

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



**Belfast
City Council**

14th November, 2024

MEETING OF THE LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall, and via Microsoft Teams, on Wednesday, 20th November, 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
- (d) Schedule of Meetings 2025 (Pages 1 - 2)

2. **Delegated Matters**

- (a) Licences Issued Under Delegated Authority (Pages 3 - 8)
- (b) Houses in Multiple Occupation (HMO) Licences Issued Under Delegated Authority (Pages 9 - 14)
- (c) Application for a New Licence to operate a House of Multiple Occupation for 10 Sandymount Street (Pages 15 - 38)

- (d) Application for a New Licence to operate a House of Multiple Occupation for 8 Artana Street (Pages 39 - 58)
- (e) Application for a New Licence to operate a House of Multiple Occupation for 15 Agincourt Street (*Report to follow*)



Subject:	Schedule of Meetings 2025
Date:	20th November, 2024
Reporting Officer:	Louise McLornan, Committee Services Officer
Contact Officer:	Louise McLornan, Committee Services Officer

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 checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
	To advise the Committee of the dates and times of the meetings of the Licensing Committee between January and December, 2025.
2.0	Recommendations
	The Committee is requested to approve the schedule of meetings for the Licensing Committee as outlined.
3.0	Main report
3.1	<u>Key Issues</u> The monthly meeting of the Licensing Committee is normally held at 5.15 pm on the 3rd Wednesday of each month, taking into account bank and public holidays.

<p>3.2</p>	<p>Accordingly, the following dates have been identified for meetings of the Licensing Committee for the period from January to December, 2025.</p> <p>Wednesday, 22nd January Wednesday, 19th February Wednesday, 19th March Wednesday, 16th April Wednesday, 21st May Wednesday, 18th June Wednesday, 20th August Wednesday, 17th September Wednesday, 15th October Wednesday, 19th November Wednesday, 10th December</p> <p>(All meetings will commence at 5.15 pm)</p>
<p>3.3</p>	<p><u>Financial and Resource Implications</u></p> <p>None associated with this report.</p>
<p>3.4</p>	<p><u>Equality or Good Relations Implications</u></p> <p>None associated with this report.</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p> <p>None associated with this report.</p>



Subject:	Licences Issued Under Delegated Authority
Date:	20 November 2024
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext. 2435
Contact Officer:	Laura Hillis, Principal Building Control Surveyor, Ext. 2469

Restricted Reports					
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
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 <input style="width: 30px; height: 20px;" type="text"/>					
<ol style="list-style-type: none"> 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	<table border="1" style="width: 30px; height: 80px; border-collapse: collapse;"> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> </table>				

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

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	<table border="1"> <thead> <tr> <th>Premises and Location</th> <th>Type of Application</th> <th>Applicant</th> </tr> </thead> <tbody> <tr> <td>Allen Memorial Hall, 102-104 Cregagh Road, Belfast, BT6</td> <td>Renewal</td> <td>Mr Jim McCurry</td> </tr> <tr> <td>Andersonstown Social Club, 8e South Link, Belfast, BT11 8GX.</td> <td>Renewal</td> <td>Mr Gerard Hawkins</td> </tr> <tr> <td>Bank Square, Bank Street, Belfast, BT1 1HL.</td> <td>Renewal (Marquee)</td> <td>Mr Gary Hammond, Department for Communities</td> </tr> <tr> <td>Bank Square, Bank Street, Belfast, BT1 1HL.</td> <td>Renewal (Outdoor)</td> <td>Mr Gary Hammond, Department for Communities</td> </tr> <tr> <td>Belfast Harlequins, 45A Deramore Park, Belfast, BT9 5JX.</td> <td>Renewal (Marquee)</td> <td>Mr Peter Kelly</td> </tr> <tr> <td>Belfast Harlequins, 45A Deramore Park, Belfast, BT9 5JX.</td> <td>Renewal</td> <td>Mr Peter Kelly</td> </tr> <tr> <td>Belvoir Activity Centre, 100 Belvoir Drive, Belfast, BT8 7DT.</td> <td>Renewal</td> <td>Ms Laura McCartney, Greenwich Leisure Ltd</td> </tr> <tr> <td>Belvoir Park Golf Club, 73-75 Church Road, Belfast, BT8 7AN.</td> <td>Renewal</td> <td>Mr Gerard Wilson</td> </tr> <tr> <td>Ben Madigan's Bar & Kitchen, 169-175 Cavehill Road, Belfast, BT15 5BP.</td> <td>Renewal</td> <td>Mr Kelvin Collins, Ben Madigan's Bar & Kitchen Ltd</td> </tr> <tr> <td>Carlisle Memorial Church, 8 Carlisle Circus, Belfast, BT14 6AT.</td> <td>Renewal</td> <td>Mr Shane Quinn, Belfast Buildings Trust</td> </tr> <tr> <td>Casement Social Club, St. Agnes Hall, 146A Andersonstown Road, Belfast, BT11 9BY.</td> <td>Grant</td> <td>Ms Maria Toner</td> </tr> </tbody> </table>	Premises and Location	Type of Application	Applicant	Allen Memorial Hall, 102-104 Cregagh Road, Belfast, BT6	Renewal	Mr Jim McCurry	Andersonstown Social Club, 8e South Link, Belfast, BT11 8GX.	Renewal	Mr Gerard Hawkins	Bank Square, Bank Street, Belfast, BT1 1HL.	Renewal (Marquee)	Mr Gary Hammond, Department for Communities	Bank Square, Bank Street, Belfast, BT1 1HL.	Renewal (Outdoor)	Mr Gary Hammond, Department for Communities	Belfast Harlequins, 45A Deramore Park, Belfast, BT9 5JX.	Renewal (Marquee)	Mr Peter Kelly	Belfast Harlequins, 45A Deramore Park, Belfast, BT9 5JX.	Renewal	Mr Peter Kelly	Belvoir Activity Centre, 100 Belvoir Drive, Belfast, BT8 7DT.	Renewal	Ms Laura McCartney, Greenwich Leisure Ltd	Belvoir Park Golf Club, 73-75 Church Road, Belfast, BT8 7AN.	Renewal	Mr Gerard Wilson	Ben Madigan's Bar & Kitchen, 169-175 Cavehill Road, Belfast, BT15 5BP.	Renewal	Mr Kelvin Collins, Ben Madigan's Bar & Kitchen Ltd	Carlisle Memorial Church, 8 Carlisle Circus, Belfast, BT14 6AT.	Renewal	Mr Shane Quinn, Belfast Buildings Trust	Casement Social Club, St. Agnes Hall, 146A Andersonstown Road, Belfast, BT11 9BY.	Grant	Ms Maria Toner
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Cassidys Bar, 347-349 Antrim Road, Belfast, BT15 2HF.	Renewal	Mr Eugene Cassidy, Cassidy's Inn Ltd
Cooke Centenary Church Hall, 9-11 Park Road, Belfast, BT7 2FW.	Renewal	Mr Roger MacNeill
Crescent Arts Centre, 2-4 University Road, Belfast, BT7	Renewal	Ms Sophie Hayles
Custom House Square, Custom House Square, BT1 3ET.	Renewal (Marquee)	Mr Gary Hammond, Department for Communities
Custom House Square, Custom House Square, BT1 3ET.	Renewal (Outdoor)	Mr Gary Hammond, Department for Communities
Donegall Quay, Lagan Lookout & Lagan Weir, Donegall Quay, Belfast, BT1 1AA.	Renewal (Outdoor)	Mr Gary Hammond, Department for Communities
Duncairn Culture & Arts Centre, Duncairn Complex, Duncairn Avenue, Belfast, BT14 6BP.	Renewal	Mr David Gargan, 174 Trust
Falls Leisure Centre, 15-17 Falls Road, Belfast, BT12 4PB.	Renewal	Mr Sean Cleary, Greenwich Leisure Ltd
Gallaher's Bar, Cityside Retail Park, 100-150 York Street, Belfast, BT15 1WA.	Renewal	Mr Samuel Stranaghan, GILTA Ltd
Gort Na Mona GAC, Upper Springfield Road, Belfast, BT12	Renewal	Mr John Kelly
Horatio Todd's, 406a Upper Newtownards Road, Belfast, BT4 3EZ	Renewal	Mr Stephen Magorrian, Wandsworth Pubs Ltd
Linfield Supporters Club, Crimea Street, Belfast, BT13 1LT.	Renewal	Mr Charles Butler
Newforge Sports Complex, 18c Newforge Lane, Belfast, BT9	Grant	Mr Alistair McGowan, Newforge Community Development Trust
QUB, Elmwood Hall at Queens, 89 University Road, Belfast, BT7 1NF.	Renewal	Mr Alistair Finlay, Queens University Belfast
QUB, Sir William Whitla Hall, University Road, Belfast, BT9 6RT.	Renewal	Dr Ryan Feeney, Queens University Belfast
QUB, South Dining Hall, University Road, Belfast, BT7 1NN.	Renewal	Dr Ryan Feeney, Queens University Belfast
QUB, The Great Hall, University Road, Belfast, BT7 1NN.	Renewal	Dr Ryan Feeney, Queens University Belfast
Revolucion de Cuba, 25-39 Arthur Street, Belfast, BT1 4GA.	Renewal	Mr Daniel McGee
Royal Bar, 33-35 Donegall Road, Belfast, Co. Antrim, BT12 5JJ.	Renewal	Mr Ronald Brown

Premises and Location	Type of Application	Applicant
Royal British Legion, 13 Sandbrook Gardens, Belfast, BT4 1	Renewal	Mr Alexander Scott
Shamrock Sports & Social Club, 5A Flax Street, Belfast, BT14 7EJ.	Renewal	Mr Paul Carson
St Johns Church Halls, 141 Malone Road, Belfast, BT9 6SX.	Renewal	Ms Catherine Turner
Stormont Hotel, 587 Upper Newtownards Road, Belfast, BT4 3LP.	Renewal	Mr Peter Gibson, HHG No6 Ltd
Stranmillis College Scholars Bar, Refectory Building, Stranmillis Road, Belfast, BT9 5DY.	Renewal	Mr Gerard Lamb, Stranmillis University College
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
The SSE Arena, 2 Queens Quay, Belfast, BT3 9QQ.	Renewal	Mr Robert Fitzpatrick, OML Belfast Ltd
Titanic Distillers at Thompson Dock, Unit 5, 2 Queens Road, Belfast, BT3 9DT.	Grant	Mr Stephen Symington, Titanic Distillers Ltd
Ulster Reform Club, 4 Royal Avenue, Belfast, BT1 1DA.	Renewal	Mr Matthew Laird
Ulster University, Blocks BC&BD, York Street, Belfast, BT15 1ED.	Renewal	Ms Cathy Gormley-Heenan, Ulster University
Whiterock Leisure Centre, Whiterock Close, Belfast, BT12 7RG.	Renewal	Ms Leona Chorazyova, Greenwich Leisure Ltd
Writer's Square, Donegall Street, Belfast, BT1 1ZZ.	Renewal (Marquee)	Mr Gary Hammond, Department for Communities
Writer's Square, Donegall Street, Belfast, BT1 1ZZ.	Renewal (Outdoor)	Mr Gary Hammond, Department for Communities

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
QUB, Centre For Drama & Film Studies, 20 University Square, Belfast, BT7 1PA.	Renewal	Dr Ryan Feeney, Queens University Belfast

3.4 Under the terms of the Petroleum Consolidation Act 1929 no Petroleum Licences were issued since your last meeting.

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
Dunmurry, Poleglass, Twinbrook	Mobile	Cold Beverages, Ice cream, Confectionary	Mon – Fri 15:00 – 19:30	Mr Terence Campbell
Dargan Crescent, 50ft from the junction with Dargan Road, Belfast.	Variation to change designated site	Hot & Cold Beverages and Food	Mon – Sat 07:00 – 15:30	Mr Brian Moran
Duncrue Crescent 50ft from junction with Duncrue Road, Belfast, BT3 9BW.	Stationary	Hot & Cold Beverages and Food	Mon – Fri 07:00 – 17:00	Mr Alfred Kemp
Donegall Street opposite Kremlin nightclub.	Stationary	Hot & Cold Beverages and Food	Sun – Sat: 21:00 – 04:00	Mr Finlay McCallum
Writer's Square, Belfast.	Stationary	Hot & Cold Beverages and Food	Sun – Sat: 09:00 - 21:00	Mr Ian Brown, The Good Food Shak
Writer's Square, Belfast.	Stationary	Hot & Cold Beverages and Food	Sun – Sat: 11:00 - 21:00	Ms Svetlana Mineva
Castle Place opposite Donegall Arcade, Belfast.	Stationary	Cold Food	Sun: 13:00 – 18:00 Mon – Sat: 11:00 – 21:30	Mr Craig Manders

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

Location	Type of Activity	Date and Hours permitted	Applicant
Ballynahatty Road, Edenderry Road, New Forge Lane, Clement Wilson Park, Lock Keepers Lane	Run Forest Run 5K & 10K Race	Sat 2 November 2024 11:00 – 12noon	Mrs Jane Rowe
Donegall Square North, Donegall Place, Castle Lane, Callender Street, Castle Place, Royal Avenue, High Street, Wellington Place, Donegall Square West, Arthur Street	Civic event Christmas Lights Switch-on	03:00 Sat 16 November to 05:00 Sun 17 November 2024	Mr Kevin Grant
East Bridge Street, May Street, Verner Street, Oxford Street, Ann Street, Queen's Bridge, Donegall Quay, High Street, Victoria Street, Corporation Street, Dunbar Link, Nelson Street, Great Patrick Street, York Street, Frederick Street, Donegall Street, Academy Street, Curtis Street, Exchange Street, Waring Street, Library Street, Kent Street, North Street, Royal Avenue, Castle Place, Donegall Place, Talbot Street, Carrick Hill, Millfield, College Avenue, Fisherwick Place, Brunswick Street, Bedford Street, James Street South, Linenhall Street, Adelaide Street, Alfred Street,	Belfast City 5K Fun Run	Sun 17 November 2024 04:00 – 11:00	Ms Eimear Degan

Joy Street, Montgomery Street, Upper Arthur Street, Seymour Street, Gloucester Street, Upper Queen Street, Wellington Street, Donegall Square East, Donegall Square West, Chichester Street			
Upper Crescent, Crescent Gardens	Filming	Fri 22 November 2024 09:00 – 19:30	Mr Alastair Agnew
Ormeau Embankment	Seeley Cup 2024 Road Race	Sat 30 November 2024 14:00 – 16:00	Willowfield Harriers

3.7 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 and Location	Type of Application	Applicant
Jamaica Blue, 22-24 Corn Market, Belfast, BT1 4DD.	Grant	Mr Peter Spence, Jamaica Blue Ltd

3.8 **Financial & Resource Implications**
None

3.9 **Equality or Good Relations Implications/Rural Needs Assessment**
There are no issues associated with this report.



Subject:	Houses in Multiple Occupation (HMO) Licences Issued Under Delegated Authority
Date:	20 November 2024
Reporting Officer:	Kevin Bloomfield, NIHMO Manager
Contact Officers:	Kevin Bloomfield, NIHMO Manager Helen Morrissey, City Protection 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 during August, September and October 2024.

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3.1	<p data-bbox="236 226 392 255"><u>Key Issues</u></p> <p data-bbox="236 293 1474 356">Under the terms of the Houses in Multiple Occupation Act (Northern Ireland) 2016 the following HMO Licences were issued during August, September and October 2024.</p> <table border="1" data-bbox="236 389 1386 1957"> <thead> <tr> <th data-bbox="236 389 512 483">Premise Name</th> <th data-bbox="512 389 799 483">Licensee</th> <th data-bbox="799 389 1082 483">Ward</th> <th data-bbox="1082 389 1386 483">Housing Management Areas (HMAs)</th> </tr> </thead> <tbody> <tr><td>Flat 1, 136 Fitzroy Avenue</td><td>Mr Dairmid Laird</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Flat 2, 205 Albertbridge Road</td><td>Mr Sebastian Rogala</td><td>BEERSBRIDGE</td><td>NONE</td></tr> <tr><td>Flat 1, 88 Fitzroy Avenue</td><td>Mr Eugene McCann</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>300 Beersbridge Road</td><td>Mr Adam Kennedy</td><td>BEERSBRIDGE</td><td>NONE</td></tr> <tr><td>28 St Albans Gardens</td><td>Mr Thomas McLaughlin</td><td>STRANMILLIS</td><td>SANDYMOUNT HMA 2/17</td></tr> <tr><td>Flat 3, 88 Fitzroy Avenue</td><td>Mr Eugene McCann</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Apartment 3, 108 Fitzroy Avenue</td><td>Mr Joseph Mallon</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Flat 2, 88 Fitzroy Avenue</td><td>Mr Eugene McCann</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>20 Palestine Street</td><td>Mr Sean Mageean</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>56 Rugby Avenue</td><td>Mr Francis McElvanna</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>8 Agincourt Street</td><td>Ms Celine Rogers</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>66 Palestine Street</td><td>Mr Anthony Murphy</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Apartment 4, 108 Fitzroy Avenue</td><td>Mr Joseph Mallon</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Apartment 1, 108 Fitzroy Avenue</td><td>Mr Joseph Mallon</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Apartment 2, 108 Fitzroy Avenue</td><td>Mr Joseph Mallon</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Flat 1, 132 Fitzroy Avenue</td><td>Mr Dairmid Laird</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Flat 2, 136 Fitzroy Avenue</td><td>Mr Dairmid Laird</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Flat 3, 136 Fitzroy Avenue</td><td>Mr Dairmid Laird</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>Flat 2 118 University Street</td><td>Mr Dairmid Laird</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>18 Florenceville Avenue</td><td>Mr Patrick MacFarlane</td><td>ROSETTA</td><td>NONE</td></tr> <tr><td>85 Upper Newtownards Road</td><td>Mr Michael Taylor</td><td>KNOCK</td><td>NONE</td></tr> <tr><td>30 Malone Avenue</td><td>Mr Charlie Kealey</td><td>WINDSOR</td><td>EGLANTINE HMA 2/09</td></tr> <tr><td>113 Dunluce Avenue</td><td>Mr Eamon Toye</td><td>WINDSOR</td><td>ULSTERVILLE HMA 2/21</td></tr> <tr><td>76 Agincourt Avenue</td><td>Mr Patrick Cavanagh</td><td>CENTRAL</td><td>HOLYLAND HMA 2/22</td></tr> <tr><td>48 Nansen Street</td><td>Mr Ryan O'Gara</td><td>FALLS</td><td>NONE</td></tr> </tbody> </table>			Premise Name	Licensee	Ward	Housing Management Areas (HMAs)	Flat 1, 136 Fitzroy Avenue	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22	Flat 2, 205 Albertbridge Road	Mr Sebastian Rogala	BEERSBRIDGE	NONE	Flat 1, 88 Fitzroy Avenue	Mr Eugene McCann	CENTRAL	HOLYLAND HMA 2/22	300 Beersbridge Road	Mr Adam Kennedy	BEERSBRIDGE	NONE	28 St Albans Gardens	Mr Thomas McLaughlin	STRANMILLIS	SANDYMOUNT HMA 2/17	Flat 3, 88 Fitzroy Avenue	Mr Eugene McCann	CENTRAL	HOLYLAND HMA 2/22	Apartment 3, 108 Fitzroy Avenue	Mr Joseph Mallon	CENTRAL	HOLYLAND HMA 2/22	Flat 2, 88 Fitzroy Avenue	Mr Eugene McCann	CENTRAL	HOLYLAND HMA 2/22	20 Palestine Street	Mr Sean Mageean	CENTRAL	HOLYLAND HMA 2/22	56 Rugby Avenue	Mr Francis McElvanna	CENTRAL	HOLYLAND HMA 2/22	8 Agincourt Street	Ms Celine Rogers	CENTRAL	HOLYLAND HMA 2/22	66 Palestine Street	Mr Anthony Murphy	CENTRAL	HOLYLAND HMA 2/22	Apartment 4, 108 Fitzroy Avenue	Mr Joseph Mallon	CENTRAL	HOLYLAND HMA 2/22	Apartment 1, 108 Fitzroy Avenue	Mr Joseph Mallon	CENTRAL	HOLYLAND HMA 2/22	Apartment 2, 108 Fitzroy Avenue	Mr Joseph Mallon	CENTRAL	HOLYLAND HMA 2/22	Flat 1, 132 Fitzroy Avenue	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22	Flat 2, 136 Fitzroy Avenue	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22	Flat 3, 136 Fitzroy Avenue	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22	Flat 2 118 University Street	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22	18 Florenceville Avenue	Mr Patrick MacFarlane	ROSETTA	NONE	85 Upper Newtownards Road	Mr Michael Taylor	KNOCK	NONE	30 Malone Avenue	Mr Charlie Kealey	WINDSOR	EGLANTINE HMA 2/09	113 Dunluce Avenue	Mr Eamon Toye	WINDSOR	ULSTERVILLE HMA 2/21	76 Agincourt Avenue	Mr Patrick Cavanagh	CENTRAL	HOLYLAND HMA 2/22	48 Nansen Street	Mr Ryan O'Gara	FALLS	NONE
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Apartment 2, 108 Fitzroy Avenue	Mr Joseph Mallon	CENTRAL	HOLYLAND HMA 2/22																																																																																																								
Flat 1, 132 Fitzroy Avenue	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22																																																																																																								
Flat 2, 136 Fitzroy Avenue	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22																																																																																																								
Flat 3, 136 Fitzroy Avenue	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22																																																																																																								
Flat 2 118 University Street	Mr Dairmid Laird	CENTRAL	HOLYLAND HMA 2/22																																																																																																								
18 Florenceville Avenue	Mr Patrick MacFarlane	ROSETTA	NONE																																																																																																								
85 Upper Newtownards Road	Mr Michael Taylor	KNOCK	NONE																																																																																																								
30 Malone Avenue	Mr Charlie Kealey	WINDSOR	EGLANTINE HMA 2/09																																																																																																								
113 Dunluce Avenue	Mr Eamon Toye	WINDSOR	ULSTERVILLE HMA 2/21																																																																																																								
76 Agincourt Avenue	Mr Patrick Cavanagh	CENTRAL	HOLYLAND HMA 2/22																																																																																																								
48 Nansen Street	Mr Ryan O'Gara	FALLS	NONE																																																																																																								

9 South Parade	Mrs Fiona Boyle	ORMEAU	SOUTH PARADE HMA 2/18
Apartment 3, 68 University Avenue	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMA 2/22
Apartment 2, 68 University Avenue	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMA 2/22
15 Stranmillis Gardens	Mr David Cartmill	CENTRAL	STRANMILLIS HMA 2/19
1 Hatfield Street	Mr Seamus Leonard	CENTRAL	LOWER ORMEAU HMA 2/13
Apartment 1, 68 University Avenue	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMA 2/22
1b St Ives Gardens	Mr Tim Duffy	STRANMILLIS	SANDYMOUNT HMA 2/17
133 University Avenue	Annahaia Properties Limited	CENTRAL	HOLYLAND HMA 2/22
98 Melrose Street	Annahaia Properties Limited	WINDSOR	EDINBURGH ST HMA 2/08
69 Ulsterville Gardens	Mr Liam McQuillan	WINDSOR	ULSTERVILLE HMA 2/21
35 Crocus Street	Annahaia Properties Limited	CLOARD	NONE
8 Pretoria Street	Mr Lai Wo Poon	CENTRAL	STRANMILLIS HMA 2/19
39 Sandymount Street	Mrs Margaret Morgan	STRANMILLIS	SANDYMOUNT HMA 2/17
Flat 2 17 India Street	Mr Norman Henderson	CENTRAL	HOLYLAND HMA 2/22
55 Palestine Street	Mr Cathal McCormack	CENTRAL	HOLYLAND HMA 2/22
22 Stranmillis Gardens	Mr Lai Wo Poon	CENTRAL	STRANMILLIS HMA 2/19
17 Ulsterville Gardens	Mr John Convery	WINDSOR	ULSTERVILLE HMA 2/21
11 Sandymount Street	Mr John Lambon	STRANMILLIS	SANDYMOUNT HMA 2/17
Flat 1, 100 Stranmillis Road	WIREFOX STRANMILLIS LIMITED	STRANMILLIS	STRANMILLIS HMA 2/19
Flat 3, 100 Stranmillis Road	WIREFOX STRANMILLIS LIMITED	STRANMILLIS	STRANMILLIS HMA 2/19
Flat 2, 100 Stranmillis Road	WIREFOX STRANMILLIS LIMITED	STRANMILLIS	STRANMILLIS HMA 2/19
17 Violet Street	Mr Ryan Feeney	CLOARD	NONE
1a St Ives Gardens	Mr Tim Duffy	STRANMILLIS	SANDYMOUNT HMA 2/17
29 Elaine Street	John Smyth's Estates Limited	CENTRAL	STRANMILLIS HMA 2/19
35 Sandhurst Drive	Mr Emmett Gartland	STRANMILLIS	STRANMILLIS HMA 2/19
61 Surrey Street	Mr John Donnelly	WINDSOR	MEADOWBANK HMA 2/15
14 Carmel Street	Mrs Anne Kerr	CENTRAL	HOLYLAND HMA 2/22
161 Dunluce Avenue	Ms Marianne Mc Kay	WINDSOR	ULSTERVILLE HMA 2/21

Apartment 42, St Georges Harbour, 51 East Bridge Street	Mr Fergal McIntyre	CENTRAL	NONE
422 Falls Road	Mr Kevin O'Hare	BEECHMOUNT	NONE
5 Penrose Street	Mr Aidan Black	CENTRAL	HOLYLAND HMA 2/22
Flat 2, 2 Wellington Park Avenue	Mr Bernard Fitzpatrick	WINDSOR	EGLANTINE HMA 2/09
6 St Ives Gardens	Mr Harry McGrath	STRANMILLIS	SANDYMOUNT HMA 2/17
187 to 189 Antrim Road	TK PROPERTIES (2018) LTD	NEW LODGE	NONE
12 The Cloisters	Mrs Christine McGuigan	CENTRAL	HOLYLAND HMA 2/22
125 Agincourt Avenue	Ms Anne Finegan	CENTRAL	HOLYLAND HMA 2/22
35 Rugby Avenue	Mr Sean McCallion	CENTRAL	HOLYLAND HMA 2/22
Flat 3, (C), 16a Wellesley Avenue	Mr Andrew Mateer	WINDSOR	EGLANTINE HMO 2/09
Flat 1 (a), 16a Wellesley Avenue	Mr Andrew Mateer	WINDSOR	EGLANTINE HMO 2/09
34 Damascus Street	Mr Paddy Cavanagh	CENTRAL	HOLYLAND HMO 2/22
6 Penrose Street	Mr Paddy Cavanagh	CENTRAL	HOLYLAND HMO 2/22
10 Pakenham Mews	Mrs Maria McAllister	CENTRAL	NONE
45 Windsor Road	Dr Cecilia Smyth	WINDSOR	MEADOWBANK HMO 2/15
22 Elaine Street	Mr Nial Jordan	CENTRAL	STRANMILLIS HMO 2/19
227 Albertbridge Road	Gracehill Property Investments Limited	BEERSBRIDGE	NONE
27 Tates Avenue	Bramley Apple Bakery Ltd	WINDSOR	EDINBURGH ST HMO 2/08
Flat 2, 15 India Street	Mrs Mary Cameron	CENTRAL	HOLYLAND HMO 2/22
26 Magdala Street	Mr Stephen Cassidy	CENTRAL	HOLYLAND HMO 2/22
36 Palestine Street	Mr Peter Bohill	CENTRAL	HOLYLAND HMO 2/22
50 Stranmillis Road	Mr Matt (Mathias) Maguire	CENTRAL	STRANMILLIS HMO 2/19
Flat 2, 5 Eglantine Gardens	University Area Properties Ltd	WINDSOR	EGLANTINE HMO 2/09
Flat 1, 5 Eglantine Gardens Belfast Antrim BT9 6EZ	University Area Properties Ltd	WINDSOR	EGLANTINE HMO 2/09
Flat 3, 5 Eglantine Gardens Belfast Antrim BT9 6EZ	University Area Properties Ltd	WINDSOR	EGLANTINE HMO 2/09
17 Rushfield Avenue	Ardmore Rentals Ltd	ORMEAU	BALLYNAFEIGH HMO 2/03
15 Chadwick Street	Mr David Buckingham	WINDSOR	MEADOWBANK HMO 2/15
30 Windsor Drive	Quilly Estates Ltd	WINDSOR	MEADOWBANK HMO 2/15
2a Florenceville Avenue	Ardmore Rentals Ltd	ROSETTA	NONE
44 St Ives Gardens	Mr Gareth McKeown	STRANMILLIS	SANDYMOUNT HMA 2/17

69 Great Northern Street	Mr Patrick Kelly	WINDSOR	MEADOWBANK HMO 2/15
17 Ardmore Avenue	Ardmore Rentals Ltd	ROSETTA	NONE
55 Agincourt Avenue	CCGG LTD	CENTRAL	HOLYLAND HMO 2/22
64 The Boulevard	Mrs Caitriona Lavery	ROSETTA	NONE
Flat 2, 132 Fitzroy Avenue	Mr Dairmid Laird	CENTRAL	HOLYLAND HMO 2/22
45 Mount Prospect Park	Mr Kelvin Graham	WINDSOR	ULSTERVILLE HMO 2/21
Flat 1, 165 University Street	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMO 2/22
14 Magdala Street	Mr Michael Bogan	CENTRAL	HOLYLAND HMO 2/22
Flat 4, 88 Fitzroy Avenue	Mr Eugene McCann	CENTRAL	HOLYLAND HMO 2/22
45 Palestine Street	Mr Séamas McAleenan	CENTRAL	HOLYLAND HMO 2/22
Flat 3, 29 Eglantine Avenue	Mr Tim Duffy	WINDSOR	EGLANTINE HMO 2/09
29 Eglantine Avenue	Mr Tim Duffy	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 29 Eglantine Avenue	Mr Tim Duffy	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 120 University Street	Mr Dairmid Laird	CENTRAL	HOLYLAND HMO 2/22
56 Delhi Street	Mr Noel Devine	ORMEAU	BALLYNAFEIGH HMO 2/03
2 Belgravia Avenue	Mr Robert Morton	WINDSOR	ULSTERVILLE HMO 2/21
65 Palestine Street	Mr Shane McCoy	CENTRAL	HOLYLAND HMO 2/22
15 Agincourt Avenue	DERRYLODGE PROPERTY MANAGEMENT LTD	CENTRAL	HOLYLAND HMO 2/22
50 Jerusalem Street	Mr Seamus Leonard	CENTRAL	HOLYLAND HMO 2/22
53 Rutland Street	Mrs Sarah Gibson	CENTRAL	LOWER ORMEAU HMO 2/13
Flat 5, 3 Windsor Avenue North	Mr Michael Holmes	WINDSOR	WINDSOR
5 Edinburgh Mews	Mrs Lorraine Grimley	WINDSOR	WINDSOR
Flat 2, 3 Windsor Avenue	Mr Michael Holmes	WINDSOR	WINDSOR
97 Dunluce Avenue	Mrs Ho Yee Angela Stewart	WINDSOR	ULSTERVILLE HMO 2/21
Flat 2, 12 Lawrence Street	Mrs Jackie Magee	CENTRAL	HOLYLAND HMO 2/22
125 My Ladys Road	Mr Michael Gannon	WOODSTOCK	WOODSTOCK
Flat 1 118 Malone Avenue	Mr Alistair Steele	WINDSOR	EGLANTINE HMO 2/09
Flat 3 11 India Street	Croob Properties Ltd	CENTRAL	HOLYLAND HMO 2/22
Flat 2 11 India Street	Croob Properties Ltd	CENTRAL	HOLYLAND HMO 2/22
17 Mowhan Street	Mr Cathal Sinnott	MALONE	MALONE
29 Cairo Street	Mr Peter Bohill	CENTRAL	HOLYLAND HMO 2/22
30 Eia Street	Mr Brendan Nugent	WATER WORKS	CLIFTONVILLE HMO 2/06

23 Sandymount Street	Mr Simon Montgomery	STRANMILLIS	SANDYMOUNT HMO 2/17
Flat 2, 109 Fitzroy Avenue Belfast Antrim BT7 1HU	POSITIVE PROPERTIES (NI) LTD	CENTRAL	HOLYLAND HMO 2/22
26 Castlereagh Place	Mr Michael Gannon	BEERSBRIDGE	BEERSBRIDGE
53 Ulsterville Avenue	Mrs Rosemary Edgar	WINDSOR	ULSTERVILLE HMO 2/21
Flat 4, (D) , 16a Wellesley Avenue	Mr Andrew Mateer	WINDSOR	EGLANTINE HMO 2/09
Flat 2(b), 16a Wellesley Avenue	Mr Andrew Mateer	WINDSOR	EGLANTINE HMO 2/09
1 Rugby Parade	Mr Mark Cassidy	CENTRAL	HOLYLAND HMO 2/22
49a Rugby Avenue	Miss Catherine Macaulay	CENTRAL	HOLYLAND HMO 2/22
4 Woodcot Avenue	CENTREPOINT PROPERTY SOLUTIONS LTD	BLOOMFIELD	NONE
55 Rugby Avenue	Mr Rory Donnelly	CENTRAL	HOLYLAND HMO 2/22
17 Jocelyn Street	Mr Richard Smyth	WOODSTOCK	WOODSTOCK
35 Agincourt Avenue	Mr Martin Carlin	CENTRAL	HOLYLAND HMO 2/22
13 Ridgeway Street	ESL FUTURES LTD	STRANMILLIS	STRANMILLIS HMO 2/19
11 Carmel Street	W McGillian Co Ltd	CENTRAL	HOLYLAND HMO 2/22
57 Melrose Street	Mrs Jill Hughes	WINDSOR	EDINBURGH ST HMO 2/08
35 Stranmillis Gardens	Miss Alice Herbert	CENTRAL	STRANMILLIS HMO 2/19
Flat 2, 39 Tates Avenue	PAT VERNON & CO LIMITED	WINDSOR	EDINBURGH ST HMO 2/08
39 Edinburgh Street	Mr Graham Johnston	WINDSOR	EDINBURGH ST HMO 2/08
25 Castlereagh Place	Mr John O'Callaghan	BEERSBRIDGE	BEERSBRIDGE
14 Cabin Hill Gardens	Mr John Colthurst	STORMONT	STORMONT
51 Castlereagh Place	Mr John O'Callaghan	BEERSBRIDGE	BEERSBRIDGE
32 Cairo Street	Mr Shane McCoy	CENTRAL	HOLYLAND HMO 2/22
83 Bloomfield Avenue	Ms Savithry Bhat	BLOOMFIELD	NONE
1 Strandview Street	Mr James McElroy	STRANMILLIS	STRANMILLIS HMO 2/19

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:	Application for a New Licence to operate a House of Multiple Occupation for 10 Sandymount Street, Belfast, BT9 5DP
Date:	20 November 2024
Reporting Officer:	Kevin Bloomfield HMO Unit Manager
Contact Officer:	Kevin Bloomfield HMO Unit Manager Nora Largey, City Solicitor

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	<p>To consider an application for a Licence permitting the use of premises as a House in Multiple Occupation (HMO).</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="width: 30%;">Premises</th> <th style="width: 20%;">Application No.</th> <th style="width: 30%;">Applicant(s)</th> <th style="width: 20%;">Managing Agents</th> </tr> </thead> <tbody> <tr> <td>10 Sandymount Street, Belfast, BT9 5DP</td> <td>11496</td> <td>Torrbeg Properties Ltd</td> <td>None</td> </tr> </tbody> </table>	Premises	Application No.	Applicant(s)	Managing Agents	10 Sandymount Street, Belfast, BT9 5DP	11496	Torrbeg Properties Ltd	None
Premises	Application No.	Applicant(s)	Managing Agents						
10 Sandymount Street, Belfast, BT9 5DP	11496	Torrbeg Properties Ltd	None						
1.2	Members are reminded that licences are issued for a 5-year period with standard conditions. Where it is considered necessary to do so, the Committee can also impose special conditions.								
2.0	Recommendations								
2.1	<p>Taking into account the information presented Committee is asked to hear from the Applicant and make a decision to either:</p> <ul style="list-style-type: none"> (i) Grant the application, with or without any special conditions; or (ii) Refuse the application. <p><u>Notice of proposed decision</u></p>								
2.2	On the 17 October 2024, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 (“the 2016 Act”), officers issued a Notice of Proposed Decision. Appendix 2								

2.3	The Notice of Proposed Decision stated that the Council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.
2.4	If the application is refused, the Applicant has a right of appeal to the County Court. An appeal must be lodged within 28 days of formal notification of the Council's decision.
3.0	Main report
	<u>Background</u>
3.1	The property had the benefit of an HMO licence issued by the Council on the 11 May 2020 to Mr. Hugh Curran and Ms. Bridget Mulholland with an expiry date of the 11 May 2025.
3.2	In February 2021 the ownership of the property was transferred to Torrbeg Properties Limited and in accordance with section 28 of the 2016 Act the licence ceased to have effect on the date of transfer. The NIHMO Unit was not informed of the change of ownership at that time.
3.3	An application for a new HMO licence was received from Torrbeg Properties Limited on the 2 August 2024.
	<u>Key Issues</u>
3.4	Pursuant to the 2016 Act, the Council may only grant a licence if it is satisfied that: <ul style="list-style-type: none"> a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control; b) the owner, and any managing agent of it, are fit and proper persons; c) the proposed management arrangements are satisfactory); d) the granting of the licence will not result in overprovision of HMOs in the locality; e) the living accommodation is fit for human habitation and— <ul style="list-style-type: none"> (i) is suitable for occupation as an HMO by the number of persons to be specified in the licence, or (ii) can be made so suitable by including conditions in the licence.
	<u>Planning</u>
3.5	As this is a new application the Council's Planning Service was consulted. It confirmed that a Certificate of Lawful Existing Use or Development ("CLEUD") was granted on 17 January 2020 with the planning reference LA04/2019/2708/LDE.
	<u>Fitness</u>
3.6	When considering the fitness of an applicant the Council must have regard to any offences concerning fraud/ dishonesty, violence, drugs, human trafficking, firearms, sexual offences, unlawful discrimination in, or in connection with, the carrying on of any business; or any provision of the law relating to housing or of landlord and tenant law. It also permits the Council to take into account any other matter which the council considers to be relevant.
3.7	The NIHMO Unit has consulted with the following units within the Council's City and Neighbourhood Services Department – <ul style="list-style-type: none"> (a) Environmental Protection Unit ("EPU") - who have confirmed that in relation to night-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years,

	<p>(b) Environmental Protection Unit (“EPU”) - who have confirmed that in relation to day-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years,</p> <p>(c) Public Health and Housing Unit (“PHHU”) - who have confirmed that in relation to rubbish accumulation/filthy premises, there has been no relevant enforcement action required in respect of the HMO in the last 5 years,</p> <p>(d) Enforcement Unit (“EU”) - who have confirmed that in relation to litter and waste, there has been no relevant enforcement action required in respect of the HMO in the last 5 years,</p>
3.8	The applicant has confirmed that they have not been convicted of any relevant offences as set out at paragraph 3.6 of this report.
3.9	The Applicant has not been convicted of any HMO related offences by the Council. The EPU, PHHU and EU, solely in respect of their statutory functions, have confirmed that there are no relevant, previous convictions in respect of the Applicant, Managing Agent or occupants.
3.10	Officers are not aware of any other issues relevant to the Applicant’s fitness.
	<u>Overprovision</u>
3.11	For the purpose of Section 12(2) of the 2016 Act. The Council has determined the locality of the accommodation, 10 Sandymount Street, Belfast, Antrim, BT9 5DP as being Housing Management Areas (HMA) “HMA 2/17 Sandymount” as defined in the document Belfast City Council’s Local Development Plan Strategy “2023 Strategy” which was formally adopted on the 2 May 2023.
3.12	Legal Services has advised that there is a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence will not result in overprovision.
3.13	In making this decision the Council has had regard to: <p>(a) the number and capacity of licensed HMOs in the locality</p> <p>(b) the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.</p>
3.14	To inform the Council in its consideration of the above provisions, the Council has taken account of the 2023 Strategy given that <i>“Nurturing sustainable and balanced communities is a fundamental aim of the LDP’s housing policies.”</i>
3.15	In particular, the Council has considered Policy HOU10:- <p>HOU10 states – <i>“Within designated HMAs, planning permission will only be granted for Houses in Multiple Occupation (HMOs) and/or flats/apartments where the total number of HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within an HMA.”</i></p> <p>(a) The number and capacity of licensed HMOs in the locality</p>
3.16	On the date of assessment, 17 October 2024, 76% of all dwelling units in policy area HMA 2/17 Sandymount was made up of HMOs and (intensive forms of accommodation) flats/apartments, which in turn exceeds the 20% development limit as set out at Policy

	<p>HOU10. There are 109 (64%) licensed HMOs with a capacity of 469 persons in HMA 2/17 Sandymount .</p> <p>(b) The need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.</p>
3.17	The total number of dwelling units in a HMA is measured by Ordnance Survey's Pointer database. There are a total of 2476 dwelling units in HMA 2/22 Botanic, Holylands, Rugby
3.18	On the 17 October 2024 out of 80 premises available for rent within the BT9 area on the website PropertyNews.com there were 18 licensed HMOs containing 69 bedspaces. The HMO accommodation was available immediately.
3.19	The fact that the use of the property as an HMO is permitted for planning purposes is a relevant consideration in determining whether the grant of this licence will result in overprovision.
3.20	The Council recognises that there is a need for intensive forms of housing and to meet this demand, HMOs are an important component of this housing provision. HMOs, alongside other accommodation options within the private rented sector, play an important role in meeting the housing needs of people who are single, who have temporary employment, students, low-income households and, more recently, migrant workers.
3.21	In September 2017 the Housing Executive published the document "Housing Market Analysis Update – Belfast City Council Area" which states "HMOs form an important element of the PRS, particularly for younger people on low incomes and for single people, under the age of 35, affected by the limitation of housing benefit to the shared room rate. Anecdotal evidence also indicates that this has been a popular sector with migrant workers."
	Students moving out of HMO accommodation.
3.22	On the 7 December 2022 Ulster University Director of Campus Life told members of the Council's City Growth and Regeneration Committee that there was an "increase in competition for HMO's particularly from NIHE, Immigration Services and statutory agencies and there were increasing accommodation issues across the housing sector which required a holistic view and should include the consideration of international students, families and graduates looking for professional accommodation."
3.23	However, QUB Director of Student Plus confirmed to members that the current trend indicated a significant move of students to purpose-built student accommodation blocks. She told members that there were 7,000 purpose built managed student accommodation (PBMSA) rooms in the city – the majority built since 2018 and approximately 5,000 in the city centre.
3.24	November 2023 monitoring information produced by the Council's Planning Services for PBMSA indicates that 2055 bedspaces are currently under construction with an operational date of 2024, 92 bedspaces approved but construction hasn't commenced and 1426 bedspaces going through the planning process.
3.25	With the continued expansion of the PBMSA sector and students transitioning from private rentals to PBMSAs, it is too early to tell whether the increased competition from non-students for HMOs is a temporary problem (which can be managed by the contraction in students residing in existing HMO accommodation within the locality) or evidence of an emerging long-term supply issue.

Section 8(2)(d) of the 2016 Act

3.26 In assessing the number and capacity of licensed HMOs as well as the need for HMO accommodation in the locality, officers cannot be satisfied that the granting of the HMO licence will not result in overprovision of HMO accommodation in the locality of the accommodation for the purpose of section 8(2)(d) of the 2016 Act.

Objections

3.27 No objections were received in relation to this application.

Attendance

3.28 The applicant and/or their representatives will be available to discuss any matters relating to the licence application should they arise during your meeting.

Suitability of the premises

3.29 The accommodation was certified as complying with the physical standards for an HMO for 5 persons by a technical officer from the NIHMO service, on the 30 August 2024.

Notice of proposed decision

3.30 On the 17 October 2024, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, Officers issued a Notice of Proposed Decision to the Applicant setting out the terms of the proposed licence. **Appendix 2**

3.31 The Notice of Proposed Decision stated that the Council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.

Applicant's response to the notice of proposed decision

3.32 On the 6 November 2024 representations were received on behalf of the applicant from the Elliot Trainor Partnership. These are attached at **Appendix 3** of this report.

Officers' response to representations

3.33 Officers' response to the representations made on behalf of the applicant can be found at **Appendix 4** of this report.

Financial and Resource Implications

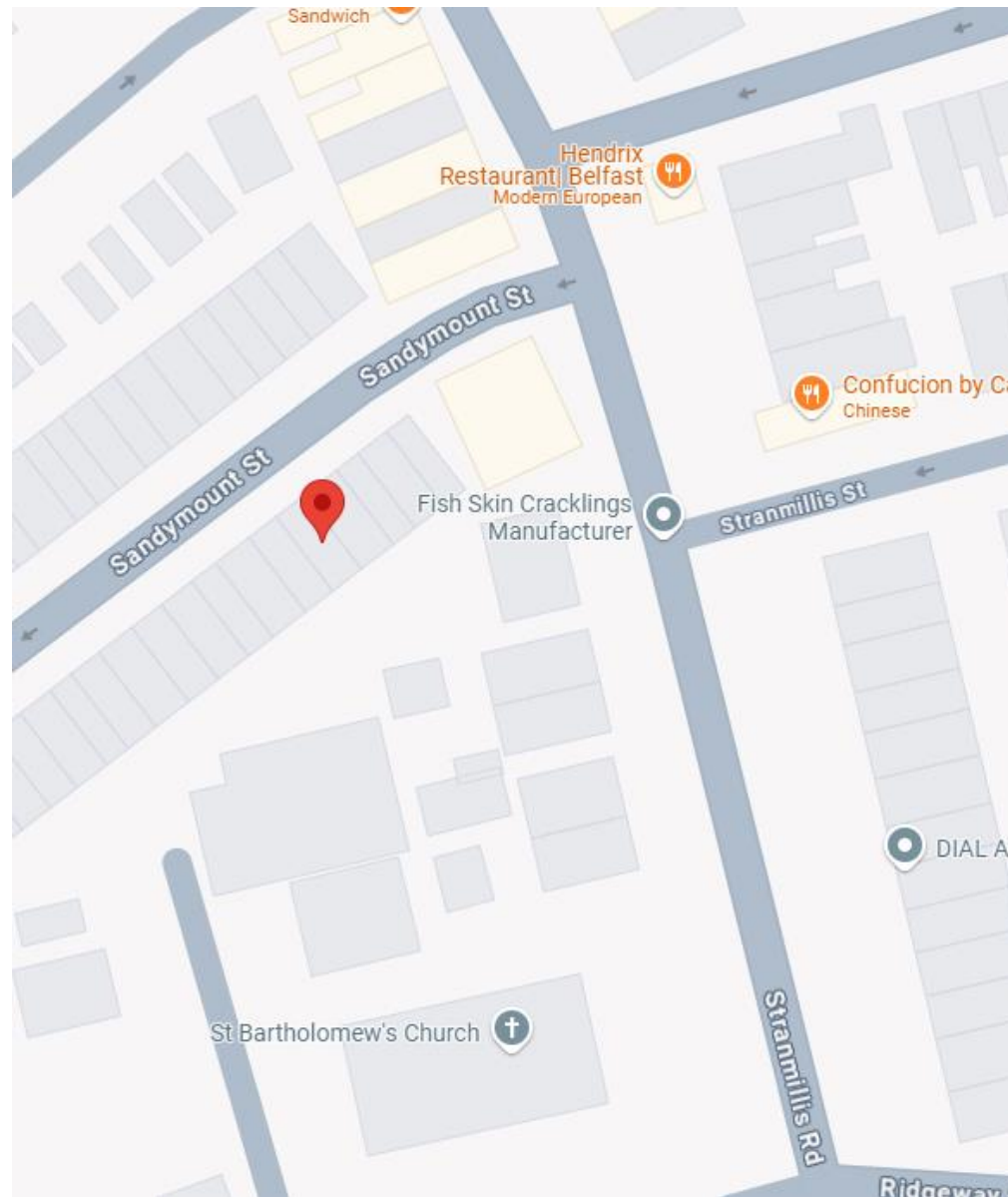
3.34 None. The cost of assessing the application and officer inspections is provided for within existing budgets.

Equality and Good Relations Implications

3.35 There are no equality or good relations issues associated with this report.

	Appendices – Documents Attached
	Appendix 1 – Location Map Appendix 2 – Notice of Proposed Decision. Appendix 3 – Representations in response to the notice of proposed decision. Appendix 4 – Officers response to representations made on behalf of the applicant.

Appendix 1 – External Photograph and Location Map – 10 Sandymount Street, Belfast, BT9 5DP



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By virtue of paragraph(s) 2 of Part 1 of Schedule 6
of the Local Government Act (Northern Ireland) 2014.

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Subject:	Application for a New Licence to operate a House of Multiple Occupation for 8 Artana Street, Belfast, Antrim, BT7 2FF
Date:	20 November 2024
Reporting Officer:	Kevin Bloomfield HMO Unit Manager
Contact Officer:	Kevin Bloomfield HMO Unit Manager Nora Largey City Solicitor,

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	<p>To consider an application for a Licence permitting the use of premises as a House in Multiple Occupation (HMO).</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="width: 30%;">Premises</th> <th style="width: 20%;">Application No.</th> <th style="width: 25%;">Applicant(s)</th> <th style="width: 25%;">Managing Agents</th> </tr> </thead> <tbody> <tr> <td>8 Artana Street, Belfast, Antrim, BT7 2FF</td> <td>11546</td> <td>Parkvue Ltd</td> <td>None</td> </tr> </tbody> </table>	Premises	Application No.	Applicant(s)	Managing Agents	8 Artana Street, Belfast, Antrim, BT7 2FF	11546	Parkvue Ltd	None
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8 Artana Street, Belfast, Antrim, BT7 2FF	11546	Parkvue Ltd	None						
1.2	Members are reminded that licences are issued for a 5-year period with standard conditions. Where it is considered necessary to do so, the Committee can also impose special conditions.								
2.0	Recommendations								
2.1	<p>Taking into account the information presented Committee is asked to hear from the Applicant and make a decision to either:</p> <ul style="list-style-type: none"> (i) Grant the application, with or without any special conditions; or (ii) Refuse the application. <p><u>Notice of proposed decision</u></p>								
2.2	On the 29 October 2024, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 (“the 2016 Act”), officers issued a Notice of Proposed Decision. Appendix 2								

2.3	The Notice of Proposed Decision stated that the Council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.
2.4	If the application is refused, the Applicant has a right of appeal to the County Court. An appeal must be lodged within 28 days of formal notification of the Council's decision.
3.0	Main report
	<p data-bbox="258 497 434 528"><u>Background</u></p> <p data-bbox="165 560 1474 627">3.1 The property had the benefit of an HMO licence issued by the Council on the 22 February 2024 to the previous owners with an expiry date of the 22 February 2029.</p> <p data-bbox="165 663 1474 792">3.2 An application for a new HMO licence was received on the 25 June 2024 from Parkvue Ltd but was subsequently refused on the 10 July 2024 as officers could not be satisfied that occupation of the living accommodation as an HMO would not constitute a breach of planning control.</p> <p data-bbox="165 828 1474 927">3.3 On the 6 August 2024 the previous owner contacted the NIHMO Unit and informed us that he had sold the property and the transfer completed on the 2 August 2024. In accordance with section 28 of the 2016 Act the licence ceased to have effect on the date of transfer.</p> <p data-bbox="165 963 1474 1030">3.4 A further application for a new HMO licence was received from Parkvue Ltd on the 21 August 2024.</p> <p data-bbox="258 1066 418 1097"><u>Key Issues</u></p> <p data-bbox="165 1106 1474 1469">3.5 Pursuant to the 2016 Act, the Council may only grant a licence if it is satisfied that:</p> <ul style="list-style-type: none"> <li data-bbox="309 1169 1474 1236">a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control; <li data-bbox="309 1236 1248 1267">b) the owner, and any managing agent of it, are fit and proper persons; <li data-bbox="309 1267 1126 1299">c) the proposed management arrangements are satisfactory); <li data-bbox="309 1299 1401 1330">d) the granting of the licence will not result in overprovision of HMOs in the locality; <li data-bbox="309 1330 1474 1469">e) the living accommodation is fit for human habitation and— <ul style="list-style-type: none"> <li data-bbox="357 1366 1474 1433">(i) is suitable for occupation as an HMO by the number of persons to be specified in the licence, or <li data-bbox="357 1433 1267 1469">(ii) can be made so suitable by including conditions in the licence. <p data-bbox="258 1505 386 1536"><u>Planning</u></p> <p data-bbox="165 1572 1474 1671">3.6 As this is a new licence application the Council's Planning Service was consulted. It confirmed that a Certificate of Lawful Existing Use or Development ("CLEUD") was granted on 13 August 2024 with the planning reference LA04/2024/0864/CLEUD.</p> <p data-bbox="258 1706 370 1738"><u>Fitness</u></p> <p data-bbox="165 1774 1474 1939">3.7 When considering the fitness of an applicant the Council must have regard to any offences concerning fraud/ dishonesty, violence, drugs, human trafficking, firearms, sexual offences, unlawful discrimination in, or in connection with, the carrying on of any business; or any provision of the law relating to housing or of landlord and tenant law. It also permits the Council to take into account any other matter which the council considers to be relevant.</p>

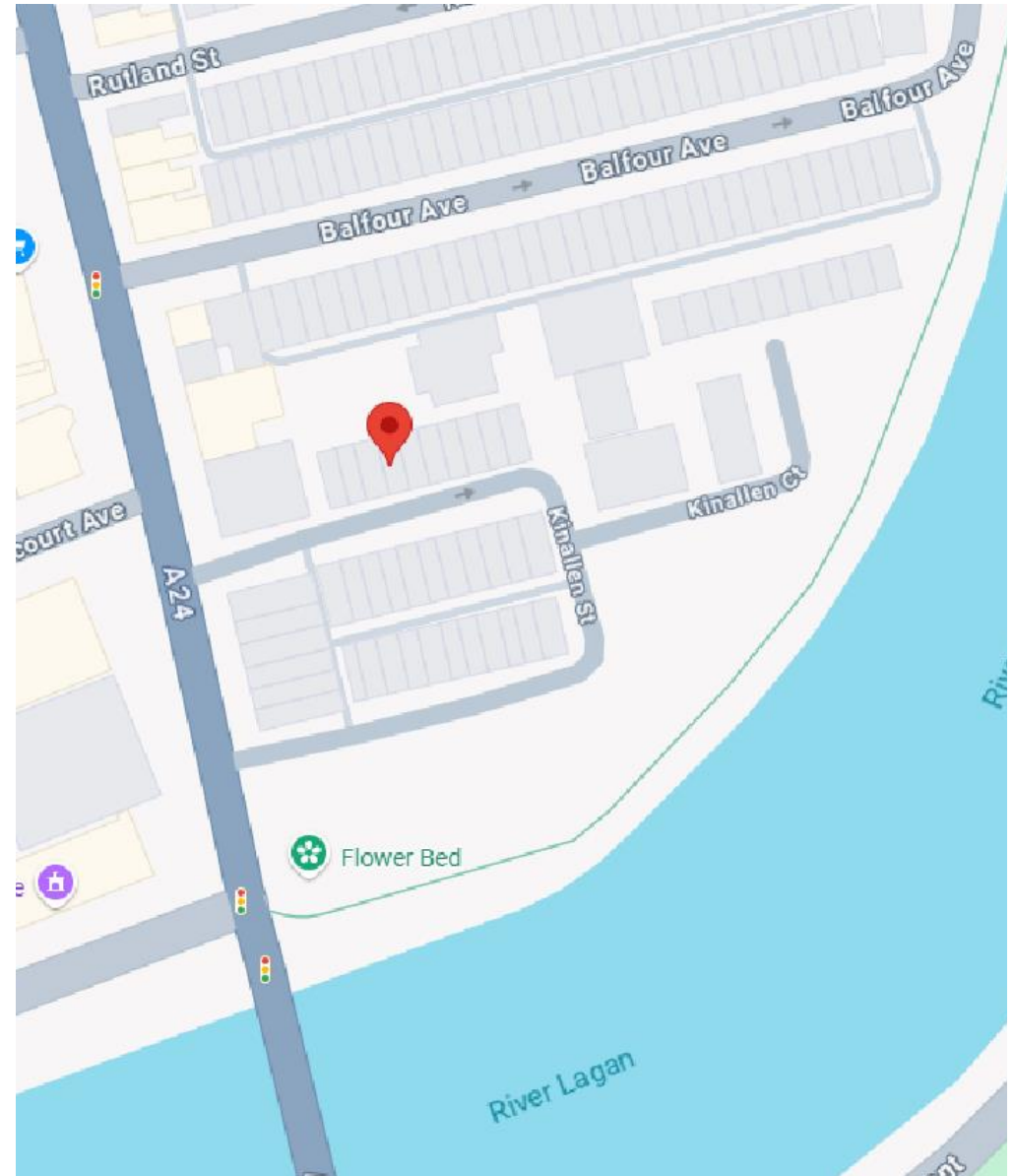
3.8	<p>The NIHMO Unit has consulted with the following units within the Council’s City and Neighbourhood Services Department –</p> <ul style="list-style-type: none"> (a) Environmental Protection Unit (“EPU”) - who have confirmed that in relation to night-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years, (b) Environmental Protection Unit (“EPU”) - who have confirmed that in relation to day-time noise there has been no relevant enforcement action required in respect of the HMO in the last 5 years, (c) Public Health and Housing Unit (“PHHU”) - who have confirmed that in relation to rubbish accumulation/filthy premises, there has been no relevant enforcement action required in respect of the HMO in the last 5 years, (d) Enforcement Unit (“EU”) - who have confirmed that in relation to litter and waste, there has been no relevant enforcement action required in respect of the HMO in the last 5 years,
3.9	<p>The applicant has confirmed that they have not been convicted of any relevant offences as set out at paragraph 3.7 of this report.</p>
3.10	<p>The Applicant has not been convicted of any HMO related offences by the Council. The EPU, PHHU and EU, solely in respect of their statutory functions, have confirmed that there are no relevant, previous convictions in respect of the Applicant, Managing Agent or occupants.</p>
3.11	<p>Officers are not aware of any other issues relevant to the Applicant’s fitness.</p>
	<p><u>Overprovision</u></p>
3.12	<p>For the purpose of Section 12(2) of the 2016 Act. The Council has determined the locality of the accommodation, 8 Artana Street, Belfast, Antrim, BT7 2FF as being Housing Management Areas (HMA) “HMA 2/13 Lower Ormeau” as defined in the document Belfast City Council’s Local Development Plan Strategy “2023 Strategy” which was formally adopted on the 2 May 2023.</p>
3.13	<p>Legal Services has advised that there is a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence will not result in overprovision.</p>
3.14	<p>In making this decision the Council has had regard to:</p> <ul style="list-style-type: none"> (a) the number and capacity of licensed HMOs in the locality (b) the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.
3.15	<p>To inform the Council in its consideration of the above provisions, the Council has taken account of the 2023 Strategy given that <i>“Nurturing sustainable and balanced communities is a fundamental aim of the LDP’s housing policies.”</i></p>
3.16	<p>In particular, the Council has considered Policy HOU10:-</p> <p>HOU10 states – <i>“Within designated HMAs, planning permission will only be granted for Houses in Multiple Occupation (HMOs) and/or flats/apartments where the total number of</i></p>

	<p><i>HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within an HMA.”</i></p>
3.17	<p>(a) The number and capacity of licensed HMOs in the locality</p> <p>On the date of assessment, 29 October 2024, 22% of all dwelling units in policy area HMA 2/13 Lower Ormeau was made up of HMOs and (intensive forms of accommodation) flats/apartments, which in turn exceeds the 20% development limit as set out at Policy HOU10. There are 46 (12%) licensed HMOs with a capacity of 197 persons in HMA 2/13 Lower Ormeau.</p>
3.18	<p>(b) The need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.</p> <p>The total number of dwelling units in a HMA is measured by Ordnance Survey’s Pointer database. There are a total of 2476 dwelling units in HMA 2/22 Botanic, Holylands, Rugby</p>
3.19	<p>On the 29 October 2024 out of 52 premises available for rent within the BT9 area on the website PropertyNews.com there were 12 licensed HMOs containing 38 bedspaces. The HMO accommodation was available immediately.</p>
3.20	<p>The fact that the use of the property as an HMO is permitted for planning purposes is a relevant consideration in determining whether the grant of this licence will result in overprovision.</p>
3.21	<p>The Council recognises that there is a need for intensive forms of housing and to meet this demand, HMOs are an important component of this housing provision. HMOs, alongside other accommodation options within the private rented sector, play an important role in meeting the housing needs of people who are single, who have temporary employment, students, low-income households and, more recently, migrant workers.</p>
3.22	<p>In September 2017 the Housing Executive published the document “Housing Market Analysis Update – Belfast City Council Area” which states “HMOs form an important element of the PRS, particularly for younger people on low incomes and for single people, under the age of 35, affected by the limitation of housing benefit to the shared room rate. Anecdotal evidence also indicates that this has been a popular sector with migrant workers.”</p> <p>Students moving out of HMO accommodation.</p>
3.23	<p>On the 7 December 2022 Ulster University Director of Campus Life told members of the Council’s City Growth and Regeneration Committee that there was an “increase in competition for HMO’s particularly from NIHE, Immigration Services and statutory agencies and there were increasing accommodation issues across the housing sector which required a holistic view and should include the consideration of international students, families and graduates looking for professional accommodation.”</p>
3.24	<p>However, QUB Director of Student Plus confirmed to members that the current trend indicated a significant move of students to purpose-built student accommodation blocks. She told members that there were 7,000 purpose built managed student accommodation (PBMSA) rooms in the city – the majority built since 2018 and approximately 5,000 in the city centre.</p>
3.25	<p>November 2023 monitoring information produced by the Council’s Planning Services for PBMSA indicates that 2055 bedspaces are currently under construction with an operational</p>

3.26	<p>date of 2024, 92 bedspaces approved but construction hasn't commenced and 1426 bedspaces going through the planning process.</p>
	<p>With the continued expansion of the PBMSA sector and students transitioning from private rentals to PBMSAs, it is too early to tell whether the increased competition from non-students for HMOs is a temporary problem (which can be managed by the contraction in students residing in existing HMO accommodation within the locality) or evidence of an emerging long-term supply issue.</p>
	<p>Section 8(2)(d) of the 2016 Act</p>
3.27	<p>In assessing the number and capacity of licensed HMOs as well as the need for HMO accommodation in the locality, officers cannot be satisfied that the granting of the HMO licence will not result in overprovision of HMO accommodation in the locality of the accommodation for the purpose of section 8(2)(d) of the 2016 Act.</p>
	<p><u>Objections</u></p>
3.28	<p>No objections were received in relation to this application.</p>
	<p><u>Attendance</u></p>
3.29	<p>The applicant and/or their representatives will be available to discuss any matters relating to the licence application should they arise during your meeting.</p>
	<p><u>Suitability of the premises</u></p>
3.30	<p>The accommodation was inspected by a technical officer from the NIHMO service, on the 30 August 2024 at which time some minor works needed attention.</p>
	<p><u>Notice of proposed decision</u></p>
3.31	<p>On the 29 October 2024, pursuant to Paragraph 9 of Schedule 2 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, Officers issued a Notice of Proposed Decision to the Applicant setting out the terms of the proposed licence. Appendix 2</p>
3.32	<p>The Notice of Proposed Decision stated that the Council proposed to refuse the licence on the grounds of overprovision. A statement of reasons for the proposal was included in the Notice of Proposed Decision.</p>
	<p><u>Applicant's response to the notice of proposed decision</u></p>
3.33	<p>At the date of writing this report no representations had been received from the applicant in response to the notice of proposed decision.</p>
	<p><u>Financial and Resource Implications</u></p>
3.34	<p>None. The cost of assessing the application and officer inspections is provided for within existing budgets.</p>
	<p><u>Equality and Good Relations Implications</u></p>
3.35	<p>There are no equality or good relations issues associated with this report.</p>
	<p>Appendices – Documents Attached</p>

	Appendix 1 – Location Map Appendix 2 – Notice of Proposed Decision.

Appendix 1 – External Photograph and Location Map – 8 Artana Street, Belfast, BT7 2FF



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By virtue of paragraph(s) 2 of Part 1 of Schedule 6
of the Local Government Act (Northern Ireland) 2014.

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