

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



**Belfast  
City Council**

5th December, 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, 11th December, 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

2. **Delegated Matters**

- (a) Licences Issued Under Delegated Authority (Pages 1 - 6)
- (b) Houses in Multiple Occupation (HMO) Licenses Issued Under Delegated Authority (Pages 7 - 10)

3. **Non-Delegated Matters**

- (a) HMO Applications - Supporting Documentation (Pages 11 - 16)
- (b) Road Closures - Oral Update





<b>Subject:</b>	<b>Licences Issued Under Delegated Authority</b>
<b>Date:</b>	11 December 2024
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext. 2435
<b>Contact Officer:</b>	Laura Hillis, Principal Building Control Surveyor, Ext. 2469

<b>Restricted Reports</b>									
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
<p><b>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</b></p> <p>Insert number <input type="checkbox"/></p> <ol style="list-style-type: none"> <li>1. Information relating to any individual</li> <li>2. Information likely to reveal the identity of an individual</li> <li>3. Information relating to the financial or business affairs of any particular person (including the council holding that information)</li> <li>4. Information in connection with any labour relations matter</li> <li>5. Information in relation to which a claim to legal professional privilege could be maintained</li> <li>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</li> <li>7. Information on any action in relation to the prevention, investigation or prosecution of crime</li> </ol>									
<p><b>If Yes, when will the report become unrestricted?</b></p> <table style="width: 100%;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 30%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		After Committee Decision	<input type="checkbox"/>	After Council Decision	<input type="checkbox"/>	Sometime in the future	<input type="checkbox"/>	Never	<input type="checkbox"/>
After Committee Decision	<input type="checkbox"/>								
After Council Decision	<input type="checkbox"/>								
Sometime in the future	<input type="checkbox"/>								
Never	<input type="checkbox"/>								

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>																																				
1.1	Under the Scheme of Delegation, the Director of Planning and Building Control is responsible for exercising all powers in relation to the issue, but not refusal, of Permits and Licences, excluding provisions relating to the issue of Licences where adverse representations have been made.																																				
<b>2.0</b>	<b>Recommendations</b>																																				
2.1	The Committee is requested to note the applications that have been issued under the Scheme of Delegation.																																				
<b>3.0</b>	<b>Main report</b>																																				
	<u>Key Issues</u>																																				
3.1	Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 the following Entertainments Licences were issued since your last meeting.																																				
	<table border="1"> <thead> <tr> <th>Premises and Location</th> <th>Type of Application</th> <th>Applicant</th> </tr> </thead> <tbody> <tr> <td>Ballysillan Leisure Centre, 71 Ballysillan Road, Belfast, BT14</td> <td>Renewal</td> <td>Mr Sean Marley, Greenwich Leisure Ltd</td> </tr> <tr> <td>Belfast Boat Club, 12 Lockview Road, Belfast, BT9 5FJ.</td> <td>Renewal</td> <td>Mr David Annesley Harrison</td> </tr> <tr> <td>Belfast Cathedral, Donegall Street, Belfast, BT1 2HB.</td> <td>Grant</td> <td>Mr Garvin Jess, Belfast Cathedral Enterprises Ltd</td> </tr> <tr> <td>Belfast Harbour Commissioners Office, Harbour Office, Corporation Square, Belfast, BT1 3AL.</td> <td>Renewal</td> <td>Ms Jenni Barkley</td> </tr> <tr> <td>Belfast Waterfront Hall, 2 Lanyon Place, Belfast, BT1 3WH.</td> <td>Renewal</td> <td>Mr John Griffin, Belfast Waterfront &amp; Ulster Hall Ltd</td> </tr> <tr> <td>Belvoir Players Rehearsal Studio, 94 Belvoir Drive, Belfast, BT8 7FR.</td> <td>Renewal</td> <td>Mr Roger Dane</td> </tr> <tr> <td>Castlereagh Glentoran Supporters Club, 8a Grand Parade, Belfast, BT5 5HH.</td> <td>Renewal</td> <td>Mr Darron Flanagan</td> </tr> <tr> <td>Central Catholic Club, 43a Rosemary Street, Belfast, BT1</td> <td>Renewal</td> <td>Mr Patrick McAviney</td> </tr> <tr> <td>Criterion Bar, 2-4 Antrim Road, Belfast, BT15 2AA.</td> <td>Grant</td> <td>Mr Shaun Gormley, Blacks Wines Ltd</td> </tr> <tr> <td>Culturlann McAdam O'Fiach, 216 Falls Road, Belfast, BT12 6AH.</td> <td>Renewal</td> <td>Ms Fionnghuala Nic Ainmhire</td> </tr> <tr> <td>Falls Bowling &amp; Lawn Tennis Club, 63 Andersonstown Road, Belfast, BT11 9AH.</td> <td>Renewal</td> <td>Mr Philip Molloy</td> </tr> </tbody> </table>	Premises and Location	Type of Application	Applicant	Ballysillan Leisure Centre, 71 Ballysillan Road, Belfast, BT14	Renewal	Mr Sean Marley, Greenwich Leisure Ltd	Belfast Boat Club, 12 Lockview Road, Belfast, BT9 5FJ.	Renewal	Mr David Annesley Harrison	Belfast Cathedral, Donegall Street, Belfast, BT1 2HB.	Grant	Mr Garvin Jess, Belfast Cathedral Enterprises Ltd	Belfast Harbour Commissioners Office, Harbour Office, Corporation Square, Belfast, BT1 3AL.	Renewal	Ms Jenni Barkley	Belfast Waterfront Hall, 2 Lanyon Place, Belfast, BT1 3WH.	Renewal	Mr John Griffin, Belfast Waterfront & Ulster Hall Ltd	Belvoir Players Rehearsal Studio, 94 Belvoir Drive, Belfast, BT8 7FR.	Renewal	Mr Roger Dane	Castlereagh Glentoran Supporters Club, 8a Grand Parade, Belfast, BT5 5HH.	Renewal	Mr Darron Flanagan	Central Catholic Club, 43a Rosemary Street, Belfast, BT1	Renewal	Mr Patrick McAviney	Criterion Bar, 2-4 Antrim Road, Belfast, BT15 2AA.	Grant	Mr Shaun Gormley, Blacks Wines Ltd	Culturlann McAdam O'Fiach, 216 Falls Road, Belfast, BT12 6AH.	Renewal	Ms Fionnghuala Nic Ainmhire	Falls Bowling & Lawn Tennis Club, 63 Andersonstown Road, Belfast, BT11 9AH.	Renewal	Mr Philip Molloy
Premises and Location	Type of Application	Applicant																																			
Ballysillan Leisure Centre, 71 Ballysillan Road, Belfast, BT14	Renewal	Mr Sean Marley, Greenwich Leisure Ltd																																			
Belfast Boat Club, 12 Lockview Road, Belfast, BT9 5FJ.	Renewal	Mr David Annesley Harrison																																			
Belfast Cathedral, Donegall Street, Belfast, BT1 2HB.	Grant	Mr Garvin Jess, Belfast Cathedral Enterprises Ltd																																			
Belfast Harbour Commissioners Office, Harbour Office, Corporation Square, Belfast, BT1 3AL.	Renewal	Ms Jenni Barkley																																			
Belfast Waterfront Hall, 2 Lanyon Place, Belfast, BT1 3WH.	Renewal	Mr John Griffin, Belfast Waterfront & Ulster Hall Ltd																																			
Belvoir Players Rehearsal Studio, 94 Belvoir Drive, Belfast, BT8 7FR.	Renewal	Mr Roger Dane																																			
Castlereagh Glentoran Supporters Club, 8a Grand Parade, Belfast, BT5 5HH.	Renewal	Mr Darron Flanagan																																			
Central Catholic Club, 43a Rosemary Street, Belfast, BT1	Renewal	Mr Patrick McAviney																																			
Criterion Bar, 2-4 Antrim Road, Belfast, BT15 2AA.	Grant	Mr Shaun Gormley, Blacks Wines Ltd																																			
Culturlann McAdam O'Fiach, 216 Falls Road, Belfast, BT12 6AH.	Renewal	Ms Fionnghuala Nic Ainmhire																																			
Falls Bowling & Lawn Tennis Club, 63 Andersonstown Road, Belfast, BT11 9AH.	Renewal	Mr Philip Molloy																																			

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Filthy McNastys, 41-45 Dublin Road, Belfast, BT2 7HD.	Renewal	Ms Catherine McCrory, Bachus Inns Ltd
Gort Na Mona GAC, Upper Springfield Road, Belfast, BT12	Renewal	Mr John Kelly
Harland & Wolff Football & Social Club, 18-20 Dee Street, Belfast, BT4	Renewal	Mr John Davidson
Harp Bar, 35-39 Hill Street, Belfast, BT1 2LB.	Renewal	Mr Willie Jack, Commercial Court Inns Ltd
Hearth, 195-199 Upper Newtownards Road, Belfast, BT4 3JB.	Renewal	Mr Philip Patterson, Approachable Group Ltd
Lyric Theatre NI, 55 Ridgeway Street, Belfast, BT9 5FB.	Renewal	Mr Jimmy Fay
Malmaison Hotel, 34-38 Victoria Street, Belfast, BT1	Renewal	Mr Eamonn Elliott, Malmaison (Belfast) Ltd
Nancy Mulligans Bar, 95-97 Castle Street, Belfast, BT1 1GJ.	Renewal	Mr Sean Duffy, Walfrid Inns Ltd
Pug Uglys, 21 Bedford Street, Belfast, BT2 7EJ.	Renewal	Mr Paul Langsford, Bedford Taverns Ltd
QUB, Centre for Drama & Film Studies, 20 University Square, Belfast, BT7 1PA.	Renewal	Dr Ryan Feeney, Queens University Belfast
QUB, Elms Student Centre, 78 Malone Road, Belfast, BT9 5BU.	Renewal	Dr Ryan Feeney, Queens University Belfast
QUB, Riddel Hall, 185 Stranmillis Road, Belfast, BT9 5EE.	Renewal	Dr Ryan Feeney, Queens University Belfast
QUB, Sonic Arts Research Centre, Ashby Complex, Cloreen Park, Belfast, BT9 5BX.	Renewal	Dr Ryan Feeney, Queens University Belfast
QUB, The Harty Room, University Square, Belfast, BT7 1NN.	Renewal	Dr Ryan Feeney, Queens University Belfast
Regent House Mews, 2A Monagh Grove, Belfast, BT11 8EJ.	Renewal	Mr Patrick Donnelly, Regent House Mews Ltd
Rock Bar, 491-493 Falls Road, Belfast, BT12 6DE.	Renewal	Mr Gerard McIlhone, G&M Rock Ltd
room2, 32-36 Queen Street, Belfast, BT1 6EE.	Grant	Ms Michelle Thomas, Southampton Apartment Hotels OPCO
Sweet Afton, Rita's, Franklins, & The Perch, 43 Franklin Street & 12 Brunswick Street, Belfast, BT2 7GG.	Renewal	Ms Catherine McCrory, Franwick Trading Ltd
Templemore Baths, 96 Templemore Avenue, Belfast, BT5 4FW.	Renewal	Mr Paul McFarland, Greenwich Leisure Ltd
The Avenue Arts Centre, Windsor Presbyterian Church, 1A Derryvolgie Avenue, Belfast, BT9	Renewal	Ms Siobhan Mc Allister, The Avenue Arts Academy C.I.C.

Premises and Location	Type of Application	Applicant
The Post House, 32-40 Malone Road, Belfast, BT9 5BQ.	Variation	Mr Paul Langsford, Clover Pubs NI No4 Ltd
Ulster Museum, 4 Stranmillis Road, Belfast, BT9 5AB.	Renewal	Mr Martin McCrea
W5, Odyssey Pavilion, 2 Queens Quay, Belfast, BT3 9QQ.	Renewal	Mr Adrian Doyle

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
Ulster Museum, 4 Stranmillis Road, Belfast, BT9 5AB.	Renewal	Mr Martin McCrea

3.4 Under the terms of the Petroleum Consolidation Act 1929 the following Petroleum Licences were issued since your last meeting.

Premises and Location	Type of Application	Applicant
Antrim Road Filling Station, 328 Antrim Road, Belfast, BT15 5AB.	Renewal	Mr Kevin Brennan

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
Boucher Crescent at lamppost No 16, Belfast.	Stationary	Hot & Cold Food & Beverages	Sun – Sat: 10:00 – 16:00	Sean Carson
Writer's Square, Belfast.	Stationary	Hot & Cold Food & Beverages	Sun – Sat: 09:00 – 21:00	Gavin Brown

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
Beverley Street	Filming	Sat 16 November 2024 09:30 – 14:00	Mr Robbie Huffam
Cross Parade	Street Party	Sun 15 December 2024 08:00 – 14:00	Ms Martina Klapkova

3.7	Under the terms of the Licensing of Pavement Cafés Act (Northern Ireland) 2014 no Pavement Café Licences were issued since your last meeting.
	<b><u>Financial &amp; Resource Implications</u></b>
3.8	None
	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>
3.9	There are no issues associated with this report.

This page is intentionally left blank





<b>Subject:</b>	<b>Houses in Multiple Occupation (HMO) Licences Issued Under Delegated Authority</b>
<b>Date:</b>	11 December 2024
<b>Reporting Officer:</b>	Kevin Bloomfield, NIHMO Manager
<b>Contact Officers:</b>	Kevin Bloomfield, NIHMO Manager Helen Morrissey, City Protection Manager

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	<b>Purpose of Report or Summary of main Issues</b>
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	<b>Recommendations</b>
2.1	The Committee is requested to note the applications that have been issued under the Scheme of Delegation during November 2024.

3.0	<b>Main report</b>		
	<b><u>Key Issues</u></b>		
3.1	Under the terms of the Houses in Multiple Occupation Act (Northern Ireland) 2016 the following HMO Licences were issued during November 2024.		
	<b>Premise Name</b>	<b>Licensee</b>	<b>Ward</b>
	4 Landseer Street	Mr David Convery	CENTRAL
	10 Pretoria Street	Silverthorn Properties Limited	CENTRAL
	11 Ulsterville Gardens	Mr Trevor Breadon	WINDSOR
	Flat 1, 42 Rugby Avenue	D.M PROPERTY ESTATES LIMITED	CENTRAL
	6 Lomond Avenue	ALTA HOMES LTD	CONNSWATER
	107 Wellesley Avenue	Mr William Crabbe	WINDSOR
	64 University Avenue	Mrs Margaret Milligan	CENTRAL
	6 Thalia Street	Mrs Vivienne Clarke	BLACKSTAFF
	Flat 2, 126 Malone Avenue	Mrs Claire Little	WINDSOR
	127 Donegall Avenue	Mrs Catherine Kirby	BLACKSTAFF
	77 Bloomfield Avenue	Mrs Kathryn McCrea	BLOOMFIELD
	33 Melrose Street	Ms Patricia Collins	WINDSOR
	Flat 3, 109 Fitzroy Avenue	POSITIVE PROPERTIES (NI) LTD	CENTRAL
	Flat 2 100 Eglantine Avenue	Mr Trevor Breadon	WINDSOR
	Flat 3 100 Eglantine Avenue	Mr Trevor Breadon	WINDSOR
	12 Rossmore Avenue	Ardmore Rentals Ltd	ROSETTA
	62 Wellesley Avenue	Mr Peter Grant	WINDSOR
	417 Woodstock Road	Mr Richard Smyth	WOODSTOCK
	29 Rugby Avenue	Mrs Sinead Quigley	CENTRAL
	191 Dunluce Avenue	Mr Eugene Doris	WINDSOR
	Flat 2 20 Wellington Park Avenue	JMC RENTALS LIMITED	WINDSOR
	62 Newington Avenue	KINGSMERE INVESTMENTS LIMITED	DUNCAIRN
	15 Ashley Avenue	VICTOR CAPITAL HOLDINGS LIMITED	WINDSOR
	Flat 3 20 Wellington Park Avenue	JMC RENTALS LIMITED	WINDSOR

Flat 3, 20 Magdala Street	Mrs Anna O'Hare	CENTRAL	HOLYLAND HMO 2/22
Flat 1 20 Wellington Park Avenue	JMC RENTALS LIMITED	WINDSOR	EGLANTINE HMO 2/09
Flat 2, 20 Magdala Street	Mrs Anna O'Hare	CENTRAL	HOLYLAND HMO 2/22
115 Malone Road	TJHFT LIMITED	WINDSOR	NONE
20 Cromwell Road	Mr Henderson Armstrong Adams	CENTRAL	HOLYLAND HMO 2/22
10 Palestine Street	BEARWOOD WARLEY LIMITED	CENTRAL	HOLYLAND HMO 2/22
3 Rugby Court	Mr Declan McHugh	CENTRAL	HOLYLAND HMO 2/22
Flat 2, 23 Magdala Street	Mr Ronan O'Hare	CENTRAL	HOLYLAND HMO 2/22
Flat 3 118 Malone Avenue	Mr Alistair Steele	WINDSOR	EGLANTINE HMO 2/09
Apartment 1, 40 University Street	Mrs Pauline McKeague	CENTRAL	MOUNTCHARLES HMO 2/16
Flat 2 11 India Street	Croob Properties Ltd	CENTRAL	HOLYLAND HMO 2/22
78 Sandhurst Drive	Mr Eoin Tipping	STRANMILLIS	STRANMILLIS HMO 2/19
33 Edinburgh Street	Mr Joshua Shannon	WINDSOR	EDINBURGH ST HMO 2/08
308 Donegall Road	Mr Gary Hewitt	BLACKSTAFF	NONE
53 Ulsterville Avenue	Mrs Rosemary Edgar	WINDSOR	ULSTERVILLE HMO 2/21
24 Delhi Street	Mr Paul Kelly	ORMEAU	BALLYNAFEIGH HMO 2/03
27 Agincourt Street	Mr Barry Donnelly	CENTRAL	HOLYLAND HMO 2/22
9 Rugby Avenue	Mr Patrick McCorley	CENTRAL	HOLYLAND HMO 2/22
70 Edinburgh Street	Mr Jonathan Murphy	WINDSOR	EDINBURGH ST HMO 2/08
8 St Ives Gardens	Miss Amy Strain	STRANMILLIS	SANDYMOUNT HMO 2/17
176 Dunluce Avenue	Mr Michael Grant	WINDSOR	ULSTERVILLE HMO 2/21
44 Sandhurst Gardens	Mr Sean Napier	CENTRAL	STRANMILLIS HMO 2/19
31 Rugby Avenue	Bramley Apple Bakery Ltd	CENTRAL	HOLYLAND HMO 2/22
5 Ulsterville Place	Miss Cara Macklin	WINDSOR	ULSTERVILLE HMO 2/21
35 Woodcot Avenue	JRS NI INVESTMENTS LIMITED	BLOOMFIELD	NONE
125 My Ladys Road	JRS NI INVESTMENTS LIMITED	WOODSTOCK	NONE
18 St Ives Gardens	EMS (NI) Ltd	STRANMILLIS	SANDYMOUNT HMO 2/17
23 Jerusalem Street	Mr Nathan Oliver	CENTRAL	HOLYLAND HMO 2/22
Rose Terrace	MML PROPERTIES (WARRENPOINT) LTD	STRANMILLIS	NONE

	<b><u>Financial &amp; Resource Implications</u></b>
3.2	None
	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>
3.3	There are no issues associated with this report.



<b>Subject:</b>	HMO Applications - Supporting Documentation
<b>Date:</b>	11 December 2024
<b>Reporting Officer:</b>	Kevin Bloomfield, HMO Unit Manager
<b>Contact Officer:</b>	Kevin Bloomfield, HMO Unit Manager Helen Morrissey, City Protection Manager

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	To consider a request to include additional supporting documentation confirming ownership and confirmation that mortgage or other loan holder's consent before an HMO licence application is considered valid.
<b>2.0</b>	<b>Recommendations</b>
2.1	<p>To approve the inclusion pursuant to Section 87(1) General notices of the Houses in Multiple Occupation Act (Northern Ireland) 2016 "2016 Act" that the following additional documents is required under paragraph 1(1) or (1)(2)(h) of Schedule 2 of the 2016 Act before any HMO licence application form received after 1 April 2025 is considered valid -</p> <ul style="list-style-type: none"> <li>a) Confirmation of ownership of the HMO including the date such ownership commenced from a solicitor or other legally qualified person.</li> <li>b) Confirmation from any party holding a mortgage, charge or lien against the property that they have no objection to the granting of the HMO licence.</li> </ul>
<b>3.0</b>	<b>Main report</b>
	<b><u>Background</u></b>
3.1	Schedule 2, paragraph 12 of the Houses in Multiple Occupation Act (Northern Ireland) 2016 "2016 Act" requires the Council to decide whether to grant or refuse an application for an HMO

	<p>licence before the end of the period of 3 months beginning with the date on which the council received it.</p>
3.2	<p>The Department of Communities “DfC” Guide to the licensing of Houses in Multiple Occupation in Northern Ireland – Guidance for Local Government April 2019 states “the application is only valid if the form is completed correctly, full payment is made, and the required supporting documents are included”.</p>
3.3	<p>From the introduction of the HMO licensing scheme in April 2019 pursuant to Section 87(1) General notices of the 2016 Act the following documents as listed in points 1 – 12 below are required under paragraph 1(1) or (1)(2)(h) of Schedule 2 of the 2016 Act before an application is considered valid:</p> <ol style="list-style-type: none"> <li>1. Electrical Installation Condition Report</li> <li>2. Fire detection and Alarm Systems</li> <li>3. Emergency Lighting (if applicable)</li> <li>4. Current Portable Appliance Test (PAT) certificate</li> <li>5. Energy Performance Certificate (EPC)</li> <li>6. Gas Safety Certificate (if applicable)</li> <li>7. Chimneys and Flues (if applicable)</li> <li>8. Expiry/useful date on CO detector (if applicable)</li> <li>9. Current Fire Risk Assessment</li> <li>10. Personal Emergency Evacuation Plans (if applicable)</li> <li>11. Proof of suitable funding arrangements</li> <li>12. An anti-social behaviour plan</li> </ol> <p><b>a) Confirmation of ownership.</b></p>
3.4	<p>Section 8 of the 2016 Act outlines that applications for an HMO licence must be made by the owner of the HMO.</p>
3.5	<p>For all new licence applications relating to the sale / transfer of a licensed HMO officers require confirmation from the solicitor acting on behalf of the purchaser details of the new owner(s) name whether an individual or a company and the date the transfer took place to ensure compliance with section 28 “Change of ownership: effect on licence” of the 2016 Act.</p>
3.6	<p>Currently no such confirmation is sought in relation to renewal applications, however the HMO Unit currently undertake a percentage check of HMO licence applications via Land Registry and since the introduction of the Houses in Multiple Occupation Act (Northern Ireland) 2016 on the 1 April 2019 have credited our Landweb account to the sum of £15,500.</p>
3.7	<p>Officers are of the opinion that the percentage check is not sufficiently robust, as we continue to get applications from persons other than the owner. Examples include –</p> <ol style="list-style-type: none"> <li>a) applications from individuals when the property is owned by a company of which they are a director or vice versa,</li> <li>b) applications from one limited company when the property is owned by another limited company which share the same directors,</li> <li>c) applications from an individual when the property is owned by their spouse or other family member.</li> </ol>

<p>3.8</p> <p>3.9</p> <p>3.10</p> <p>3.11</p> <p>3.12</p> <p>3.13</p> <p>3.14</p> <p>3.15</p>	<p><b>b) Objections from mortgage or other loanees</b></p> <p>Schedule 2, paragraph 1(2)(e) of the 2016 Act requires the HMO licence application to contain the name and address of any person (other than the owner) who has a relevant interest in the HMO. A relevant interest is defined as a freehold estate, a leasehold estate (unless the unexpired term is three years or less), a mortgage, charge or lien.</p> <p>Officers are required to serve a copy of the notice of proposed decision on each relevant person in accordance with Schedule 2, paragraph 9(1) of the 2016 Act and must also serve a copy of the notice of determination (whether that be the licence certificate or notice of refusal) on those persons pursuant to Schedule 2, paragraph 13(1)(b).</p> <p>A number of mortgage providers include terms in their loans which prohibit the use of the accommodation on which the loan is secured as an HMO and subsequently object to the granting of an HMO licence. Such objections are either received after the proposed decision is issued but before the licence is granted but more typically due to time delays on their part after the licence is granted.</p> <p>If such an objection is received officers can no longer be satisfied that the management arrangements for the HMO are suitable. In such circumstances officers invite the owner to put new funding arrangements in place and provide proof of same and warn that the Council would consider revoking the licence in accordance with section 23 “Revocation of licences” if new arrangements are not adopted.</p> <p><b>Administrative and other burdens</b></p> <p>Both the issue of proof of ownership and funding are causing administrative burdens on the NIHMO Unit and equally as important causing worry and stress for HMO owners when issues are identified late in the process which may potentially lead to tenants losing their homes if revocation of the HMO licence becomes necessary.</p> <p>The provision of the requested documentation before an application is considered valid would allow officers to identify issues at an earlier stage and allow additional time if necessary for HMO owners to take corrective action before the issue becomes potentially critical.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>None. The cost of assessing the applications and officer inspections are provided for within existing budgets.</p> <p><b><u>Equality and Good Relations Implications</u></b></p> <p>There are no equality or good relations issues associated with this report.</p>
	<p><b>Appendices – Documents</b></p>
	<p><b>Appendix 1 – Valid Application (Current supporting documentation).</b></p>

## **Appendix 1 – Valid Application (Current supporting documentation).**

Pursuant to Section 87(1) General notices of the 2016 Act the following documents as listed in point 1 – 12 below are required under paragraph 1(1) or (1)(2)(h) of Schedule 2 before an application is considered valid:

### **1. Electrical Installation Condition Report**

Valid, current certificates for the electrical installation, confirming compliance with the applicable edition of the I.E.E. Regulations. Certificates with either C1 or C2 faults indicated on the certificate will be deemed as non-compliant.

### **2. Fire detection and Alarm Systems**

For a system installed to BS 5839-1:2017 “Fire detection and fire alarm systems for buildings. Code of practice for design, installation, commissioning and maintenance of systems in non-domestic premises. One of the following valid certificates is required -

- Installation Certificate
- Commissioning Certificate
- Inspection and Servicing Certificate

For a system installed to BS 5839-6:2013 Fire detection and fire alarm systems for buildings. Code of practice for the design, installation, commissioning and maintenance of fire detection and fire alarm systems in domestic premises

For Grade A, B or C systems, one of the following valid certificates is required –

- Installation Certificate
- Commissioning Certificate
- Inspection and Servicing Certificate

For Grade D Systems certification is not required.

### **3. Emergency Lighting (if applicable)**

In accordance with the recommendation of BS5566. Part 1, Code of Practice for the Emergency Escape Lighting in Premises. One of the following valid certificates is required -

- Completion certificate – Installation – Declaration of conformity
- Completion certificate – Verification – Declaration of conformity
- Emergency lighting inspection and test certificate

### **4. Current Portable Appliance Test (PAT) certificate**

Portable appliance testing (PAT) is the term used to describe the examination of electrical appliances and equipment to ensure they are safe to use.

### **5. Energy Performance Certificate (EPC)**

Energy Performance Certificate with a minimum E rating for energy efficiency.



## **6. Gas Safety Certificate (if applicable)**

Valid, current certificate(s) issued within the last year by a Gas Safe registered installer.

## **7. Chimneys and Flues (if applicable)**

A declaration as to the condition of any chimneys/flues and date they were last cleaned.

## **8. Expiry/useful date on CO detector (if applicable)**

A carbon monoxide alarm is installed which meets the requirements of BS EN 50291:2001 in the same room as any gas appliance.

Additionally a carbon monoxide alarm is installed which meets the requirements of BS EN 50291:2001 in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance.

As a minimum alarms should be powered by a battery designed to operate for the working life of the alarm. Such alarms must be kept in proper working order and should incorporate a warning device to alert users when the working life is due to pass.

**While Carbon Monoxide alarms may provide an extra measure of warning remember these are no substitute for regular inspection and maintenance of appliances, vents, flues and chimneys.**

## **9. Current Fire Risk Assessment**

The Fire and Rescue Services (NI) Order 2006 and the Fire Safety Regulations (NI) 2010 places responsibilities on person(s) with control of premises to assess the risk of harm from fire and to put in place suitable fire safety measures.

The appropriate person **must** record the significant findings of their fire risk assessment (including fire safety measures that have been, or will be, taken to ensure the safety of persons from fire) and any persons identified as being especially at risk from fire on the premises.

The aim of the fire risk assessment is:

- To identify hazards and to reduce the risk of those hazards causing harm to as low as is reasonably practicable; and
- To determine what fire safety measures and management policies are necessary to ensure the safety of people in the building should fire occur.

The completed fire risk assessment will be evaluated using the Northern Ireland HMO Fire Safety Guide as a benchmark. If the property is not deemed compliant the applicant will be afforded an opportunity to remedy the issues. If they are not remedied to the satisfaction of officers the council will take that into account when assessing whether the applicant is a fit and proper person.

Fire Risk Assessment templates are available at [www.nifrs.org](http://www.nifrs.org) (link opens in new window)

## **10. Personal Emergency Evacuation Plans (if applicable)**

A PEEP is a Personal Emergency Evacuation Plan. It is a bespoke 'escape plan' for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in the event of any emergency.

Who needs a PEEP?

PEEPs may be required for occupants with:

- mobility impairments
- sight impairments
- hearing impairments
- cognitive impairments
- other circumstances

A temporary PEEP may be required for:

- short term injuries (i.e. broken leg)
- temporary medical conditions
- those in the later stages of pregnancy

The underlying question in deciding whether a PEEP is necessary is "can you evacuate the building unaided, in a prompt manner, during an emergency situation?" If the answer is "no", then it is likely that a PEEP is needed.

### **11. Proof of suitable funding arrangements**

An applicant must be able to demonstrate that they have sufficient funds to undertake any remedial or improvement works necessary to bring the property up to a licensable standard and maintain it in such a standard.

The applicant is therefore required to provide a letter from an accountant, bank or some other person with professional knowledge of the funding arrangements to demonstrate that the funding arrangements for maintaining and managing the HMO are suitable.

### **12. An anti-social behaviour plan**

In assessing whether an applicant is a fit and proper person the council must have regard to whether the applicant, their associate or former associate has engaged in any anti-social behaviour and their conduct as regards any anti-social behaviour engaged in by occupants of premises which they owned or managed.

An applicant will be required to provide an anti-social behaviour plan to support an application for a licence. The plan must have regard to the council's Anti-Social Behaviour Guide and the Standard Licence Conditions in relation to managing anti-social behaviour.