

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



**Belfast
City Council**

16th April, 2021

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet via Microsoft Teams on Wednesday, 21st April, 2021 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. **Routine Matters**

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

2. **Delegated Matters**

- (a) Licences Issued Under Delegated Authority (Pages 1 - 4)
- (b) Houses in Multiple Occupation (HMO) Licenses Issued Under Delegated Authority (Pages 5 - 8)

3. **Non-Delegated Matters**

- (a) Update on Department for Communities response to Licensing Committee (Pages 9 - 12)

4. **Restricted Items**

- (a) Update on Legal Proceedings in respect of Standard Licence Condition
(Pages 13 - 30)



Subject:	Licences Issued Under Delegated Authority
Date:	21 April 2021
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext. 2435
Contact Officer:	James Cunningham, Regulatory Services Manager, Ext. 3375

Restricted Reports	
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"/>

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

1.0	Purpose of Report or Summary of main Issues
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.
2.0	Recommendations
2.1	The Committee is requested to note the applications that have been issued under the Scheme of Delegation.

3.0	Main report																					
	<u>Key Issues</u>																					
3.1	Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 the following Entertainments Licences were issued since your last meeting.																					
<table border="1"> <thead> <tr> <th data-bbox="280 389 772 472">Premises and Location</th> <th data-bbox="772 389 983 472">Type of Application</th> <th data-bbox="983 389 1425 472">Applicant</th> </tr> </thead> <tbody> <tr> <td data-bbox="280 472 772 577">Belfast Community Circus School, 23-25 Gordon Street, Belfast, BT1 2LG.</td> <td data-bbox="772 472 983 577">Renewal</td> <td data-bbox="983 472 1425 577">Ms Jenna Hall</td> </tr> <tr> <td data-bbox="280 577 772 660">Drumglass Park, Lisburn Road, Belfast, BT9 6JF.</td> <td data-bbox="772 577 983 660">Renewal (marquee)</td> <td data-bbox="983 577 1425 660">Mr Ryan Black, Belfast City Council</td> </tr> <tr> <td data-bbox="280 660 772 743">Dunmurry Park, Kingsway, Dunmurry, Belfast, BT17 9SB.</td> <td data-bbox="772 660 983 743">Renewal (outdoor)</td> <td data-bbox="983 660 1425 743">Mr Ryan Black, Belfast City Council</td> </tr> <tr> <td data-bbox="280 743 772 831">Ulster Hall, 30 Bedford Street, Belfast, BT2 7FF.</td> <td data-bbox="772 743 983 831">Renewal</td> <td data-bbox="983 743 1425 831">Mr John Griffin, Belfast Waterfront & Ulster Hall Ltd</td> </tr> </tbody> </table>	Premises and Location	Type of Application	Applicant	Belfast Community Circus School, 23-25 Gordon Street, Belfast, BT1 2LG.	Renewal	Ms Jenna Hall	Drumglass Park, Lisburn Road, Belfast, BT9 6JF.	Renewal (marquee)	Mr Ryan Black, Belfast City Council	Dunmurry Park, Kingsway, Dunmurry, Belfast, BT17 9SB.	Renewal (outdoor)	Mr Ryan Black, Belfast City Council	Ulster Hall, 30 Bedford Street, Belfast, BT2 7FF.	Renewal	Mr John Griffin, Belfast Waterfront & Ulster Hall Ltd							
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3.2	Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 the following Amusement Permits were issued since your last meeting.																					
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3.3	Under the terms of the Street Trading Act (Northern Ireland) 2001 there were no Street Trading Licences issued since your last meeting.																					
3.4	Under the terms of the Road Traffic Regulation (Northern Ireland) Order 1997 there were no Road Closure Orders made since your last meeting.																					
3.5	Under the terms of the Licensing of Pavement Cafés Act (Northern Ireland) 2014 the following Pavement Café Licences were issued since your last meeting.																					

	Premises	Location	Type of Application	Applicant
	Clements, 269 Upper Newtownards Road, Belfast, BT4 3JT	Adjacent	Grant	Lisa Evans The Bean Machine Trading as Clements
	Starbucks, 25-27 Wellington Place, Belfast, BT1 6DG	Adjacent	Grant	Barbara McMaster Ritcin Ltd.
	The Belmont Bistro, 4 Belmont Road, Belfast, BT4 2AN	Adjacent	Grant	Stephen McAuley The Belmont Bistro
	Dirty Onion, 3 Hill Street, Belfast, BT1 2LA	Adjacent	Grant	Tim Herron Cathedral Leisure Ltd. (Beannchor)
	Thirsty Goat, 1 Hill Street, Belfast, BT1 2LA	Adjacent	Grant	Henry Downey Eaglelen Ltd.
	Mourne & Seafood Bar, 34-36 Bank Street, Belfast, BT1 1HL	Adjacent	Grant	Bob McCoubrey Mourne Seafood Ltd.
	Mountainview Tavern, 417-421 Shankill Road, Belfast,	Adjacent	Grant	Wilson McArthur Mountainview Tavern Enterprises Ltd.
	<u>Financial & Resource Implications</u>			
3.6	None			
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>			
3.7	There are no issues associated with this report.			

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Subject:	Houses in Multiple Occupation (HMO) Licences Issued Under Delegated Authority
Date:	21 April 2021
Reporting Officer:	Kevin Bloomfield, NIHMO Manager
Contact Officer:	Vivienne Donnelly, City Protection Manager Kevin Bloomfield, NIHMO Manager

Restricted Reports	
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"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	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.
2.0	Recommendations
2.1	The Committee is requested to note the applications that have been issued under the Scheme of Delegation.

3.0	Main report		
	<u>Key Issues</u>		
3.1	Under the terms of the Houses in Multiple Occupation Act (Northern Ireland) 2016 the following HMO Licences were issued during March 2021.		
	Name	Firstname	Surname
	Mrs	Maura	Carolan
	Mr	Barry	McCaffrey
	Mr	Barry	McCaffrey
	Ms	Michelle	McGrath
	Mr	Neil	Brennan
	Mr	John	McGlavery
	Mrs	Moira	Crossey
	Mr	Leo Joseph	Martin
	Mr	Patrick	Conway
	Mr	Francis	Glackin
	Mr	Arnie	Parkinson
	Mr	Brian	Falls
	Blacklough properties Ltd		Flat 2, 10 Westminster Street
	Mr	Brian	Falls
	Mr	Michael	Collins
	Mr	Eugene	McCann
	Mr	Stephen George	Henderson
	Dasen Limited		Flat 2, 52 Tates Avenue
	Mr	Connor Paul	Kieran
	Mr	James	Harkness
	Mr	Marius	Monaghan
	Mr	Ciaran	McCrossan
	Ms	Paula Mary	O'Kane
	Drumgold (No.1) Limited		90 Dunluce Avenue
	Mr	Martin	Carlin
	SEJ Developments Ltd		342 Woodstock Road
	Mr	Bob	Moses
	Ms	Maeve	Corrigan
	Mr	Eugene	McCann
	Mr	Eugene	McCann
	Mr	Eugene	McCann
	Mr	Eugene	McCann
	Mr	John	Montgomery
	Mr	Alyn	McKee
	Mr	Alyn	McKee
	Mr	Alyn	McKee
	Mr	Patrick	Loughran
			75 Palestine Street

Provincial Properties			47 Colenso Parade
Miss	Claire	Mullan	10 Balfour Avenue
Ms	Margaret	O'Gara	72 Agincourt Avenue
Ms	Joanne	Capper	20 Riverview Street
Ms	Diane	Thom	15 Strandview Street
Mr	John	Connolly	3 Rugby Parade
Eglantine Investments Limited			Apartment 17, 2a Eglantine Gardens
Eglantine Investments Limited			Apartment 18, 2a Eglantine Gardens
Eglantine Investments Limited			Apartment 15, 93 Eglantine Avenue
Eglantine Investments Limited			Apartment 16, 93 Eglantine Avenue
Eglantine Investments Limited			Apartment 13, 95 Eglantine Avenue
McHugh Developments Ltd			Apartment 2, 24 University Street
Mr	David	Mills	189 Dunluce Avenue
McHugh Developments Ltd			22 University Street
Mr	Stephen	McSorley	109 Agincourt Avenue
Mr	David	Lambon	35 Tates Avenue
Norton Cross Limited			30 Candahar Street
Mr	Seamus	Cassidy	13 Lawrence Street
Tullyquin Properties Limited			5 Rugby Parade
D.M Property Estates Limited			43 Agincourt Avenue
Mr	Paul	McKeever	22 Colenso Parade
Mrs	Pauline	Ballantine	4 Westminster Street
Ms	Roisin	Convery	Flat 3, 61 Fitzwilliam Street
Ms	Roisin	Convery	Flat 1, 61 Fitzwilliam Street
	Chui Wah	Pang	9 Eglantine Avenue
Mr	Gareth	Purvis	37 Claremont Street
Mr	Mark	Heaney	26 Agincourt Avenue
Mr	John	Lynch	Flat 2, 10 Lawrence Street
Mr	John	Lynch	Flat 2, 8 Lawrence Street
Mrs	Bernadette	Mulholland	79 Sandhurst Drive
Mrs	Geraldine	McCrossan	3 College Place North
Mr	Andrew David	McCaughey	10 Ashley Mews
Mr	Andrew David	McCaughey	118 Dunluce Avenue
Mr	Kevin	Cullen	48 Rugby Road
Mr	David	Robinson	29 Malone Place
Mr	Patrick	McConville	Flat 1, 14 India Street
Mr	James	Cunningham	Flat 2, 1 Ulsterville Place
Mrs	Catherine	Maguire	15 Ridgeway Street
Mrs	Marie	Enright	54 Tates Avenue
Mr	Paul	Birt	23 Belgravia Avenue
Mr	Mustaq Ahmed	Arif	8 Belgravia Avenue
Provincial Properties			Flat B, 9 India Street
Mr	Liam	Fegan	22 College Drive
Mr	Declan Bernard	O'Hagan	12 Strandview Street
Charterhouse Property Management Ltd			27-29 Thorndale Avenue

Financial & Resource Implications**3.2** None**Equality or Good Relations Implications/Rural Needs Assessment****3.3** There are no issues associated with this report.



Subject:	Update on Department for Communities response to Licensing Committee's request to attend a meeting to discuss the Houses in Multiple Occupation Act and the Review of the HMO Licensing Scheme
Date:	21 st April 2021
Reporting Officer:	Vivienne Donnelly City Protection Manager
Contact Officer:	Kevin Bloomfield, HMO Unit Manager

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"/>

1.0	Purpose of Report or Summary of main Issues
1.1	The purpose of this report is to update Committee Members on the response from the Department for Communities (DfC) to the invitation to attend a meeting to discuss the Licensing Committee's ongoing frustrations at the ineffectiveness of the current HMO Act 2016 and around the proposed upcoming review of the legislation.
2.0	Recommendations
2.1	Committee is asked to note the response from DfC proposing to attend the May Committee meeting to provide feedback from their Review of HMOs.
2.2	In light of DfC's proposal to attend the May Licensing Committee, Members are asked to consider that the workshop that was proposed with DfC and other statutory agencies to discuss HMOs be deferred until after DfC have presented a HMO Review briefing to the Committee.

3.0	Main report
	<p data-bbox="260 232 432 264"><u>Key Issues</u></p> <p data-bbox="165 304 1471 412">3.1 The Council wrote to DfC requesting if the Minister could attend a meeting to discuss the Committees’ ongoing frustrations at the ineffectiveness of the current HMO Act 2016 and around the proposed upcoming review of the legislation.</p> <p data-bbox="165 452 1471 741">3.2 Members will recall that the Minister’s office responded in February and declined the Council’s invitation to attend a meeting with Members, however, it was indicated that a representative from DfC would facilitate a meeting. A subsequent invitation was sent to DfC requesting the attendance of a DfC representative at this evening’s Committee, however, DfC have advised that they have received 227 responses to the HMO Review and they will not be in a position to attend a meeting until they have analysed the responses received. DfC have further proposed that they could attend a meeting in May to provide a briefing on the findings of the HMO Review.</p> <p data-bbox="165 781 1471 1032">3.3 Given that DfC have declined to engage with the Committee until after they have conducted their review, the proposed workshop that was agreed to take place with DfC and other statutory partners may be best convened after DfC have had an opportunity to attend Committee. The outcome of the briefing by DfC on the HMO Review may provide a useful basis for informing a workshop with DfC and other statutory partners. Members are invited to consider this approach in light of the current position adopted of DfC to meet with the Committee.</p> <p data-bbox="260 1072 820 1104"><u>Financial and Resource Implications</u></p> <p data-bbox="165 1144 1259 1176">3.4 There are no financial and resource issues associated with this report.</p> <p data-bbox="260 1256 896 1288"><u>Equality and Good Relations Implications</u></p> <p data-bbox="165 1328 1302 1359">3.5 There are no equality or good relations issues associated with this report.</p>
4.0	Appendices
	Appendix 1: Response from DfC to invitation to attend Licensing Committee 21 st April 2021

By virtue of paragraph(s) 1, 3, 4 of Part 1 of Schedule 6
of the Local Government Act (Northern Ireland) 2014.

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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