

Licensing Committee

Wednesday, 21st June, 2023

MEETING OF THE LICENSING COMMITTEE

HELD IN THE LAVERY ROOM AND
REMOTELY VIA MICROSOFT TEAMS

- Members present: Councillor McKeown (Chairperson)
Aldermen Rodgers, McCoubrey and McCullough;
Councillors Anglin, Bradley, Collins, P. Donnelly, Doran,
D. Douglas, Gormley, Murray, F. McAteer, McCabe,
McCann, McCusker, McMullan and Ó Néill.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, Interim City Solicitor/Director of Legal and
Civic Services;
Mr. K. Bloomfield, HMO Unit Manager;
Mr. J. Cunningham, Senior Licensing Officer; and
Ms. E. McGoldrick, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillors Lyons and Smyth.

Minutes

The minutes of the meeting of 12th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 2nd May, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor McCabe declared an interest in item 2.f) in that she was employed by Féile an Phobail, and left the meeting whilst the item was being considered.

Meeting Times

At the request of the Chairperson, the Committee agreed that further meetings of the Committee commence at 5.15 p.m. instead of 5.00 p.m.

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.

**Application for a New Licence to operate
a House of Multiple Occupation for Flat 1,
6 Sandhurst Road, Belfast, BT7 1PW &
Application for a New Licence to operate
a House of Multiple Occupation for Flat 2,
6 Sandhurst Road, Belfast, BT7 1PW**

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

The HMO Unit Manager outlined the reports to consider applications for two Licences permitting the use of premises as a House in Multiple Occupation (HMO) at Flat 1 and Flat 2, 6 Sandhurst Road, Belfast, BT7 1PW.

He reminded the Committee that, at its meeting in April 2023, it had acceded to a request from the applicant's legal representative to defer consideration of this applications until a future meeting to provide them with additional time to consider the Committee report and take instruction from their client. Officers subsequently applied to the county court to allow the Council additional time to consider the application which the court granted until 10th July, 2023.

He advised that suitability of living accommodation for multiple occupation, in determining whether living accommodation was suitable for occupation as an HMO, the Council must have regard amongst other things to:

- (a) the accommodation's location;
- (b) the type and number of persons likely to occupy it;
- (c) the safety and security of persons likely to occupy it; and
- (d) the possibility of undue public nuisance.

He highlighted the Notice of Proposed Decision stated that the Council proposed to refuse the licence on the basis that it was not satisfied the living accommodation was suitable for use as an HMO pursuant to section 8(2)(e) and section 13 of the 2016 Act and a statement of reasons for the proposal was included in the Notice of Proposed Decision.

He advised that the accommodation of the two flats was in HMO Policy Area HMO 2/22 Botanic, Holylands, Botanic. The properties were situated in a primarily residential area, however, the adjacent property at "Lilac House" 4 Sandhurst Road was

the independent living and advice centre of the charity Autonomie, which worked with young people (16-30 years) with a physical and/or mild to moderate learning disabilities. He stated that Autonomie also offered vital practical and emotional support to families raising a child or young person with disabilities. He advised that Fitzroy Court was located at the junction of Fitzroy Avenue and Sandhurst Road, which was a block of 25 retirement flats operated by Choice Housing. The boundary of Fitzroy Court was approximately 20m diagonally opposite 6 Sandhurst Road.

The HMO Unit Manager advised that Officers had consulted with the Police Service for Northern Ireland ("PSNI") and had received information regarding the calls they had received to the accommodation, including the number and types of incidents.

He advised that, on 21st June, the Council had received further information from the applicant's solicitor which included:

- A letter of support from the Probation Board Northern Ireland for the renewal of Licence at Queen's Quarter Hostel IV Unit, to allow for their continued service delivery;
- Service User rules for Queen's Quarter Housing;
- Licence agreements to occupy temporary accommodation for Queen's Quarter Housing; and
- Queens Quarter Housing Warnings and Exclusion Policy and Referral Procedure.

He raised concerns in relation to the new information which had been received and stated that there was no reference in the fire risk assessment submitted with this application (dated 12th October, 2022) to individuals with arson convictions being housed in the accommodation.

He advised that the Council was required to have regard to the safety and security of persons likely to occupy it, and the applicant had already disclosed that there had been incidents of violence at the accommodation.

The HMO Unit were not aware of there being an IV Unit at 6 Sandhurst Road. If such a unit was in-situ, this would be a material as part of the fire risk assessment and was not mentioned in the FRA submitted on 12th October, 2022 with the applications.

The Committee received a representation from Sgt. K. Morton and PC. D. Watson, representing the PSNI. They drew Members attention to the incident log which provided detail of reported incidents linked to the properties. They described the community impact of the accommodation being used as a HMO, together with the pressure on Policing to safeguard the area.

During discussion, one Member highlighted the critical need for Hostel accommodation and that Queen's Quarter Housing had a long track record of providing this accommodation on behalf of the NIHE.

The Committee received a representation from Ms. L. Morrison, Chief Executive, Autonomie, objecting to the application. She advised that Autonomie was located at 4 Sandhurst Road from 2014 and was a charity which provided support for complex

needs persons, who were a very vulnerable group. She summarised her objections to the application and suggested that both staff and clients had been regularly verbally abused whilst entering the building by those standing outside 6 Sandhurst Road and drug deals had also been witnessed outside the property. She advised that they had to adapt to the situation by installing CCTV and staff now did not want to work alone, due to the fear of leaving the building. She also highlighted the need to safeguard the clients and parents of Autonomie.

During Members' questions, Ms. Morrison explained further the impact of the Hostel's residents on the staff and clients of Autonomie.

The Committee received a representation from Ms. L. Smyth, and Mr. P. MacDermott representing the applicant. Ms Smyth advised that the accommodation provided a service on behalf of the NIHE and was funded by the Department for Communities. She stated that Queen's Quarter Housing had provided services for over 20 years and managed at least six properties within the Holylands area and had worked well with the Council too.

She suggested that this was the first time some of the issues had been raised with Queen's Quarter Housing and it would have been helpful if direct engagement could have happened to address the issues.

She suggested that the people that were being housed in the HMO accommodation were extremely vulnerable and required assistance. She questioned where Hostel residents should be housed and suggested that any concerns for this application could be managed via conditions and enforcement action, and it would be premature to refuse the application.

She suggested that some important aspects of the Committee Reports had not been brought to the Committee's attention and outlined the referral policy and the agreements that were put in place with residents of the HMO, before being housed in the accommodation.

She also suggested that the majority of the objections were on behalf of Autonomie.

During Members' questions, she suggested that the Committee should not conflate wider issues of anti-social behaviour of the area to just the application properties and reiterated that safeguards could be put in place.

In response to this, Ms. Morrison suggested that Autonomie had a log of incidents linked to 6 Sandhurst Road, together with CCTV and reported evidence and highlighted the need to protect the young clients of Autonomie.

During discussion, Ms. Smyth confirmed the property would not be used as an IV Unit but would provide a safe space for residents to dispose of used needles.

During further discussion, a Member highlighted the vulnerability of those who might reside in the accommodation and those potentially affected by the HMO due to

their proximity to the accommodation and highlighted the need to investigate the strategic context of the issues which had been raised, including what housing model worked best for vulnerable adults, where do initiatives such as the Supporting People programme and the Complex Lives project fit in, current supply and demand of hostel accommodation and the spread of hostel accommodation across the city.

Proposal

Moved by Councillor Gormley,
Seconded by Alderman McCoubrey and,

Resolved - The Committee agrees to defer consideration of the applications to enable officers to explore the strategic context of the issues which had been raised in relation to this application and the wider Hostel accommodation in Belfast, and to present this information at a future meeting.

Accordingly, the Committee agreed to defer consideration of the two applications for new Licences to operate a House of Multiple Occupation for Flat 1 and Flat 2, 6 Sandhurst Road, Belfast, BT7 1PW, to enable officers to explore the strategic context of the issues which had been raised in relation to this application and the wider Hostel accommodation in Belfast, and to present this information at a future meeting.

Due to the legislation requirement to determine HMO applications within three months, and in light of the new evidence which had been received from the applicant, the Committee also agreed that the City Solicitor would seek authority from the Court to extend further the period to determine the applications and noted that consent from the applicant had been received to do so.

The Committee also noted that a Special Meeting of the Committee might be required to consider the applications, subject to Court approval and timeframes.

Licences Issued 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.

Application for the Grant of a 7-Day Annual Outdoor Entertainments Licence for the AC Hotel by Marriott Belfast

The Director of Planning and Building Control outlined the application to provide musical entertainment in the form of live music, within an outdoor area at the Hotel's main building. She advised that the Hotel had an existing Indoor Entertainments Licence.

She advised that the days and hours during which entertainment may be provided under the terms of the Indoor Entertainments Licence were:

- Monday to Saturday 11.30am to 01.00am, and
- Sunday 12.30pm to 01.00am.

The applicant had proposed to provide entertainment within the new outdoor area to 11.00pm. The day and hours proposed were:

- Monday to Sunday: 12:00 pm to 11.00pm

The Director confirmed that no written representation had been received in relation to the application and that the Northern Ireland Fire and Rescue Service and the Police Service of Northern Ireland had not objected.

The Committee approved the application for the grant of the 7-Day Annual Outdoor Entertainments Licence - Monday to Sunday: 12:00 pm to 11.00pm.

Application to provide outdoor musical entertainment beyond 11.00 pm at Falls Park

The Director of Planning and Building Control provided an overview of the following report:

“1.0 Purpose of Report or Summary of main Issues

- 1.1 To consider a request from the organisers of Féile an Phobail to hold a festival event within Falls Park, running from Saturday 5 August to Sunday 13 August 2022, and to permit the entertainment planned to run beyond 11.00 pm on up to 6 occasions.**

2.0 Recommendations

- 2.1 Taking into account the information presented and any representations received you are required to consider the request to extend the hours of entertainment and, subject to all technical requirements being met, either:**

- 1. Agree if any or all 6 of the events should be permitted to take place beyond the standard hours of licence to 1.00 am; or**
- 2. Refuse to extend any or all of the hours as requested.**

3.0 Main report

Key Issues

- 3.1 Members are advised that a 7-Day Annual Outdoor Entertainments Licence and a 7-Day Annual Indoor Licence for a Marquee has been granted for Falls Park and both have been used to hold events in the past, primarily for this event. The Licences are held by the City and Neighbourhood**

Services Department and are transferred to the organisers for the duration of their event.

- 3.2 The days and hours during which entertainment may be provided both outdoors and, in a marquee, are Monday to Sunday from 11.30 am to 11.00 pm.
- 3.3 In addition, the following Special Conditions are attached to both the Marquee and Outdoor Entertainments Licences:
- Maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual concert set up proposals.
 - Prior to any event taking place the promoters are required to demonstrate evidence of early consultation and have in place a robust system of dealing with any complaints, which has been agreed in advance with the Council.
 - Any requests to provide entertainment later than 11.00 pm must be considered by the Licensing Committee and therefore must be made at least 3 months in advance of the proposed event.
 - Should an application to provide entertainment beyond 11.00 pm be granted and the Council then receive a significant number of complaints regarding noise or the complaint is of such significant impact, authority is granted to the Director of Planning and Building Control, in consultation with the City Solicitor, to reduce the finishing time for any subsequent nights of the event, in which case the promoter will be required to make contingency arrangements.
- 3.4 The programme of events at the festival continues to be developed. At this time, the organisers have indicated that events are scheduled for 5th, 8th 10th, 11th and 13th August. Additionally, while final confirmation of an act is pending, the organisers have indicated that their request to operate beyond 11.00pm include Saturday 12th August.
- 3.5 The Strategic Policy and Resources Committee, at their meeting on 21st April 2023, considered applications associated with the Summer Community diversionary festivals programme. The report was inclusive of Féile an Phobail and approval for funding was granted.
- 3.6 It is a Standard Condition of the Outdoor Entertainments Licence that all requests to operate beyond the permitted hours of entertainment must be considered by the Licensing Committee.

- 3.7 As this is not an application to vary the terms of the Outdoor licence, but a request for Council's permission to extend the hours under an existing Licence Condition, there is no requirement for public advertisement in this case.
- 3.8 Members are reminded that in 2022 you agreed to grant the organisers permission to operate on all 4 nights of the event beyond the standard hours of 11.00 pm to 1.00 am.
- 3.9 Members will be aware that in previous years the Committee has granted extensions beyond the standard hours of 11.00 pm for other events and festivals in the City.

Rationale for additional hours

- 3.10 The event has been running for over 30 years as a community festival. The event has grown over the years from being held for 2-3 days to a full 10-to-11-day festival offering a mix of arts and cultural events including music concerts, comedy, tours and walks, debates and discussions, exhibitions / visual arts, theatre, youth and community and sporting events. This year's festival will run from Thursday 3rd August to Sunday 13th August.
- 3.11 In former years the event organisers consolidated the entertainment events at Falls Park to 3 or 4 nights. This decision was motivated by a desire to limit disruption to the community in close proximity to Falls Park.
- 3.12 Previously, operating beyond the permitted hours to 1.00am was part of the organisers strategy to mitigate against antisocial behaviour in the greater Belfast area.
- 3.13 A representative of the event organiser has been invited to attend your meeting.
- 3.14 A Location Map is attached as Appendix 1.

PSNI

- 3.15 The PSNI have been contacted by the Service in relation to the event. At the time of writing of this report the Service have not received a response to this request, we will update Committee at your meeting.

- 3.16 Should Members be minded to recommend approval of the extended hours sought this should be subject to a satisfactory response from the PSNI on the matter.

Health, safety and welfare issues

- 3.17 Officers have engaged with the organisers and Officers of the Parks Service in relation to the festival. Officers will participate in the multi-agency meeting held in advance of the event with the event organisers.
- 3.18 The event organisers have confirmed the Event Management Plan in support of the event has been developed. Once this document has been received it will be evaluated by the Service and shared with officers of other council Services.
- 3.19 Officers from the Service have carried out during performance inspections at previous events organised by Féile an Phobail and found that the organisers have adhered to the health, safety and welfare management requirements during that time.

Noise issues

- 3.20 The event organiser has engaged with an independent acoustic consultant to develop a noise mitigation strategy. Once received by the Service this strategy will be provided to Environmental Protection Unit (EPU) for appraisal.
- 3.21 A significant consideration for EPU will be the proposal to provide outdoor entertainment after 11.00pm. Members are reminded that the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 gives councils additional powers in relation to entertainment noise after 11.00 pm.
- 3.22 The EPU received a total of 58 noise complaints regarding the festival in 2022. A total of 36 noise complaints were solely attributed to the diversionary event on Monday 8th August 2022. Complaints related to the volume of music and the finishing time of the dance event on this evening.
- 3.23 Complaints received were brought to the attention of the event organisers and following conclusion of the festival a detailed summary of all noise complaints provided for their consideration. No formal action was undertaken by EPU in respect of the noise complaints received.

- 3.24 For this year's festival, there is the potential for 4 consecutive nights of music proposed to run to beyond 11.00pm. The cumulative impact of disturbance from musical entertainment and congregation of large numbers of patrons attending the park has the potential to give rise to community annoyance.
- 3.25 The organisers have identified that they anticipate entertainment will go to 1.00am on one occasion only, the diversionary event on 8th August 2023. On previous years remaining nights of entertainment have finished prior to 1.00am.
- 3.26 The event organisers will again be required to engage with an acoustic consultant and requested to document a noise mitigation strategy for each night of entertainment. The purpose of the strategy will be to demonstrate that noise from the event will not cause unreasonable disturbance to commercial and residential premises. The event organisers will be reminded of the standard licence condition that receipt of significant complaints may lead to further late nights being curtailed.
- 3.27 The organisers will also be required to produce a suitable residents pre-notification letter containing a nominated event organiser contact that that residents may refer concerns or make complaints to. The extent of the letter's distribution, which will take place prior to the event will be agreed with the event organiser by the Service in consultation with EPU officers.

Financial and Resource Implications

- 3.28 Officers will carry out inspections at the events which will be catered for within existing Service budgets.

**Equality and Good Relations Implications/
Rural Needs Assessment**

- 3.29 There are no issues associated with this report."

The Committee agreed to the request from Féile an Phobail to hold a festival event within Falls Park, running from Saturday, 5th August to Sunday 13th August 2022, and to permit the entertainment on six of the events to take place beyond the standard PSNI hours of licence to 1.00 am, subject to a satisfactory consultation response from PSNI.

Objections received outside the 28-day statutory period to an application for the Grant of a 7-Day Annual Outdoor Entertainments Licence

The Director of Planning and Building Control advised the Committee that a late objection had been received in relation to the application for the grant of a 7-Day Annual Outdoor Entertainments Licence for Topsy Bird (attached as [Appendix 3](#)).

She confirmed that, following the objection, both parties had agreed to communicate to try and resolve the issues, however, a resolution had not been agreed.

The Committee approved the consideration of the objection against the application which had been received outside the 28-day statutory period and to give the objector and the applicant an opportunity of appearing before the Committee at a subsequent meeting.

Consideration of objections to an application for the Renewal of an Entertainments Licence for Shaftesbury Bowling and Recreation Centre

The Director of Planning and Building Control provided an overview of the following report:

“1.0 Purpose of Report or Summary of Main Issues

1.1 To consider an application for the Renewal of a 6-Day Annual Indoor Entertainments Licence for the Shaftesbury Bowling and Recreation Centre based on the Council’s standard conditions to provide music, singing, dancing or any other entertainment of a like kind.

1.2

<u>Premises and Location</u>	<u>Ref. No.</u>	<u>Applicant</u>
Shaftesbury Bowling and Recreation Centre, 20A Annadale Avenue, Belfast, BT7 3JJ	WK/202201640	Mr Fred Simpson, 79 Cedar Grove, Holywood, BT18 9QB.

1.3 A location map of the premises is attached as Appendix 1.

1.4 The application for renewal of the licence was received on 22 December 2022. In advance of the application being received, representations to the renewal of the licence were received from 2 objectors.

1.5 Further communication was then received from the objectors within the 28-day period confirming they still wished to object to the application.

2.0 Recommendations

2.1 Considering the information presented and representations received in respect of the application you are required to make a decision to either:

- 1. Approve the application for the Renewal of the 6-Day Annual Entertainments Licence, or**
- 2. Approve the application for the Renewal of the 6-Day Annual Entertainments Licence with special conditions, or**
- 3. Refuse the application for the Renewal of the 6-Day Annual Entertainments Licence.**

2.2 If the 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.

2.3 If the application is refused and an appeal is lodged entertainment may not be provided during the appeal period.

3.0 Main report

Key Issues

3.1 Two objections have been received from residents living near the Club. The nature of their objections relates to the following:

- Ongoing loud music every Tuesday evening.**

3.2 Copies of these objections are attached as Appendix 2.

Liaison meetings

3.3 Following receipt of the objections the Service facilitated a liaison meeting between all parties involved to discuss residents' issues and attempt to resolve them.

3.4 Both objectors, Members of the Club Committee and an Officer from the Service met at the Club to discuss resident's concerns on 11 November 2022.

3.5 Following discussions, the Club Committee advised they implemented arrangements in relation to noise as requested by residents. However, the residents advise they still wish to pursue their objections.

- 3.6 As required by the Committee Protocol the applicant and each of the objectors were requested to provide their representation in advance of the meeting for consideration.

Objectors Representation

- 3.7 The objectors Representation Forms are attached as Appendix 3 and they have been provided to the applicant, as required by the protocol. In general, the representations relate to concerns as follows:

- Ongoing loud music every Tuesday evening.

- 3.8 The residents have been invited to attend your meeting to discuss any matters relating to their objections should they arise.

Applicants Representation

- 3.9 The applicant has provided their Representation Form, as required by the Protocol, and a copy of his response is attached as Appendix 4. The applicant has highlighted the measures which have been undertaken to try and address residents' concerns.

- 3.10 The applicants Representation Form has also been provided to the objectors, as required by the protocol.

- 3.11 A summary of the applicant's representation is as follows:

- The Club advised they would monitor noise levels & ask those who use the hall to turn down bass where appropriate.
- They will continue to monitor noise & are happy to meet again.
- Purchased and placed mats below speakers to lessen the vibrations.
- Sealed any unnecessary openings around the club premises.
- Provided complainants with a mobile number they could call if noise was unacceptable.
- Ensured that any of the organisations using the hall in the evening kept the hall's double doors closed when music was being played.
- Offered to have a sound engineer go to the complainants' premises to assess the level of noise & produce a report

Counter representations

- 3.12 In response to the Representation Form submitted by the applicant, the objector has advised the music is persistently loud on Tuesday evenings which affects their family's health, well-being and overall quality of life and believe the Club are not taking their concerns seriously.
- 3.13 A copy of this email is included as Appendix 5.
- 3.14 Further to providing the applicant with a copy of the objectors' Representation Forms the applicant has advised they do not have anything additional to add to their earlier submission.
- 3.15 The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the application.

Details of the Premises

- 3.16 The area the applicant wishes to be licensed to provide entertainment is the:
- Main Hall which will have a maximum capacity of 200 persons
- 3.17 The days and hours during which the applicant wishes to provide entertainment are:
- Monday to Saturday: 11.30 am to 11.00 pm

PSNI

- 3.18 The PSNI have been consulted in relation to the application and confirmed that they have no objection to it.

NIFRS

- 3.19 The Northern Ireland Fire Rescue Service has also been consulted in relation to the application and have advised they have no objection to it.

Health, safety and enforcement inspections

- 3.20 The premises have been inspected and all works to ensure patron safety in the premises have been completed to the satisfaction of the Service.

- 3.21 The Service became aware of residents' concerns with the premises in March 2022 when complaints were made through the Council's Noise Hotline Service of loud music from the Club.

Noise Complaints for year 2022

- 3.22 Eleven noise complaints were received by the Night Time Noise Team (NTNT) between March 2022 and October 2022.
- 3.23 On four occasions, Officers of the Noise Team witnessed excessive noise levels that warranted action in the form of a verbal warning.
- 3.24 On 11th March 2022 Night Time Noise Team (NTNT) witnessed audible music with a bass element emanating from the bowling club. They advised the level of noise would likely cause sleep disturbance to nearby properties and asked for music to be turned down and any open doors or windows to be closed.
- 3.25 On 23rd April 2022 Night Time Noise Team (NTNT) issued a verbal warning after witnessing loud bass beat music that could be heard over a wide area and would cause a general disturbance to nearby properties.
- 3.26 On 10th June 2022 and on 30th August 2022 NTNT issued verbal warnings as noise levels were again too loud.
- 3.27 The applicant has been informed on all occasions when the Service have been notified of a noise complaint. The applicant has also been advised that in situations of ongoing noise disturbance that it may be necessary to engage with an Acoustic Consultant who can advise on appropriate mitigations to limit noise breakout.

Noise Complaints for year 2023

- 3.28 The objector has identified that ongoing noise disturbance from the venue continues to be experienced. Particular reference had been made to dance classes held in the venue on Tuesday evenings. Building Control have reminded the objectors of the need to contact NTNT when disturbed by noise. No noise complaints have been received by Building Control from NTNT in 2023.
- 3.29 Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives council's additional powers in relation to the control of entertainment noise after 11.00 pm.

Financial and Resource Implications

- 3.30 Officers carry out monitoring inspections on premises receiving complaints, but this is catered for within existing budgets.**

**Equality or Good Relations Implications/
Rural Needs Assessment**

- 3.31 There are no issues associated with this report.”**

The Committee received a representation from the Objector, in objection to the application. The Objector summarised their objections to the application in relation to the loud music which their household experienced every Tuesday evening, dating back to January 2022. The Objector confirmed that there was no longer an issue with noise levels from the Bowling and Recreation centre at any other time. The Objector advised that multiple formal and informal complaints had been made, however, the Club had not rectified the issue and it continued to be a problem. The Objector suggested that it was having an impact on their family's quality of life and well-being.

The Objector highlighted that the allegation of one of the Objector's swearing at the Club Treasurer during a telephone call was untrue and the phone call had not taken place. The Objector suggested that an incident had also occurred with many cars flashing lights and beeping horns outside of their home as a result of the noise complaints which had been made. The Objector also stated that video evidence had been sent to the Council to show that the loud music was being experienced.

Council officers advised that the new video evidence would need to be reviewed.

Accordingly, the Committee agreed to defer consideration of the application to enable further consideration by Council officers of the new evidence which had been raised by the Objector and to allow the Council to support further mediation between the Applicant and Objector.

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

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

The Committee was reminded that, at its meetings in November 2022, December 2022 and April 2023, it had considered the review of the two aforementioned Temporary Pavement Café Licences in Fountain Street.

It was reported that DfI-Roads had notified the Council that, in their view, the Temporary Pavement Cafés needed to be removed or relocated to facilitate the safe movement of traffic in Fountain Street following its reopening to vehicular traffic.

The Committee was also reminded that, at its meeting in April 2023, the Committee had again agreed to defer consideration of the request from the Department for Infrastructure to revoke the original Temporary Pavement Café Licences for Voodoo and City Picnic.

The Senior Licensing Officer provided a presentation of the background and current Pavement Café arrangements at Castle Street/Fountain Street

After discussion, the Committee agreed to again defer consideration of the request from the Department for Infrastructure to revoke the original Temporary Pavement Café for Voodoo and City Picnic to enable the 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 owner of the businesses and representatives of the Department for Infrastructure be invited to attend.

Chairperson