

Licensing Committee

Wednesday, 2nd May, 2018

SPECIAL MEETING OF LICENSING COMMITTEE

Members present: Councillor O'Hara (Deputy Chairperson) (in the Chair); Alderman Spence; and Councillors Boyle, Campbell, Clarke, Canavan, Craig, Dudgeon, Groves, Heading, Hussey, McConville, McReynolds and Milne.

In attendance: Mr. S. Hewitt, Building Control Manager; Mr. J. Walsh, City Solicitor; Miss N. Largey, Divisional Solicitor; Mr. J. Hanna, Senior Democratic Services Officer; and Mr. H. Downey, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from the High Sheriff (Councillor Howard) and Councillor Collins.

Declarations of Interest

No declarations of interest were reported.

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

Restricted Item

The information contained in the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014

Resolved – That the Committee agrees to exclude the members of the press and public from the meeting during discussion of this item as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

Applications for the Grant of Seven-Day Annual Indoor and Outdoor Entertainments Licences – South 13, Boucher Road

The Committee was reminded that, at its meeting on 17th January, it had agreed to defer consideration of the above-mentioned applications for South 13, to enable officers to consider additional information which had come to light earlier that day. The Committee, at its meeting on 21st March, had been advised that that information had related to an event which had taken place within the venue on 30th September, 2017, which had resulted in an internal investigation being initiated against a Council officer.

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Accordingly, the Committee had agreed to defer the matter until such time as the investigation had been concluded.

The Building Control Manager referred to the Committee report which had been tabled at this meeting and confirmed that it had been restricted, on the basis that it contained information which was being reviewed as part of the ongoing disciplinary investigation. He then proceeded to review the report in the context of the applications for the grant of Indoor and Outdoor Entertainments Licences for South 13. He reported that the applicant company was seeking to provide indoor entertainment in the form of live bands, DJs and theatre from Monday to Sunday between 9.00 a.m. and 1.00 a.m. the following morning in the main arena on the ground floor and outdoor entertainment from Monday to Sunday between 11.30 a.m. and 11.00 p.m. in the front car park. The company was proposing to hold a two-day festival during the month of June, for which it had allegedly sold tickets and had contractually committed funding.

He explained that no written representations had been received in relation to the applications and that the Northern Ireland Fire and Rescue Service and the Police Service of Northern Ireland had offered no objections. In such circumstances, it was normal practice for an Entertainments Licence to be issued under the Council's Scheme of Delegation. However, given that that the directors of T13 Belfast Limited, the applicant company, had, in May, 2013 and June, 2016, been convicted of a number of offences under the Local Government Miscellaneous Provisions (Northern Ireland) Order 1985, the applications were required to be placed before the Committee for consideration.

The Building Control Manager provided details of those offences, which had been detected within another premises, namely, the T13 Complex, Queen's Road, together with the level of fines and costs which had been imposed. Officers had since met with the directors of the company to ensure that appropriate measures had been put in place to prevent a recurrence and, having monitored subsequent events, had been satisfied that the venue was being managed effectively. On that basis, the Committee had, in subsequent years, agreed to renew T13's Indoor and Outdoor Entertainments Licences.

In terms of South 13, he confirmed that inspections which had been carried out as part of the current licensing application process and during events which had taken place on 27th and 28th December, 2017, had found that all measures and procedures had been put in place to protect the public, performers and staff. A number of effective terms and conditions relating to the management of noise had been placed upon those events and officers of the Environmental Protection Unit would assess a revised acoustic report for the future use of the premises. He added that, should the Committee agree to grant the applications, standard conditions would be placed upon the Outdoor Entertainments Licence around occupancy levels, early consultation with residents and businesses, extended hours and addressing complaints and suggested that authority be delegated to Council officers to attach additional conditions to each licence, as required.

The City Solicitor referred to the two events which the company was planning to hold in June and highlighted the potential implications for the Council should they be unable to proceed as a result of the Committee refusing to grant the licences in advance of the aforementioned internal investigation having been concluded. He indicated that the grant of the licences would not prevent the Committee from considering issues which may be relevant when they were presented for renewal.

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After discussion, the Committee agreed to grant, for a period of six months, an Indoor and an Outdoor Entertainments Licence in respect of South 13, Boucher Road and delegated authority to officers to attach appropriate special conditions to those licences. The Committee agreed also that a condition be attached to each licence requiring the company to provide the Council with notification at least twenty-eight days in advance of any events which it was planning to hold under either licence.

Chairperson