

**Democratic Services Section  
Legal and Civic Services Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**



**Belfast**  
City Council

12th January, 2024

## **MEETING OF THE LICENSING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in Hybrid format, in the Lavery Room and via Microsoft Teams, on Wednesday, 17th January, 2024 at 5.15 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

## **AGENDA:**

### **1. Routine Matters**

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest

### **2. Delegated Matters**

- (a) HMO Licences Issued Under Delegated Authority (Pages 1 - 6)
- (b) Licences Issued Under Delegated Authority (Pages 7 - 12)
- (c) Application for the Variation of a 7-Day Annual Outdoor Entertainments Licence for The Topsy Bird, 96-100 Ann Street (Pages 13 - 24)
- (d) Application for the Grant of a 7-Day Annual Outdoor Entertainments Licence at 2 Royal Avenue (Pages 25 - 36)

- (e) Application for the Grant of a 7-Day Annual Outdoor Entertainments Licence for the Belfast Stories Site, 92-100 Royal Avenue (Pages 37 - 48)
- (f) Designation of New Street Trading Sites (Pages 49 - 50)

3. **Non-Delegated Matters**

- (a) Update on further Pavement Café Engagement (Pages 51 - 56)
- (b) Consideration of Standard Conditions to be attached to Pavement Cafe Licenses (Pages 57 - 64)
- (c) Response from the British Board of Film Classification (BBFC) regarding a proposed 15A rating (Pages 65 - 68)
- (d) Licence Fees for Sex Establishments (Pages 69 - 70)



<b>Subject:</b>	<b>Houses in Multiple Occupation (HMO) Licences Issued Under Delegated Authority</b>
<b>Date:</b>	17 January 2024
<b>Reporting Officer:</b>	Kevin Bloomfield, NIHMO Manager
<b>Contact Officers:</b>	Kevin Bloomfield, NIHMO Manager Helen Morrissey, City Protection Manager

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	Under the Scheme of Delegation, the Director of City & Neighbourhood Services Department is responsible for exercising all powers in relation to the issue and variation, but not refusal, of HMO Licences, excluding provisions relating to the issue of HMO Licences where adverse representations have been made. Those applications which were dealt with under the Scheme are listed below.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	The Committee is requested to note the applications that have been issued under the Scheme of Delegation during December 2023.

3.0Main report

3.1

Key Issues

Under the terms of the Houses in Multiple Occupation Act (Northern Ireland) 2016 the following HMO Licences were issued during December 2023.

Premise Name	Licensee	Ward	Housing Management Areas (HMAs)
108 Malone Avenue	Mr Eoghan O'Neill	WINDSOR	EGLANTINE HMO 2/09
17 St Ives Gardens	Mr James Desmond Walmsley	STRANMILLIS	SANDYMOUNT HMO 2/17
18 Rugby Road	Mr Emmet Kelly	CENTRAL	HOLYLAND HMO 2/22
Apartment 4, 80 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
Apartment 3, 80 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
Apartment 2, 80 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
Apartment 1, 80 Fitzroy Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
Flat 1, 124 Malone Avenue	JMC Rentals Limited	WINDSOR	EGLANTINE HMO 2/09
23 Sharman Road	Mr Stephen Morgan	STRANMILLIS	NONE
Flat 7, 6 Eglantine Place	Palaia Properties Limited	WINDSOR	EGLANTINE HMO 2/09
Flat 5, 6 Eglantine Place	Palaia Properties Limited	WINDSOR	EGLANTINE HMO 2/09
Flat 4, 6 Eglantine Place	Palaia Properties Limited	WINDSOR	EGLANTINE HMO 2/09
37 Rathdrum Street	University Area Properties Limited	WINDSOR	ADELAIDE HMO 2/01
65 Agincourt Avenue	Mr Brendan Donnelly	CENTRAL	HOLYLAND HMO 2/22
4 Rugby Avenue	Mr Peter Kehoe	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 62 University Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
Flat 1, 62 University Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
9 Frank Street	Mr James O'Malley	BEERSBRIDGE	NONE
45 Delhi Street	Mrs Eileen Timoney	ORMEAU	BALLYNAFEIGH HMO 2/03
50 Damascus Street	Ms Roisin Convery	CENTRAL	HOLYLAND HMO 2/22
24 Jerusalem Street	Mr Kieran Campbell	CENTRAL	HOLYLAND HMO 2/22
34 Malone Avenue	Mrs Sharon McGinn	WINDSOR	EGLANTINE HMO 2/09
395 Donegall Road	Mr William McCracken	BLACKSTAFF	NONE
Apartment B, 21 Eglantine Gardens	Mr John Quinn	WINDSOR	EGLANTINE HMO 2/09
21 Upper Frank Street	Mr Duane Funston	BEERSBRIDGE	NONE
49 Candahar Street	Mr Thomas Bell	ORMEAU	BALLYNAFEIGH HMO 2/03



57 Ponsonby Avenue	TEPROPERTYNI LTD	DUNCAIRN	NONE
57 Malone Avenue	Mrs Vanessa McKay	WINDSOR	EGLANTINE HMO 2/09
49 Carmel Street	Mr Patrick McGoldrick	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 31 Malone Avenue	Miss Olivia King	WINDSOR	EGLANTINE HMO 2/09
Flat 1, 31 Malone Avenue	Miss Olivia King	WINDSOR	EGLANTINE HMO 2/09
Flat 1, 92 Malone Avenue	Mr David Smyth	WINDSOR	EGLANTINE HMO 2/09
Flat 3, 92 Malone Avenue	Mr David Smyth	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 92 Malone Avenue	Mr David Smyth	WINDSOR	EGLANTINE HMO 2/09
50 Sandhurst Gardens	Miss Siobhan King	CENTRAL	STRANMILLIS HMO 2/19
149 University Street	Queens Quarter Housing Limited	CENTRAL	HOLYLAND HMO 2/22
2 Cadogan Street	Mr Shane Garvey	CENTRAL	HOLYLAND HMO 2/22
13 Delhi Street	Mr John Donnelly	ORMEAU	BALLYNAFEIGH HMO 2/03
26 Jerusalem Street	Mrs Mary Jo Cunningham	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 103 Wellesley Avenue	Mr Patrick McCormack	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 101 Wellesley Avenue	Mr Patrick McCormack	WINDSOR	EGLANTINE HMO 2/09
83 Palestine Street	Mr Rory McCreesh	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 15 Magdala Street	Mrs Brenda Burke	CENTRAL	HOLYLAND HMO 2/22
9 Pakenham Mews	Mrs Maria McAllister	CENTRAL	NONE
68 Rugby Avenue	Mr Gerry Finnegan	CENTRAL	HOLYLAND HMO 2/22
Flat 3, 79 University Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 79 University Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
111 Donnybrook Street	Mr Andrew David McCaughey	WINDSOR	EDINBURGH ST HMO 2/08
Flat 1, 79 University Avenue	D.M Property Estates Limited	CENTRAL	HOLYLAND HMO 2/22
8 Penrose Street	Mr Ronan Corrigan	CENTRAL	HOLYLAND HMO 2/22
8 Rathcool Street	Mr Roger Scullin	WINDSOR	ADELAIDE HMO 2/01
Flat 2, 11 Eglantine Gardens Belfast Antrim BT9 6EZ	Mr Tony Nicholas	WINDSOR	EGLANTINE HMO 2/09
73 Great Northern Street	Mr Colin Patterson	WINDSOR	MEADOWBANK HMO 2/15
Flat 2, 36 Fitzroy Avenue Belfast Antrim BT7 1HW	Glenburn Estates Ltd	CENTRAL	HOLYLAND HMO 2/22
5 Collingwood Avenue	Mr Patrick MacFarlane	CENTRAL	HOLYLAND HMO 2/22
47 Ulsterville Gardens	Mrs Lorraine McNeill	WINDSOR	ULSTERVILLE HMO 2/21
11 Cairo Street	Mr Thomas McAleer	CENTRAL	HOLYLAND HMO 2/22

Flat 2, 11 Malone Avenue	Claro Skin Clinic Limited	WINDSOR	EGLANTINE HMO 2/09
Flat 1, 11 Malone Avenue	Claro Skin Clinic Limited	WINDSOR	EGLANTINE HMO 2/09
95 Donegall Avenue	Mrs Denise Lawson	BLACKSTAFF	NONE
3 Burmah Street	Miss Sarah Cunningham	ORMEAU	BALLYNAFEIGH HMO 2/03
14 Palestine Street	Chubb Property Ltd	CENTRAL	HOLYLAND HMO 2/22
58 The Boulevard	Mr Tommy Bowe	ROSETTA	NONE
213 Donegall Road	Mr Ian Watson	BLACKSTAFF	DONEGALL ROAD HMO 2/07
41 Delhi Street	Mr Kevin Timoney	ORMEAU	BALLYNAFEIGH HMO 2/03
16 Riverview Street	Mr Sean Farrell	STRANMILLIS	STRANMILLIS HMO 2/19
38 Edinburgh Street	Mr Liam Fox	WINDSOR	EDINBURGH ST HMO 2/08
36 Rathgar Street	Mr Paul Scott	WINDSOR	ADELAIDE HMO 2/01
3 Farnham Street	Mr Aidan Nevin	CENTRAL	LOWER ORMEAU HMO 2/13
10 Stranmillis Road	Bertnet Residential Limited	CENTRAL	STRANMILLIS HMO 2/19
97 Rugby Avenue	Mr Terence Christopher Kennedy	CENTRAL	HOLYLAND HMO 2/22
40 Edinburgh Street	Ms Margaret O'Gara	WINDSOR	EDINBURGH ST HMO 2/08
8 Carmel Street	CARRU HOLDINGS LTD	CENTRAL	HOLYLAND HMO 2/22
Flat 3, 12 University Street	Mr Raymond King	CENTRAL	MOUNTCHARLES HMO 2/16
49 Damascus Street	Ms Aine McKay	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 43 Malone Avenue	Glenwherry Investments Limited	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 43 Wellesley Avenue	Glenwherry Investments Limited	WINDSOR	EGLANTINE HMO 2/09
66 Agincourt Avenue	Mr Martin Gorman	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 26 Wellesley Avenue	Glenwherry Investments Limited	WINDSOR	EGLANTINE HMO 2/09
110 Malone Avenue	Glenwherry Investments Limited	WINDSOR	EGLANTINE HMO 2/09
26 Balfour Avenue	Mr John Reilly	CENTRAL	LOWER ORMEAU HMO 2/13
127 The Mount	Dr Daniel McCaughey	BEERSBRIDGE	NONE
37 Damascus Street	Mr Eamon Gerard Tierney	CENTRAL	HOLYLAND HMO 2/22
12 Stranmillis Park	Mrs Deirdre Teague	CENTRAL	STRANMILLIS HMO 2/19
28 College Park Avenue	Mr Sean Moynihan	CENTRAL	HOLYLAND HMO 2/22
127 Northbrook Street	Mrs Alison Stevenson	WINDSOR	MEADOWBANK HMO 2/15
21 Wansbeck Street	Mr Gerard Mulholland	STRANMILLIS	HARLESTON HMO 2/11
46 Haypark Avenue	Mr Richard Martin	ORMEAU	BALLYNAFEIGH HMO 2/03

	2 Dunluce Avenue	MLM Properties Ltd	WINDSOR	ULSTERVILLE HMO 2/21
	30 Agincourt Avenue	Mr Eugene Carragher	CENTRAL	HOLYLAND HMO 2/22
	Flat 2, 165 Stranmillis Road	Mr Michael Watkins	STRANMILLIS	SANDYMOUNT HMO 2/17
	21 Surrey Street	Mr Niall Small	WINDSOR	MEADOWBANK HMO 2/15
	52a Broadway	Mr Eugene Carragher	FALLS	NONE
	Dismas House Hostel, 386 Ormeau Road	Extern Northern Ireland	ROSETTA	NONE
	46 University Avenue	Mr Patrick Haughey	CENTRAL	HOLYLAND HMO 2/22
	<b><u>Financial &amp; Resource Implications</u></b>			
3.2	None			
	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>			
3.3	There are no issues associated with this report.			

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<b>Subject:</b>	<b>Licences Issued Under Delegated Authority</b>
<b>Date:</b>	17 January 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext. 2435
<b>Contact Officer:</b>	James Cunningham, Senior Licensing Officer, Ext. 3375

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	Under the Scheme of Delegation, the Director of Planning and Building Control is responsible for exercising all powers in relation to the issue, but not refusal, of Permits and Licences, excluding provisions relating to the issue of Licences where adverse representations have been made.
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is requested to note the applications that have been issued under the Scheme of Delegation.

3.0Main report

Key Issues

3.1Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 the following Entertainments Licences were issued since your last meeting.

Premises and Location	Type of Application	Applicant
AM:PM, 38-44 Upper Arthur Street, Belfast, BT1 4GH.	Renewal	Mr Eamon Mc Cusker, AM:PM Belfast Ltd
Ballysillan Leisure Centre, 71 Ballysillan Road, Belfast, BT14 7QQ.	Renewal	Mr Sean Cleary, Greenwich Leisure Ltd
Belfast Boat Club, 12 Lockview Road, Belfast, BT9	Renewal	Mr Richard Wilkinson
Bootleggers, 46 Church Lane, Belfast, BT1 4QN.	Renewal	Mr Christopher Wolsey, Quay Street Merchants Ltd
Botanic Gardens, Stranmillis Embankment, Belfast, BT7 1LP.	Renewal (Marquee)	Mr David Sales, Belfast City Council
Botanic Gardens, Stranmillis Embankment, Belfast, BT7 1LP.	Renewal (Outdoor)	Mr David Sales, Belfast City Council
C.S Lewis Square, Holywood Arches, Newtownards Road, Belfast, BT4 1HE.	Renewal	Mr David Sales, Belfast City Council
Central Catholic Club, 43a Rosemary Street, Belfast, BT1 1QB.	Renewal	Mr Patrick McAviney
Chester Bar, 466 Antrim Road, Belfast, BT15 5GE.	Grant	Mr Lawrence Bannon, Chester Inns Ltd
Cliftonville Golf Club, 44 Westland Road, Belfast, BT14	Renewal	Mr Albert McCullough
Crown Jesus Ministries, 7 Calvin Street, Belfast, BT5 4NS.	Grant	Ms Amanda Mitchell
Crumlin Star Social Club, 2-20 Balholm Drive, Belfast, BT14	Renewal	Mr Patrick McGlinchey
Falls Leisure Centre, 15-17 Falls Road, Belfast, BT12	Renewal	Mr Aaron McGlone, Greenwich Leisure Ltd
Grand Opera House, Great Victoria Street, Belfast, BT2	Renewal	Mr Andrew Wiggam, Grand Opera House Trust
Grove Park, 3 Jellicoe Avenue, Belfast, BT15 3FZ.	Renewal	Mr David Sales, Belfast City Council
Harland & Wolff Football & Social Club, 18-20 Dee Street, Belfast, BT4 1FT.	Renewal	Mr John Davidson
Haymarket, 84 Royal Avenue, Belfast, BT1 1DJ.	Renewal	Mr Gareth Murphy, Coobet Trading Ltd

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Hilton Hotel Belfast, 4 Lanyon Place, Belfast, BT1 3LP.	Grant	Mr Mark Walker
House, 59-63 Botanic Avenue, Belfast, BT7 1JL.	Renewal	Mr Paul Kelly, Botanic Way Ltd
Kelvin Old Boys Football Club, 1a St Georges Gardens, Belfast, BT12 5FJ.	Grant	Mr Marshall Morrow
Knock Golf Club, Summerfield, Upper Newtownards Road, Belfast, BT16 2QX.	Renewal	Mr Aaron McConnell, Knock Golf Club Ltd
Love and Death Inc, 10a Ann Street, Belfast, BT1 4EF.	Renewal	Mr Lee Murphy, Maclad Ltd
National Club, 19 Queen Street, Belfast, BT1 6EA.	Renewal	Mr Jim Mulholland
Newforge Country Club, 18b Newforge Lane, Belfast, BT9	Renewal	Mr Alistair McGowan
NICSSA Sport and Leisure, Stormont Estate, Upper Newtownards Road, Belfast, BT4 3TA .	Renewal	Mr Kieran Devlin
QUB, One Elmwood Student Centre, 77 University Road, Belfast, BT7 1NF.	Renewal	Mr Alistair Finlay, Queens University Belfast
Salisbury Bowling Club, 49 Salisbury Avenue, Belfast, BT15 5DZ.	Grant	Mr Kevin O' Neill
St Johns GAC Social Club, 93 Whiterock Road, Belfast, BT12 7PG.	Grant	Mr Ronan Heenan
St John's Parish Hall, 444 Falls Road, Belfast, BT12	Renewal	Fr Martin Magill
St Molua's Parish Church Hall, 639 Upper Newtownards Road, Belfast, BT4 3LR.	Renewal	Ms Frances Hastie
Sweet Afton, Rita's, Franklins, & The Perch, 43 Franklin Street & 12 Brunswick Street, Belfast, BT2 7GG.	Renewal & Transfer	Ms Catherine McCrory, Frankwick Trading Ltd
The Fitzwilliam Hotel Belfast, 1-3 Great Victoria Street, Belfast, BT2 7BQ.	Renewal	Mr Cian Landers
The Sanctuary Theatre, Mountpottinger NSP Church, a Castlereagh Street, Belfast, BT5 4NE.	Variation	Mr Trevor Gill, The Bright Umbrella Drama Co
The SSE Arena Belfast Carparks, Queens Quay & Arc Public Realm areas, 2 Queens Quay, Belfast, BT3 9QQ.	Renewal (Outdoor)	Mr Robert Fitzpatrick, The Odyssey Trust Company Ltd

3.2

Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 no Amusement Permits were issued since your last meeting.

3.3

Under the terms of the Cinemas (Northern Ireland) Order 1991 the following Cinema Licences were issued since your last meeting.

Premises and Location	Type of Application	Applicant
Cineworld, Odyssey Pavilion, 2 Queens Quay, Belfast, BT3 9QQ.	Renewal	Ms Slavena Marina, Cine-UK Ltd
Grand Opera House, Great Victoria Street, Belfast, BT2	Renewal	Mr Andrew Wiggam, Grand Opera House Trust

3.4

Under the terms of the Petroleum Consolidation Act 1929 the following Petroleum Licences were issued since your last meeting.

Premises and Location	Type of Application	Applicant
Bridge End Filling Station, 62A Bridge End, Belfast, BT5 4AE.	Renewal	Mr Alan Pollock, Maxol Oil Ltd
Moorpark Filling Station, 120 Blacks Road, Belfast, BT10	Renewal	Ms Elizabeth McGranaghan, PJ McGranaghan Ltd

3.5

Under the terms of the Street Trading Act (Northern Ireland) 2001 the following Street Trading Licences were issued since your last meeting.

Location	Type of Application	Commodity	Hours Licensed	Applicant
The Good Food Shak, Donegall Quay, Belfast, BT1 3EA.	Stationary	Hot & cold food, hot & cold beverages	Sun – Sat: 09:00 – 21:00	Mr Ian Brown

3.6

Under the terms of the Road Traffic Regulation (Northern Ireland) Order 1997 the following Road Closure Orders were made since your last meeting.

Location	Type of Activity	Date and Hours permitted	Applicant
Library Street, Little Donegall Street	Filming	Thurs 7 December 2023 06:00 – 16:00	Mr Michael McAlinden
Springfield Road/Springmartin Road	Community event	Sun 10 December 2023 11:00 – 22:00	Ms Ellen Cahill
Cross Parade	Street Party	Sat 23 December 2023 08:00 – 14:00	Ms Martina Klapkova
Library Street, Little Donegall Street	Filming	Mon 8 & Mon 15 January 2024 06:00 – 16:00	Mr Michael McAlinden
Ballynahatty Road, Edenderry Road, New Forge Lane, Clement Wilson Park, Lock Keepers Lane	Running Race	Sat 20 January 2024 10:00 – 13:00	Mr Gerard Rowe



3.7	Under the terms of the Licensing of Pavement Cafés Act (Northern Ireland) 2014 no Pavement Café Licences were issued since your last meeting.  <b><u>Financial &amp; Resource Implications</u></b>
3.8	None  <b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>
3.9	There are no issues associated with this report.

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**Belfast**  
City Council

## LICENSING COMMITTEE

<b>Subject:</b>	<b>Application for the Variation of a 7-Day Annual Outdoor Entertainments Licence for The Topsy Bird, 96-100 Ann Street.</b>
<b>Date:</b>	17 January 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext. 2435
<b>Contact Officer:</b>	Quintin Thompson, Senior Building Control Surveyor, Ext 2570

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues		
1.1	To consider an application for the variation of a 7-Day Annual Outdoor Entertainments Licence based on the Council's standard conditions, to provide outdoor musical entertainment for:		
	<b>Area and Location</b> Topsy Bird (Brewers Yard) 96 – 100 Ann Street Belfast, BT1 3HH	<b>Ref. No.</b> WK/2022/02837	<b>Applicant</b> Mr Bobby Robertson, Glendola Leisure (Holdings) Limited. 364 High Street, Harlington, UB3 5LF
1.2	A location map is attached as Appendix 1		

<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Taking into account the information presented and any representations made in respect of the application you are required to make a decision to either:</p> <ol style="list-style-type: none"> <li>Approve the application for the variation of the 7-Day Annual Outdoor Entertainments Licence in the proposed area as requested, or</li> <li>Approve the application for the variation with special conditions, or</li> <li>Refuse the application for the variation of the 7-Day Annual Outdoor Entertainments Licence.</li> </ol>
2.2	<p>If an 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 County Court. In the case that the applicant subsequently decides to appeal, outdoor entertainment may not be provided until any such appeal is determined.</p>
<b>3.0</b>	<b>Main report</b>
	<p><b><u>Key Issues</u></b></p>
3.1	<p>Members are reminded that, at your meeting on 16 August 2023, due to concerns raised by Translink you agreed to approve the application for the grant of the 7-Day Annual Entertainments Licence for the Topsy Bird, subject to terms and conditions in relation to the management of sound.</p>
3.2	<p>The following special conditions relating to noise were attached to the outdoor licence:-</p> <ol style="list-style-type: none"> <li>Entertainment provided to the outdoor area must be no greater than 75dBLAeq at 1m from the loudspeaker.</li> <li>Licensee to maintain a noise monitoring logbook to ensure compliance with the agreed music noise level and keep a regular check on volume levels at noise sensitive facades.</li> <li>Music must be provided through the in-house sound system.</li> <li>Provide good management practice to ensure that no excessive noise levels are generated from patrons in the beer garden.</li> <li>If noise disturbance is caused by Entertainment the noise level may require to be reduced to ensure that it does not impact on local properties.</li> </ol>
3.3	<p>The applicant has applied to vary the hours during which entertainment may be provided, within the outdoor area.</p>
3.4	<p>The days and hours during which entertainment may be provided under the terms of the current Outdoor Entertainments Licence are:</p> <ul style="list-style-type: none"> <li>Friday 4:00 pm to 10.30pm</li> <li>Saturday 2:00 pm to 8.30pm</li> <li>Sunday 2:00 pm to 8.30pm</li> </ul>
3.5	<p>The days and hours proposed to provide entertainment within the outdoor area pursuant to the application to vary the outdoor licence are:</p> <ul style="list-style-type: none"> <li>Monday - Saturday 11:30 am to 11.00pm</li> <li>Sunday 12:30 pm to 11.00pm</li> </ul>
3.6	<p>A layout plan is attached as Appendix 2.</p>

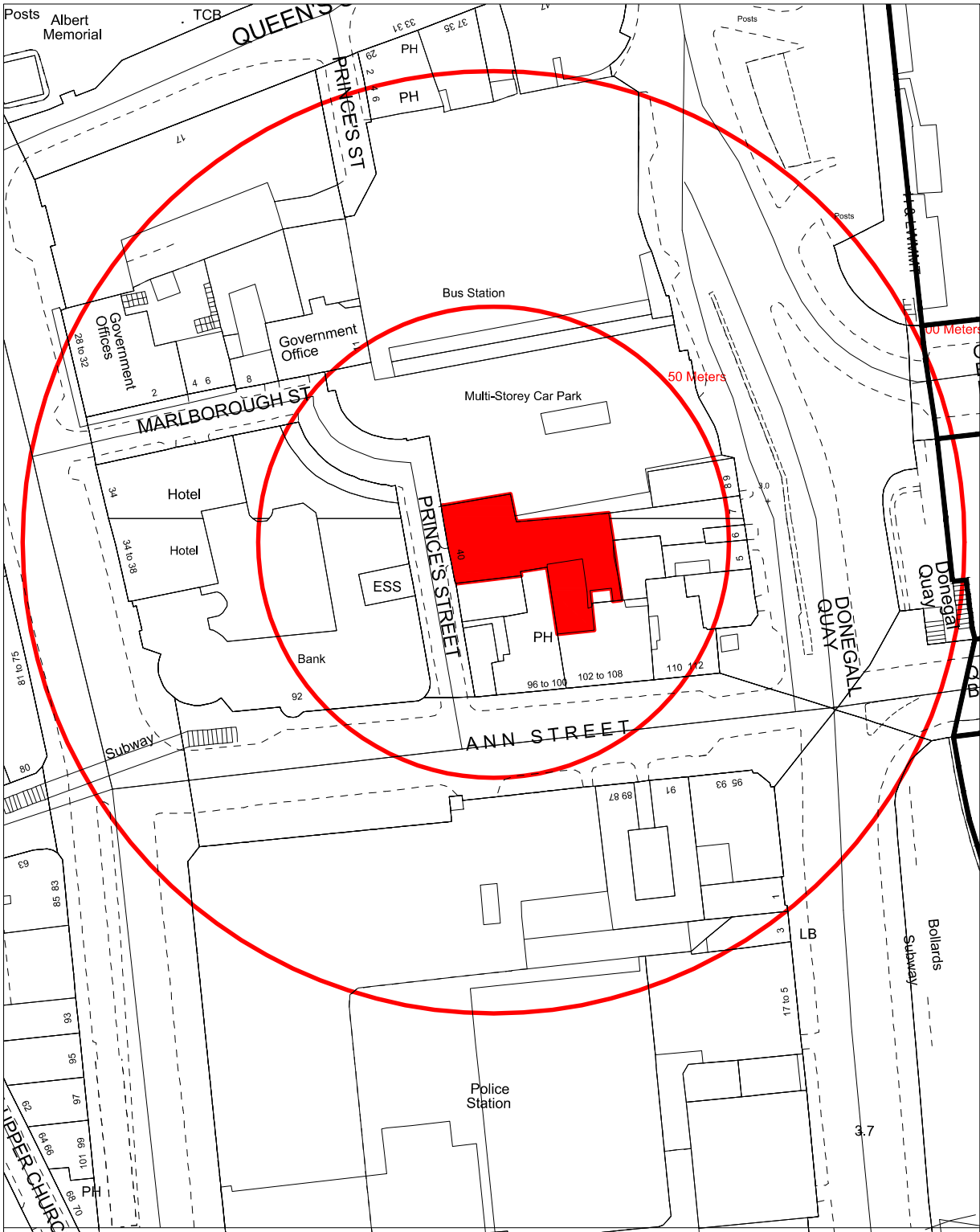
3.7	Members are reminded that all applications for an Outdoor Entertainments Licences must be brought before Committee for consideration.  <b><u>Representations</u></b>
3.8	Public notice of the application has been placed and no written representation has been lodged as a result of the advertisement.  <b><u>PSNI</u></b>
3.9	The Police Service of Northern Ireland have been consulted in relation to the application and have confirmed that they have no objection to the application.
3.10	A copy of their response is included as Appendix 3 to this report.  <b><u>NIFRS</u></b>
3.11	The Northern Ireland Fire and Rescue Service have been consulted in relation to the outdoor application and have confirmed that they have no objection to the application.  <b><u>Health, safety and welfare</u></b>
3.12	The premises have been subject to inspections as part of the licensing application process and all technical requirements and associated operational and management procedures have been checked and are satisfactory.  <b><u>Noise</u></b>
3.13	No noise complaints have been received by the Service since the outdoor entertainment licence was issued on 16 August 2023.  <b><u>Applicant</u></b>
3.14	The applicant, and/or their representative will be available at your meeting to answer any queries you may have in relation to the application.
<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	None
<b>5.0</b>	<b>Equality or Good Relations Implications/Rural Needs Assessment</b>
5.1	There are no issues associated with this report.
<b>6.0</b>	<b>Appendices – Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Location map</li> <li>• Appendix 2 – Layout plan</li> <li>• Appendix 3 – PSNI Comments</li> </ul>

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# Building Control Service

Belfast Mapping Data v3.0  
Prepared by I.S.B.  
Based upon the Ordnance Survey  
of Northern Ireland map with the  
permission of the Director & Chief Executive  
© CROWN COPYRIGHT 2003



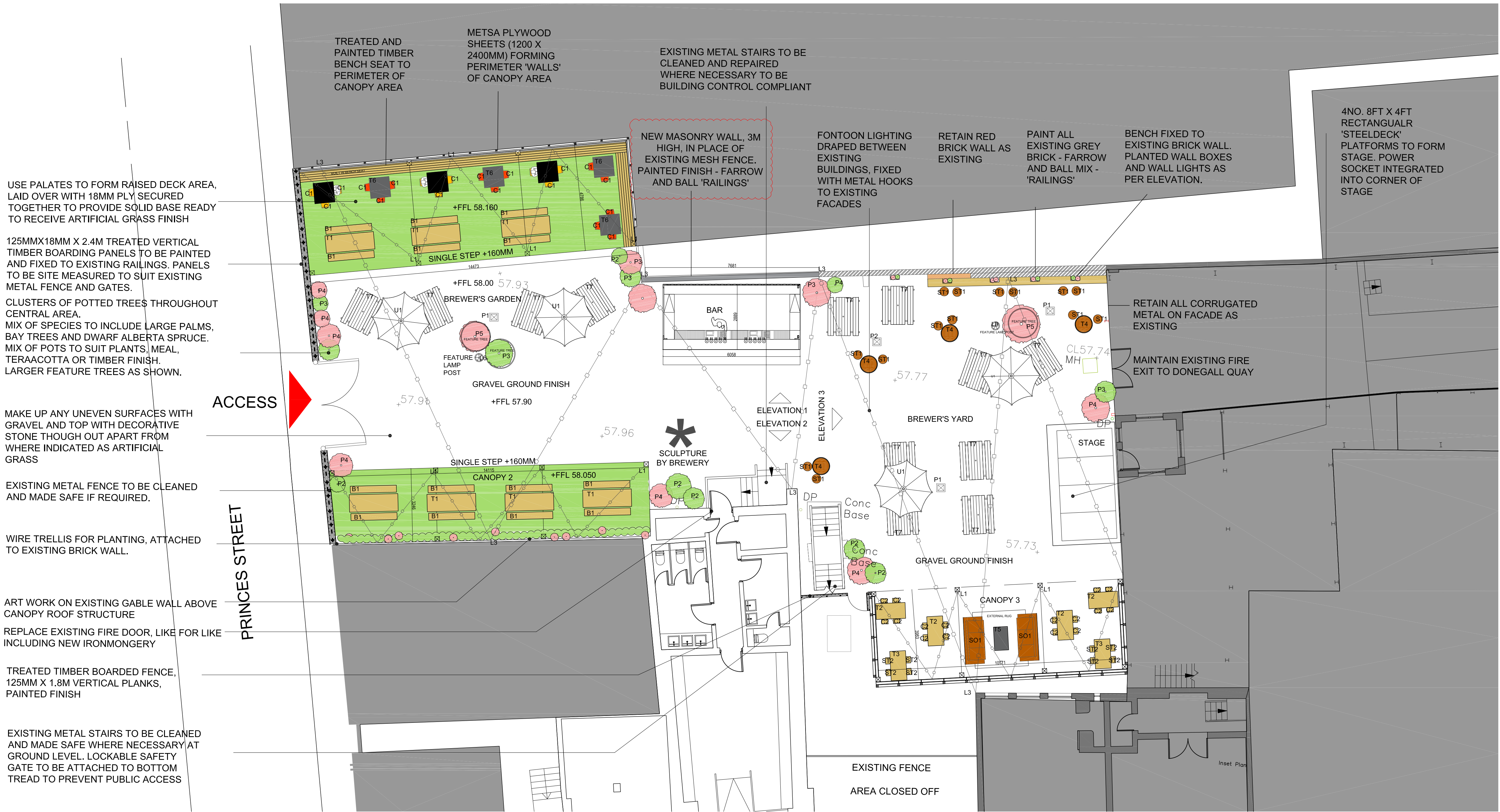
DRAWN BY  
**M Treacy**  
DATE  
**14/06/2023**

**Tipsy Bird Outdoor**  
**Ann Street**  
**Princes Street**

SCALE  
**1:1250 @ A4**

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USE PALATES TO FORM RAISED DECK AREA, LAID OVER WITH 18MM PLY SECURED TOGETHER TO PROVIDE SOLID BASE READY TO RECEIVE ARTIFICIAL GRASS FINISH

125MMX18MM X 2.4M TREATED VERTICAL TIMBER BOARDING PANELS TO BE PAINTED AND FIXED TO EXISTING RAILINGS. PANELS TO BE SITE MEASURED TO SUIT EXISTING METAL FENCE AND GATES.

CLUSTERS OF POTTED TREES THROUGHOUT CENTRAL AREA. MIX OF SPECIES TO INCLUDE LARGE PALMS, BAY TREES AND DWARF ALBERTA SPRUCE. MIX OF POTS TO SUIT PLANTS, MEAL, TERAACOTTA OR TIMBER FINISH. LARGER FEATURE TREES AS SHOWN.

MAKE UP ANY UNEVEN SURFACES WITH GRAVEL AND TOP WITH DECORATIVE STONE THOUGH OUT APART FROM WHERE INDICATED AS ARTIFICIAL GRASS

EXISTING METAL FENCE TO BE CLEANED AND MADE SAFE IF REQUIRED.

WIRE TRELLIS FOR PLANTING, ATTACHED TO EXISTING BRICK WALL.

ART WORK ON EXISTING GABLE WALL ABOVE CANOPY ROOF STRUCTURE

REPLACE EXISTING FIRE DOOR, LIKE FOR LIKE INCLUDING NEW IRONMONGERY

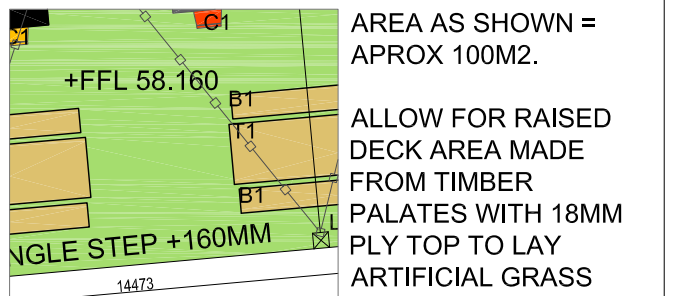
TREATED TIMBER BOARDED FENCE, 125MM X 1.8M VERTICAL PLANKS, PAINTED FINISH

EXISTING METAL STAIRS TO BE CLEANED AND MADE SAFE WHERE NECESSARY AT GROUND LEVEL. LOCKABLE SAFETY GATE TO BE ATTACHED TO BOTTOM TREAD TO PREVENT PUBLIC ACCESS

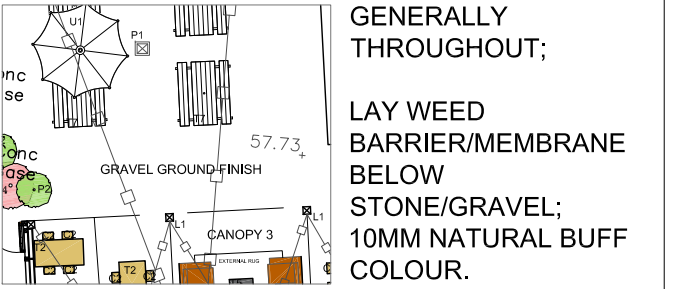
#### FINISHES KEY

#### GROUND FINISHES

#### ARTIFICIAL GRASS



#### STONES/GRAVEL



AREA OF STONED SURFACE = 450M2. PROVIDE 50MM COVERAGE THROUGHOUT

NOTE:  
© Copyright Robinson Mulhaine Architects LLP: Without Prejudice and proposals subject to full survey, detailed design development and input from Building Services, Structural and Civil Engineers; client, stakeholders, Planning Authorities and statutory consultees.

PROJECT NAME  
TIPSY BIRD / BREWER'S YARD BEER GARDEN, BELFAST  
DRAWING TITLE  
PROPOSED GROUND FLOOR PLAN AND PRINCES STREET ELEVATION

PROJECT NUMBER	DRAWING NUMBER	REVISION
1497	01 - 01	B
DRAWN VC	CHECKED RJ	SCALE 1:100@A1
PLANNING	B. CONTROL	TENDER X
		DATE 09.07.2020
		CONSTR.

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**ARCHITECTS**  
EST.1963

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84 - 94 GREAT PATRICK STREET  
BELFAST, BT1 2LU  
(028) 9024 8922  
www.rmi.uk.com



125MM X 2.4MM TREATED CLOSE BOARDED TIMBER, 10MM GAPS. TO BE PAINTED AND FIXED TO EXISTING RAILINGS. PANELS TO BE SITE MEASURED TO SUIT EXISTING METAL FENCE AND GATES. ART WORK / BRANDING TO PAINTED FENCE (TO BE AGREED)

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- Private Security Industry Act 2001 – covers the requirement for the provision of licensed activities that may impact this application.
- Responsible retailing code (NI) – covers the responsible promotion and retail of alcohol.

**There are no current PSNI objections to the above applications being further considered by Belfast City council, residents, other local business and NIFRS, with attention on the compliance of the conditions in APPENDIX E – Safer Dancing / Reduction in the supply of drugs within the BCC Rules of Management.**

If the Entertainment Licence is granted in due course please forward police a copy with any special conditions or restrictions with confirmation that all Belfast City Council requirements and conditions including all Building Regulations approvals have been adhered to and that the Licensing (NI) Order 1996 will also be adhered to by the licence holder.

Can you please ensure that the applicant has registered the premises with the ongoing 'Ask for Angela' campaign as we continue to raise awareness for this simple, yet effective initiative that allows those who may find themselves in a vulnerable situation, with a quick and discreet way to access the help they need. Please feel free to share and encourage your applicants to register and appear on the province wide map.



The Police Service of Northern Ireland has developed a short training package, in partnership with Hospitality Ulster for the 'Ask for Angela' safeguarding initiative across Northern Ireland. People who feel unsafe, vulnerable or threatened can discreetly seek help by approaching

venue staff. Asking for 'Angela' will indicate to trained staff that this person requires help in the form of; reuniting them with a friend, seeing them to a taxi, or by calling venue security and/or Police. The training package for the scheme is now available to access on the Hospitality Ulster website here:

<https://hospitalityulster.org/askforangela> or on the Northern Ireland Hotel Federation website here: <https://www.nihf.co.uk/ask-for-angela/> Any venue that wishes to take part must **first register via the link** above to sign up to the scheme and then they will be given access to the bespoke training package for their staff and promotional materials for their venue.

Once venues have signed up they will be added to a map that has been designed to make the public aware of what once venues have signed up they will be added to a map that has been designed to make the public aware of what venues are involved.

[REDACTED]  
Licensing Constable  
Belfast City

[REDACTED]  
[REDACTED]  
Email: [REDACTED]@[psni.police.uk](mailto:[REDACTED]@psni.police.uk)

**Musgrave Police Station • 60 Victoria Street • Belfast • BT1 3GL**

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**Belfast**  
City Council

## LICENSING COMMITTEE

<b>Subject:</b>	<b>Application for the Grant of a 7-Day Annual Outdoor Entertainments Licence for 2RA, 2 Royal Avenue.</b>
<b>Date:</b>	17 January 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext. 2435
<b>Contact Officer:</b>	Quintin Thompson, Senior Building Control Surveyor, Ext 2570

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

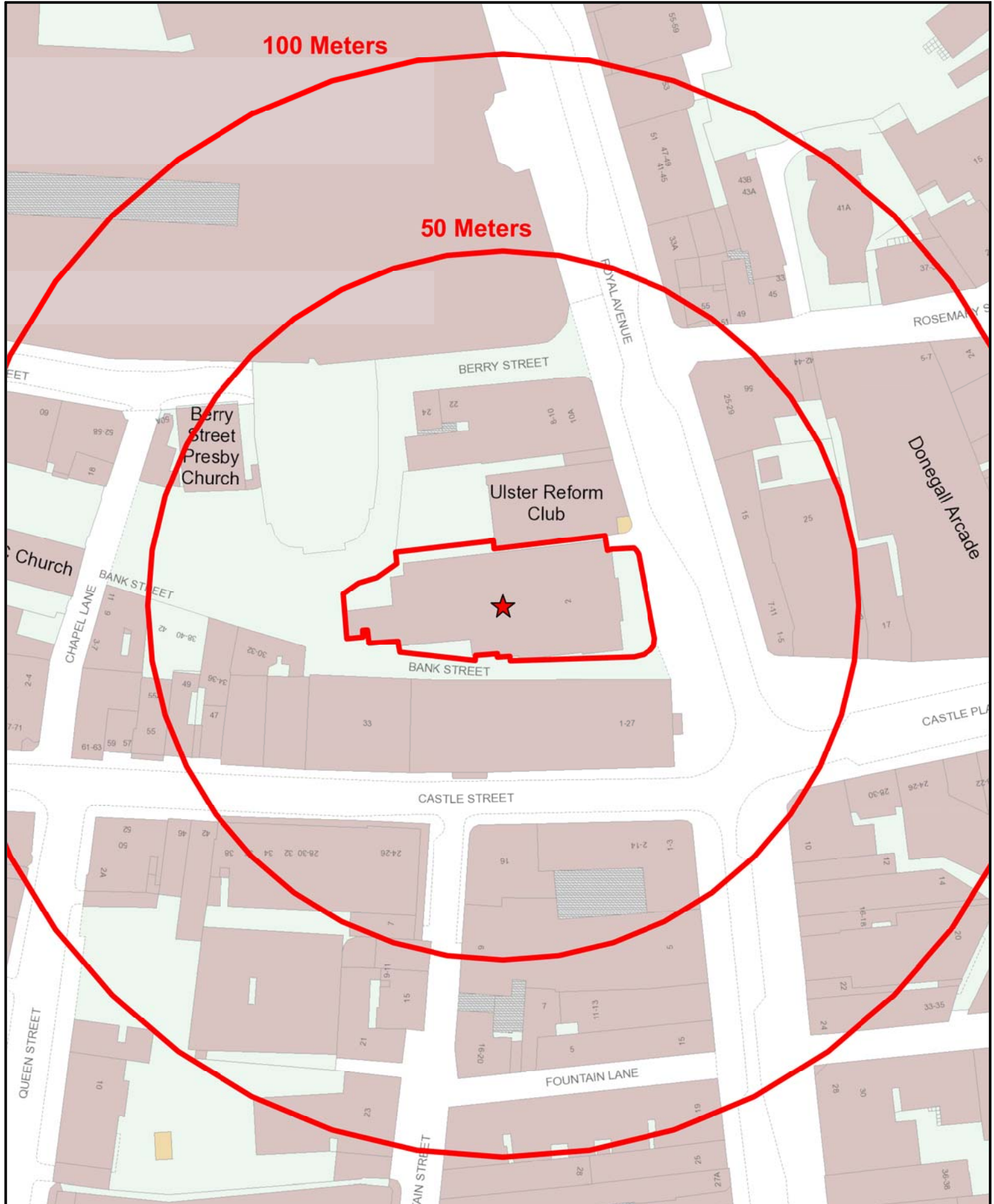
1.0	Purpose of Report or Summary of main Issues		
1.1	To consider an application for the grant of a 7-Day Annual Outdoor Entertainments Licence based on the Council’s standard conditions, to provide outdoor musical entertainment for:		
	<b>Area and Location</b> 2RA 2 Royal Avenue, Belfast, BT1 1DA	<b>Ref. No.</b> WK/2022/03213	<b>Applicant</b> Mr John Greer, Place and Economy Dept., Belfast City Council, 9 Adelaide, 9-21 Adelaide Street,
1.2	A location map is attached as Appendix 1		

<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Taking into account the information presented and any representations made in respect of the application you are required to make a decision to either:</p> <ul style="list-style-type: none"> <li>a) Approve the application for the grant of the 7-Day Annual Outdoor Entertainments Licence in the proposed area as requested, or</li> <li>b) Approve the application for the grant with special conditions, or</li> <li>c) Refuse the application for the grant of the 7-Day Annual Outdoor Entertainments Licence.</li> </ul>
2.2	<p>If an 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 County Court. In the case that the applicant subsequently decides to appeal, outdoor entertainment may not be provided until any such appeal is determined.</p>
<b>3.0</b>	<b>Main report</b>
3.1	<p><b><u>Key Issues</u></b></p> <p>The applicant has applied to provide musical performances, in the outdoor areas around the perimeter of their premises. The details of the proposed events are unknown at this stage. However, if an event is planned to take place on this site it would be subject to all technical matters being implemented to the satisfaction of the Service. The venue has small outdoor areas located to the front, side and rear of the 2 Royal Avenue Building.</p>
3.2	<p>A site plan is attached as Appendix 2.</p>
3.3	<p>The days and hours proposed to provide entertainment within the outdoor areas are:</p> <ul style="list-style-type: none"> <li>• Monday to Sunday from 10.00am to 11.00pm</li> </ul>
3.4	<p>The proposed outdoor area measures approximately 115 square metres and therefore the maximum occupancy will be in the region of 200 people. The exact figure will be determined when the site layout for a particular event is agreed.</p>
3.5	<p>Members are reminded that all applications for the grant of Outdoor Entertainments Licences must be brought before Committee for consideration.</p> <p><b><u>Representations</u></b></p>
3.6	<p>Public notice of the application has been placed and no written representation has been lodged as a result of the advertisement.</p> <p><b><u>PSNI</u></b></p>
3.7	<p>The Police Service of Northern Ireland have been consulted in relation to the application and have confirmed that they have no objection to the application.</p>
3.8	<p>A copy of their response is included as appendix 3 to this report.</p> <p><b><u>NIFRS</u></b></p>
3.9	<p>The Northern Ireland Fire and Rescue Service have been consulted in relation to the outdoor application and have confirmed that they have no objection to the application.</p>



	<p><b><u>Health, safety and welfare</u></b></p> <p>3.10 Officers from the Service will engage with the applicant in the lead up to events to ensure all documentation and technical information is in place.</p> <p>3.11 Additionally, officers will inspect the site during the build of any event space and following its completion to ensure they are satisfied all safety and management procedures are in place.</p> <p><b><u>Noise</u></b></p> <p>3.12 The applicant will be required to provide a Noise Management Plan for events which will be provided to the Environmental Protection Unit (EPU) for evaluation. Council Officers work with the Licensee in order to assess the noise that may be generated from the event and to minimise the potential for noise disturbance.</p> <p>3.13 Members will recognise that noise generated by outdoor entertainment is likely to lead to some level of disturbance for those in the vicinity of the venue. Even if guideline levels are met there is no guarantee that complaints will not be received. Conversely, if a recommended level is exceeded this may not necessarily lead to complaints as people may be prepared to tolerate the event because it will only last for a limited period of time.</p> <p><b><u>Applicant</u></b></p> <p>3.14 The applicant, and/or their representative will be available at your meeting to answer any queries you may have in relation to the application.</p>
<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	None
<b>5.0</b>	<b>Equality or Good Relations Implications/Rural Needs Assessment</b>
5.1	There are no issues associated with this report.
<b>6.0</b>	<b>Appendices – Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Location map</li> <li>• Appendix 2 – Site plan</li> <li>• Appendix 3 – PSNI Comments</li> </ul>

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Building Control Service  
Ground Floor  
Cecil Ward Building  
4-10 Linenhall Street  
Belfast  
BT2 8BP

14<sup>th</sup> December 2023

Dear Richard

2 Royal Avenue, 2 Royal Avenue, Belfast, BT1 1DA.

2 Royal Avenue, 2 Royal Avenue, Belfast, BT1 1DA.

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Please note that District Councils are the lead organisation for Entertainment Licensing and the provisions of the Order under Schedule 1 allows for the application, regulation and restriction following consideration by the licensing authority.

**The Order allows for the granting of a licence with conditions with the overarching aim of maximising safety and minimise risk and impact that may result from the granting of a licence.**

The role of the Police Service in consideration of entertainment licences is limited however I would highlight current regulatory practice:

- Private Security Industry Act 2001 – covers the requirement for the provision of licensed activities that may impact this application.
- Responsible retailing code (NI) – covers the responsible promotion and retail of alcohol.
- The Registration of Clubs (NI) Order 1996

There are no current grounds for PSNI objections to the above applications being further considered by Belfast City Council, residents, other local business and NIFRS.

**Police would request the following special conditions be considered for inclusion on the licences to ensure the peaceful and orderly conduct of the premises.**

- **Belfast City Council Planning department consultation and requirements to be complied with ASAP**
- **If applicable APPENDIX E – Safer Dancing / Reduction in the supply of drugs within the BCC Rules of Management be complied with ASAP**
- **If applicable the licence holder shall, not less than 14 days before the date of any intended entertainment / Special Occasion notify in writing such intent to the Building Control Service**
- **Environmental Health Smoking area inspection requirements be complied with ASAP**
- **DFI inspection requirements be complied with ASAP**
- **The licence holder to take positive steps to manage the premises responsibly in a peaceful and orderly manor**
- **The licence holder to attend Belfast City Council and police meetings to address issues as required**
- **Robust complaints procedure in place for dealing with residents' concerns expeditiously.**

If the Entertainment Licences are granted in due course please forward police a copy with any special conditions or restrictions with confirmation that all Belfast City Council requirements and conditions including all Building Regulations approvals have been adhered to and if applicable that the Registration of Clubs (NI) Order 1996 and Licensing (NI) Order 1996 will also be adhered to by the licence holder.



Can you please ensure that the applicant has registered the premises with the ongoing 'Ask for Angela' campaign as we continue to raise awareness for this simple, yet effective initiative that allows those who may find themselves in a vulnerable situation, with a quick and discreet way to access the help they need. Please feel free to share and encourage your applicants to register and appear on the province wide map.



The Police Service of Northern Ireland has developed a short training package, in partnership with Hospitality Ulster for the 'Ask for Angela' safeguarding initiative across Northern Ireland. People who feel unsafe, vulnerable or

threatened can discreetly seek help by approaching venue staff. Asking for 'Angela' will indicate to trained staff that this person requires help in the form of; reuniting them with a friend, seeing them to a taxi, or by calling venue security and/or Police. The training package for the scheme is now available to access on the Hospitality Ulster website here: <https://hospitalityulster.org/askforangela> or on the Northern Ireland Hotel Federation website here: <https://www.nihf.co.uk/ask-for-angela/> Any venue that wishes to take part must **first register via the link** above to sign up to the scheme and then they will be given access to the bespoke training package for their staff and promotional materials for their venue.

**Once venues have signed up they will be added to a map that has been designed to make the public aware of what once venues have signed up they will be added to a map that has been designed to make the public aware of what venues are involved.**

[REDACTED]  
Licensing Constable  
Belfast City

[REDACTED]  
[REDACTED]  
Email: [REDACTED]@psni.police.uk Musgrave Police Station • 60  
Victoria Street • Belfast • BT1 3GL

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**Belfast**  
City Council

## LICENSING COMMITTEE

<b>Subject:</b>	<b>Application for the Grant of a 7-Day Annual Outdoor Entertainments Licence for the Belfast Stories Site, 92-100 Royal Avenue.</b>
<b>Date:</b>	17 January 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext. 2435
<b>Contact Officer:</b>	Quintin Thompson, Senior Building Control Surveyor, Ext 2570

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

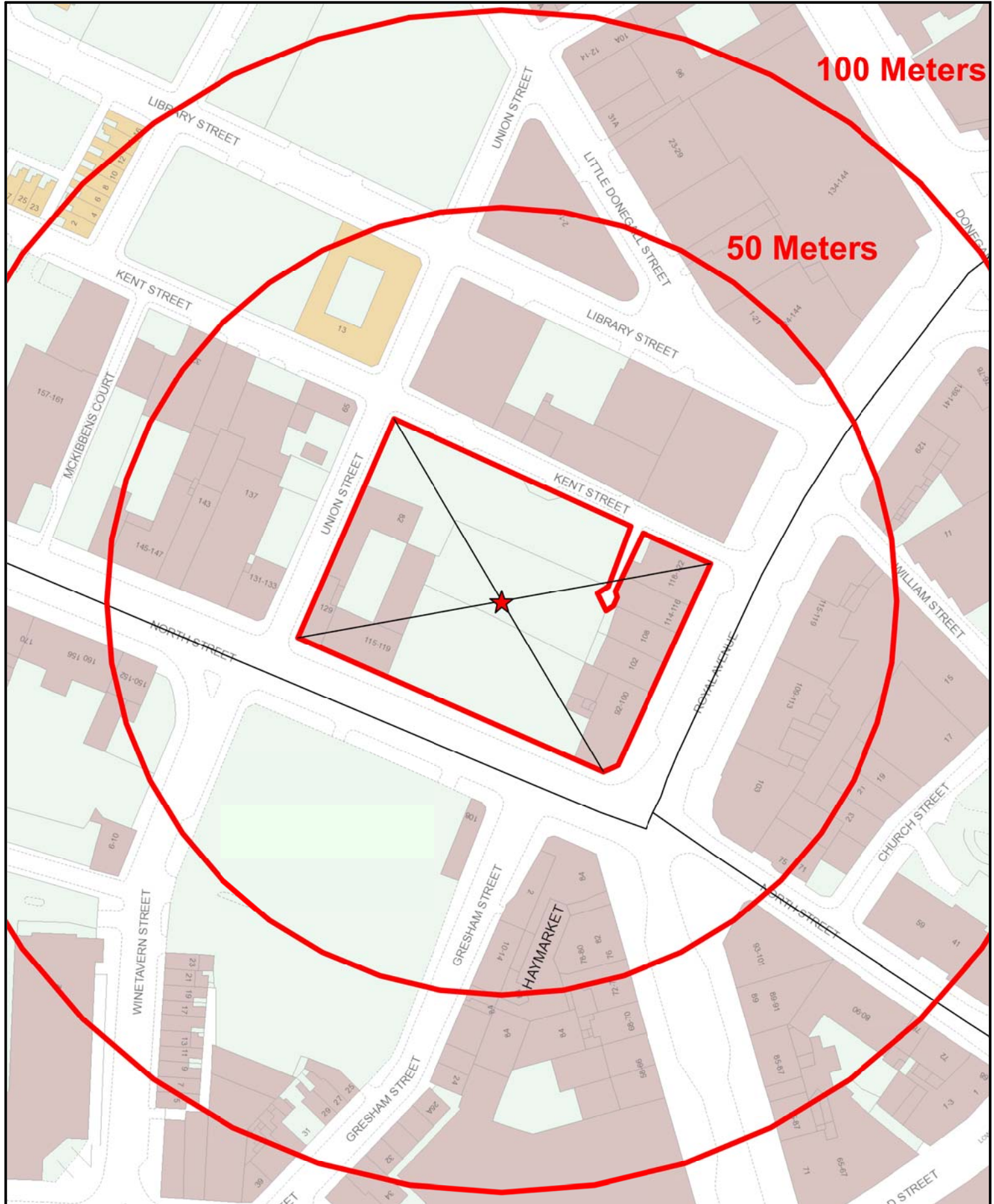
<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues		
1.1	To consider an application for the grant of a 7-Day Annual Outdoor Entertainments Licence based on the Council’s standard conditions, to provide outdoor musical entertainment for:		
	Area and Location	Ref. No.	Applicant
	The Belfast Stories Site 92 – 100 Royal Avenue, Belfast, BT1 3HH	WK/2022/02876	Wendy Langham Programme Director, Belfast Stories Place and Economy Department Belfast City Council, No. 9 Adelaide, 9-21 Adelaide Street, Belfast BT2 8DJ
1.2	A location map is attached as Appendix 1		

<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Taking into account the information presented and any representations made in respect of the application you are required to make a decision to either:</p> <ul style="list-style-type: none"> <li>a) Approve the application for the grant of the 7-Day Annual Outdoor Entertainments Licence in the proposed area as requested, or</li> <li>b) Approve the application for the grant with special conditions, or</li> <li>c) Refuse the application for the grant of the 7-Day Annual Outdoor Entertainments Licence.</li> </ul>
2.2	<p>If an 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 County Court. In the case that the applicant subsequently decides to appeal, outdoor entertainment may not be provided until any such appeal is determined.</p>
<b>3.0</b>	<b>Main report</b>
	<p><b><u>Key Issues</u></b></p> <p>3.1 The applicant has applied to provide musical events, within an outdoor area. The details of the proposed events are unknown at this stage. However, if an event is planned to take place on this site it would be subject to all technical matters being implemented to the satisfaction of the Service. The outdoor area is located to the rear of the Belfast Stories Building and is bounded by Union Street, Kent Street and North Street. A site plan is attached as Appendix 2.</p> <p>3.2 The days and hours proposed to provide entertainment in the outdoor area are:</p> <ul style="list-style-type: none"> <li>• Monday to Saturday 11.30am to 11.00pm, and</li> <li>• Sunday 12.30pm to 11.00pm.</li> </ul> <p>3.3 The area of the proposed outdoor area is approximately 3,228 square metres and therefore the maximum occupancy will be in the region of 6000 people. The exact figure will be determined when the site layout for a particular event is agreed.</p> <p>3.4 Members are reminded that all applications for the grant of Outdoor Entertainments Licences must be brought before Committee for consideration.</p> <p><b><u>Representations</u></b></p> <p>3.5 Public notice of the application has been placed and no written representation has been lodged as a result of the advertisement.</p> <p><b><u>PSNI</u></b></p> <p>3.6 The Police Service of Northern Ireland have been consulted in relation to the application and have confirmed that they have no objection to the application.</p> <p>3.7 A copy of their response is included as appendix 3 to this report.</p> <p><b><u>NIFRS</u></b></p> <p>3.8 The Northern Ireland Fire and Rescue Service have been consulted in relation to the outdoor application and have confirmed that they have no objection to the application.</p>

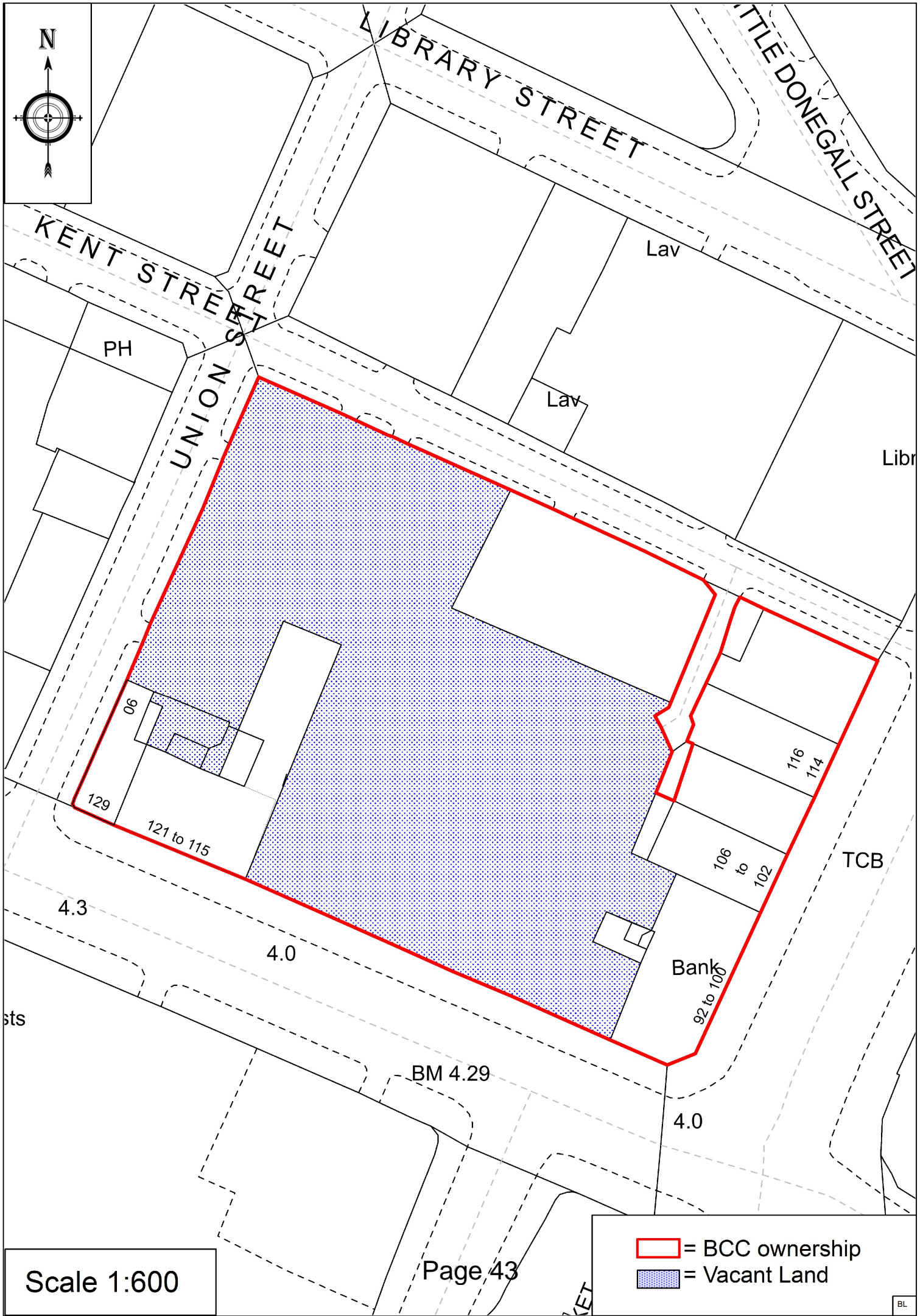
	<p><b><u>Health, safety and welfare</u></b></p> <p>3.9 Officers from the Service will engage with the applicant and event organisers in the lead up to events to ensure all documentation and technical information is in place.</p> <p>3.10 Additionally, officers will inspect the site during the build of the event space and following its completion to ensure they are satisfied all appropriate safety and management procedures are in place.</p> <p><b><u>Noise</u></b></p> <p>3.11 The applicant will be required to provide a Noise Management Plan for events which will be provided to the Environmental Protection Unit (EPU) for evaluation. Council Officers work with the promoter to assess the noise that may be generated from the event and to minimise the potential for noise disturbance.</p> <p>3.12 Members will recognise that noise generated by outdoor concerts is likely to lead to some level of disturbance for local residents. Even if guideline levels are met there is no guarantee that complaints will not be received. Conversely, if a recommended level is exceeded this may not necessarily lead to complaints as people may be prepared to tolerate the event because it will only last for a limited period of time.</p> <p><b><u>Applicant</u></b></p> <p>3.13 The applicant, and/or their representative will be available at your meeting to answer any queries you may have in relation to the application.</p>
<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	None
<b>5.0</b>	<b>Equality or Good Relations Implications/Rural Needs Assessment</b>
5.1	There are no issues associated with this report.
<b>6.0</b>	<b>Appendices – Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Location map</li> <li>• Appendix 2 – Site plan</li> <li>• Appendix 3 – PSNI Comments</li> </ul>

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Scale 1:600

 = BCC ownership  
 = Vacant Land

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Dear Richard

**Belfast Stories Site, 92-100 Royal Avenue, Belfast, BT1 1DL.**

Please note that District Councils are the lead organisation for Entertainment Licensing and the provisions of the Order under Schedule 1 allows for the application, regulation and restriction following consideration by the licensing authority.

The Order allows for the granting of a licence with conditions with the overarching aim of maximising safety and minimise risk and impact that may result from the granting of a licence. The role of the Police Service in consideration of entertainment licenses is limited. I would however highlight current regulatory practice:

- ☐ Private Security Industry Act 2001 – covers the requirement for the provision of licensed activities that may impact this application.
- ☐ Responsible retailing code (NI) – covers the responsible promotion and retail of alcohol.

**There are no current PSNI objections to the above applications being further considered by Belfast City council, residents, other local business and NIFRS, with attention on the compliance of the conditions in APPENDIX E – Safer Dancing / Reduction in the supply of drugs within the BCC Rules of Management.**

If the Entertainment Licence is granted in due course please forward police a copy with any special conditions or restrictions with confirmation that all Belfast City Council requirements and conditions including all Building Regulations approvals have been adhered to and that the Licensing (NI) Order 1996 will also be adhered to by the licence holder.

Can you please ensure that the applicant has registered the premises with the ongoing 'Ask for Angela' campaign as we continue to raise awareness for this simple, yet effective initiative that allows those who may find themselves in a vulnerable situation, with a quick and discreet way to access the help they need. Please feel free to share and encourage your applicants to registered and appear on the province wide map.



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[REDACTED]  
Licensing Constable  
Belfast City

[REDACTED]  
[REDACTED]  
Email: [REDACTED]@[psni.police.uk](mailto:[REDACTED]@psni.police.uk)

**Musgrave Police Station • 60 Victoria Street • Belfast • BT1 3GL**

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<b>Subject:</b>	Designation of new Street Trading sites
<b>Date:</b>	17 January 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	James Cunningham, Senior Licensing Officer, ext. 3375

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	Under the provisions of the Street Trading Act (NI) 2001 a district council has powers to designate or rescind the designation of specific streets or parts of streets as being suitable for stationary street trading by licence holders. The Act also allows a council to vary a previous designating resolution in relation to the commodities or services to be supplied in specific streets.
1.2	If a street or the commodity to be offered has not been designated under the Act the council cannot issue a licence for street trading from a stationary position in that street.
1.3	The process of considering and reviewing the designation of streets is therefore an essential part of the legal framework within which the Council is enabled to regulate street trading in the City.

<b>2.0</b>	<b>Recommendations</b>						
2.1	The Committee is required to consider the applications that have been received for the creation of new designated streets to accommodate the sites outlined in paragraph 3.3. Subject to any amendments you may have, permission is sought to allow the publication of the statutory 28-day notice of the proposed resolution and to commence consultation with statutory bodies and other persons who may have an interest in the proposals.						
<b>3.0</b>	<b>Main report</b>						
	<b><u>Key Issues</u></b>						
3.1	<p>The Act sets down the procedures which must be followed in considering a designating resolution, including the types of trading which may or may not take place in that street. The main steps the Council must undertake may be summarised as follows:</p> <ul style="list-style-type: none"> <li>a) Give public notice of the proposed resolution in 2 or more local newspapers;</li> <li>b) Consult with the PSNI and the Department for Infrastructure and other persons it considers appropriate;</li> <li>c) Consider any representations relating to the proposed resolution which it has received;</li> <li>d) After the Council has considered those representations it may, if it thinks fit, pass the designating resolution;</li> <li>e) 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 resolution will come into effect.</li> </ul>						
3.2	A further report will be brought before the Committee at a future meeting detailing the outcome of the process of consultation. At that stage, Members will be able to determine the designation of the street along with any restriction on the commodity to be sold and any recommendations regarding the restriction on the times of trading.						
3.3	<p><b>Proposed Sites</b></p> <table border="1"> <thead> <tr> <th>Location</th><th>Proposed Commodities/Services</th></tr> </thead> <tbody> <tr> <td>Queen's Quay (4 sites)</td><td>Commodities to be determined</td></tr> <tr> <td>Cromac Place (1 site)</td><td>Hot and cold non-alcoholic beverages, confectionery, hot and cold food, or similar commodities.</td></tr> </tbody> </table> <p><b><u>Financial and Resource Implications</u></b></p>	Location	Proposed Commodities/Services	Queen's Quay (4 sites)	Commodities to be determined	Cromac Place (1 site)	Hot and cold non-alcoholic beverages, confectionery, hot and cold food, or similar commodities.
Location	Proposed Commodities/Services						
Queen's Quay (4 sites)	Commodities to be determined						
Cromac Place (1 site)	Hot and cold non-alcoholic beverages, confectionery, hot and cold food, or similar commodities.						
3.4	<p>The cost of all notices is included in current revenue budgets.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p>						
3.5	There are no issues associated with this report.						





**Belfast**  
City Council

## LICENSING COMMITTEE

<b>Subject:</b>	Pavement Café Licensing - further engagement activity
<b>Date:</b>	17 January 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	James Cunningham, Senior Licensing Officer, ext. 3375

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	Members will recall that at your meeting in December 2023 you agreed to the implementation of a permanent pavement café licensing scheme, subject to officers continuing to engage with the Inclusive Mobility and Transport Advisory Committee (Imtac), Guide Dogs NI and the Federation of Small Businesses (FSB) NI in relation to concerns which they had raised during the public consultation, in order that the guidance for the scheme would reflect best practice; and that those three organisations would be invited to attend the next meeting, or a Special meeting if necessary, to outline any specific concerns which they had.
1.2	The purpose of this report is to update members on our continuing engagement with these organisations and for Members to hear from them.
<b>2.0</b>	<b>Recommendations</b>

2.1	Committee is asked to note the contents of the report and the continuing engagement officers are undertaking with Imtac, Guide Dogs NI and the Federation of Small Businesses NI.
<b>3.0</b>	<b>Main report</b>
	<u>Key Issues</u>
3.1	<p>Since your December meeting, officers met with Guide Dogs NI on 19 December 2023, with Inclusive Mobility and Transport Advisory Committee (IMTAC) on 22 December 2023, and with the Federation of Small Businesses (FSB) NI on 10 January 2024, to discuss the concerns raised in their consultation responses, as well as the proposals for the scheme and guidance in general. These meetings proved beneficial and were productive in increasing mutual understanding and it was agreed that dialogue will continue. A brief overview and topics discussed at those meetings is provided below.</p> <p><b>Engagement with IMTAC and Guide Dogs NI</b></p>
3.2	Officers provided an update on our guidance document and on proposed Licence Conditions, which should address some of the concerns raised by both organisations, in particular regarding pavement cafes not spreading out to take up more space than approved and to allow for the safe passing of pedestrians. (A report on the Licence Conditions was deferred in December and is a separate agenda item at this meeting)
3.3	<p>The proposed new Licence Conditions most relevant to the discussions are:</p> <ul style="list-style-type: none"> <li>• The pavement café area shall not exceed the approved dimensions and shall be clearly demarcated by way of barriers, if required, as per the approved plan attached to the licence.</li> <li>• The Licensee must ensure that clear routes along the footway/highway are maintained, considering the needs of disabled people, and that minimum footway widths and distances required for access by mobility impaired and visually impaired persons (as per the approved plan attached to the licence) are provided at all times when the licence is in operation.</li> </ul> <p><b>Concerns around the guidance</b></p>
3.4	During the meetings both IMTAC and Guide Dogs NI had very similar concerns, mostly around the detail of the guidance, in particular the need to specify a minimum footpath width, which both organisations believe should be fixed at 2m, and the need for pavement cafes to be enclosed by accessible barriers.
3.5	In terms of the detail of the Belfast guidance, it was discussed that DfI Roads are currently working and engaging with Councils and representatives of disability groups on a Northern Ireland wide guidance document to assist DfI staff, Councils and stakeholders assess pavement cafes licence applications in relation to highway considerations. The guidance deals primarily with the unobstructed footway widths adjacent to pavement cafés on public pavements to be maintained, the siting of furniture and other equipment associated with the operation of the pavement café, enclosures and lighting.
3.6	It is the intention that any finalised technical guidance document produced by DfI will become or be incorporated in the Council's technical guidance.
3.7	

3.8	Both IMTAC and Guide Dogs NI raised concern about clear footpath widths and want guidance to specify 2m minimum unobstructed width.
3.9	Our Belfast guidance document for temporary pavement cafes contained a minimum pavement width of 2 metres clearance with a reduction of 1.5m in constrained environments.
3.10	It is the intention that this wording be part of the Belfast guidance, until the finalised DfI Roads guidance is available. It was also discussed and agreed that in some areas of high footfall, pedestrianised areas, near bus stops and so on, a minimum of 2m clear pavement width will not be sufficient, and this will be made clear in the Belfast guidance until the finalised DfI Roads guidance is available.
3.11	IMTAC also had a concern that pavement cafes should not obstruct any tactile paving or the approach to it. This was discussed and officers said they had previously raised this with DfI Roads and will be incorporated into Belfast guidance until the finalised DfI Roads guidance is available.
3.12	Both IMTAC and Guide Dogs NI raised a concern that a requirement for pavement cafes to all be fully enclosed by accessible barriers was required, rather than as the guidance currently states “that the licensed area should ideally be enclosed by way of adequate screening, to demarcate the area, to make it distinguishable to other pavement users, and to assist blind and visually impaired pedestrians.” This was discussed, as the public consultation raised varying preferences and requirements in terms of enclosures from people with differing disabilities, and while important for people with visual impairment, for those using wheelchairs or mobility scooters enclosures can impede access. Partial enclosures and ‘book-end’ enclosures where barriers are only required at either end of a pavement café were discussed. Further consideration and discussion will take place about enclosures.
3.13	Other issues discussed included: <ul style="list-style-type: none"> <li>• Guide Dogs NI had expressed a concern that there may be a rapid expansion of pavement café licences and streets will become inaccessible, and that a form of automatic approval may be implemented because of numbers of applications. Officers provided assurance that automatic approval would not occur and is not possible in Northern Ireland, that the statutory process would be followed for each individual application, including public notice period and statutory consultation.</li> </ul>
3.14	<ul style="list-style-type: none"> <li>• Raising awareness of proposed pavement café locations within the sight impaired community so individuals can make comment or object on a proposal was discussed. Applications are on the Council’s website, as well as a public notice placed on the premises. However, reaching those most impacted is difficult, and will continue to be part of our ongoing dialogue.</li> </ul>
3.15	<ul style="list-style-type: none"> <li>• Guide Dogs NI recommended a right to appeal the approval of a pavement café on the grounds of safety or inaccessibility for disabled people and a requirement to investigate concerns around accessibility and revoke the licence if the pavement is not sufficiently accessible. Officers explained that once a licence is issued there is no appeal process in the legislation, however, if a pavement café licensee is found to be breaching licence conditions, proportional enforcement may result in the revocation of the licence. Officers explained that complaints will be investigated, and that the proposed new licence conditions should assist.</li> <li>• How to complain or report an issue about a pavement café online was raised – officers explained that this option has been available online since the introduction of</li> </ul>

3.16	<p>temporary pavement café licences with a dedicated email address which can be found on the Council's website. It was however noted that it can be hard to find depending on how you search on the website. Corporate communications have since amended the website wording for this, and this facility will be reviewed as part of updates to the pavement café webpages for the permanent scheme, to identify if access to information can be further improved. It was felt that an email address facility was satisfactory to report complaints or issues, and publicising of this is important.</p>
3.17	<ul style="list-style-type: none"> <li>• IMTAC and Guide Dogs do not oppose or disagree with the proposed transition period, however, they had concerns regarding lack of compliance by existing temporary pavement cafes with new standards during this period and queried enforcement against unlicensed and non-compliant pavement cafes. The Council's graduated approach to enforcement was discussed as well as its powers under pavement café licensing.</li> </ul>
3.18	<ul style="list-style-type: none"> <li>• Other street clutter and obstructions – it was clarified that pavement café licensing can only deal with items such as menu boards for the pavement café which must be contained within the limits of the licensed area as a condition of licence. However, officers have raised the need for DfI Roads to deal with other A boards, etc. to reduce overall street clutter.</li> </ul>
3.19	<ul style="list-style-type: none"> <li>• It was agreed that pre-existing street furniture should not be obstructed by pavement cafes and must always be outside pavement café licensed areas.</li> </ul> <p><b>Engagement with Federation of Small Businesses (FSB NI)</b></p>
3.20	<p>Some key points discussed at the meeting of 10 January 2024 were:</p>
3.21	<p>The Federation of Small Businesses had concerns on the timing of the consultation and that the consultation period and the following decision making at the December meeting being too rushed, and that the consultation was carried out during holiday season and the busiest for the hospitality sector, therefore reducing the effectiveness of the consultation.</p>
3.22	<p>They recommended that final proposals for the scheme should be reconsulted on and asked for a 6-month transition period. This was predominantly because they were concerned that many of their members may not be fully aware of present or upcoming requirements regarding pavement café licensing and may be taken by surprise and lose their outdoor seating areas. In addition, they felt that the guidance was being amended 'behind closed doors' by the Council, and that any changes finalised should be provided publicly as clear guidance and consulted on before being implemented. The review of the legislation by the DfC was also raised.</p>
3.23	<p>Officers informed the Federation that all licensees had been contacted following the December meeting of the Licensing Committee and provided with information about the permanent licensing scheme commencing in January 2024 and that there would now be a 4-month implementation period. To increase awareness further we have visited almost 90 unlicensed operators so far to discuss the licensing scheme, and this engagement continues.</p>
3.24	<p>Officers reassured the Federation that the Council will not be requiring existing pavement cafes to cease operating during the transition period (now set at 4 months to the end of April 2024) and that any enforcement would be graduated and proportional going forward, and we intend to work with all businesses as the permanent scheme is implemented.</p>

3.25	Officers will work with the Federation to disseminate information and look at further ways to engage with businesses following the introduction of a permanent scheme to assist and support them. This includes arranging an information seminar in City Hall on 15 February 2024 for businesses to come along and learn about the pavement café scheme and the requirements for applying. We also invited IMTAC and Guide Dogs NI to speak at this event, both of which were happy to do so, to give a brief overview on the difficulties faced by people with disabilities and the importance of certain design features in relation to pavement cafes and how accessibility benefits all.
3.26	Alterations to guidance and ongoing engagement around its detail, and the DfI Roads guidance was discussed. The Federation of Small Businesses will remain part of ongoing engagement around the pavement café scheme and guidance.
3.27	In terms of the DfC review of the legislation referred to by FSB we are not aware that any changes to the pavement café legislation are likely to result from this review.
3.28	<b>Next steps moving forward</b>
3.29	Council officers will continue dialogue with Inclusive Mobility and Transport Advisory Committee (IMTAC), Guide Dogs NI and the Federation of Small Businesses (FSB) NI on the detail of the pavement café licensing scheme and guidance and its impact on people with disabilities and on businesses.
3.30	IMTAC and Guide Dogs NI have both offered to undertake walkabouts in Belfast City Centre with our licensing officers who will be dealing with pavement café applications, to give insight into the needs of people with various disabilities, and officers are grateful for this opportunity and this will be arranged in due course.
3.31	Council officers are also continuing to engage with DfI Roads and are attending a consultation meeting later this month convened by them concerning their draft Northern Ireland wide guidance.
3.32	Inclusive Mobility and Transport Advisory Committee (IMTAC), Guide Dogs NI and the Federation of Small Businesses (FSB) NI have been invited to attend your meeting to outline any specific concerns which they had.
4.0	<b><u>Financial and Resource Implications</u></b>
4.1	None associated with this report.
5.0	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>
5.1	In June 2020, Belfast City Council introduced a temporary process for considering pavement café applications to assist the hospitality sector during the recovery period following the Covid-19 pandemic lockdown. This temporary licensing scheme was subject to an equality screening exercise prior to its introduction and the screening process was reviewed again in 2021. In September 2023, Council agreed that the temporary scheme would expire on 31 December 2023 and a permanent scheme was to be introduced. Following this agreement and prior to the public consultation, a further equality screening process and rural needs assessment were undertaken for the transition to the permanent scheme and associated guidance. These draft documents were consulted on as part of the public consultation process, and issues raised through both the public consultation and targeted engagement sessions in the last quarter of 2023 and the ongoing further consultation process are being explored and will continue to be factored into the review of the scheme, guidance, and draft screening documents as appropriate.

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<b>Subject:</b>	<b>Deferred report - Consideration of standard conditions to be attached to Pavement Cafes Licences</b>
<b>Date:</b>	17 January, 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	James Cunningham, Senior Licensing Officer, ext 3375

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main issues</b>
1.1	Committee deferred consideration of this report at your meeting in December 2023.
1.2	The purpose of this report is to enable Members to consider updating the standard conditions to attach to licences issued under the Licensing of Pavement Cafes Act (NI) 2014.
1.3	The current standard conditions were agreed in 2017 and were applied to Temporary Pavement Café Licences.
<b>2.0</b>	<b>Recommendations</b>
2.1	It is recommended that Members consider the proposed amended standard conditions of licence to be attached to Pavement Cafe Licences outlined at Appendix 2 and agree that; <ul style="list-style-type: none"> <li>1. They be adopted, or</li> <li>2. They be adopted in accordance with any amendments deemed necessary.</li> </ul>
2.2	Members are advised that the Licensing Committee does not have delegated powers in relation to policy decisions concerning licensing matters and as such your decision will be subject to ratification by Council.

3.0	<b>Main report</b>
	<p data-bbox="272 226 427 255"><b><u>Key Issues</u></b></p> <p data-bbox="272 293 448 322"><b>Background</b></p> <p data-bbox="165 327 1455 423">3.1 Licence Conditions are a set of rules established to govern the behaviour of operators running a licensable business. They cover various topics and set requirements that all licensees must meet to hold a Licence.</p> <p data-bbox="165 461 1455 557">3.2 The Licensing of Pavement Cafes Act (NI) 2014 requires that a Pavement Cafe Licence must include a condition requiring temporary furniture not to be placed for use as mentioned in the licence on any public area other than the area covered by the licence.</p> <p data-bbox="165 595 1455 1128">3.3 The Act also permits that a council may specify in a Pavement Cafe Licence such other conditions as it considers reasonable, and whilst this list is not exhaustive, these may include conditions –</p> <ul data-bbox="288 730 1455 1128" style="list-style-type: none"> <li>i. limiting the furniture which may be placed on the area covered by the licence by reference to the kind, amount, size or nature of the furniture;</li> <li>ii. limiting the days or times when the furniture may be on that area;</li> <li>iii. for securing that adequate arrangements are made for storing the furniture when not on that area;</li> <li>iv. regulating the arrangements for payment to the council of fees;</li> <li>v. for securing that such insurances and indemnities as may be specified in the licence are put in place;</li> <li>vi. requiring the council to be notified of such matters as may be specified in the licence;</li> <li>vii. requiring the surrender of any other pavement café licence in respect of the premises.</li> </ul> <p data-bbox="165 1167 1455 1229">3.4 Members agreed standard licence conditions for Pavement Cafés in 2017 and these are set out in Appendix 1.</p> <p data-bbox="272 1267 517 1296"><b>Current Situation</b></p> <p data-bbox="165 1301 1455 1431">3.5 Members are advised that the standard Licence Conditions may be reviewed and amended if necessary, and nothing prevents the Committee from attaching any other condition it considers reasonable to any particular application that may come before it for a determination in the case of objections having been received.</p> <p data-bbox="165 1469 1455 1700">3.6 During the recent consultation on implementing a permanent pavement cafe licensing scheme several amendments were suggested regarding the standard conditions of licence, such as clearer cleansing requirements. Through experience gained administering the Temporary Licensing scheme we have identified some suggested amendments to better address accessibility issues and the need to remove pavement café furniture in the case of a special event such as a rally, procession, marathon or other sporting event or an open-air concert.</p> <p data-bbox="165 1738 1455 2007">3.7 The following new standard Licence Conditions are proposed:</p> <ul data-bbox="320 1805 1455 2007" style="list-style-type: none"> <li>• The pavement café area shall not exceed the approved dimensions and shall be clearly demarcated by way of barriers, if required, as per the approved plan attached to the licence.</li> <li>• The licensee must ensure that clear routes along the footway/highway are maintained, considering the needs of disabled people, and that minimum footway</li> </ul>



	<p>widths and distances required for access by mobility impaired and visually impaired persons (as per the approved plan attached to the licence) are provided at all times when the licence is in operation.</p> <ul style="list-style-type: none"> <li>• All tables and chairs and other authorised furniture and barriers used in conjunction with a pavement café licence must be removeable which means that it is not a permanent fixed structure, and it is able to be moved easily (that is sufficiently portable so that it can be removed within 20 minutes) and stored away at the end of use for the day.</li> <li>• The licensee will comply with any reasonable request from a duly authorised officer of the Council to remove such furniture and barriers from the licensed area as is necessary to facilitate the safety of the public, including the safe movement of vehicles, during special events. Licensees will be notified of any such special events at least 14 calendar days before the event where possible.</li> <li>• Furniture shall be removed by the licensee when reasonably required by the Council, the PSNI, emergency services or any statutory undertaker or utility provider.</li> </ul>
3.8	<p>It is also proposed to replace the existing standard licence condition 'The licensee must have in place a commercial waste collection contract and provide proof of that contract upon demand by the Council' with</p> <ul style="list-style-type: none"> <li>• The Licensee must ensure staff regularly monitor the licensed area, and the area immediately adjacent to it, to ensure it is kept clean, tidy and litter free. Any litter or waste arising from use of the licensed area must be cleared away as soon as is practicable.</li> </ul>
3.9	<p>Additionally, it is proposed to add a condition to say that while a pavement licence is granted subject to the standard conditions, the Council reserves the right to add additional conditions to individual licences where it is reasonable and appropriate to do so. This will enable officers to add reasonable, site-specific conditions without the need to bring the pavement café application to Committee to approve that condition.</p>
3.10	<p>Proposed revised standard licence conditions are set out in Appendix 2.</p>
4.0	<p><b><u>Financial &amp; Resource Implications</u></b> None</p>
5.0	<p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p>
5.1	<p>In June 2020, Belfast City Council introduced a temporary process for considering pavement café applications to assist the hospitality sector during the recovery period following the Covid-19 pandemic lockdown. This temporary licensing scheme was subject to an equality screening exercise prior to its introduction and the screening process was reviewed again in 2021. In September 2023, Council agreed that the temporary scheme would expire on 31 December 2023 and a permanent scheme was to be introduced. Following this agreement and prior to the public consultation, a further equality screening process and rural needs assessment were undertaken for the transition to the permanent scheme and associated guidance. These draft documents were consulted on as part of the public consultation process, and issues raised through both the public consultation and targeted engagement sessions in the last quarter of 2023 and the ongoing</p>

	further consultation process are being explored and will continue to be factored into the review of the scheme, guidance, and draft screening documents as appropriate.
<b>6.0</b>	<b>Appendices – Documents Attached</b>
6.1	Appendix 1 – Previously agreed standard licence conditions.
6.2	Appendix 2 – Proposed revised standard licence conditions that will be attached to Pavement Cafe Licences in Belfast.

**Previously agreed standard licence conditions to attach to licences issued under the Licensing of Pavement Cafes Act (NI) 2014.**

**STANDARD CONDITIONS OF LICENCE**

1. The Licensee shall be responsible at all times for compliance with the terms and conditions of the Pavement Café Licence.
2. The licensed area must only be used to place temporary furniture for the purpose of consuming food and/or drink supplied from the licence holder's premises.
3. The Licensee shall at all times ensure that the pavement café furniture is not placed outside the licensed area.
4. Only furniture permitted by the Council shall be used in the licensed area and such furniture shall be placed in accordance with the layout plan as agreed in writing by the Council.
5. The licensee shall only place furniture on the licensed area on those days and during those hours as permitted by the licence.
6. Any furniture provided in the licensed area shall not mark or damage the surface of the pavement.
7. Furniture should be sufficiently portable that it can be removed within 20 minutes.
8. Adequate storage approved in writing by the Council must be provided to ensure that furniture can be stored securely when the premises are closed.
9. The Licensee shall ensure that adequate Public Liability insurance cover is in force to cover the licensed area and provide proof of that insurance upon demand by the Council.
10. The licensee shall ensure good order is maintained during all times the pavement café is open.
11. The licensee shall ensure that the pavement café is operated in a manner ensuring that there is no safety risk, nuisance, public health issue or detriment to amenity caused to other users of the highway or nearby premises.
12. This licence does not in any way permit the playing of live or recorded music for the entertainment of customers in the licensed area.
13. The licensee must have in place a commercial waste collection contract and provide proof of that contract upon demand by the Council.

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### **Proposed revised standard licence conditions that will be attached to licences issued under the Licensing of Pavement Cafes Act (NI) 2014.**

#### **STANDARD CONDITIONS OF LICENCE**

1. The Licensee shall be responsible at all times for compliance with the terms and conditions of the Pavement Café Licence.
2. The licensed area must only be used to place temporary furniture for the purpose of consuming food and/or drink supplied from the licence holder's premises.
3. The Licensee shall at all times ensure that the pavement café furniture is not placed outside the licensed area.
4. The pavement café area shall not exceed the approved dimensions and shall be clearly demarcated by way of barriers, if required, as per the approved plan attached to the licence.
5. The Licensee must ensure that clear routes along the footway/highway are maintained, considering the needs of disabled people, and that minimum footway widths and distances required for access by mobility impaired and visually impaired persons (as per the approved plan attached to the licence) are provided at all times when the licence is in operation.
6. Only furniture permitted by the Council shall be used in the licensed area and such furniture shall be placed in accordance with the approved plan attached to the licence.
7. All tables and chairs and other authorised furniture and barriers used in conjunction with a pavement café licence must be removeable which means that it is not a permanent fixed structure, and it is able to be moved easily (that is sufficiently portable so that it can be removed within 20 minutes) and stored away at the end of use for the day.
8. The Licensee shall only place furniture on the licensed area on those days and during those hours as permitted by the licence.
9. Any furniture provided in the licensed area shall not mark or damage the surface of the pavement.
10. Adequate storage approved in writing by the Council must be provided to ensure that furniture can be stored securely when the premises are closed.
11. The Licensee must ensure staff regularly monitor the licensed area, and the area immediately adjacent to it, to ensure it is kept clean, tidy and litter free. Any litter or waste arising from use of the licensed area must be cleared away as soon as is practicable.

12. The Licensee shall ensure that adequate Public Liability insurance cover is in force to cover the licensed area and provide proof of that insurance upon demand by the Council.
13. The Licensee shall ensure good order is maintained during all times the Pavement Café is open.
14. The Licensee shall ensure that the pavement café is operated in a manner ensuring that there is no safety risk, nuisance, public health issue or detriment to amenity caused to other users of the highway or nearby premises.
15. This licence does not in any way permit the playing of live or recorded music for the entertainment of customers in the licensed area.
16. The Licensee will comply with any reasonable request from a duly authorised officer of the Council to remove such furniture and barriers from the licensed area as is necessary to facilitate the safety of the public, including the safe movement of vehicles, during special events. Licensees will be notified of any such special events at least 14 calendar days before the event where possible.
17. Furniture shall be removed by the Licensee when reasonably required by the Council, the PSNI, emergency services or any statutory undertaker or utility provider.
18. A pavement licence is granted subject to the preceding standard conditions. However, the Council reserves the right to add additional conditions to individual licences where it is reasonable and appropriate to do so.

### **Special Events**

A special event includes, but is not restricted to, an event such as a rally, procession, marathon or other sporting event or an open-air concert.



<b>Subject:</b>	<b>Response from the British Board of Film Classification (BBFC) regarding a proposed 15A rating</b>
<b>Date:</b>	17 January, 2024
<b>Reporting Officer:</b>	Kate Bentley, Director of Planning and Building Control
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager

## Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

☐

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

☐  
☐  
☐  
☐

## Call-in

Is the decision eligible for Call-in?

Yes

☒

No

☐

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	To present the response received from the British Board of Film Classification (BBFC) in relation to its consideration of introducing a new film rating of “15A”.
<b>2.0</b>	<b>Recommendation</b>
2.1	The Committee is asked to note the response.
<b>3.0</b>	<b>Main Report</b>
3.1	The Committee, at its meeting on 18th October, 2023, agreed to write to the BBFC to request that it would give consideration to developing a new classification of “15A” for films, as part of its ongoing consultation with the industry.
3.2	A response was received from Mr. Lamberti, Policy Manager at BBFC, on 20th December, 2023, a copy of which is attached to this report.
3.3	He advises the Committee that, to introduce a new age rating for cinema films would require the support of licensing officers, film distributors, cinema exhibitors, the UK Government and the general public. He outlines that this was the case in 2002, when the BBFC replaced the “12” cinema rating with a new “12A” rating.
3.4	He states that there has been no wide expression of support for a new rating of “15A” and, indeed, the only requests for a “15A” rating have been from Belfast City Council.
3.5	After Belfast City Council agreed to allow cinema exhibitors within the Belfast area to show The Batman as a “15A” in 2020, BBFC carried out research to gauge the appetite for a new “15A” rating across different groups. He points out that the Advisory Panel on Children’s Viewing was unanimous of its view that a “15A” rating would represent a significant child protection risk.
3.6	Mr. Lamberti advises that BBFC carries out a large-scale public consultation on its Classification Guidelines every 4-5 years and that the most recent consultation was currently in its final stages, with the results being published early in 2024. He states that the consultation included questions regarding under-15s viewing 15 rated films in the cinema.
3.7	<b><u>Financial and Resource Implications</u></b> None.
3.8	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b> None associated with this report.
<b>4.0</b>	<b>Appendices - Documents Attached</b>
	Response from BBFC



12 December 2023

**Louise McLornan**

Democratic Services Officer  
Belfast City Council  
Legal and Civic Services Department  
City Hall  
Belfast BT1 5GS

Dear Mrs. McLornan,

Thank you for your letter of 10 November 2023 regarding Belfast City Council's request that the BBFC consider adopting a new 15A classification for films. It was my pleasure to participate in the Council's Licensing Committee meeting on 18 October and thank you again for the invitation to do so.

To introduce a new age rating for cinema films would require the support of licensing officers, film distributors, cinema exhibitors, the UK government and the general public. This was the case in 2002 when the BBFC replaced the 12 cinema rating with a new 12A rating.

To date, we know of no widely expressed support for a 15A. When Belfast City Council agreed in 2022 to permit *The Batman* to be shown as a 15A in Belfast, we were interested to see if this would become more common across the UK. Since then, the only request for a 15A that we are aware of is the request Belfast City Council received in October 2023 regarding *Five Nights at Freddy's*.

After the decision regarding *The Batman*, we decided to carry out research to gauge the appetite for a 15A across different groups. We consulted the experts on our Advisory Panel on Children's Viewing, who advise the BBFC on matters related to child development and welfare. The Panel were unanimously of the view that the introduction of a 15A would represent a significant child protection risk. We also discussed matters with the industry and have taken account of concerns they have raised with us regarding the prospect of a 15A.

This year, the BBFC has been carrying out its large-scale public consultation on our Classification Guidelines. We conduct this research every 4-5 years, to update our guidelines in line with what UK audiences tell us they want and expect. The quantitative stage of the research included questions regarding under 15s seeing 15-rated films in the cinema. We have concluded the consultation research and will be publishing the findings early next year, and I shall be happy to update you at that time.

I hope this clarifies our position, but if you have any questions about it, please don't hesitate to let me know.



Yours sincerely,



Edward Lamberti  
Policy Manager



<b>Subject:</b>	<b>Licence Fees for Sex Establishments</b>
<b>Date:</b>	17 January 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	Laura Hillis, Principal Building Control Surveyor, Ext 2469

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	Under Article 4 and Schedule 2 of The Local Government (Miscellaneous Provisions) (NI) Order 1985 (the Order), the Council has powers relating to the Licensing of Sex Establishments. Paragraph 19, Schedule 2 provides that an applicant for the grant, renewal or transfer of a licence shall pay a reasonable fee determined by the council.
1.2	Unlike the Street Trading Act (NI) 2001 and the Licensing of Pavement Cafés Act (NI) 2014, there is no procedure prescribed in the Order that the Council must follow in determining the Licence fee.
1.3	The current Sex Establishment Licence fees were set at your meeting of June 2016 and Committee agreed that a review of the fees be conducted each year.

<b>2.0</b>	<b>Recommendations</b>														
2.1	Members are asked to: <ul style="list-style-type: none"> <li>• Agree that the current fees, last reviewed in November 2022, remain unchanged.</li> </ul>														
2.2	Members are advised that the Licensing Committee does not have delegated powers in relation to policy decisions concerning licensing matters and as such your recommendation as to the appropriate fees for sex establishments licences will be subject to ratification by Council.														
<b>3.0</b>	<b>Main report</b>														
	<b><u>Key Issues</u></b>														
3.1	After reviewing the current fees, as agreed by Committee in November 2022, these were deemed to be proportionate to the cost of the processes associated with administering a Sex Establishment Licence.														
3.2	It is therefore proposed that the fees set previously remain as shown below. <table border="1" data-bbox="555 896 1184 1187"> <tr> <td><b>Application Fee</b></td><td><b>£3,200</b></td></tr> <tr> <td></td><td></td></tr> <tr> <td><b>Renewal Fee</b></td><td><b>£1,430</b></td></tr> <tr> <td></td><td></td></tr> <tr> <td><b>Transfer Fee</b></td><td><b>£1,125</b></td></tr> <tr> <td></td><td></td></tr> <tr> <td><b>Licence Fee</b></td><td><b>£500</b></td></tr> </table>	<b>Application Fee</b>	<b>£3,200</b>			<b>Renewal Fee</b>	<b>£1,430</b>			<b>Transfer Fee</b>	<b>£1,125</b>			<b>Licence Fee</b>	<b>£500</b>
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<b>Licence Fee</b>	<b>£500</b>														
	<b><u>Financial and Resource Implications</u></b>														
3.3	The Sex Establishment Licence fees will ensure the cost of the operational and administration processes are proportionate to the licensing scheme.														
	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>														
3.4	There are no issues associated with this report.														
<b>4.0</b>	<b>Appendices</b>														
	None														