

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



**Belfast
City Council**

10th February, 2022

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet remotely via Microsoft Teams on Wednesday, 16th February, 2022 at 5.00 p.m., for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

Ronan Cregan

Deputy Chief Executive

AGENDA:

1. Routine Matters

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

2. Delegated Matters

- (a) Applications approved under Delegated Authority (Pages 1 - 4)
- (b) Houses in Multiple Occupation (HMO) Licences issued under Delegated Authority (Pages 5 - 8)

3. Non-Delegated Matters

- (a) Review of Reduced Fees for Entertainments Licences (Pages 9 - 14)



Belfast
City Council

LICENSING COMMITTEE

Subject:	Applications approved under Delegated Authority
Date:	16th February, 2022
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	James Cunningham, Senior Licensing Officer, ext. 3375

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

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

☐

1.0	Purpose of Report/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	Recommendation
2.1	The Committee is requested to note the applications that have been approved under the Scheme of Delegation, as listed below.

3.0	Main Report																														
	<u>Key Issues</u>																														
3.1	<p>Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the following Entertainments Licences were issued since the last meeting:</p> <table><tr><th>Premises and Location</th><th>Type of Application</th><th>Applicant</th></tr><tr><td>QUB, Elms Student Centre, 78 Malone Road, Belfast, BT9 5BU</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr><tr><td>QUB, Elmwood Hall At Queens, 89 University Road, Belfast, BT7 1NF</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr><tr><td>QUB, Riddel Hall, 185 Stranmillis Road, BT9 5EE</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr><tr><td>QUB, Sonic Arts & Computer Science Research Centre, Ashby Complex, Cloreen Park, Belfast, BT9 5BX</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr><tr><td>QUB, South Dining Hall, University Road, Belfast, BT7 1NN</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr><tr><td>QUB, The Club House, Queen's Sport, Upper Malone Road, Belfast, BT9 5NB</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr><tr><td>QUB, The Harty Room, University Square, Belfast, BT7 1NN</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr><tr><td>QUB, The Great Hall, University Road, Belfast, BT7 1NN</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr><tr><td>The Speak-Easy, QUB Student Union Bar, 92-96 Lisburn Road, Belfast, BT9 6AG</td><td>Renewal</td><td>Mrs. Joanne Clague, QUB</td></tr></table>	Premises and Location	Type of Application	Applicant	QUB, Elms Student Centre, 78 Malone Road, Belfast, BT9 5BU	Renewal	Mrs. Joanne Clague, QUB	QUB, Elmwood Hall At Queens, 89 University Road, Belfast, BT7 1NF	Renewal	Mrs. Joanne Clague, QUB	QUB, Riddel Hall, 185 Stranmillis Road, BT9 5EE	Renewal	Mrs. Joanne Clague, QUB	QUB, Sonic Arts & Computer Science Research Centre, Ashby Complex, Cloreen Park, Belfast, BT9 5BX	Renewal	Mrs. Joanne Clague, QUB	QUB, South Dining Hall, University Road, Belfast, BT7 1NN	Renewal	Mrs. Joanne Clague, QUB	QUB, The Club House, Queen's Sport, Upper Malone Road, Belfast, BT9 5NB	Renewal	Mrs. Joanne Clague, QUB	QUB, The Harty Room, University Square, Belfast, BT7 1NN	Renewal	Mrs. Joanne Clague, QUB	QUB, The Great Hall, University Road, Belfast, BT7 1NN	Renewal	Mrs. Joanne Clague, QUB	The Speak-Easy, QUB Student Union Bar, 92-96 Lisburn Road, Belfast, BT9 6AG	Renewal	Mrs. Joanne Clague, QUB
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3.2	<p>Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, no Amusement Permits were issued since the last meeting.</p>																														
3.3	<p>Under the terms of the Cinemas (Northern Ireland) Order 1991, no Cinema Licences were issued since the last meeting.</p>																														
3.4	<p>Under the terms of the Petroleum Consolidation Act 1929, the following Petroleum Licence was issued since the last meeting:</p> <table><tr><th>Premises and Location</th><th>Type of Application</th><th>Applicant</th></tr><tr><td>Stewartstown Road Service Station, 232 Stewartstown Road, Belfast, BT17 0LB.</td><td>Renewal</td><td>Mr Declan Hoey, Beechvale NI Ltd</td></tr></table>	Premises and Location	Type of Application	Applicant	Stewartstown Road Service Station, 232 Stewartstown Road, Belfast, BT17 0LB.	Renewal	Mr Declan Hoey, Beechvale NI Ltd																								
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3.5	<p>Under the terms of the Street Trading Act (Northern Ireland) 2001, no Street Trading Licences were issued since the last meeting.</p>																														

3.6

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

Location	Type of Activity	Date and Hours permitted	Applicant
Springmartin Road	Family Christmas Event	11:00 – 21:00 05 December 21	Ellen Cahill
Cross Parade	Pop Up Coffee Morning/ Street Party	08:00 – 14:00 05 December 21	Martina Strawbridge Klapkova

3.7

Under the terms of the Licensing of Pavement Cafés Act (Northern Ireland) 2014, no Pavement Café Licences were issued since the last meeting.

Financial and Resource Implications

3.8

None

Equality or Good Relations Implications/Rural Needs Assessment

3.9

There are no issues associated with this report.

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Subject:	Houses in Multiple Occupation (HMO) Licences issued under Delegated Authority
Date:	16th February, 2022
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"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
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	Under the Scheme of Delegation, the Director of City and Neighbourhood Services 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	Recommendation
2.1	The Committee is requested to note the licences that have been issued under the Scheme of Delegation, as set out below.

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 January, 2022.

Premise Name	Licensee	Ward	HMO Policy Area or Development Node
214 Duncairn Gardens	Mrs. Christina Skentos	NEW LODGE	NEW LODGE
62 Palestine Street	Dr. Eoghan Fearon	CENTRAL	HOLYLAND HMO 2/22
49 Carmel Street	Mr. Thomas Smyth	CENTRAL	HOLYLAND HMO 2/22
123 Alexandra Park Avenue	Mr. Dale Irwin	DUNCAIRN	DUNCAIRN
106 Stranmillis Road	Dr. John Robert Young	STRANMILLIS	STRANMILLIS HMO 2/19
120 Stranmillis Road	Mr. Peter Clarke	STRANMILLIS	STRANMILLIS HMO 2/19
42 Grace Avenue	Mrs. Rachel Kennedy	BLOOMFIELD	N/A
47 Rushfield Avenue	Mr. Raymond Quinn	ORMEAU	BALLYNAFEIGH HMO 2/03
2 Wellesley Avenue	Mrs. Nicola Parker	WINDSOR	EGLANTINE HMO 2/09
26 Stranmillis Street	Ms. Angela Wai Kan Lee	STRANMILLIS	STRANMILLIS HMO 2/19
Flat 2, 6 Eglantine Avenue	Mr. James Harkness	WINDSOR	EGLANTINE HMO 2/09
9 Eglantine Avenue	Lancullen Ltd	WINDSOR	EGLANTINE HMO 2/09,
31 St Ives Gardens	Mrs. Jan Crawford	STRANMILLIS	SANDYMOUNT HMO 2/17
Apartment 2,27 Ashley Avenue	Mr. Kelvin Graham	WINDSOR	ULSTERVILLE HMO 2/21
21 Chadwick Street	Mrs. Agnes McDonnell	WINDSOR	MEADOWBANK HMO 2/15
24 Rathgar Street	Mr. Adrian Bradley	WINDSOR	ADELAIDE HMO 2/01
Flat 2, 20 Camden Street	Clon Estates Ltd	WINDSOR	FITZWILLIAM HMO 2/10
19 Edinburgh Street	Mr. Paul Murphy	WINDSOR	EDINBURGH ST HMO 2/08
9 Chadwick Street	Dr. Paul Reilly	WINDSOR	MEADOWBANK HMO 2/15
75 Ashley Avenue	Mr. Seamus Timothy Carson	WINDSOR	ULSTERVILLE HMO 2/21
32 Sandown Road	Mr. Matthew Gray	KNOCK	N/A
Flat 2, 19 Wellesley Avenue	Mr. Iain Mercer	WINDSOR	EGLANTINE HMO 2/09
Flat 1, 39 Tates Avenue	Mr. John McGladery	WINDSOR	EDINBURGH ST HMO 2/08

	68 Ulsterville Gardens	Mr. John O'Callaghan	WINDSOR	ULSTERVILLE HMO 2/21
	6 Stranmillis Gardens	Ms. Kim Harley	CENTRAL	STRANMILLIS HMO 2/19
	Apartment 2, 59 College Park Avenue	Mr. Patrick McCorley	CENTRAL	HOLYLAND HMO 2/22
	29 Delhi Street	Mr. Paul Bryson	ORMEAU	BALLYNAFEIGH HMO 2/03
3.2	<u>Financial and Resource Implications</u>			
	None			
3.3	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>			
	There are no issues associated with this report.			

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Subject:	Review of Reduced Fees for Entertainments Licences
Date:	16th February, 2022
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext: 2435
Contact Officers:	Stephen Hewitt, Building Control Manager, ext: 2435

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"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report/Summary of Main Issues
1.1	To seek agreement on a response to the Department for Communities (DfC) query regarding the continuation of a reduced fee of £1 for applications for the renewal of Entertainment Licences for the 2022/23 financial year.
2.0	Recommendation
2.1	<p>The Committee is asked to consider whether the reduced fee of £1 should continue to apply to applications for the renewal of Entertainment Licences for the 2022/23 financial year and determine whether:</p> <ol style="list-style-type: none"> 1. to extend this measure for the financial year 2022/23 or, 2. to revert to pre-April 2021 fee levels with effect from 6th April, 2022.

3.0	Background
3.1	In February 2021, DfC determined that a reduced fee of £1 would apply to applications for the renewal of all categories of entertainments licence, both indoor and outdoor, received on or after 6th April, 2021.
3.2	This reduction applies for the duration of the 2021/2022 financial year and was introduced to alleviate hardship being experienced by the hospitality industry because of Covid-19 restrictions.
3.3	Following the first lockdown in March 2020 and the significant impact that this had on the hospitality sector, several interim measures were agreed with the City Solicitor to assist licensees and primarily those with entertainment, cinema or street trading licences.
3.4	<p>These included:</p> <ul style="list-style-type: none"> • accepting confirmation of an intention to renew, to ensure subsistence of the licence, and agreeing the application and associated fee may be provided at a later date; • temporarily suspending the requirement to place a legal notice in the press; • not requesting certificates that would normally be submitted with a licence application until a later date; and • agreeing extended licence periods in recognition of lockdown restrictions.
3.5	These measures were in place for renewal applications between April, 2020 and June, 2021.
3.6	Since June last year, the Building Control Service has undertaken an extensive review of all entertainment licensing applications and has been in contact with licensees concerning the status of their licence. The Service has taken a flexible approach to assist them as equitably as possible, in a way that is seen to be supportive of business recovery and in a manner that will be legally defensible.
3.7	During that time, the Service has processed almost 300 entertainment licence renewals and has attempted, as far as possible, to enable the applicant to avail of the £1 renewal fee.
3.8	For any applications where objections have been received, these have not been renewed under these processes and will be subject to Committee consideration as normal.
4.0	Key Issues
4.1	<p>In a letter dated 19th January 2022, DfC has asked for the Council's view on the reduced fee of £1 for applications for the renewal of all categories of entertainments licences, which only applies to the 2021/2022 financial year, and whether:</p> <ul style="list-style-type: none"> • there is a need to extend this measure beyond this period or, • if the fees should revert to their pre-April 2021 levels with effect from April 2022.
4.2	The new Coronavirus restrictions which came into force on 26th December 2021, amongst other measures, required nightclubs to close and brought further operating restrictions in all other licensed premises. It is clear that the hospitality sector continues to be impacted by the pandemic and no doubt it would welcome any additional financial support that can be offered.

4.3	DfC has simply asked if there is a need to extend the measure beyond March, 2022. To ensure that all licensees can avail of any further reduced fee it is suggested that any extension should be for the entire 2022/23 financial year. It is also suggested that the extension should only be for that period and anything thereafter will be subject to further review by the Council.
4.4	DfC has asked that a response be made by 9th February 2022, but has subsequently confirmed that, should Committee approval be required, that this is not an absolute deadline.
4.5	The letter from the DfC is attached.
5.0	<u>Financial and Resource Implications</u>
5.1	Planned income for 2022/23 is based on our pre-Covid estimate for entertainments licensing income of £195,940.
5.2	Given the uncertainty around the sustainability of many hospitality venues due to the impact of Covid, it is very difficult to predict renewal fees income for 2022/2023.
5.3	However, if we make the assumption that all the applications we have received or are due to receive this year are renewed again next year and are subject to the £1 renewal fee it is estimated the Council will lose income in the region of £180,000.
5.4	The Council has secured funding from the Department for Communities to cover Covid recovery costs for 2022/23, which can be used to make up for any loss of income that extending the concessionary fee for a further year would create.
6.0	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
6.1	None.
7.0	Document Attached
	Letter from DfC

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Chief Executive of each District Council

Local Government & Housing
Regulation Division
Social Policy Unit
Level 10, Causeway Exchange
1-7 Bedford Street
Belfast BT2 7EG

Tel: (028) 90 823140

Email: social.policy@communities-ni.gov.uk

19 January 2022

Dear Chief Executive

REVIEW OF REDUCED FEES FOR ENTERTAINMENTS LICENCES

Under Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 any application to a district council for the grant, renewal, transfer or variation of an entertainments licence must be accompanied by such fee as the Department for Communities may from time to time determine.

You may recall that with effect from 6 April 2021 the Minister for Communities decided that the Department should amend the licensing fees structure to introduce a nominal fee of £1 for renewal applications only, for all categories of entertainments licence (Local Government Circular 4/2021 refers). This easement was introduced in order to alleviate hardship being experienced by the hospitality industry as a result of COVID-19 restrictions, the reduction to remain in place for the duration of the 2021/2022 financial year subject to review.

As we approach the end of the 2021/22 financial year I am writing to seek your Council's views and comments on whether:

- A. there is a need to extend this measure beyond this period or,
- B. the fees should revert to their pre April 2021 levels with effect from April 2022.

In addition, could I also ask that you complete the return at Annex 1 in relation to the numbers and types of entertainment licences issued by your council since 1 January 2021 to date.

I would be grateful for responses to social.policy@communities-ni.gov.uk by 9 February 2022.

Yours sincerely

Liam Quinn
Assistant Director of Local Government and Housing Regulation

District Council:

ENTERTAINMENTS LICENCES ISSUED SINCE 1 JANUARY 2021 TO DATE

Capacity	Occasional Licences			Full Licences			Other Categories			
	Fee £	No. Applications	Income £	Fee £	No. Applications	Income £	Category	Fee £	No. Applications	Income £
not more than 100 persons	50			100			Circuses	50		
101-200 persons	75			150			Occasional (church halls, schools, etc)	50		
201-300 persons	125			250			Snooker halls, gaming centres, etc.	100		
301-500 persons	200			400			Variation of Licence	80		
501-1,000 persons	375			750			Vol. organisations (indoor)	50		
Over 1,000 persons	500			1,000			Vol. Organisations (outdoor):- not more than 500 persons over 500 persons	125 250		
							Non-Vol. organisations (outdoor):- not more than 500 persons over 500 persons	1,000 2,000		
TOTALS										

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Signed: Date: