

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



**Belfast  
City Council**

16th January, 2025

## **MEETING OF THE LICENSING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall and via Teams on Wednesday, 22nd January, 2025 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) Houses in Multiple Occupation (HMO) Licenses Issued Under Delegated Authority (Pages 1 - 6)
- (b) Licences Issued Under Delegated Authority (Pages 7 - 12)
- (c) Application for a Licence to operate a House of Multiple Occupation for 15 Agincourt Street (Pages 13 - 44)
- (d) Application for the Variation of 7-Day Annual Entertainments Licence for Revolucion de Cuba (Pages 45 - 56)





<b>Subject:</b>	<b>Houses in Multiple Occupation (HMO) Licences Issued Under Delegated Authority</b>
<b>Date:</b>	22 January 2025
<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>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<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 December 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 December 2024.				
	<b>Premise Name</b>	<b>Licensee</b>	<b>Ward</b>	<b>Housing Management Areas (HMAs)</b>	<b>Licence type</b>
	9 Mowhan Street	Ms Fiona Lindsay	MALONE	NONE	Renewal Application
	39 Edinburgh Street	HEATHDENE PROPERTIES LIMITED	WINDSOR	EDINBURGH ST HMO 2/08	New Application
	38 Runnymede Parade	Mr Richard Smyth	BLACKSTAFF	NONE	Renewal Application
	19 Elaine Street	Mr Colum Twomey	CENTRAL	STRANMILLIS HMO 2/19	Renewal Application
	70 Carmel Street	Mr Thomas McElhatton	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	78 Ulsterville Gardens	Mr Leo Connell	WINDSOR	ULSTERVILLE HMO 2/21	Renewal Application
	39 Landseer Street	SMG EQUITY LTD	CENTRAL	STRANMILLIS HMO 2/19	Renewal Application
	35 St Albans Gardens	Mrs Noelle Hanna	STRANMILLIS	SANDYMOUNT HMO 2/17	Renewal Application
	Flat 3 76 Rugby Avenue	GO2BSA Limited	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	26 Malone Avenue	Mr Neil McVeigh	WINDSOR	EGLANTINE HMO 2/09	Renewal Application
	17 Stranmillis Gardens	Mrs Sarah Elizabeth Witchell	CENTRAL	STRANMILLIS HMO 2/19	Renewal Application
	31 Sandhurst Gardens	Mr David Smyth	STRANMILLIS	STRANMILLIS HMO 2/19	Renewal Application
	Flat 2, 29 Fitzroy Avenue Belfast Antrim BT7 1HS	Mrs KATHLEEN PHILOMENA ROGERS	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	Flat 2, 34 University Avenue	Mr Declan Boyle	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	43 Donnybrook Street	Mr David Smyth	WINDSOR	EDINBURGH ST HMO 2/08	Renewal Application
	30 Tates Avenue	Mr Jonathan Hogg	WINDSOR	EDINBURGH ST HMO 2/08	New Application
	Apartment 30, 1a Fane Street	Dr Leslie Emerson	WINDSOR	ULSTERVILLE HMO 2/21	Renewal Application
	Flat 1 76 Rugby Avenue	GO2BSA Limited	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	25 Penrose Street	Mr John McGrade	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	100 Wellesley Avenue	DASEN LTD.	WINDSOR	EGLANTINE HMO 2/09	Renewal Application
	208 Donegall Road	Mrs Joy Dillon	BLACKSTAFF	DONEGALL ROAD HMO 2/07	New Application
	Flat 2, 33 Ulsterville Avenue	Mrs Nancy Leaney	WINDSOR	ULSTERVILLE HMO 2/21	Renewal Application
	70 Melrose Street	Mrs Cecilia Smyth	WINDSOR	EDINBURGH ST HMO 2/08	Renewal Application

78 Melrose Street	Mrs Olwen Smyth	WINDSOR	EDINBURGH ST HMO 2/08	Renewal Application
44 Sandymount Street	Mrs Rose Handley	STRANMILLIS	SANDYMOUNT HMO 2/17	Renewal Application
7 Meadowbank Street	Miss Julia Herron	WINDSOR	MEADOWBANK HMO 2/15	New Application
Flat 3, 33 Ulsterville Avenue	Mrs Nancy Leaney	WINDSOR	ULSTERVILLE HMO 2/21	Renewal Application
41 Donnybrook Street	Mr David Smyth	WINDSOR	EDINBURGH ST HMO 2/08	Renewal Application
37 Donnybrook Street	Mr David Smyth	WINDSOR	EDINBURGH ST HMO 2/08	Renewal Application
Flat 2, 31 Chlorine Gardens	BANDAR LIMITED	STRANMILLIS	SANDYMOUNT HMO 2/17	Renewal Application
Flat 2, 76 Rugby Avenue	GO2BSA Limited	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
Flat 1, 31 Chlorine Gardens	BANDAR LIMITED	STRANMILLIS	SANDYMOUNT HMO 2/17	Renewal Application
Apartment 2 16 Magdala Street	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
Flat 2, 1 Carmel Street	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
46 Palestine Street	Mr Declan Boyle	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
13 Agincourt Street	Mr Declan Boyle	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
29 Donnybrook Street	Mr William Howard	WINDSOR	EDINBURGH ST HMO 2/08	Renewal Application
Apartment 3, 16 Magdala Street	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
Flat 2, 59 Wellesley Avenue	Mr Alyn McKee	WINDSOR	EGLANTINE HMO 2/09	Renewal Application
Flat 2, 5 Ashley Avenue	GLENBURN ESTATES LTD	WINDSOR	ULSTERVILLE HMO 2/21	New Application
82 Palestine Street	Mr Rodney Woods	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
9 University Avenue	Mr Gerard Gray	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
61 Donegall Avenue	Mr Jason Vanderburg	BLACKSTAFF	NONE	Renewal Application
81 Rugby Avenue	Mr Patrick Gerard Daly	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
42 Elaine Street	Mr Austin Campbell	CENTRAL	STRANMILLIS HMO 2/19	Renewal Application
15 University Avenue	Mr Gerard Gray	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
46 Nansen Street	Mr Donal Kennedy	FALLS	NONE	Renewal Application
90 Malone Avenue	Mr Ciaran Doherty	WINDSOR	EGLANTINE HMO 2/09	Renewal Application
Flat 3, 42 Rugby Avenue	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
28 The Cloisters	Mr Patrick Grant	CENTRAL	HOLYLAND HMO 2/22	Renewal Application

	Flat 2, 42 Rugby Avenue	D.M PROPERTY ESTATES LIMITED	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	30 Pretoria Street	Mrs Carmel McLaughlin	CENTRAL	STRANMILLIS HMO 2/19	Renewal Application
	32 Carmel Street	Mrs Carmel McLaughlin	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	20 Templemore Avenue	Mr Matthew Gray	BALLYMACARR ETT	NONE	Renewal Application
	137 Dunluce Avenue	Mr James Murray	WINDSOR	ULSTERVILLE HMO 2/21	Renewal Application
	55 Carmel Street	Mr Rory Doyle	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	3 Stranmillis Street	Mr Terence McManus	STRANMILLIS	STRANMILLIS HMO 2/19	Renewal Application
	52 Chadwick Street	Mr Cary Peter Grant	WINDSOR	MEADOWBANK HMO 2/15	New Application
	52 Damascus Street	Mr Ronan Clarke	CENTRAL	HOLYLAND HMO 2/22	Renewal Application
	22 Ballygomartin Road	Mr Stephen Bell	BALLYGOMARTIN	NONE	New Application
	13 Chadwick Street	Mr Thomas Mallon	WINDSOR	MEADOWBANK HMO 2/15	New Application
	7a Donnybrook Street	Mr Christopher David Blayney	WINDSOR	EDINBURGH ST HMO 2/08	Renewal Application
	7 Donnybrook Street	Mr Christopher David Blayney	WINDSOR	EDINBURGH ST HMO 2/08	Renewal Application
	7 Sandhurst Gardens	Mr Daniel Rice	STRANMILLIS	STRANMILLIS HMO 2/19	Renewal Application
	32 Sandhurst Gardens	Mr Samuel Hardy	CENTRAL	STRANMILLIS HMO 2/19	Renewal Application
	15 Sydenham Drive	Mr John O'Callaghan	BELMONT	NONE	Renewal Application
	22 Sydenham Drive	Mr John O'Callaghan	BELMONT	NONE	Renewal Application
	Flat 2, 2 Rugby Avenue	M.C.M. PROPERTY SERVICES LIMITED	CENTRAL	HOLYLAND HMO 2/22	New Application
	Flat 1, 2 Rugby Avenue	M.C.M. PROPERTY SERVICES LIMITED	CENTRAL	HOLYLAND HMO 2/22	New Application
	51 Ulsterville Avenue	Mr Martin Mackin	WINDSOR	ULSTERVILLE HMO 2/21	Renewal Application
	Flat 3 19 Ulsterville Avenue	Mr John Gibson	WINDSOR	ULSTERVILLE HMO 2/21	Renewal Application
	27 Stranmillis Gardens	BLUEHILL CONTRACTS PROPERTY LTD	CENTRAL	STRANMILLIS HMO 2/19	New Application

**Financial & Resource Implications**

3.2 None

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

3.3 There are no issues associated with this report.



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<b>Subject:</b>	<b>Licences Issued Under Delegated Authority</b>
<b>Date:</b>	22 January 2025
<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"/>
<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>	
Insert number <input type="checkbox"/>	
<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>	
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision After Council Decision Sometime in the future Never	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <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>																																								
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<b>Premises and Location</b>	<b>Type of Application</b>	<b>Applicant</b>
Cyprus Avenue, 228-234 Upper Newtownards Road, Belfast, BT4 3ET.	Renewal	Mr Richard McCracken, Cyprus Avenue Ltd
Dunmurry Young Men Football Club, 250 Glenburn Road, Belfast, BT17 9BB.	Renewal	Mr Daryl Irwin
Ewarts Bowling Club, 21 Somerdale Park, Belfast, BT14	Renewal	Mr David Lavery
Filthy McNastys, 41-45 Dublin Road, Belfast, BT2 7HD.	Renewal	Ms Catherine McCrory, Bachus Inns Ltd
Flame Restaurant, 3 Bedford Square, Belfast, BT2 7ES.	Renewal	Mr Gaurav Kher
Kelly's Cellars, 30-32 Bank Street, Belfast, BT1 1HL.	Renewal	Mr Henry Downey, Eagle-Glen Ltd
Kitchen Bar, Unit 42 UG, 1 Victoria Square, Belfast, BT1 4QG.	Renewal	Mr Henry Downey, Eagle-Glen Ltd
Knock Methodist Centre, 17 Knock Road, Belfast, BT5 6LA.	Grant	Rev Fiona McCrea
Lagan Village Rangers Supporters Club, 36-40 Castlereagh Place, Belfast, BT5 4NN.	Renewal	Mr William Robert Ferguson
Ligoniel Community Centre, 144 Ligoniel Road, Belfast, BT14 8DT.	Renewal	Ms Catherine Taggart, Belfast City Council
Malone House, 300 Malone Road, Belfast, BT9 5PB.	Renewal	Ms Ciara Glennon
Markets Community Centre, Market Street, Belfast, BT2 8JA.	Renewal	Ms Catherine Taggart, Belfast City Council
McHughs Bar, 29 Queens Square, Belfast, BT1 3FG.	Renewal	Mr Henry Downey, Eagle-Glen Ltd
National Club, 19 Queen Street, Belfast, BT1 6EA.	Renewal	Mr Jim Mulholland
Print Hall, 124-144 Royal Avenue, Belfast, BT1 1DN.	Renewal	Mr Alan Simms, SD Event Management Ltd
Revolucion de Cuba, 25-39 Arthur Street, Belfast, BT1 4GA.	Renewal	Mr Daniel McGee
Ryans, 116-118 Lisburn Road, Belfast, BT9 6AH.	Renewal	Mr Gavin Bates, Barel Ltd
Taughmonagh Social Club, 31 Finwood Park, Belfast, BT9 6QR.	Renewal	Mr Colin Geary
Ten Square, 10 Donegall Square South, Belfast, BT1 5JD.	Renewal	Mr Christopher Kearney, Loughview Leisure Group
The Black Box, 18-22 Hill Street, Belfast, BT1 2LA.	Renewal	Mr Neil Jacques, The Black Box Trust

Premises and Location	Type of Application	Applicant
The Devenish Complex, 33-37 Finaghy Road North, Belfast, BT10 0JB.	Renewal & Variation	Mr James Conlon
The Ivy Belfast Brasserie, Cleaver House, 56 Donegall Place, Belfast, BT1 5BB.	Grant	Ms Anabel Newman, Troia (UK) Restaurants Ltd
The Rusty Saddle and Shake or Stir, 21 Howard Street, Belfast, BT1 6NB.	Renewal	Mr Eamon Diamond, Braidview Trading Ltd
The Stadium Bar, 346-348 Shankill Road, Belfast, BT13 3AB.	Grant	Mr Warren McAdam, Lucia Rose Properties Ltd
Ulster Reform Club, 4 Royal Avenue, Belfast, BT1 1DA.	Renewal	Mr Matthew Laird
West Belfast HPS Club, 19 Bootle Street, Belfast, BT13 3GQ.	Renewal	Mr Hugh Stockman

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 no Cinema Licences were issued since your last meeting.

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
Centra Blacks Road, 120 Blacks Road, Belfast, BT10 0NF.	Renewal	Mr Connor Fitzgerald, Musgrave Retail Stores NI Ltd
Edenderry Filling Station, 298 Crumlin Road, Belfast, BT14 7EE.	Renewal	Mr John Bailey
Rosetta Service Station, 569 Ormeau Road, Belfast, BT7 3JB.	Renewal	Mr Feargal Woods, Woods Stores NI Ltd
Tates Avenue Filling Station, 252 Tate Avenue, Belfast, BT12 6NB.	Renewal	Mr Alan Armstrong, Henderson Retail Ltd

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
Donegall Quay, Belfast.	Stationary	Hot & Cold food & beverages	Sun – Sat: 09:00 – 21:00	Aaron McClelland
Queens Quay (1), Belfast.	Stationary	Artwork, Clothing, Cold food, Hot beverages, Groceries, Flowers & plants, Souvenirs	Mon – Fri: 07:00 – 23:00 Sat: 08:00 – 23:00 Sun: 09:00 – 23:00	Aine McBeth
Queens Quay (2), Belfast.	Stationary	Hot & Cold food & beverages	Mon – Fri: 07:00 – 23:00 Sat: 08:00 – 23:00 Sun: 09:00 – 23:00	Aine McBeth

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.

<b>Location</b>	<b>Type of Activity</b>	<b>Date and Hours permitted</b>	<b>Applicant</b>
Beverley Street	Filming	10 - 11 December 2024 09:30 – 17:00	Mr David Cooke
Queens Parade, Victoria Parade, Duncairn Parade, North Queen Street	Filming	12 – 13 & 16 December 2024 09:00 – 21:00	Mr Andrew Wilson

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.

**Financial & Resource Implications**

3.8 None

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

3.9 There are no issues associated with this report.

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<b>Subject:</b>	<b>Addendum report relating to an application for a Licence to operate a House of Multiple Occupation for 15 Agincourt Street, Belfast, BT7 1RB</b>
<b>Date:</b>	22 January, 2025
<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	<p>The Committee, at its 20 November 2024 meeting, was asked to consider whether it would grant or refuse the application for a new HMO licence at 15 Agincourt Street, Belfast, BT7 1RB.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Premises</th> <th style="width: 25%;">Application No.</th> <th style="width: 25%;">Applicant(s)</th> <th style="width: 25%;">Managing Agents</th> </tr> </thead> <tbody> <tr> <td>15 Agincourt Street, Belfast, BT7 1RB</td> <td>11261</td> <td>Mr John Macauley</td> <td>360 Residential Ltd</td> </tr> </tbody> </table>	Premises	Application No.	Applicant(s)	Managing Agents	15 Agincourt Street, Belfast, BT7 1RB	11261	Mr John Macauley	360 Residential Ltd
Premises	Application No.	Applicant(s)	Managing Agents						
15 Agincourt Street, Belfast, BT7 1RB	11261	Mr John Macauley	360 Residential Ltd						
1.2	At the November 2024 meeting, the Committee agreed to defer consideration of the application to enable officers to explore some of the issues raised in relation to this application, particularly relating to property ownership and the previous licence application., and to present this information at a future meeting.								
1.3	This report should be read in conjunction with the report presented to Committee at its November 2024 meeting. <b>Appendix 1.</b>								
1.4	In addition to the submission made on the applicants' behalf by McCann and McCann Solicitors the applicant made oral representations at the November 2024 meeting, a copy of those representation are at <b>Appendix 2.</b>								

	<p><b>NIHE Statutory Registration</b></p>
1.5	<p>The property had the benefit of an HMO Registration issued by the Housing Executive with a commencement date of the 02 June 2014 in the name of Mr. John Macauley with an expiry date of the 02 June 2019. Registrations issued by the NIHE became licenses on the 1 April 2019 by virtue of the Transitional Provisions Order 2019.</p>
1.6	<p>For the purposes of the NIHE Statutory Registration Scheme the person obliged to register the house (the specified person) could have been either –</p> <ul style="list-style-type: none"> <li>• The owner of the house; or</li> <li>• Where the house in multiple occupation comprises a building (or part of a building) which has no discrete owner, the person in ownership of each part of the building; or</li> <li>• The person having control of the house; or</li> <li>• The person managing the house.</li> </ul>
	<p><b>19 April 2019 licence application</b></p>
1.7	<p>On the 19 April 2019 an application was received from Ms. Mary Macauley which was subsequently granted in her name with an expiry date of the 02 June 2024.</p>
1.8	<p>In discussions prior to the introduction of the Houses in Multiple Occupation Act (Northern Ireland) 2016 (“2016 Act”) the Department for Social Development (now the Department for Communities) expressed the view that regulation that is disproportionate and unduly onerous could impact costs, increase rents, and ultimately deter some HMO owners from applying for HMO licenses, putting occupiers at risk. It was therefore decided at that time that for renewal application proof of ownership from a solicitor or financial institution would not be required and would be based on a self-declaration in the application form. The NIHMO Unit carry out a 10% random check of HMO ownership.</p>
1.9	<p>The HMO licence was granted to Mrs. Macauley based on the self-declaration contained in the application form.</p>
	<p><b>08 May 2024 licence application.</b></p>
1.10	<p>On the 08 May 2024 an application was received from Mr. John Macauley, and confirmation was received from the applicant’s solicitor that Mrs. Macauley never owned the accommodation and ownership has been in the sole name of Mr. Macauley since 29 July 2005.</p>
	<p><b>New – v – renewal application</b></p>
1.11	<p>Mr Macauley submits that having regard to the specific circumstances of his application the Council should exercise discretion and treat his application as a renewal.</p>
1.12	<p>Senior Counsel’s advice was sought, and having considered same, legal services have advised that while this is not a straightforward area of interpretation, given the particular circumstances of this application and in order to give effect to the proper legislative intent of the 2016 Act as well as the need to avoid the Council being left vulnerable to Judicial Review challenge, the application should be considered a renewal of the existing licence. The result of this is <u>not to exercise a discretion</u> but to give effect to the true meaning of section 20 of the 2016 Act in these particular circumstances.</p>



<b>2.0</b>	<b>Recommendations</b>
2.1	Taking into account the information presented Committee is asked to grant the application in the terms applied for.
	<b>Appendices – Documents Attached</b>
	<b>Appendix 1</b> – Report and appendices presented to committee on 20 November 2024. <b>Appendix 2</b> – Oral representations made to the committee on 20 November 2024.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 6  
of the Local Government Act (Northern Ireland) 2014.

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of the Local Government Act (Northern Ireland) 2014.

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<b>Subject:</b>	<b>Application for the Variation of 7-Day Annual Entertainments Licence for Revolucion de Cuba</b>
<b>Date:</b>	22 January 2025
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext. 2435
<b>Contact Officer:</b>	Monica Gallagher, Senior Building Control Surveyor, Ext 2567

<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 style="width: 30px; height: 20px;" type="text"/></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%; border: none;"> <tr> <td style="width: 70%;"><b>After Committee Decision</b></td> <td style="width: 30%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><b>After Council Decision</b></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><b>Sometime in the future</b></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><b>Never</b></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		<b>After Committee Decision</b>	<input type="checkbox"/>	<b>After Council Decision</b>	<input type="checkbox"/>	<b>Sometime in the future</b>	<input type="checkbox"/>	<b>Never</b>	<input type="checkbox"/>
<b>After Committee Decision</b>	<input type="checkbox"/>								
<b>After Council Decision</b>	<input type="checkbox"/>								
<b>Sometime in the future</b>	<input type="checkbox"/>								
<b>Never</b>	<input type="checkbox"/>								

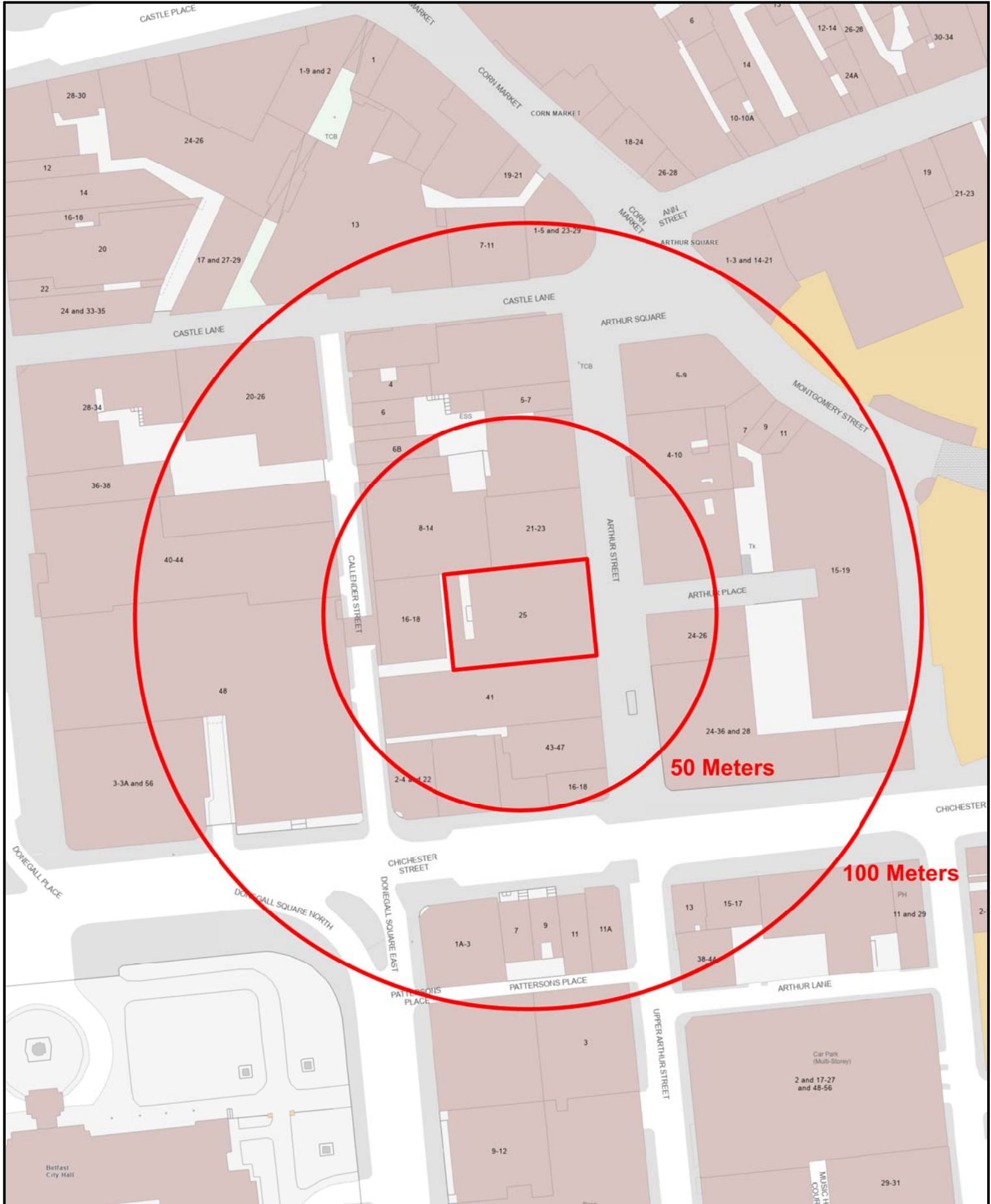
<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>						
1.1	<p>To consider an application for the variation of a 7-Day Annual Indoor Entertainments Licence for the hours during which entertainment may be provided at Revolucion de Cuba based on the Council's Standard Conditions to provide music, singing, dancing or any other entertainment of a like kind.</p> <table border="0"> <tr> <td style="text-align: center;"><b>Area and Location</b></td> <td style="text-align: center;"><b>Ref. No.</b></td> <td style="text-align: center;"><b>Applicant</b></td> </tr> <tr> <td>Revolucion de Cuba 25-39 Arthur Street Belfast BT1 4GA</td> <td>WK/202205082</td> <td>Daniel McGee 25-39 Arthur Street Belfast BT1 4GA</td> </tr> </table>	<b>Area and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	Revolucion de Cuba 25-39 Arthur Street Belfast BT1 4GA	WK/202205082	Daniel McGee 25-39 Arthur Street Belfast BT1 4GA
<b>Area and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>					
Revolucion de Cuba 25-39 Arthur Street Belfast BT1 4GA	WK/202205082	Daniel McGee 25-39 Arthur Street Belfast BT1 4GA					
1.2	A location map is attached as Appendix 1.						
<b>2.0</b>	<b>Recommendations</b>						
2.1	<p>Taking into account the information presented and any representations made in respect of the application you are required to make a decision to either:</p> <ul style="list-style-type: none"> <li>a) Approve the application for the variation of the 7-Day Annual Entertainments Licence to vary the hours during which entertainment may be provided as requested, or</li> <li>b) Approve the application for the variation with special conditions, or</li> <li>c) Refuse the application for the variation of the 7-Day Annual Entertainments Licence.</li> </ul>						
2.2	If an application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the County Court. In the case that the applicant subsequently decides to appeal, entertainment may not be provided to the later hours requested until any such appeal is determined.						
<b>3.0</b>	<b>Main report</b>						
	<b><u>Key Issues</u></b>						
3.1	<p>The areas currently Licensed to provide indoor entertainment and their maximum occupancies are:</p> <ul style="list-style-type: none"> <li>• Ground floor – 560 persons,</li> <li>• Balcony – 170 persons</li> </ul>						
3.2	<p>The days and hours during which entertainment may be provided under the terms of the current indoor Entertainments Licence are:</p> <ul style="list-style-type: none"> <li>• Monday to Thursday: 11.30am to 1.00am the following morning,</li> <li>• Friday and Saturday: 11.30am to 3.00am the following morning,</li> <li>• Sunday: 12.30pm to midnight.</li> </ul>						



3.3	The variation application relates to a proposed extension to the hours during which entertainment can be provided on a Monday to 3.00am the following morning.
3.4	Members are reminded that applications to provide indoor entertainment beyond 1.00am are subject to consideration by Committee.
3.5	The applicant has stated that the extension of hours to 3.00am is to respond to customer demand by launching a new student night.
3.6	A layout plan for the premises is attached as Appendix 2.
	<b><u>Representations</u></b>
3.7	Public notice of the application has been placed in the newspaper and no written representation has been lodged as a result of the advertisement.
	<b><u>PSNI</u></b>
3.8	The Police Service of Northern Ireland have been consulted and have confirmed that they have no objection to the variation application.
3.9	A copy of their response is included as Appendix 3 to this report.
	<b><u>NIFRS</u></b>
3.10	The Northern Ireland Fire and Rescue Service have been consulted in relation to the application but their response has not yet been received. Should any fire safety issues be raised in connection with the venue these will be addressed with the licensee.
	<b><u>Health, safety and welfare</u></b>
3.11	The premises has been subject to inspections as part of the licensing application process and all technical requirements and associated operational and management procedures have been checked and are satisfactory.
	<b><u>Noise</u></b>
3.12	No noise complaints have been received by the Service in the past 12 months in relation to the venue.
3.13	Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives the council additional powers in relation to the control of entertainment noise after 11.00 pm.
	<b><u>Applicant</u></b>
3.14	The applicant, and/or their representative will be available at your meeting to answer any queries you may have in relation to the applications.
<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	None

5.0	<b>Equality or Good Relations Implications/Rural Needs Assessment</b>
5.1	There are no issues associated with this report.
6.0	<b>Appendices – Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Location map</li> <li>• Appendix 2 – Layout plans</li> <li>• Appendix 3 – PSNI Response</li> </ul>

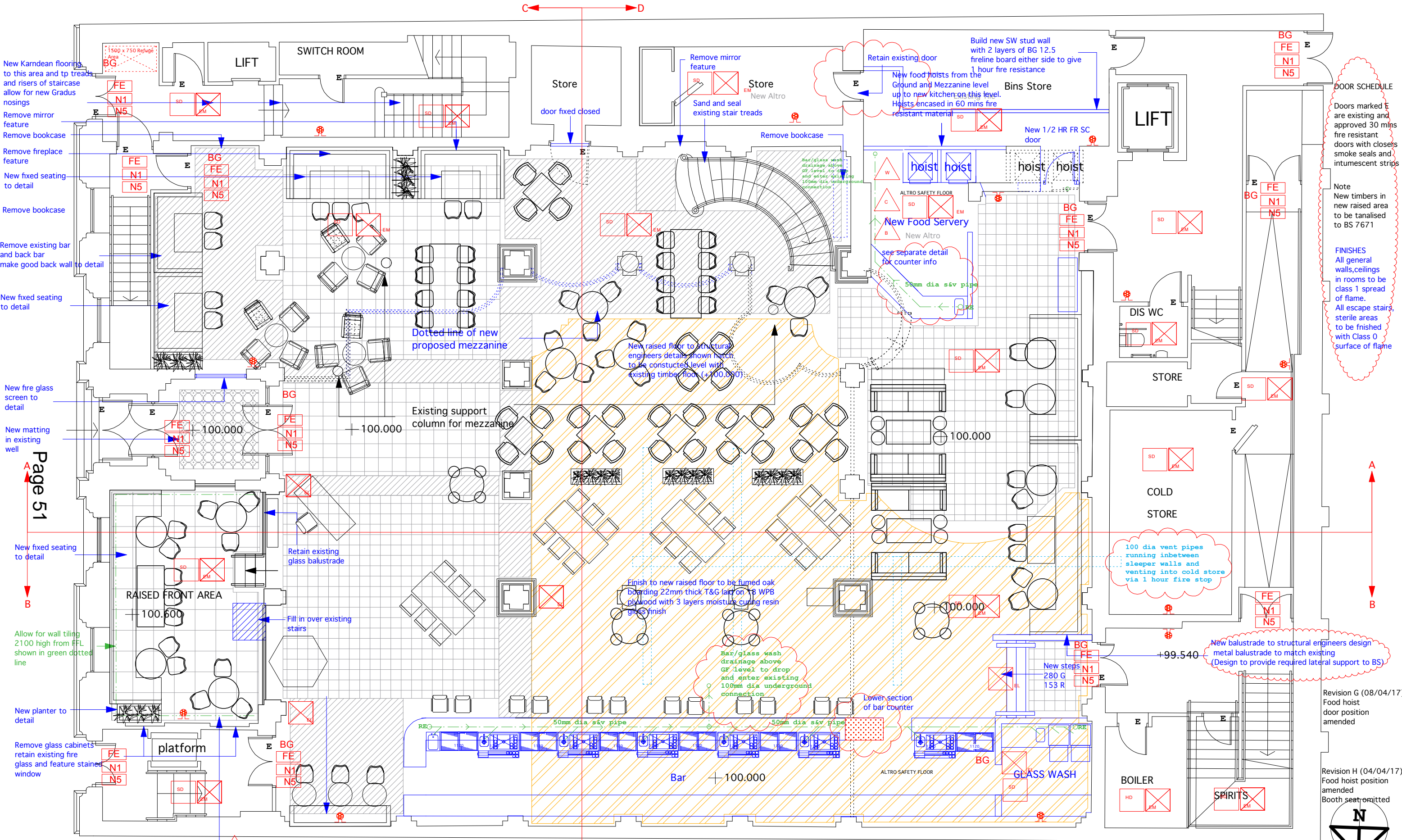


Drawn By: **M Treacy**  
Date: **08/01/2025**

Page 49  
**Revolucion de Cuba**  
**25-39 Arthur Street**

Scale: **1:1,250 @ A4**

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# PROPOSED GROUND FLOOR PLAN

scale 1:100 (A3)

- FE Final Exit Notice: to comply with BS 5499
- EOD Fire exit keep clear notice: required at all fire exits
- N1 General fire notice: required at all break glass points
- N5 Fire exit keep clear notice: required at all fire exits
- N7 Push bar to open notice: required to be fitted to all doors with panic bolts
- BG Fire Blanket
- W Fire extinguisher: as part of BS EN5 & BS 53 06 PT 1
- C Carbon Dioxide Fire extinguisher: as part of BS EN5 & BS 53 06 PT 1
- HD Self contained heat detector linked to fire alarm system
- SD New interlinked smoke alarms
- EM Emergency lighting for this building to be in accordance with BS5266 : part 1 : 2005, Part E
- EL External Wall light
- EL Emergency lighting for this building to be in accordance with BS5266 : part 1 : 2005, Part E
- Fire Alarm Sounder

**NOTE :** Existing fire safety to Part E installation as approved to remain unaltered where amendments are made these are indicated in red symbols

Finish to new raised floor to be fumed oak boarding 22mm thick T&G laid on 18 WPB plywood with 3 layers moisture curing resin gloss finish

- Allow for removing existing tiles making good sub base to receive 16mm cement tile on 4mm bed and sealed as manufacturers specification
- Allow for removing existing tiles making good sub base to receive 22mm fumed oak flooring in herringbone pattern 600 x 100
- Existing tile floor retained and protected

Note the structural works to be signed off by the Structural Engineer and a Certificate of Validation or equal should be issued to ensure that the works have been carried out to their satisfaction at the completion of the project. The Certificate should be forwarded to Building Control upon completion of the project.

Revision D (01/12/16) Staircase amended

Revision E (23/12/16) Building Control comments added

Revision FF (28/03/17) Amendments following site visit 28/03/17

Scale 1/100 @ A3

**markmasondesign**

Project CAFE VAUDEVILLE  
25-39 ARTHUR STREET, BELFAST

Drawing GROUND FLOOR PLANS  
AS PROPOSED

Drawing No 196H Scale 1/100@A3

Date Drawn

Mark@markmasondesign.com tel 07836 775755

**DOOR SCHEDULE**

Doors marked E are existing and approved 30 mins fire resistant doors with closefits smoke seals and intumescent strips

Note New timbers in new raised area to be tanalised to BS 7671

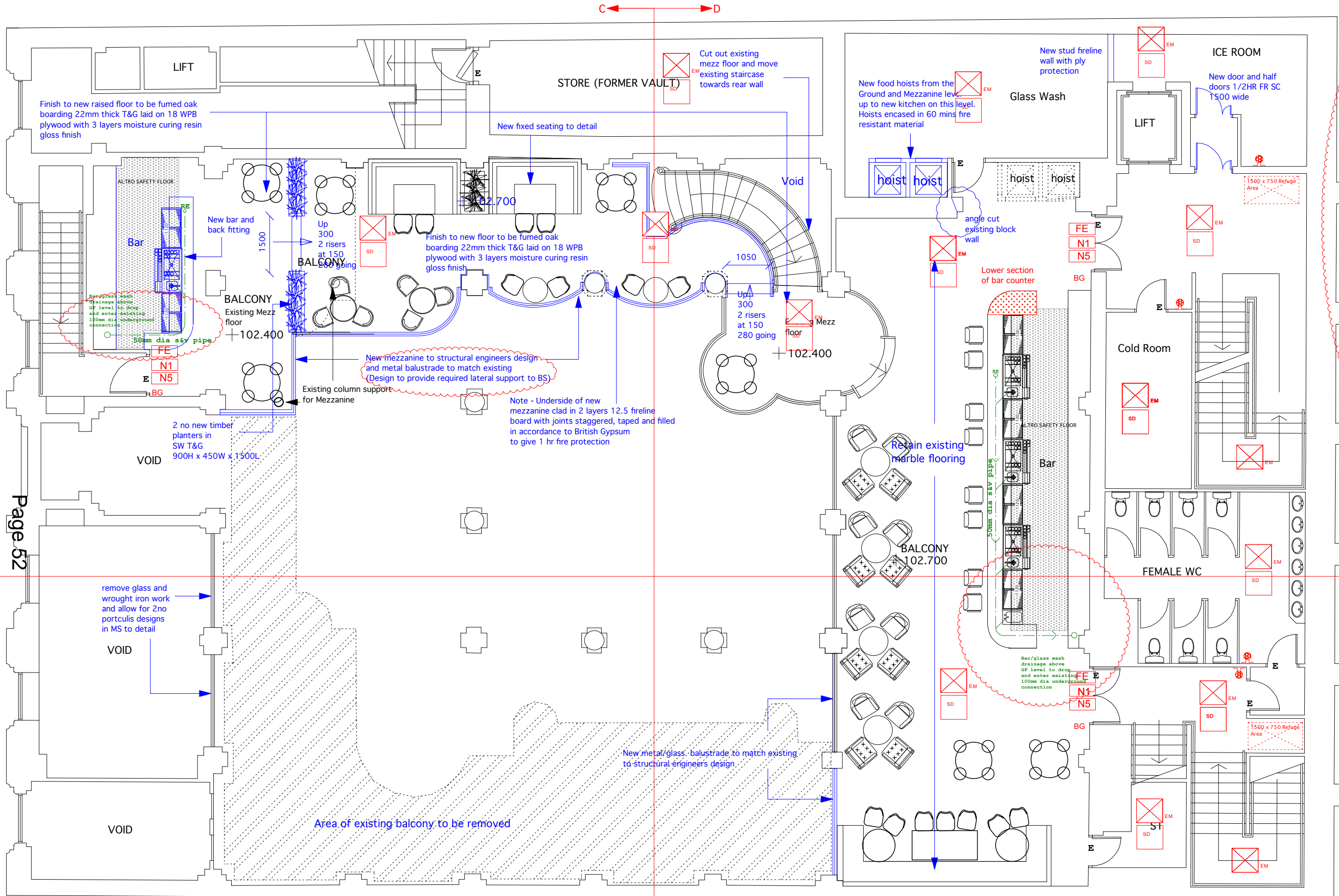
**FINISHES**  
All general walls, ceilings in rooms to be class 1 spread of flame.  
All escape stairs, sterile areas to be finished with Class 0 surface of flame

Revision G (08/04/17) Food hoist door position amended

Revision H (04/04/17) Food hoist position amended Booth seat omitted







**DOOR SCHEDULE**

Doors marked E are existing and approved 30 mins fire resistant doors with closers smoke seals and intumescent strips

Note  
New timbers in new raised area to be tanalised to BS 7671

**FINISHES**  
All general walls, ceilings in rooms to be class 1 spread of flame.  
All escape stairs, sterile areas to be finished with Class 0 surface of flame

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**PROPOSED MEZZANINE LEVEL PLAN**  
scale 1:100 (A3)

- FE Final Exit Notice: to comply with BS 5499
- EOD Easy Opening Device: To comply with relevant BS
- N1 General fire notice: required at all break glass points
- NS Fire exit keep clear notice: required at all fire exits
- NF Push bar to open notice: required to be fitted to all doors with panic bolts

NOTE : Existing fire safety to Part E installation as approved to remain unaltered where amendments are made these are indicated in red symbols

- Fire Blanket
- W Water Fire extinguisher: as part of BS EN5 & BS 53 06 PT 1
- C Carbon Dioxide Fire extinguisher: as part of BS EN5 & BS 53 06 PT 1
- HD Self contained heat detector linked to fire alarm system
- SD New interlinked smoke alarms

- EM Emergency lighting for this building to be in accordance with BS5266 : part 1 : 2005. Part E
- EL External Wall light
- EL Emergency lighting for this building to be in accordance with BS5266 : part 1 : 2005. Part E
- BG Break glass point to comply with BS5266 Pt1:1999 requirements
- SS Smoke seal: Intrinscment strips smoke seal routed into door frame
- SC Self closer fitted to door leaf

HOD Hold Open Device: Electronically Operated hold open device fitted to leaf linked directly to fire alarm system. Device to comply with BS 7273-4: 2007

**Fire Alarm Sounder**

Revision H (04/04/17)  
Food hoist position amended

Revision E (23/12/16)  
Building Control comments added

Revision F (28/03/17)  
Layouts amended as site visit 28/03/17

Scale 1/100 @ A3

**markmasondesign**

Project CAFE VAUDEVILLE  
25-39 ARTHUR STREET, BELFAST

Drawing No FIRST FLOOR PLANS  
AS PROPOSED

Drawing No 197H  
Date 197H

Scale 1/100@A3  
Drawn

Mark@markmasondesign.com tel 07836 775755

Note the structural works to be signed off by the Structural Engineer and a Certificate of Validation or equal should be issued to ensure that the works have been carried out to their satisfaction at the completion of the project. The Certificate should be forwarded to Building Control upon completion of the project.



1 allows for the application, regulation and restriction following consideration by the licensing authority.

The Order allows for the granting of a licence with conditions with the overarching aim of maximising safety and minimise risk and impact that may result from the granting of a licence.

The role of the Police Service in consideration of entertainment licences is limited however I would highlight current regulatory practice:

- Private Security Industry Act 2001 – covers the requirement for the provision of licensed activities that may impact this application.
- Responsible retailing code (NI) – covers the responsible promotion and retail of alcohol.
- The Registration of Clubs (NI) Order 1996
- The Licensing (NI) Order 1996
- The Licensing and Registration of Clubs (amendment) Act (Northern Ireland) 2021.

**There are no current grounds for PSNI objections to the grant of the above new, renewals & transfer entertainment licence applications being further considered by Belfast City Council, residents, other local business and NIFRS.**

**Police would also request the following special conditions be considered for inclusion on the licence to ensure the peaceful and orderly conduct of the premises and that the appropriate number of SIA approved only doorstaff be deployed throughout the premises.**

- **APPENDIX E – Safer Dancing / Reduction in the supply of drugs within the BCC Rules of Management be complied with ASAP**
- **The licence holder to take positive steps to manage the premises responsibly in a peaceful and orderly manor**
- **Robust complaints procedure in place for dealing with residents' concerns expeditiously.**

**Please note if a Pavement Café area is included within the Entertainment Licence an application under the permanent scheme should be made to Belfast City Council ASAP as any existing temporary Pavement Café Licence will no longer be valid.**



If the Entertainment Licence applications are granted in due course police note that **APPENDIX E – Safer Dancing / Reduction in the supply of drugs within the BCC Rules of Management it is the responsibility of the licence holder. Any breaches or non-compliance should be managed by Belfast City Council.**

Please forward police a copy of the above Entertainment Licences with any special conditions or restrictions with confirmation that all Belfast City Council requirements and conditions including all Building Regulations approvals have been adhered to and that the Licensing (NI) Order 1996 will be adhered to by the licence holder.

Can you please also ensure that the applicant has registered the premises with the ongoing 'Ask for Angela' campaign as we continue to raise awareness for this simple, yet effective initiative that allows those who may find themselves in a vulnerable situation, with a quick and discreet way to access the help they need. Please feel free to share and encourage your applicants to registered and appear on the province wide map.



The Police Service of Northern Ireland has developed a short training package, in partnership with Hospitality Ulster for the 'Ask for Angela' safeguarding initiative across Northern Ireland. People who feel unsafe, vulnerable or

threatened can discreetly seek help by approaching venue staff. Asking for 'Angela' will indicate to trained staff that this person requires help in the form of; reuniting them with a friend, seeing them to a taxi, or by calling venue security and/or Police. The training package for the scheme is now available to access on the Hospitality Ulster website here: <https://hospitalityulster.org/askforangela> or on the Northern Ireland Hotel Federation website here: <https://www.nihf.co.uk/ask-for-angela/> Any venue that wishes to take part must **first register via the link** above to sign up to the scheme and then they will be given access to the bespoke training package for their staff and promotional materials for their venue.

**Once venues have signed up they will be added to a map that has been designed to make the public aware of what once venues have signed up they will be added to a map that has been designed to make the public aware of what venues are involved.**

[REDACTED]  
Licensing Constable  
Belfast City

Extension: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED] Musgrave Police Station • 60  
Victoria Street • Belfast • BT1 3GL