

# Licensing Committee

Wednesday, 19th June, 2019

## MEETING OF LICENSING COMMITTEE

- Members present: Councillor S. Baker (Chairperson);  
The Deputy Lord Mayor, Councillor McReynolds;  
The High Sherriff, Alderman Sandford;  
Aldermen Copeland and McCoubrey; and  
Councillors Bunting, Donnelly, Ferguson, Groves,  
Howard, Hussey, M. Kelly, T. Kelly, Magee,  
Magennis, McAteer and Smyth.
- In attendance: Mr. A. Thatcher, Director of Planning and Building Control;  
Mr. S. Hewitt, Building Control Manager;  
Ms. L. Coll, Solicitor;  
Mrs. M. Deveney, Solicitor;  
Ms. M. Dougherty, Senior Building Control Surveyor; and  
Ms. E. McGoldrick, Democratic Services Officer.

### **Apologies**

Apologies were reported on behalf of Councillors Hutchinson and Whyte.

### **Minutes**

The minutes of the meeting of 10th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 29th April, 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.

### **Schedule of Meetings 2019**

The Committee agreed the following schedule of meetings for the Licensing Committee, for August – December 2019, with all meetings commencing at 5pm:

- Wednesday, 14th August;
- Wednesday, 18th September;
- Wednesday, 16th October;
- Wednesday, 13th November; and
- Wednesday, 11th December.

**Delegated Matters**

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

**Applications Approved under Delegated Authority**

The Committee noted a list of licences and permits which had been issued under the Council's Scheme of Delegation.

**Application to provide outdoor musical entertainment  
beyond 11.00 pm - Falls Park**

The Committee was informed that a 7-Day Annual Outdoor Entertainments Licence and a 7-Day Annual Indoor Licence for a Marquee had been granted for Falls Park and both had been used to hold numerous events in the past; primarily for the Féile an Phobail event. The Licences were held by the City and Neighbourhood Services Department and were transferred to the organisers for the duration of their event. The days and hours during which entertainment might be provided both outdoors and in a marquee, were Monday to Sunday from 11.30 am to 11.00 pm.

The Committee was advised that Féile an Phobail would, this year, be taking place between 8th and 11th August and that the organisers were seeking approval to extend the standard hours on the Seven-day Annual Outdoor Entertainments Licence for the Falls Park to enable entertainment to be provided until 1.00 a.m. on three of those nights. Approval for the use of the venue had been granted by the People and Communities Committee at its meeting on 4th June.

The Building Control Manager explained that, whilst the organisers had applied to operate until 1.00 a.m. on the nights of Thursday, 8th, Saturday, 10th and Sunday, 11th August, it was envisaged that entertainment would run to 1.00 a.m. only on the first of those nights and that it would conclude before that time on the remaining two evenings. They had stated that the ability to operate until 1.00 a.m. would allow them to develop a programme of diversionary activities for young people and would assist in addressing ongoing antisocial behaviour issues. Whilst the programme of entertainment had yet to be finalised, it would be the genre and type of entertainment similar to previous years and would appeal to all age groups.

He pointed out that, in addition to the entertainment and social aspect of the event, there were also proposals to introduce activities involving sport and discussion for the youth to engage with such as a televised international boxing event on 3rd August, however this activity would fall outside the scope of the Outdoor Entertainments Licence.

He reminded the Committee that, since this application related to the extension of the hours permitted under an existing licence condition, rather than the variation of the Entertainments Licence itself, there had been no requirement for it to be advertised and advised that the Council was awaiting a response from the Police Service of Northern Ireland in relation to the event.

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In relation to Health, Safety and Welfare Issues, the Building Control Manager reported that the officers had engaged with the organisers but await receipt of the Event Management Plan, however, inspections carried out at previous events organised by Féile an Phobail found that the organisers had adhered to the health, safety and welfare management requirements during that time.

In terms of noise nuisance, he confirmed that the Council's Environmental Protection Unit had been notified of the intention to provide entertainment until 1.00 a.m. and that it was currently awaiting an acoustic report. He advised that twenty noise complaints had been received in 2018, none of which had necessitated formal action, and stressed that the organisers would be required to demonstrate that commercial and residential properties would not experience unreasonable disturbance and had been advised that significant complaints could lead to further nights being curtailed. He added that the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 provided the Council with additional powers to address noise nuisance from 11.00 p.m. onwards, if required.

The Committee agreed to extend the standard hours on the Seven-Day Annual Outdoor Entertainments Licence for the Falls Park, to enable entertainment to take place until 1.00 a.m. the following morning on the nights of Thursday, 8th, Saturday, 10th and Sunday, 11th August, subject to all technical requirements being met to the satisfaction of Council officers and no objections being received from the Police Service of Northern Ireland.

**Application for the Provisional Grant of an Amusement Permit  
- Oasis Gaming Centre, Wellington Place**

The Building Control Manager outlined the aforementioned application for the provisional grant of an Amusement Permit under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

He highlighted that, after the agenda had been published, Appendix two of the report 'Oasis Supporting Statement' had been amended to provide the full statement which had been submitted by the applicant.

The Committee was informed that Mr. M. Trimble, Oasis Retail Services Ltd., was in attendance and he was welcomed by the Chairperson.

Mr. Trimble informed the Committee that the current premises had been operating as an adult gaming centre for 18 years and, to improve the customer experience and stay ahead of their competitors, they wished to create further space and amenity for their customers. He pointed out that they had acquired the rear portion of the ground floor of the adjacent building and the shopfront and remaining floor space of 9 Wellington Place would remain under the Landlord's control.

During discussion, Members raised concerns in relation to the application's non-compliance of the assessment criteria within the Council's Amusement Permit Policy.

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After discussion, it was,

Moved by Councillor Magee,

Seconded by Councillor Howard,

That the Committee agrees to defer consideration of the application until the next meeting to allow the Committee to review the additional information that had been published in Appendix 2 of the report.

On a vote by show of hands ten Members voted for the proposal and five against and it was declared carried.

**Application for the variation of a 7-Day Annual  
Entertainments Licence - The Merchant Hotel**

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

**"1.0 Purpose of Report or Summary of main Issues**

- 1.1 To consider an application for the variation of the 7-Day Annual Indoor Entertainments Licence for the Merchant Hotel, based on the Council's Standard Conditions to provide indoor music, singing, dancing or any other entertainment of a like kind.**

**Premises and Locations**

**The Merchant Hotel  
16 Skipper Street  
Belfast  
BT1 2DZ**

**Applicant**

**Mr James Sinton  
The Merchant Hotel Ltd  
C/O 3 Hill Street  
Belfast  
BT1 2LA.**

- 1.2 The nature of the variation is to extend the hours during which entertainment may be provided to the USC first floor rear bar on Friday and Saturday nights from 1.00 am to 3.00 am the following morning.**
- 1.3 Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the Director of Planning and Place will grant the licence as provided for in the Council's Scheme of Delegation.**
- 1.4 However, in light of the fact that the applicant has applied for a variation to extend the hours of entertainment beyond**

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1.00 am, the application is being presented to you for your consideration.

**1.5 A location map is attached as Appendix 1.**

**2.0 Recommendations**

**2.1 Taking into account the information presented and representations received you are required to make a decision to either:**

- 1. Approve the application for the variation of the 7-Day Annual Indoor Entertainments Licence, or**
- 2. Approve the application for the variation of the 7-Day Annual Indoor Entertainments Licence with special conditions, or**
- 3. Refuse the application for the variation of the 7-Day Annual Indoor Entertainments Licence.**

**2.2 If the application is refused, or Special Conditions are attached to the Licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.**

**2.3 Should the Committee decide to refuse the variation application, and the applicant decides to appeal, the existing Licence will continue with its present Conditions until the Appeal is determined.**

**3.0 Main report**

**3.1 Key Issues**

**The areas currently Licensed to provide indoor entertainment are:**

- The Merchant Hotel, with a maximum capacity of 300 persons.**
- The Cloth Ear, with a maximum capacity of 300 persons.**
- Ollies Nightclub, with a maximum capacity of 550 persons.**
- Ollies Garden Room, with a maximum capacity of 20 persons.**
- Bert's, with a maximum capacity of 240 persons.**
- Conference Room 1, with a maximum capacity of 100 persons.**
- Conference Room 2, with a maximum capacity of 60 persons.**

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- **Conference Room 3, with a maximum capacity of 60 persons.**
- **Conference Room 1, 2 & 3, with a maximum capacity of 220 persons.**
- **4th Floor, with a maximum capacity of 40 persons.**
- **USC Ground Floor Front Bar, with a maximum capacity of 50 persons.**
- **USC Ground Floor Rear Bar, with a maximum capacity of 144 persons.**
- **USC First Floor Front Bar, with a maximum capacity of 30 persons.**
- **USC First Floor Rear Bar, with a maximum capacity of 220 persons.**

**3.2 The days and hours during which the premises are currently licensed to provide indoor entertainment are:**

- **Monday to Saturday: 11.30 am to 1.00 am the following morning**
- **Sunday: 12.30pm to 12.00 midnight**

**3.3 The following Special Condition is attached to the current entertainments licence: -**

**In addition to the above standard operating hours entertainment may be provided in Ollie's Nightclub to 3.00am seven days a week.**

**3.4 The applicant has applied to extend the hours of the USC first floor rear bar on Friday and Saturday nights to 3.00 am the following morning.**

**3.5 The premise operates as a hotel with various bars and a nightclub with entertainment being provided in the form of live bands and DJs.**

**3.6 Reasons for the Variation**

**The applicant has stated the main reason they wish to extend the hours of entertainment is to allow for club nights on the first floor to fulfil customer demand for a late night music venue.**

**A copy of the applicant's submission is appended to this report.**

**3.7 Representations**

**Notice of the application has been advertised and no written representation has been received.**

**3.8 PSNI**

The Police Service of Northern Ireland has been consulted and confirmed that they have no objection to the application. A copy of their correspondence is attached as Appendix 3.

**3.9 NIFRS**

The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and confirmed that they have no objection to the applications.

**3.10 Health, Safety and Welfare Inspections**

Members are advised that Officers have carried out a total of two During Performance Inspections over the past 12 months. On each occasion, all technical matters were satisfactory, and the appropriate measures and management procedures were being implemented effectively.

3.11 The premises have also been subject to inspections as part of the Entertainments Licence application renewal process and Officers of the Service are satisfied with all safety measures and management procedures.

**3.12 Noise issues**

No noise complaints have been received in the last 12 months.

3.13 Given the nature of the entertainment at the venue an acoustic report outlining the measures to be taken to ensure minimal disturbance to neighbouring residential premises, both due to noise breakout or from patron activity, was requested and forwarded to the Council's Environmental Protection Unit (EPU). At the time of writing this report EPU comments were not available therefore we will advise of their comments at the Committee meeting.

3.14 Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives the Council additional powers in relation to the control of entertainment noise after 11.00 pm.

**3.15 Applicant**

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

**3.16 Financial and Resource Implications**

Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.

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

There are no issues associated with this report.”

The Committee agreed, in its capacity as Licensing Authority, to grant a variation of a Seven-day Annual Indoor Entertainments Licence in respect of The Merchant Hotel, with entertainment being permitted, in future, to take place till 3.00 a.m. on a Friday and Saturday night on the USC first floor rear bar.

**Application for the variation of a 7-Day Annual Entertainments Licence - Botanic Inn**

The Committee considered the following report:

**“1.0 Purpose of Report or Summary of main Issues**

- 1.1 To consider an application for the variation of the 7-Day Annual Indoor Entertainments Licence for the hours during which entertainment may be provided at the Botanic Inn, based on the Council’s Standard Conditions to provide indoor music, singing, dancing or any other entertainment of a like kind.

**Premises and Locations**

**Applicant**

Botanic Inn  
23-27 Malone Road  
Belfast  
BT9 6RU

Mr Felix Mooney  
Cathal GM Ltd  
Botanic Inn  
23-27 Malone  
Road  
Belfast  
BT9 6RU.

- 1.2 The original variation application for the Botanic Inn to extend the hours of entertainment to 3.00am on Monday to Saturday nights was received on 22 November 2016.
- 1.3 Numerous objections were received against this application but, all objections have now been withdrawn, on the basis that the applicant has amended his application so as to replicate the extended hours of entertainment, that already apply on the

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first floor, on the ground floor. This would mean entertainment may be provided until 2.00am the following morning on Wednesday, Thursday and Saturday on both floors. In addition, entertainment will be permitted to 2.00am should Christmas Eve, New Year's Eve, St. Patrick's night, Easter Monday, May Day or Halloween fall on a Sunday, Monday, Tuesday or Friday night.

1.4 A location map is attached as Appendix 1 (copy available [here](#)).

2.0 **Recommendations**

2.1 Taking into account the information presented and any representations made you are required to make a decision to either:

1. Approve the application for the variation of the Entertainments Licence; or
2. Approve the application for the variation of the Entertainments Licence with Special Conditions, or
3. Refuse the application for the variation of the Entertainments Licence.

2.2 If the application is refused, or Special Conditions are attached to the Licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.

2.3 Should the Committee decide to refuse the variation application, and the applicant decides to appeal, the existing Licence will continue with its present Conditions until the Appeal is determined.

3.0 **Main report**

3.1 **Key Issues**

Members are reminded that, at your meetings on 19 April 2017 and 20 June 2018, you considered reports regarding representations received in respect of the application and agreed to hear from both the applicant and objectors at a future meeting.

3.2 **Representations**

Written representations objecting to the application were received from various parties including Paula Bradshaw MLA,

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PSNI, local residents' associations and individual local residents.

**3.3 A synopsis of the objections is outlined below:**

- These premises are located near residential streets in the greater University area and Lower Malone. It is totally inappropriate for a pub to open to 3.00 am in this area.
- Many streets in the surrounding area are of a residential nature and many of the owners have to work the next day and have children trying to sleep.
- There has been an ongoing problem with antisocial behaviour in the wider university area and noise disturbance from students making their way back to the Elms Village and other student housing in the area.

However, due to ongoing discussion, facilitated by the Service, between the applicant and the various objectors all representations against this application have now been withdrawn.

**3.4 Details of the Premises and Variation Proposals**

The areas currently licensed to provide indoor entertainment are:

- Ground Floor Bar, with a maximum capacity of 550 persons.
- 1st Floor Nightclub, with a maximum capacity of 500 persons.

**3.5 The days and hours during which the premises are currently licensed to provide indoor entertainment are:**

- Monday to Saturday: 11.30 am to 1.00 am the following morning, and
- Sunday: 12.30 pm to 12.00 midnight

**3.7 The following Special Condition is also attached to the current Entertainments Licence: -**

*Entertainment may be provided until 2.00am the following morning on Wednesday, Thursday and Saturday to the first floor areas only. In addition, entertainment will be permitted to 2.00am should Christmas Eve, New Year's Eve, St. Patrick's night, Easter Monday, May Day or Halloween fall on a Sunday, Monday, Tuesday or Friday night.*

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- 3.8** After discussion between the applicant and the objectors the applicant has amended the original variation application, which was to provide entertainment to 3.00am on Monday to Saturday nights, and now wishes to extend the hours of the ground floor bar to replicate those of the first floor as noted in the Special Condition at 3.7.
- 3.9** The applicant has provided a rationale to support their application for the extension in hours, this being: -
- They are a family business which has operated successfully at this location for some time as and we understand and strive to serve the communities that make up the location at which we operate as a business. We have always tried to serve the community in which we operate and are mindful of the needs of that community.
  - They engage with local stakeholders on a regular basis.
  - They are the nearest residential group to the Botanic Inn – The Wellington Park has 75 bedrooms and we will be very conscious of noise, nuisance or disturbance to these guests.
  - They carry out sound checks and limit the sound as recommended by a noise impact survey of the immediate area carried out by F.R.Marks.
  - They have written to all taxi firms asking that they respect the neighbourhood especially after 11.00pm.
  - They advise patrons when leaving the premises to respect the local area.
  - They provide a well-managed, safe environment for customers to socialise in thus negating the need for ‘house parties’
  - They strive to work with all their stakeholders and value our reputation as a safe venue to meet and socialise.
- 3.10** Members may wish to note that, at your meeting in August 2013 when the variation to provide entertainment to 2.00am in the nightclub on the first floor was being considered the applicant at that time, Mr Stephen Magorrian, advised Committee that, should the nightclub be permitted to provide entertainment until 2.00am, it would make the dispersal of patrons more manageable, as they would be leaving the ground and first floors at different times.
- 3.11** The premise operates as a public bar and nightclub with entertainment being provided on both floors in the form of live bands and DJs.
- 3.12** Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the

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subject of objections is that the licence will be granted as provided for in the Council's Scheme of Delegation.

**3.13** However, because the applicant has applied for a variation to extend the hours of entertainment past 1.00 am, the application is being presented to you for consideration.

**3.14** **PSNI**

The Police Service of Northern Ireland originally objected to the 3.00am extension as it was proposed for midweek and they would not have adequate resources to facilitate this. Due to changes to the extension of hours proposed by the applicant the PSNI have confirmed that they are no longer objecting to the application.

**3.15** **Health, Safety and Welfare Inspections**

Members are advised that Officers have carried out 3 During Performance Inspections over the past 12 months. On each occasion, all technical matters were satisfactory, and the appropriate measures and management procedures were being implemented effectively.

**3.16** **Noise issues**

No noise complaints have been received by the Service in the last 12 months. Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives the Council additional powers in relation to the control of entertainment noise after 11.00 pm.

**3.17** **Applicant**

The applicant and/or their representatives will be available at your meeting should you choose to hear from them or have any queries in relation to the application.

**3.18** **Financial and Resource Implications**

Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.

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

There are no issues associated with this report."

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The Committee agreed, in its capacity as Licensing Authority, to grant a variation of a Seven-day Annual Indoor Entertainments Licence in respect of the Botanic Inn, with entertainment being permitted, in future, to take place till 2.00 a.m. the following morning on a Wednesday, Thursday and Saturday on both floors of the premises, and in addition, entertainment would be permitted to 2.00 a.m. should Christmas Eve, New Year's Eve, St. Patrick's night, Easter Monday, May Day or Halloween fall on a Sunday, Monday Tuesday or Friday.

**Application for the Variation of a 7-Day Annual Entertainments Licence - McKenna's Bar**

The Building Control Manager informed the Committee that an application had been received for the variation of a Seven-Day Annual Indoor Entertainments Licence in respect of McKenna's Bar, 25-29 Garmoyle Street, based upon the Council's standard condition to provide music, singing, dancing or any other entertainment of a like kind.

He reported that entertainment was provided currently on a Monday to Saturday till 1.00 a.m. and on a Sunday till midnight. The licensee had now applied to provide additional hours of entertainment till 3.00 a.m. on Friday and Saturday, primarily on the basis that he was losing out on local custom and required the additional hours to sustain its viability and to compete with other premises in the city.

The Building Control Manager confirmed 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 not objected.

He advised that, in such circumstances, 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 beyond 1.00 a.m., it was being presented to the Committee for consideration.

He highlighted that the premises had been subject to inspections as part of the application renewal process which had revealed that the Conditions of the entertainments Licence were being adhered to and operational and management procedures were being implemented effectively.

The Committee agreed to vary the Seven-Day Annual Indoor Entertainments Licence for McKenna's Bar, 25-29 Garmoyle Street, thereby permitting entertainment to take place till 3.00 a.m. on Friday and Saturday.

**Application for the Grant of a 14-Day Occasional Outdoor Entertainments Licence - Seaview Stadium**

The Building Control Manager informed the Committee that an application had been received for the grant of a 14-Day Occasional Outdoor Entertainments Licence in respect of Seaview Stadium from Crusaders Sports and Social Development Trust. He advised that the application was for a variety of events, including a dance event, which had taken place on 1st June, 2019.

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It was reported that the application for this Licence was only received on 25th April, 2019 in respect of an event that was scheduled to take place on 1st June 2019. As there was no Licensing Committee in May, due to the Local Government elections, there wasn't opportunity to place the application before Committee prior to the date of the event. As a significant number of tickets had been sold, Chief Officers, in consultation with the Chairperson and Deputy Chairperson of the Licensing Committee, agreed to grant approval for the 1-day event only and on condition that the application would then be submitted to the Licensing Committee for consideration in June.

The Licence was therefore issued for the event on 1st June, 2019 as, from a regulatory and enforcement perspective, this was preferable to the event proceeding unlicensed.

The Building Control Manager pointed out that a public notice of the application had been placed and that no written representation had been lodged as a result of the advertisement. He also confirmed that the Police Service of Northern Ireland had offered no objections.

After discussion, the Committee agreed, in its capacity as Licensing Authority, to grant a Fourteen-day Occasional Outdoor Entertainments Licence for Seaview Stadium, St Vincent's Street and noted that one of these events had already taken place.

**Application to provide outdoor musical entertainment  
beyond 11.00 pm - Woodvale Park**

The Building Control Manager reported that the Twaddell and Woodvale Residents' Association had submitted an application to extend the standard hours on the Seven-Day Annual Outdoor Entertainments Licence for Woodvale Park until 1.00 a.m. on the nights of Tuesday, 9th and Thursday, 11th July.

He advised that a 7-Day Annual Outdoor Entertainments Licence and a 7-Day Annual Indoor Licence for a Marquee had been granted for Woodvale Park and both had been used to hold events in the past. The Licences were held by the City and Neighbourhood Services Department and had been transferred to the organisers for the duration of their event.

The days and hours during which entertainment might be provided both outdoors and in a marquee were Monday to Sunday from 11.30 am to 11.00 pm.

He explained that the Residents' Association had been an active participant in the Council's Bonfire and Cultural Expression Programme and that it had, since 2008, organised several successful events within the Woodvale Park.

The group had confirmed that this year's event would run from Tuesday, 9th until Thursday, 11th July and that its request for additional hours was based primarily around the desire to bring mainstream artists to one of Belfast's most disadvantaged areas as well as provide proactive diversionary activities at a time of potential heightened tensions. The People and Communities Committee, at its meeting on 4th June, had granted approval for the use of the park.

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The Building Control Manager confirmed that, since the Residents' Association were 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. The Police Service of Northern Ireland had not objected to the application and officers from the Building Control Service and the Parks Service were working with the organisers to agree an event management plan, a layout plan and an appropriate occupancy figure.

He pointed out that the Council's Environmental Protection Unit had received five complaints in relation to last year's event and that it would seek to ensure that an appropriate noise management plan was developed, in consultation with all relevant parties, in order to minimise noise breakout and disturbance. He added that the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 provided the Council with additional powers to address noise nuisance from 11.00 p.m. onwards and that, should significant complaints be received, future nights could be curtailed.

The Committee agreed that the standard hours on the Seven-day Annual Outdoor Entertainments Licence for the Woodvale Park be extended to enable entertainment to take place until 1.00 a.m. the following morning on the nights of Tuesday, 9th and Thursday, 11th July, subject to all technical requirements being met to the satisfaction of Council officers.

**Designation of Street Trading Sites**

The Building Control Manager reported that a request had been received from Victoria Square Management to designate land at the entrance into Victoria Square from Ann Street for the sale of hot and cold food and non-alcoholic beverages or similar commodities. He highlighted that the intention of the applicant was to use the site for a coffee van type of operator trading in the area.

He advised that the Council had also received a request from the Department for Communities, Belfast Regeneration Directorate as landowner of Queen's Quay, requesting that the three designated sites on their land at Queen's Quay be rescinded.

He explained that the Street Trading Act (NI) 2001 sets out the procedures which must be followed in considering whether to designate a site or rescind a designation. The steps the Council must undertake were summarised as follows:

- Give public notice of the proposed resolution;
- Consult with the PSNI, Department for Infrastructure, licence holders (if any) and other persons it considered appropriate;
- Consider any representations relating to the proposed resolution which it had received;
- After the Council had considered those representations it might, if it thinks fit, pass the Designating Resolution; and
- Publish notice of the outcome for 2 consecutive weeks in 2 or more newspapers, giving not less than 28 days between the date of the publication and the date set out by the Council when the Designating Resolution would come into effect.

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He highlighted that a further report would be submitted at a future meeting to summarise the outcome of the consultation process and the Committee would then be able to determine whether to designate the site and its conditions.

Taking into account the information presented for the creation of a new designated site and the rescinding of 3 designated sites, the Committee agreed to:

- Permit the publication of the statutory 28-day notice of the proposed resolution; and
- Authorise consultation with statutory bodies and other persons who may have an interest in the proposals.

Chairperson