached in relation to occupancy levels, early consultation with residents and businesses, extended hours and addressing complaints.

He reminded the Committee that, at its meeting on 17th May, it had agreed to extend the standard hours on the Entertainments Licence to enable entertainment to take place within the park until midnight on the nights of 30th June and 1st July, as part of the inaugural Focal Festival, which celebrated and promoted local foods and drinks. The organisers were now planning to hold a Christmas festival on the nights of Thursday, 21st, Friday, 22nd and Saturday, 23rd December and had applied to operate till 1.00 a.m. on each occasion. The People and Communities Committee, at its meeting on 10th October, had granted approval for the use of the park.

He reminded the Committee further that it was a standard condition of an Outdoor Entertainments Licence that all requests to operate beyond the permitted hour of 11.00 p.m. should be placed before the Committee and that it had, recently, approved requests for similar events, such as the Belfast Beer Festival and Oktoberfest in Custom House Square and the Belfast City Blues Festival in Writers' Square.

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He explained that, since the applicant was seeking to extend the hours permitted under an existing licence condition, rather than vary the Entertainments Licence itself, there had been no requirement for the application to be advertised. Whilst the Northern Ireland Fire and Rescue Service and the Police Service of Northern Ireland had offered no objection to the application, they would, in line with events of this nature, be invited to attend meetings in which public safety, traffic management, transport and wider operational issues were being discussed. He advised the Members that one noise complaint had been received during the previous event, which had not warranted formal action, and that the Council's Environmental Protection Unit would be assessing a noise report for the forthcoming festival to ensure that disturbance would be kept to a minimum.

The Building Control Manager added that the organisers had held discussions with officers from the Building Control Service and the Parks Service to establish an appropriate occupancy level for the venue and around the arrangements to be put in place to manage the event safely. In addition, the organisers would be required to provide surrounding commercial, offices and licensed premises with details of the festival.

The Committee agreed that the standard hours on the Seven-day Annual Outdoor Entertainments Licence for the Lower Crescent Park be extended to enable entertainment to be held till 1.00 a.m. on the nights of Thursday, 21st, Friday, 22nd and Saturday, 23rd December, as part of the Christmas Focal Festival, subject to all technical requirements being met to the satisfaction of Council officers.

**Applications for the Renewal of Indoor Entertainments Licences
with Previous Convictions – Glenowen Inn/Voodoo**

The Building Control Manager reminded the Committee that, under the terms of the Local Government Miscellaneous Provisions (Northern Ireland) Order 1985, it had a duty, when considering any application for the grant, renewal or transfer of an Entertainments Licence, to take into account any convictions of the applicant relating to an offence under the Order which had occurred within a five-year period immediately preceding the date on which the application had been made.

Accordingly, he drew its attention to applications which had been received for the renewal of Seven-day Annual Indoor Entertainments Licences in respect of the Glenowen Inn, 108 Glen Road and Voodoo, 9-11 Fountain Street.

He reported that the licensee of the Glenowen Inn had, on 24th May, 2016, been fined £600 and ordered to pay £66 in costs, as a consequence of an inspection by officers whilst entertainment had been taking place, which had found that a rear exit had been blocked by combustible materials, the alleyway leading from that exit had been partially obstructed by a vehicle, several exit signs had not been illuminated and the premises' log book had not been completed.

In terms of Voodoo, the licensee had, on 4th September 2012, been fined £270 and instructed to pay costs of £69, following an inspection by officers whilst entertainment had been taking place, which had revealed that a fire exit had been locked, a means of escape had been obstructed and the required checks had not been completed before entertainment had commenced.

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He pointed out that the Committee had, in subsequent years, agreed to renew the Entertainments Licences and that inspections which had been undertaken over the past year, either whilst entertainment had been taking place or as part of the current application process, had indicated that all management procedures were being implemented effectively. Finally, no written representations had been received in relation to the applications and the Northern Ireland Fire and Rescue Service and the Police Service of Northern Ireland had offered no objections.

The Committee agreed to renew the Seven-Day Annual Indoor Entertainments Licences in respect of the Glenowen Inn, 108 Glen Road and Voodoo, 9-11 Fountain Street.

Non-Delegated Matters

Schedule of Meetings for 2018

The Committee approved the following schedule of meetings for the Licensing Committee during 2018 and agreed that it should continue to meet at 5.00 p.m.:

Wednesday, 17th January;
Wednesday, 14th February;
Wednesday, 21st March;
Wednesday, 18th April;
Wednesday, 16th May;
Wednesday, 20th June;
No meeting in July (Council in recess)
Wednesday, 15th August;
Wednesday, 19th September;
Wednesday, 17th October;
Wednesday, 14th November; and
Wednesday, 12th December.

Chairperson