

Licensing Committee

Wednesday, 10th December, 2025

MEETING OF THE LICENSING COMMITTEE

Members present: Councillor Doran (Chairperson);
Aldermen McCullough and Rodgers, and
Councillors Abernethy, Anglin, Bradley,
T. Brooks, Bunting, Carson, M. Donnelly,
P. Donnelly, D. Douglas, McCann,
McDowell, McKay, McKeown, Smyth and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Mr. S. Hipkins, Building Control Manager;
Mr. K. Bloomfield, HMO Manager;
Mr. K. McDonnell, Solicitor (Regulatory and Planning); and
Mrs. L. McLornan, Committee Services Officer.

Apologies

An apology was reported on behalf of the High Sheriff (Councillor McAteer).

Minutes

The minutes of the meeting of 19th November 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 December.

Declarations of Interest

Councillor Smyth declared an interest in item 2d, namely, "Objection to the Renewal of an Entertainments Licence for Shaftesbury Bowling Club", in that he had previously liaised with the objector in relation to the application and so he left meeting for the duration of the discussion on the item and did not vote.

Delegated Matters

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 applications for licences which had, since its last meeting, been approved under the Council's Scheme of Delegation.

Houses in Multiple Occupation (HMO)
Licences Issued Under Delegated Authority

The Committee noted a list of applications which had been approved under the Council's Scheme of Delegation during November 2025.

Provisional Grant of an Amusement
Permit for 51 Rosemary Street

The Director of Planning and Building Control provided the Committee with the details of the application from EZE Gaming Ltd., for the provisional grant of an Amusement Permit at 51 Rosemary Street. The applicant had expressed that they wished to relocate its existing amusement arcade from 13 North Street to the new location. The Director explained that the existing amusement arcade in North Street had been operational for over 20 years and that the applicant had advised that those premises would close if the new permit, for 51 Rosemary Street, was granted.

The proposed amusement arcade would house 48 gaming machines and the arcade currently operated by the applicant at North Street was licensed for the same number of machines, although on previous renewal inspections there were, in fact, fewer gaming machines.

The proposed opening hours of the amusement arcade were as follows:

- Monday to Saturday (8.00am - Midnight) and
- Sunday (12 Noon – 11.00pm)

The Committee was advised that planning permission for the change of use from retail to an amusement arcade was granted on 4th October, 2024, for the site in question. The Director pointed out, however, that the planning approval for the site was not dependent on the relocation of the amusement arcade and was not subject to an agreement under Section 76 of the Planning Act (NI) 2011.

The Committee was advised that the First Non-Subscribing Presbyterian Church, located near the proposed site, had objected to the application, citing concerns about the amusement arcade being an unsuitable neighbour and its potential negative impact on the Church's activities and the areas historical significance.

The Members were advised that a meeting between the applicant and the Church representatives had been held but no resolution had been reached.

The Council's Amusement Permit Policy, ratified in 2013, outlined criteria for assessing applications. The Policy generally presumed against granting new amusement permits in the Retail Core of Belfast City Centre unless part of a major retail-led development or upper-storey development.

The Director outlined that the application had been evaluated against five criteria in the Amusement Permit Policy:

- Retail vibrancy: The site was in the Retail Core, where new amusement arcades were discouraged. However, the applicant had argued that the relocation was necessary for city centre regeneration;
- Cumulative build-up: There were other amusement arcades nearby, but none in the same commercial block;
- Impact on Belfast's image: The site was near historic and listed buildings, including the First Presbyterian Church, but it was not considered to detract significantly from the area's tourism appeal;
- Proximity to residential areas: The site was not adjacent to residential properties.
- Proximity to schools and vulnerable groups: No schools, youth centres or residential institutions for vulnerable people were located within 200 metres of the site.

The Director explained that the Committee was required to decide whether to grant or refuse the application based on the applicant's fitness to hold the permit, the suitability of the premises, and any representations.

She explained that the objector wished to rely upon their written submission and was not in attendance to address the Committee.

The Chairperson welcomed the applicant, Mr. S. Stranaghan, and his solicitor, Ms. M. Conway, to the meeting. Ms. Conway reminded the Committee that the application was intended to be a relocation of existing arcade premises which were currently operated by the company at 13 North Street, which was a short walk from the application site. The applicant had requested a new lease from its landlord in North Street but was refused on redevelopment grounds. There was no gaming proposed as part of the redevelopment scheme.

She reminded the Committee that it would be familiar with the redevelopment on North Street, having approved an amusement permit for Oasis Gaming at 73 North Street, which had had to relocate from 19 North Street. The objectors in their submission had sought to distinguish the current application from the Oasis application, on the basis that the planning permission for 73 North Street included a Section 76 Agreement, which created a binding obligation on the applicant to cease trading from the original location. She confirmed that the applicant in this case was also tied to contractual arrangements which would require them to vacate the premises at North Street. If the Committee was minded to grant the permit, the applicant would confirm its undertaking to serve the requisite notice under the agreement for surrender which the Council's legal department held, on approval of the permit and expiry of the challenge period. The applicant confirmed his willingness to surrender the lease for the North Street premises upon approval of the new permit.

The Members were advised that the applicant intended to spend over £200,000 in carrying out improvement works to the unit, creating an improvement to the streetscape and character of the area, thereby contributing to the retail vitality and viability of the city centre.

The Church, and the objector in this application, had co-existed as a neighbour with other users not dissimilar to the applicant and it was situated close to the Three C's Social Club. In response to the Church's statement regarding sensitive users who attended the Church, she pointed to the fact that there was no vehicular access on Royal Avenue and therefore pedestrian access to the church was more likely to occur from Bridge Street and High Street. She added that the proposal would not result in a cumulative buildup of arcades in the area, given the requirement to cease trading from the premises in North Street.

The Chairperson then welcomed Dr. T. Quinn, Planning Consultant, to the meeting. He outlined that, in terms of whether the application was acceptable in principle, it was within the primary retail core where there was a presumption against allowing additional amusement arcades. He outlined, however, that the applicant had maintained that the arcade would be moving from its existing premises to the application site within the retail core and, therefore, it could be considered acceptable. He confirmed that the location could be considered appropriate as there were no schools, youth centres or places for vulnerable people within 200metres. In respect of any potential impact on the image and profile of Belfast, he outlined that the Church, as a listed building, could be considered a tourism asset. He stated that it sat several properties away from the application site, with a separation distance of approximately 20-25 metres, and that he did not feel that it would unduly harm visitors to the Church. He stated that it was not ideal that the premises would be visible from Royal Avenue, opposite Castle Court.

In summary he stated that the relocation of the premises, including the applicant's commitment to surrender the lease at North Street and the landlord's refusal to renew it, amounted to fairly strong evidence that the premises in North Street would close if the permit for Rosemary Street was granted. In addition, he reminded the Committee of a similar application in 2022, where it had granted an amusement arcade to relocate from North Street close to Royal Avenue for the same reasons and, in some respects, it could be considered as precedent.

A Member stated that it was frustrating that the Policy did not specify what quantified over-proliferation. He also stated that it was well known that people who struggled with addiction attended churches for help and that he felt that the application at that site was regrettable.

The Director of Planning and Building Control reminded the Committee that it had considered a revised Amusement Permit Policy in April 2025, and that it was subject to consultation, however, the current Policy remained in place until a revised Policy was agreed.

A further Member stated that he took assurance from the applicant and his solicitor that the North Street permit would be surrendered if the Committee was to grant the Permit for the current application.

Two further Members expressed concerns in regards to the nearby Church being a heritage asset and that they did not feel comfortable granting the application.

Proposal

Moved by Councillor Carson
Seconded by Councillor McCann

That the Committee agrees to the provisional granting of an Amusement Permit for 51 Rosemary Street to Twilight Zone, with delegated authority given to the Director of Planning and Building Control, in consultation with the City Solicitor, to issue the permit once all necessary technical requirements relating to health, safety, welfare and amenity have been completed to the satisfaction of the Building Control Service.

On a vote on the proposal, nine Members voted for it and eight against and it was accordingly declared carried.

Objection to the Renewal of an Entertainments Licence for Shaftesbury Bowling Club

The Director of Planning and Building Control provided the details of the application which was before the Committee due to an objection having been received from a local resident in relation to the renewal of the 6-day Annual Indoor Entertainments Licence for the Shaftesbury Bowling and Recreation Club. She outlined the history of the licence renewal process, including previous objections and resolutions.

The Committee was advised that the objection primarily concerned noise disturbances caused by loud music, particularly on Tuesday evenings and occasionally on weekends. The resident had claimed that the noise, including loud bass music and open windows during events, had negatively impacted their family's health and well-being, causing disrupted sleep for young children. The objector had expressed dissatisfaction with the club's efforts to address the concerns, stating that the club prioritised entertainment over the comfort of nearby residents. The objector had declined further liaison meetings, citing no new developments in their complaint.

The Members were advised that the applicant had responded to the objection by detailing measures taken to mitigate any disturbances, including reducing noise levels, turning off bass music, monitoring sound levels outside the hall, lining doors facing residential areas, and locking windows that faced nearby homes. Despite those efforts, the objector maintained that the noise remained disruptive and that they believed the club had not taken their concerns seriously. The applicant had stated that they had no additional measures to propose beyond those already implemented.

The Director drew the Committee's attention to noise complaints which had received by the Council's Nighttime Noise Team during the previous licence period (February 2024 to January 2025) and the current licence period (February 2025 to November 2025). During the previous period, 17 complaints had been received. However, most were either unsubstantiated or deemed not unreasonable for the time of day. In the current period, 10 complaints had been received, with verbal warnings issued on three occasions due to witnessed noise levels. The Members were advised that dance classes held at the venue did not require an Entertainments Licence, but that musical entertainment provided after the classes did.

Due to technical difficulties in getting the objector to join the hybrid meeting, the Committee agreed to hear from the secretary of the Bowling Club, Ms. N. Hayden, first.

Ms. Hayden was welcomed to the meeting and she outlined that the complaints focused on the dance classes which took place at the Club on a Tuesday evening between 7.00pm and approximately 10.30pm, with the hall emptying shortly after that time. She stated that the Club comprised 80 members, 65 of whom were pensioners. She explained that they had endeavoured to do their best not to make noise for the neighbours and that the Club members were very much part of the surrounding community. The Members were advised that 10-12 letters of support for the club had been received from within the community. She stated that they had triple glazing on one side of the building and double glazing on another, with extra soundproofing on the fire door nearest the neighbours. She explained that, upon receiving a noise complaint at one event, she stopped the live band, which included a drum kit, at 10.30pm. She outlined a number of measures which the club had taken to mitigate against any noise emanating from the hall and that they were at a loss at what else they could do to minimise noise. The Members were advised that they had offered to send a noise engineer into a neighbouring property to measure the sound level but that the resident had declined.

The Chairperson then welcomed the objector, who wished to remain anonymous, to the meeting. They advised the Committee that their complaints related to persistent noise, namely loud music, coming from the Club on Tuesday evenings, and occasionally on weekend evenings, and that the Club had unfortunately not addressed the issue despite reasonable requests from residents. They stated that the noise was in breach of Council guidelines. They stated that they had met with a Council officer and the Bowling Club in November 2022, whereupon it had been agreed that the Club would:

- (i) submit an acoustic report on the suitability of its premises;
- (ii) ensure that windows were closed when playing loud music; and
- (iii) not use live drum kits.

He stated that those outcomes had not been met by the Bowling Club. He reported that the Club had been given nine verbal warnings regarding noise over the past number of years. He provided an example of a drum kit having been used at the Club on the evening of Friday, 17th October, 2025, approximately 4 metres from residential properties with young children living in them. He added that previous complainants had shied away from formally objecting again due to a number of disparaging social media comments which had been posted after a previous meeting where the Bowling Club's licence had been under consideration.

In response to a Member's question, the objector explained that, following the meeting in November 2022, where a number of outcomes had been agreed but were subsequently not adhered to, he did not feel that there was any merit in meeting with the Club again.

In response to a further Member's query regarding the social media posts which he had mentioned, the objector confirmed that they could still be viewed online.

In response to a further Member's query, the objector stated that, in response to a Freedom of Information Request, there had been nine verbal warnings issued to the Club since the meeting in 2022.

The objector confirmed that the issues related to noise emanating from the premises predominantly on Tuesday evenings, and not from Bowling events.

In response to further queries around the times of the noise complaints, the Director confirmed that officers did not hold any further information than what was within the report, as the complaints from the Noise Team were subject to General Data Protection Regulation.

Proposal

Moved by Councillor Bunting,
Seconded by Alderman Rodgers,

That, as the dance classes do not run on past 11pm; there had only been three verbal warnings in the past year; and that mitigations had been put in place by the Club to reduce noise where possible, the Committee agrees to renew the 6-Day Annual Entertainments Licence, given the importance of the club to the local community.

In response to a further Member's query, the Solicitor confirmed that verbal warnings were the lowest level of warning available.

In response to a further Member's query, Ms. Hayden explained that they had been denied access to a resident's property in order for a sound engineer to take a sound reading. She added that someone at the club could always be contacted by the neighbours, if required, and that she regularly stood outside the Club to monitor the sound levels from the building.

She further explained that the Club had explored the cost of carrying out an acoustic survey but that it was likely to cost approximately £2,500, which was a significant expense for a small club.

A further Member stated that, given no further action was taken by the Council regarding the 27 noise complaints within the last two years, the Committee should consider how much weight to attribute to them.

A Member stated that local sports clubs were struggling and that an expensive acoustic survey was unnecessary. A further Member added that there would always be some noise coming from a licenced premises and that the Club had clearly taken action to manage the noise.

In response to a Member's question, the Director confirmed that, if granted, the licence would be granted for one year.

After discussion, the Committee agreed the proposal standing in the name of Councillor Bunting and approved the application for the renewal of the 6-Day Annual Entertainments Licence for Shaftesbury Bowling Club.

Chairperson