

Licensing Committee

Wednesday, 12th April, 2023

MEETING OF THE LICENSING COMMITTEE

HELD IN THE LAVERY ROOM AND
REMOTELY VIA MICROSOFT TEAMS

- Members present: Councillor Matt Collins (Chairperson);
The Deputy Lord Mayor (Councillor M. Kelly) and
Councillors Bradley, Bunting, Canavan, Gormley,
Hutchinson, T. Kelly, Magee, McAteer, McCann,
McKeown, Murray, Nelson and Smyth.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, Interim City Solicitor/Director of Legal and
Civic Services;
Mr. S. Hewitt, Building Control Manager;
Ms. L. Hillis, Principal Building Control Surveyor;
Mr. J. Cunningham, Senior Licensing Officer;
Mr. D. McCamphill, Lead Building Control Surveyor;
Ms. V. Donnelly, City Protection Manager;
Ms. C. Naylor, Assistant Manager NIHMO Unit; and
Mr. H. Downey, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported on behalf of Councillors Doran and Howard.

Minutes

The minutes of the meeting of 15th March were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 3rd April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor T. Kelly declared an interest in relation to agenda items 2b and 2c – Applications for a New Licence to Operate a House in Multiple Occupation – Flats 1 and 2, 6 Sandhurst Road, on the basis that she had been liaising with residents in that area and left the meeting for the duration of those items.

Delegated Matters

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

**Houses in Multiple Occupation Licences
Issued Under Delegated Authority**

The Committee noted a list of licences for Houses in Multiple Occupation which had, since its last meeting, been issued under the Council's Scheme of Delegation.

**Applications for a New Licence to Operate a House in
Multiple Occupation - Flats 1 and 2, 6 Sandhurst Road**

The Interim City Solicitor/Director of Legal and Civic Services informed the Members that a legal representative who had only recently been appointed to represent the owner of the properties had requested additional time to consider the Committee reports and take instruction from their client.

Accordingly, the Committee agreed to defer consideration of the applications until a future meeting.

Applications approved under Delegated Authority

The Committee noted a list of applications which had, since its last meeting, been approved under the Council's Scheme of Delegation.

**Review of Pavement Café Licence –
City Picnic, Fountain Street**

**Review of Pavement Café Licence –
Voodoo, Fountain Street**

(The Committee agreed to consider these two items simultaneously.)

(Mr. S. Dolan, Senior Development Manager, City Regeneration and Development Unit, attended in connection with these items.)

The Committee was reminded that, at its meetings on 16th November and 14th December, it had considered a request from DfI Roads Service for the removal or relocation of two Temporary Pavement Cafés situated in the middle of Fountain Street, close to its junction with Castle Street, being operated as part of the City Picnic and Voodoo businesses. The request had been made with the aim of facilitating the safe movement of vehicular traffic in the street, following its reopening after the Primark fire. The Committee had agreed to defer the request to enable further information to be obtained from the Department for Infrastructure on its plans for the development of the City centre, for Council officers to determine Translink's intentions for the area and for new applications to relocate to adjacent locations to be determined.

The Building Control Manager reported that a pavement café licence had since been granted under delegated authority to the owner of City Picnic for the remaining closed portion between the junction of Fountain Street and Castle Junction and to the owner of Voodoo for another location in Fountain Street, beside Norwich Union House. No objections had been received from DfI Roads or the Police Service of Northern Ireland or through the public notice process for either application and the licences had been issued.

He went on to point out that matters relating to transport planning and policy in the City were dealt with by the Council's City Regeneration Team, via the City Growth and Regeneration Committee. He explained that the Department for Infrastructure was currently developing the Belfast Metropolitan Transport Plan, in line with the Northern Ireland Executive's commitments under the Climate Action Plan. The initial stage would focus upon the City centre and strategic public transportation connections and involve a modelling exercise to identify options for shaping the Department's future plans for the City centre in terms of transportation requirements. It would, in due course, present its findings to the City Growth and Regeneration Committee.

He added that Translink was also due to attend a future meeting of the aforementioned Committee to outline its transportation plans for the City. However, this would also be dependent on the outworking's of the Transport Plan modelling exercise and subsequent recommendations. It would, he suggested, be beneficial for the Members of the Licensing Committee to attend the meeting of the City Growth and Regeneration Committee at which the Department for Infrastructure and Translink would be making their presentations.

The Building Control Manager concluded by recommending that the Committee consider the request from DfI Roads Service to revoke the Temporary Pavement Café Licences in Fountain Street which had been granted originally to City Picnic and Voodoo. Should the Committee accede to that request, the Council would be required to inform each licensee of the grounds for revoking their licence and provide them with at least twenty-one days from the date of notification in which to make representation. There was also scope within the legislation for the Council to revoke a licence without providing notification. The Committee could, based upon the representations made by DfI Roads Service, consider if it was in the public interest to do so without giving twenty-one days' notice.

It was reported that Mr. A. McAnerney, the owner of City Picnic, was again in attendance and the Committee agreed that it would be beneficial to seek his views on the Department's request to revoke his original pavement café licence and on his current location.

Mr. McAnerney stated that it was his understanding that Castle Street would re-open to through traffic in the medium term and that he had received no assurances to the contrary. He pointed out that City Picnic and Voodoo had worked together to create a unique pavement café offering at their original locations in Fountain Street and confirmed that, given the uncertainty around the future of Castle Street, he remained opposed to the revocation of that licence.

Mr. D. McFarlane, who was attending on behalf of the Department for Infrastructure, referred to a number of initiatives being undertaken currently to enhance the City centre, including A Bolder Vision, Belfast Streets Ahead and the 5Cs Public Realm Project. He referred also to the overriding Belfast Metropolitan Transportation Plan which, in order to achieve its objectives, could see a radical change in coming years to roads/streets in the City centre in order to make cycling, walking and public transport more accessible. He added that the plans for Castle Street and Castle Place were as yet unclear in the context of the overall Transportation Plan.

The Senior Development Manager reiterated the points which had been made by the Building Control Manager and Mr. McFarlane around the various initiatives being undertaken to enhance the City centre. He confirmed that Council officers would be meeting with their counterparts in other agencies as that work developed and that Members would be informed of any relevant presentations to be made by the Department for Infrastructure and Translink to the City Growth and Regeneration Committee.

In response to issues which had been raised by a number of Members around any measures which could be put in place to ensure the safety of pedestrians in Fountain Street, Mr. McFarlane confirmed this could only be achieved by closing it to all traffic, which would create significant difficulties for those trying to service local businesses. He added that the street had been designed to facilitate the circular movement of traffic, thereby eliminating the need to undertake turning manoeuvres and to be pedestrianised during those set times when deliveries were not being made.

The Chairperson thanked Mr. McAnerney and Mr. McFarlane for their contribution.

After discussion, the Committee agreed to again defer consideration of the request from the Department for Infrastructure to revoke the original Temporary Pavement Cafés for City Picnic and Voodoo to enable the incoming Committee to undertake a site visit to the Castle Street/Fountain Street area to familiarise itself with all of the relevant issues. It agreed also that the owners of those businesses and representatives of the Department for Infrastructure be invited to attend.

Non-Delegated Matters

Motion – Industry Led Initiatives to Tackle Sexual Harassment within our Night-time Economy

The Committee considered the following report:

“1.0 Purpose of Report/Summary of Main Issues

- 1.1 To provide the Committee with an update on a motion on industry led initiatives to tackle sexual harassment within our night-time economy.**

2.0 Recommendation

- 2.1 The Committee is requested to consider the representation from Hospitality Ulster and the information provided in this report and note the initiatives that are in place or being developed to help tackle sexual harassment within our night-time economy.**

3.0 Background

3.1 At the meeting on 12th December 2018, the Committee considered a motion which had been brought by former Councillor McReynolds to the Council meeting on 3rd December. The Committee agreed to amend the wording to read as follows:

3.2 ***This Council is concerned at the number of people in Belfast that feel they have been the victim of sexual harassment. Accordingly, the Council will undertake to meet with our universities, hospitality sector and the PSNI to explore any industry led initiatives that we can support, to tackle sexual harassment within our night-time economy, keeping in mind that this is a global societal issue that needs tackled.***

3.3 After discussion, it was agreed that the Building Control Manager would undertake research and would bring a report back to the Committee and invite Hospitality Ulster and any other organisations who may have an interest in an industry led initiative to deter sexual harassment to the meeting.

**Summary Position following the
December 2018 Committee Meeting**

3.4 Due to resource constraints in the Service, work on this did not commence until January 2020. Meetings were then held with Councillor McReynolds, QUB and Hospitality Ulster to explore what initiatives were in progress.

3.5 With the onset of the pandemic and hospitality venues closed, no further progress was possible in 2020. Thereafter, whilst hospitality was no longer under the same restrictions because of covid the cost-of-living crisis was, and still is, having a significant impact on the sector and this led to further delays in progressing the motion.

3.6 More recently, meetings have taken place with Hospitality Ulster, QUB and the PSNI to explore initiatives aimed at creating a safer and more inclusive night-time economy and these are outlined below.

4.0 Key Issues

Police Service of Northern Ireland Initiatives

4.1 The PSNI has joined with licensed venues and security staff across Northern Ireland to help keep people safe while enjoying a night out.

- 4.2 The safety initiative 'Ask for Angela' was launched in Northern Ireland in December 2022 and, since then, local bars, clubs and other licensed venues have been encouraged to sign up to the scheme.
- 4.3 Anyone who is feeling unsafe, vulnerable or threatened can discreetly seek help by approaching venue staff and asking them for 'Angela'. This codephrase will indicate to staff they require help, and a trained member of staff will then look to support and assist them. This might be through reuniting them with a friend, seeing them to a taxi, or by calling venue security and/or Police.
- 4.4 Venues that support 'Ask for Angela' have been given access to a training package, giving their staff the ability to help customers who may be in a situation that makes them feel vulnerable or unsafe.
- 4.5 The training explores what vulnerability is, how to identify it and appropriate interventions to take. A range of online assets and further information is available from <https://www.psni.police.uk/AskForAngela>.
- 4.6 A toolkit has been developed, with key messages and graphics, to promote the scheme to local venues and the wider public on social media and beyond has been circulated.
- 4.7 A representative of the PSNI will be attending the Committee meeting to provide further details of its work in this area.

Hospitality Ulster Initiatives

- 4.8 Hospitality Ulster (HU) and the PSNI worked jointly to launch the 'Ask for Angela' initiative in N. Ireland and are working with TEO on a task force tackling sexual violence against women.
- 4.9 Ask for Angela is a support mechanism aimed at informing and educating hospitality industry staff about customer welfare and vulnerability. Through a code phrase that can be used by customers to discreetly seek help, 'Ask for Angela' reassures customers that support is available. The code phrase is pointless without proper and straightforward training for staff and HU have provided guidance on this to their members.
- 4.10 HU has a variety of Safer Socialising Resources to assist their members including the planned Women's Night Safety Charter, Spiking Guidance and guidance on preventing sexual harassment which all links to the N. Ireland Ask for Angela initiative.

- 4.11 It also provides the secretariat for the Independent Panel that oversees the Joint Industry Code for the Responsible Retailing of Alcohol which, if sold irresponsibly, can lead to antisocial behaviour including sexual harassment.

Women's Night Safe Charter

- 4.12 As part of its safer socialising initiative, Hospitality Ulster is planning to rollout the Women's Night Safety Charter, which is identical to the London Mayor's charter, and invites key stakeholder organisations and hospitality businesses to sign up to the charter and related actions. HU has just begun inviting key stakeholder organisations to sign the charter.
- 4.13 For the hospitality industry, the charter will be supported by Listen, Learn, Lead training provided by the charity White Ribbon.
- 4.14 White Ribbon NI was launched in Northern Ireland in November 2021. Through awareness raising and education, White Ribbon NI seeks to end violence against women in all its forms. White Ribbon believes that giving everyone the information they need to challenge the ideas and attitudes which have perpetuated violence against women and girls is a step we can all take towards being part of the solution.
- 4.15 As part of this initiative, HU plans to establish a steering group with senior management representation from key stakeholder organisations including TEO, PSNI, Local Authorities, Translink, TNI, etc. The steering group would meet two or three times a year to review the effectiveness of current initiatives, review emerging issues and if needed develop new initiatives to address Women's Safety at night. But to avoid duplication, HU are also exploring if there is an existing group that could fulfil this role.
- 4.16 Colin Neill, Chief Executive, Hospitality Ulster will be available to provide Members with further background information on the industry led initiatives aimed at tackling sexual harassment within our night-time economy.

TEO Initiatives

- 4.17 The Northern Ireland Executive has directed that a Strategy to End Violence Against Women and Girls be developed and the Executive Office is leading this work across departments.
- 4.18 A programme of engagement and research is underway to inform the co-design process, with the aim of having a draft framework for the Ending Violence Against Women and Girls Strategy ready for consultation in early 2023.
- 4.19 The Strategy to End Violence Against Women and Girls; the Equally Safe Strategy will identify actions to tackle all kinds of offences, ranging from micro-aggressions and misogyny, through to violent and abusive behaviour directed at women and girls precisely because they are women and girls. This includes crimes and unwanted behaviour in the physical and online world.

Summary of Initiatives by QUB

- 4.20 QUB has a zero-tolerance policy and any form of sexual misconduct is regarded as completely unacceptable and taken very seriously by the University. A variety of guidance and support options are available to students.
- 4.21 QUB representative Brian Horgan (Head of Campus Food and Drink; Student Plus Directorate) and QUB colleagues have provided an overview of the strategies implemented by the institution. Key aspects include:
- The University Conduct Regulations are published on student guidance services and clearly define to students what behaviours are deemed inappropriate and what will be considered as sexual misconduct;
 - Report and Support – mechanisms have been established for students to report matters of concern, such matters inclusive of sexual harassment. Additionally, the Student Wellbeing Service is positioned to provide a wide range of support services to students; and
 - Importantly, the University recognise many of their students work in bars & nightclubs; they are seeking to inform such individuals on matters related to Zero tolerance and therefore deliver change beyond their own premises.

5.0 Financial and Resource Implications

5.1 None.

6.0 Equality or Good Relations Implications/Rural Needs Assessment

6.1 None.”

The Committee was informed that Mr. C. Neill and Detective Superintendent L. Fisher, representing Hospitality Ulster and the Police Service of Northern Ireland respectively, were in attendance to provide further information on the initiatives referred to within the report and they were welcomed by the Chairperson.

Mr. Neill explained that Hospitality Ulster was a not-for profit organisation which had, since 1872, focused on providing vital representation and dedicated industry support for its members' businesses. The organisation was administered by a voluntary board of local hospitality business owners, representing the various business types within the industry and from across Northern Ireland. Industry support was provided in areas such as health and safety, health and welfare, training and development, employment resources, business resources, licensing and trends and data.

He went on to state that Hospitality Ulster was working in partnership with key stakeholders, including the Police Service of Northern Ireland, the Executive Office, the White Ribbon charity and local councils to ensure safer socialising in public space and hospitality venues. He highlighted, in particular, the innovative 'Ask for Angela' initiative, which provided a mechanism for anyone feeling unsafe, vulnerable or threatened to discreetly seek help by approaching staff. Guidance was also provided on dealing with drugs and sharps on premises, drink spiking and identifying risks. In addition, key stakeholder organisations and hospitality businesses would be invited to sign up to a Women's Night Safety Charter, which was currently being developed, and to related actions.

In response to issues which had been raised by Members around safety on late night public transport, Detective Superintendent Fisher pointed out that the Police Service of Northern Ireland recognised that engagement with organisations/agencies such as Translink, through its Safer Transport Team, was necessary. The Police Service was in early discussions with Translink to identify how initiatives such as 'Ask for Angela' would work on its networks and training requirements.

The Chairperson thanked Mr. Neill and Detective Superintendent Fisher for their contribution, following which the Committee noted the information which had been provided.

Chairperson