

# Public Document Pack

**Democratic Services Section  
Chief Executive's Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**



**Belfast  
City Council**

12th October, 2017

## **MEETING OF LICENSING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Wednesday, 18th October, 2017 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

## **AGENDA:**

### **1. Routine Matters**

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest

### **2. Delegated Matters**

- (a) Licences/Permits Issued under Delegated Authority (Pages 1 - 6)
- (b) Consideration of Entertainments Licences where the applicant has been convicted of an offence - Red Devil Bar/Flame Restaurant (Pages 7 - 20)
- (c) Application for the Grant of a Seven-Day Annual Outdoor Entertainments Licence - Jubilee Gardens (Pages 21 - 36)
- (d) Application for the Variation of a Seven-Day Annual Entertainments Licence - The Cuckoo, 149 Lisburn Road (Pages 37 - 58)

- (e) Application for the Variation of a Seven-Day Annual Outdoor Entertainments Licence with Previous Convictions - Thompson's Garage, 3 Patterson's Place (Pages 59 - 76)
- (f) Application for the Grant of a Seven-Day Annual Indoor Entertainments Licence - Belfast Telegraph Printworks, 124-144 Royal Avenue (Pages 77 - 100)

3. **Non-Delegated Matters**

- (a) Update on Training for the Licensing Committee (Pages 101 - 102)



<b>Subject:</b>	<b>Licences/Permits Issued Under Delegated Authority</b>
<b>Date:</b>	18th October, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

<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"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	Under the Scheme of Delegation, the Director of Planning and Place 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 Entertainments Licences where adverse representations have been made. Those applications which were dealt with under the Scheme are listed below.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	The Committee is requested to note the applications which have been issued under the Scheme of Delegation.

<b>3.0</b>	<b>Main report</b>		
	<b><u>Key Issues</u></b>		
<b>3.1</b>	Under the terms of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 the following Entertainments Licences were issued since your last meeting:		
	<b>Premises and Location</b>	<b>Type of Application</b>	<b>Hours Licensed</b>
	1st Shankill N Ireland Supporters Club, 352-356 Shankill Road, Belfast, BT13 3AD.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00
	Balmoral Golf Club, 518 Lisburn Road, Belfast, BT9 6GX.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00
	Cregagh Sports Club 3 Gibson Park Avenue Belfast, BT6 9GL.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00
	Campbell College, Belmont Road, Belfast, BT4 2ND.	Renewal	Sun: 12.30 - 01.00 Mon - Sat: 11.30 - 01.00
	Cardinal O'Donnell's GAC, 43 Whiterock Road, Belfast, BT12 7PF.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00
	Casement Social Club Casement Park, 88-100 Andersonstown Road, Belfast, BT11 9BX.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00
	Cast & Crew Restaurant, 9 Queens Road, Belfast, BT3 9DU.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00
	Castlereagh Presbyterian Church Hall, 79 Church Road, Castlereagh, Belfast, BT6 9SA.	Renewal	Mon - Sat: 18.30 - 01.00
	Harp Bar 35-39 Hill Street Belfast, BT1 2LB.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00
	Cock And Hen Bar, 1-3 Lord Street, Belfast, BT5 4QE.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00
	Hilton Hotel Belfast 4 Lanyon Place, Belfast, BT1 3LP.	Renewal & Transfer	Sun - Sat: 08.30 - 03.00
	McGlones Bar, 131-133 Kingsway, Dunmurry, Belfast, BT17 9NS.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00
	Methodist College, Whitla Hall, 1 Malone Road, Belfast, BT9 6BY.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00
			Mr Philip Meneely
			Mr Paul Scullion
			Mr David Cochrane
			Mr Wayne Harper
			Mr Sean McVeigh
			Ms Maria Toner
			Cast and Crew (Titanic) Limited
			Mr Trevor Busby
			Commercial Court Inns Limited
			Mrs Linda & Robert McCreery
			Park UK Lessee Holdings Limited
			McGlones Dunmurry Limited
			Mr John Robinson

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Hours Licensed</b>	<b>Applicant</b>
Botanic Gardens Bowling Pavilion, University Road, Belfast.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Cregagh Youth & Community Centre, Mount Merrion Avenue, Belfast, BT6 0FL.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Downshire Community Centre, Downshire Hall, 340-342 Cregagh Road, Belfast, BT6 9EX.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Finaghy Community Centre, Geeragh Place, Belfast, BT10 0ER.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Glen Road Community Centre, 2a Carrigart Avenue, Belfast, BT11 9HU.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
City Hall, Donegall Square, Belfast, BT1 5GS.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Council Chambers, City Hall, Donegall Square, Belfast, BT1 5GS.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.30	BCC
Highfield Community Centre, High Green, Belfast, BT13 3SA.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Horn Drive Community Centre, 44A Horn Drive, Belfast, BT11 9NB.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Inverary Community Centre, Inverary Avenue, Belfast, BT4 1RN.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Markets Community Centre, Market Street, Belfast, BT2 8JA.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Braniel Community Centre, Warren Grove, Belfast, BT5 7PX.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
North Queen Street Community Centre, 46A Victoria Parade, Belfast, BT15 2EN.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Sandy Row Community Centre, Sandy Row, Belfast, BT12 5ET.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Suffolk Community Centre, Carnamore Park, Belfast, BT11 9LX.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Tullycarnet Community &	Renewal	Sun - Sat: 08.00 - 01.00	BCC

Resource CR, Kinross Avenue, Belfast, BT5.			
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Premises and Location	Type of Application	Hours Licensed	Applicant
Whiterock Community Centre, Whiterock Road, Belfast, BT12 1FW.	Renewal	Sun - Sat: 08.00 - 01.00	BCC
Ox Cave Restaurant, 3 Oxford Street, Belfast, BT1 3LA.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Varenne Restaurants Limited
Portside Inn, 1 Dargan Road, Belfast, BT3 9JU.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Simms Inn LLP
Shaftesbury Bowling & Recreational Club, Downing Memorial Park, 20A Annadale Avenue, Belfast, BT7 3JJ.	Renewal	Mon - Sat: 08.00 - 23.00	Mrs Eileen Carol Simpson
St Galls G.A.C, 4-12 Milltown Row, Belfast, BT12 6EU.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.00	Mr Brendan Gallagher
St Michaels Parish Centre, 206 Finaghy Road North, Belfast, BT11 9EH.	Renewal	Sun - Sat: 08.00 - 01.00	Mr David Delargy
The Farmer's Inn, 91 Colinglen Road, Belfast, BT17 0LW.	Renewal	Sun: 12.30 - 00.00 Mon - Sat: 11.30 - 01.00	Eamonn C Limited
Titanic Hotel, Queens Road, Belfast, BT3 9DT.	Grant	Sun: 12.30 - 01.00 Mon - Sat: 11.30 - 01.00	Titanic Hotel Belfast Limited
West Belfast HPS Club, 19 Bootle Street, Belfast, BT13 3GQ.	Renewal	Sun: 12.30 - 22.00 Mon - Sat: 11.30 - 23.30	Mr Hugh Stockman

**3.2** Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 the following Amusement Permits were issued since your last meeting.

Premises and Location	Type of Application	Hours Licensed	Applicant
Oasis Gaming Centre, 61 Boucher Road, Belfast, BT12 6HR.	Renewal	Sun: 11.00 - 00.00 Mon - Sat: 09.00 - 00.00	Oasis Retail Service Limited
Onassis Amusements, 17-19 Queen Street, Belfast, BT1 6EA.	Renewal	Sun - Sat: 00.00 - 00.00	Botanic Leisure Limited

**3.3** Under the terms of the Street Trading Act (Northern Ireland) 2001 the following Street Trading Licences were issued since your last meeting.

<b>Premises and Location</b>	<b>Type of Application</b>	<b>Commodity</b>	<b>Hours Licensed</b>	<b>Applicant</b>
Donegall Quay	Stationary	Cold food, confectionery, bakery products and non-alcoholic beverages	Mon – Sun: 07.00 – 21.00	Mr Louis Hines
Outside Queens University Students Union, 77-79 University Road	Temporary	Electronic devices, mobile phones, smart tablets, communication accessories, mobile broadband connected devices and home broadband	10.00 - 18.00  16-22 September	Mr Scott Merritt
Outside Salt Bistro, Unit 7 St Anne's Square	Temporary	Hot food and non-alcoholic beverages	12.00 - 22.00 22 September Culture Night	Mr Donal Cooper Salt Bistro
Outside Kelly's Cellars, 30-32 Bank Street	Temporary	Alcoholic beverages	12.00 - 00.00 22 September Culture Night	Miss Elizabeth Mulholland Kelly's Cellars
Talbot Street	Temporary	Hot and cold food and non-alcoholic beverages	12.00 - 22.00 22 September Culture Night	Miss Jillian Thompson
Donegall Quay	Temporary	Hot and cold food and non-alcoholic beverages	12.00 - 22.00 22 September Culture Night	Miss Jillian Thompson
Buoys Park	Temporary	Hot and cold food and non-alcoholic beverages	12.00 - 22.00 22 September Culture Night	Miss Jillian Thompson
Writers Square	Temporary	Hot and cold food and non-alcoholic beverages	12.00 - 22.00 22 September Culture Night	Miss Jillian Thompson
Outside The Mac, 10 Exchange Street West	Temporary	Hot food, soft drinks and alcoholic beverages	16.00 - 22.00 22 September Culture Night	Mrs Marianne Hood Native by Yellow Door

**3.4** **Financial & Resource Implications**  
None

**3.5** **Equality or Good Relations Implications**  
There are no equality and good relations issues.

**4.0** **Appendices – Documents Attached**  
• None

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<b>Subject:</b>	<b>Consideration of Entertainments Licences where the applicant has been convicted of an offence</b>
<b>Date:</b>	18th October, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	To consider applications for Entertainments Licences where the applicant has been convicted of an offence under the Local Government Miscellaneous Provisions (NI) Order 1985 (the Order) within the previous five years.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	<p>Taking into account the information presented, you are required to consider the applications and to:-</p> <ol style="list-style-type: none"> <li>1. Approve the applications, or</li> <li>2. Should you be of a mind to refuse any of the applications, or approve any applications with additional special conditions, an opportunity of appearing before and of being heard by the Committee must be given to the applicants.</li> </ol>

<b>3.0</b>	<b>Main report</b>															
	<p data-bbox="272 226 427 255"><b><u>Key Issues</u></b></p> <p data-bbox="165 293 1469 389"><b>3.1</b> Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the licence will be granted as provided for in the Council's Scheme of Delegation.</p> <p data-bbox="165 427 1469 524"><b>3.2</b> However, as each applicant has been found guilty of committing an offence within five years of the application for a licence being submitted to the Council, you are required to consider the following applications.</p> <table border="1" data-bbox="272 562 1453 1384"> <thead> <tr> <th data-bbox="272 562 576 674"><b>Premises and Location</b></th> <th data-bbox="576 562 791 674"><b>Applicant</b></th> <th data-bbox="791 562 979 674"><b>Application Type</b></th> <th data-bbox="979 562 1227 674"><b>Offence Details</b></th> <th data-bbox="1227 562 1453 674"><b>Date of Conviction &amp; Penalty</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="272 674 576 947"> <p data-bbox="300 748 549 777"><b>Flame Restaurant</b></p> <p data-bbox="304 815 544 882">46 Howard Street, Belfast, BT1 6PG</p> </td> <td data-bbox="576 674 791 947"> <p data-bbox="624 786 743 853">Charlotte Smyth</p> </td> <td data-bbox="791 674 979 947"> <p data-bbox="826 792 946 822">Renewal</p> </td> <td data-bbox="979 674 1227 947"> <p data-bbox="1070 719 1139 786"><b>July 2014</b></p> <p data-bbox="1011 815 1198 904">Entertainment without a Licence</p> </td> <td data-bbox="1227 674 1453 947"> <p data-bbox="1251 725 1433 792"><b>3rd February 2015</b></p> <p data-bbox="1251 831 1433 898">£150 and £69 Court costs</p> </td> </tr> <tr> <td data-bbox="272 947 576 1384"> <p data-bbox="331 1106 517 1135"><b>Red Devil Bar</b></p> <p data-bbox="300 1173 549 1240">194-198 Falls Road Belfast, BT12 6AG</p> </td> <td data-bbox="576 947 791 1384"> <p data-bbox="608 1122 759 1211">EMC Properties (NI) Limited</p> </td> <td data-bbox="791 947 979 1384"> <p data-bbox="826 1151 946 1180">Renewal</p> </td> <td data-bbox="979 947 1227 1384"> <p data-bbox="1027 987 1179 1055"><b>November 2012</b></p> <p data-bbox="995 1084 1211 1352">Locked roller shutter on a final exit and the Log book for pre-event checks was unavailable for inspection.</p> </td> <td data-bbox="1227 947 1453 1384"> <p data-bbox="1251 1084 1442 1151"><b>11th February 2014</b></p> <p data-bbox="1251 1189 1433 1256">£500 and £69 Court costs</p> </td> </tr> </tbody> </table> <p data-bbox="165 1420 1469 1516"><b>3.3</b> Notwithstanding the possibility of refusing an Entertainments Licence on any other grounds, the Council may refuse an application on the grounds that the applicant has been convicted of an offence under the Order.</p> <p data-bbox="272 1554 544 1583"><b><u>Application history</u></b></p> <p data-bbox="165 1621 1469 1688"><b>3.4</b> Previous applications for the aforementioned premises were considered by the Committee as follows:</p> <p data-bbox="272 1727 517 1756"><b>Flame Restaurant</b></p> <p data-bbox="165 1756 1469 1890"><b>3.5</b> This is the fourth time an application for the premises has been considered since the offence took place. Previous applications have been brought before the Licensing Committee on 17 September 2014, 21 October 2015 and 17 August 2016 and, after consideration, you agreed to grant the licence.</p> <p data-bbox="165 1912 1469 1991"><b>3.6</b> Members are advised that the initial grant application was brought before the Licensing Committee on 17 September 2014 when the applicant was still the subject of the</p>	<b>Premises and Location</b>	<b>Applicant</b>	<b>Application Type</b>	<b>Offence Details</b>	<b>Date of Conviction &amp; Penalty</b>	<p data-bbox="300 748 549 777"><b>Flame Restaurant</b></p> <p data-bbox="304 815 544 882">46 Howard Street, Belfast, BT1 6PG</p>	<p data-bbox="624 786 743 853">Charlotte Smyth</p>	<p data-bbox="826 792 946 822">Renewal</p>	<p data-bbox="1070 719 1139 786"><b>July 2014</b></p> <p data-bbox="1011 815 1198 904">Entertainment without a Licence</p>	<p data-bbox="1251 725 1433 792"><b>3rd February 2015</b></p> <p data-bbox="1251 831 1433 898">£150 and £69 Court costs</p>	<p data-bbox="331 1106 517 1135"><b>Red Devil Bar</b></p> <p data-bbox="300 1173 549 1240">194-198 Falls Road Belfast, BT12 6AG</p>	<p data-bbox="608 1122 759 1211">EMC Properties (NI) Limited</p>	<p data-bbox="826 1151 946 1180">Renewal</p>	<p data-bbox="1027 987 1179 1055"><b>November 2012</b></p> <p data-bbox="995 1084 1211 1352">Locked roller shutter on a final exit and the Log book for pre-event checks was unavailable for inspection.</p>	<p data-bbox="1251 1084 1442 1151"><b>11th February 2014</b></p> <p data-bbox="1251 1189 1433 1256">£500 and £69 Court costs</p>
<b>Premises and Location</b>	<b>Applicant</b>	<b>Application Type</b>	<b>Offence Details</b>	<b>Date of Conviction &amp; Penalty</b>												
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	<p>aforementioned legal proceedings. After consideration Members agreed to grant the application despite the fact that legal proceedings were ongoing.</p>
3.7	<p>Since the previous renewal the premises have been subject to one during performance inspection as well as the annual renewal inspection and we have found that management procedures are being implemented effectively.</p>
	<p><b>Red Devil Bar</b></p>
3.9	<p>This is also the fourth time an application for the premises has been considered since the applicant was convicted on 11 February 2014. Previous applications have been brought before the Licensing Committee on 17 September 2014, 21 October 2015 and 19 October 2016 and, after consideration, you agreed to renew the licence in each case.</p>
3.10	<p>Since the previous renewal, the premises have been subject to one during performance inspection as well as the annual renewal inspection and we have found that management procedures are also being implemented effectively.</p>
	<p><b><u>Representations</u></b></p>
3.11	<p>Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisements.</p>
	<p><b><u>PSNI</u></b></p>
3.12	<p>The PSNI has been consulted and has confirmed that they have no objections to the applications. A copy of their correspondences is attached as Appendix 1.</p>
	<p><b><u>NIFRS</u></b></p>
3.13	<p>The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and confirmed that they have no objections.</p>
	<p><b><u>Applicants</u></b></p>
3.14	<p>The applicants and/or their representatives will be available at your meeting to answer any queries you may have in relation to their applications. Copies of the respective application forms for the premises are attached as Appendix 2.</p>
	<p><b><u>Financial and Resource Implications</u></b></p>
3.15	<p>Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.</p>
	<p><b><u>Equality and Good Relations Implications</u></b></p>
3.16	<p>There are no equality or good relations issues associated with this report.</p>
4.0	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Application Forms</li> <li>• Appendix 2 – PSNI Correspondence</li> </ul>

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

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Document is Restricted

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<b>Subject:</b>	<b>Application for the Grant of a 7-Day Annual Outdoor Entertainments Licence for Jubilee Gardens, Victoria Street</b>
<b>Date:</b>	18th October, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>						
<b>1.1</b>	<p>To consider an application from the City and Neighbourhood Services Department for the grant of a Seven-day Annual Outdoor Entertainments Licence for Jubilee Gardens, based upon the Council's standard conditions to provide outdoor musical entertainment.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><b>Area and Location</b></td> <td style="width: 33%;"><b>Ref. No.</b></td> <td style="width: 33%;"><b>Applicant</b></td> </tr> <tr> <td>Jubilee Gardens Victoria Street Belfast BT1 4QN</td> <td>WK/201701237</td> <td>Ms Rose Crozier Parks Service, City and Neighbourhoods Department, Belfast City Council</td> </tr> </table>	<b>Area and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	Jubilee Gardens Victoria Street Belfast BT1 4QN	WK/201701237	Ms Rose Crozier Parks Service, City and Neighbourhoods Department, Belfast City Council
<b>Area and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>					
Jubilee Gardens Victoria Street Belfast BT1 4QN	WK/201701237	Ms Rose Crozier Parks Service, City and Neighbourhoods Department, Belfast City Council					
<b>1.2</b>	A copy of the Application Form is attached as Appendix 1.						

1.3	A location map is attached as Appendix 2.
1.4	Members are reminded that all applications for the grant of Outdoor Entertainments Licences must be brought before Committee for consideration.
2.0	<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> <ol style="list-style-type: none"> <li>1. Approve the application for the grant of the 7-Day Annual Outdoor Entertainments Licence, or</li> <li>2. Approve the application for the grant with special conditions, or</li> <li>3. Refuse the application for the grant of the 7-Day Annual Outdoor Entertainments Licence.</li> </ol>
2.2	<p>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, outdoor entertainment may not be provided until any such appeal is determined.</p>
3.0	<b>Main report</b>
	<b><u>Key Issues</u></b>
3.1	<p>The standard days and hours for an Outdoor Entertainments Licence are:</p> <ul style="list-style-type: none"> <li>• Monday to Sunday: 11.30 am to 11.00 pm.</li> </ul>
3.2	<p>In addition, the following special conditions are usually attached to Outdoor Licences:</p> <ol style="list-style-type: none"> <li>1. Maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual concert set up proposals.</li> <li>2. Prior to any event taking place the promoters are required to demonstrate evidence of early consultation and have in place a robust system of dealing with any complaints, which has been agreed in advance with the Council.</li> <li>3. Any requests to provide entertainment later than 11.00 pm must be considered by the Licensing Committee and therefore must be made at least 3 months in advance of the proposed event.</li> <li>4. Should an application to provide entertainment beyond 11.00 pm be granted and the Council then receive a significant number of complaints regarding noise or the complaint is of such significant impact, authority is granted to the Director of Planning and Place, in consultation with the City Solicitor, to reduce the finishing time for any subsequent nights of the event, in which case the promoter will be required to make contingency arrangements.</li> </ol>

3.3	Jubilee Gardens is located adjacent to the Bullitt Hotel bordering Victoria Street and High Street.
3.4	The venue is owned and maintained by the Parks Service which intends to offer the use of the space for small events as they do for other parks and open spaces.
3.5	The Parks Service have recently received a request from Mr Bill Wolsey of Cathedral Leisure Limited for the use of Jubilee Gardens to host a series of events at the venue. Mr Wolsey is the owner and licensee of the Bullitt Hotel, 40a Church Lane, Belfast.
3.6	Mr Wolsey hopes to run a series of tailored events at the venue over the course of the next 12 months designed to complement both the venue and hotel, which sit immediately adjacent to one another on Victoria Street. Mr Wolsey intends to operate low-key but prestigious events the first of which is proposed to be held over Friday 27 and Saturday 28 October 2017.
3.7	Members are advised that use of any Parks space is firstly subject to Council approval therefore this request from Mr Wolsey was presented to the People and Communities Committee on 10 October 2017.
3.8	<p>After consideration, the People and Communities Committee agreed to grant authority to Mr Wolsey to hold the two proposed events on 27 and 28 October, on condition that:</p> <ol style="list-style-type: none"> <li>1. Mr Wolsey resolves all operational issues to the Council's satisfaction;</li> <li>2. An appropriate legal agreement is completed, to be prepared by the City Solicitor;</li> <li>3. Mr Wolsey meets all statutory requirements of the Building Control Service, including the terms and conditions of the Parks Entertainments Licences; and</li> <li>4. Mr Wolsey be advised that the two events are planned at his own risk and he should consider contingency arrangements should the Entertainments Licence applications not be granted in time for the event.</li> </ol>
3.9	The Committee deferred consideration of any further events at Jubilee Gardens pending a more detailed report on those events being submitted to a future meeting of the People and Communities Committee.
3.10	Whilst Mr Wolsey has expressed an interest in running events at the venue it will equally be offered for use to other prospective parties.
	<p><b><u>Representations</u></b></p>
3.11	Public notice of the application has been placed and no written representation has been lodged as a result of the advertisement.
	<p><b><u>PSNI</u></b></p>
3.12	The Police Service of Northern Ireland has been consulted and has confirmed that it has no objection to the application. It will be consulted on future planned events, such as Mr Wolsey's event regarding traffic management and wider operational policing issues. A copy of the police response is attached at Appendix 3.
	<p><b><u>NIFRS</u></b></p>
3.13	The Northern Ireland Fire and Rescue Service was also consulted and has no objection to the application. It will be consulted on future planned events, such as Mr Wolsey's event, and

	<p>will be provided with any associated event documentation for comment.</p> <p><b><u>Health, Safety and Welfare</u></b></p> <p><b>3.14</b> Officers from the Service have engaged with Parks representatives regarding the general long term use of the space.</p> <p><b>3.15</b> Should you decide to grant the licence Officers will also engage with prospective event organisers to ensure that the appropriate documentation is developed and that all safety and technical requirements are met in advance of each event taking place.</p> <p><b>3.16</b> Measures to ensure the event set up does not impact adversely upon the surrounding public areas and road traffic on Victoria Street or High Street. will also be arranged in conjunction with the Community Parks Manager and relevant statutory agencies.</p> <p><b><u>Noise</u></b></p> <p><b>3.17</b> The Environmental Protection Unit (EPU) has been informed of the application and will comment on each individual event, when information relevant to it has been provided, such as the Noise Management Plan.</p> <p><b>3.18</b> EPU are also aware of Mr Wolsey’s proposed event and that he has not yet confirmed his proposed hours of operation. However, given the potential scale and nature of events that could be held at the venue, they do not anticipate significant noise disturbance.</p> <p><b><u>Applicant</u></b></p> <p><b>3.19</b> The applicant, and/or their representatives, will be available at your meeting to answer any queries you may have in relation to the application.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p><b>3.20</b> Officers will be required to carry out inspections for each outdoor event and attend any planning meetings which are catered for within existing budgets.</p> <p><b><u>Equality or Good Relations Implications</u></b></p> <p><b>3.21</b> There are no equality or good relations issues associated with this report.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Application form</li> <li>• Appendix 2 – Location Map</li> <li>• Appendix 3 – PSNI correspondence</li> </ul>

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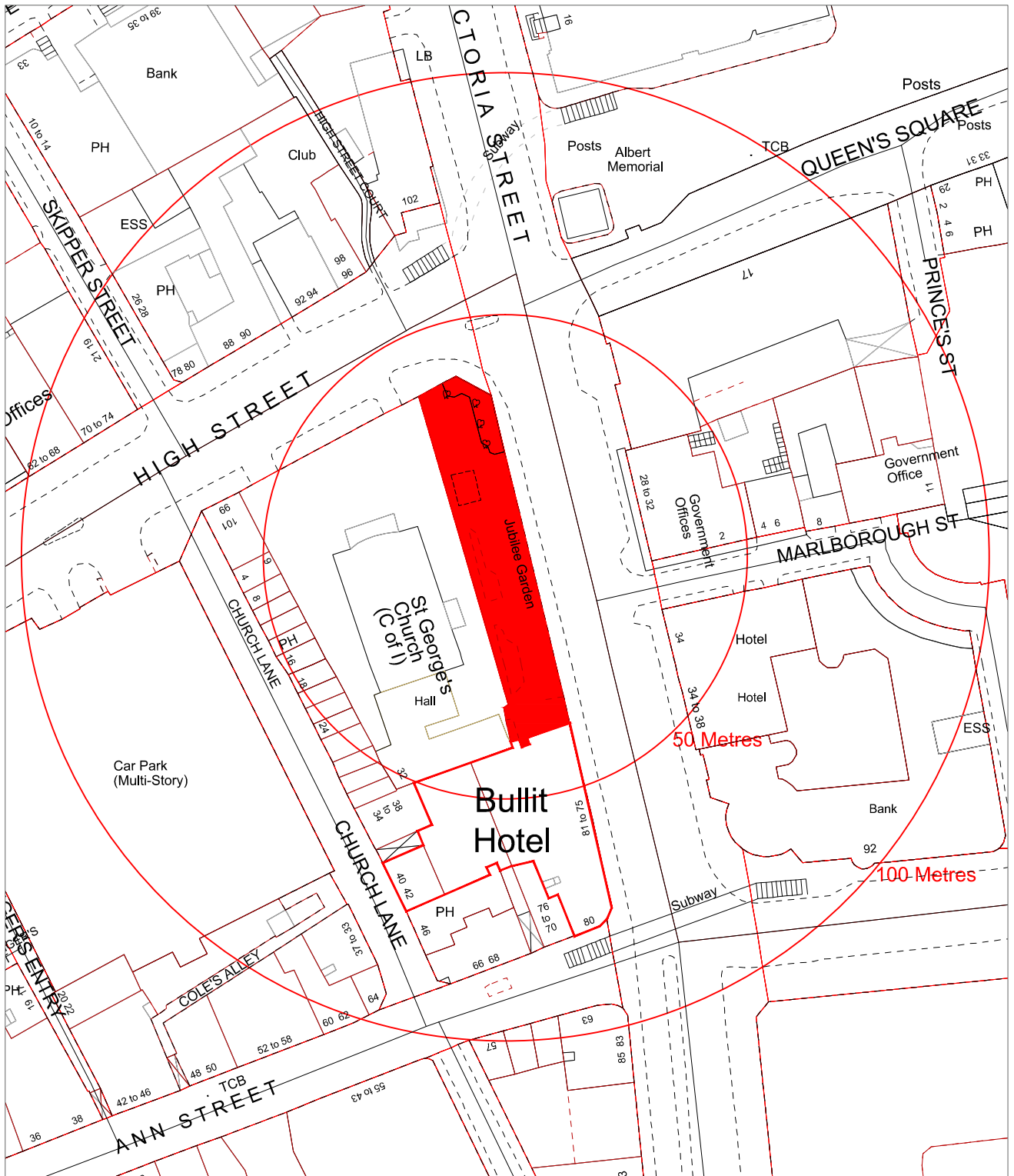
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# Building Control Service

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DATE 12/10/2017

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Jubilee Gardens  
Victoria Street

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<b>Subject:</b>	<b>Application for the Variation of a 7-Day Annual Entertainments Licence for The Cuckoo, 149 Lisburn Road</b>
<b>Date:</b>	18th October, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>						
<b>1.1</b>	<p>To consider an application for the variation of the 7-Day Annual Indoor Entertainments Licence for The Cuckoo, based on the Council's standard conditions to provide indoor music, singing, dancing or any other entertainment of a like kind.</p> <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 33%;"><b>Premises and Location</b></td> <td style="width: 33%;"><b>Ref. No.</b></td> <td style="width: 33%;"><b>Applicant</b></td> </tr> <tr> <td>The Cuckoo 149 Lisburn Road Belfast BT9 7AJ</td> <td>WK/201700890</td> <td>Mr Jim Crawford Silverpine Inns Limited 149 Lisburn Road Belfast, BT9 7AJ</td> </tr> </table>	<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	The Cuckoo 149 Lisburn Road Belfast BT9 7AJ	WK/201700890	Mr Jim Crawford Silverpine Inns Limited 149 Lisburn Road Belfast, BT9 7AJ
<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>					
The Cuckoo 149 Lisburn Road Belfast BT9 7AJ	WK/201700890	Mr Jim Crawford Silverpine Inns Limited 149 Lisburn Road Belfast, BT9 7AJ					
<b>1.2</b>	A copy of the application form is attached as Appendix 1.						
<b>1.3</b>	The nature of the variation is to extend the hours during which entertainment may be provided from 1.00 am to 2.00 am on Wednesday, Friday, Saturday and Sunday mornings.						

<p>1.4</p> <p>1.5</p> <p>1.6</p>	<p>Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the Director of Planning and Place will grant the licence as provided for in the Council’s Scheme of Delegation.</p> <p>However, in light of the fact that the applicant has applied for a variation to extend the hours of entertainment beyond 1.00 am, the application is being presented to you for your consideration.</p> <p>A location map is attached as Appendix 2.</p>
<p>2.0</p>	<p><b>Recommendations</b></p>
<p>2.1</p> <p>2.2</p> <p>2.3</p>	<p>Taking into account the information presented and representations received in respect of the application you are required to make a decision to either:</p> <ol style="list-style-type: none"> <li>1. Approve the application for the variation of the 7-Day Annual Indoor Entertainments Licence, or</li> <li>2. Approve the application for the variation of the 7-Day Annual Indoor Entertainments Licence with special conditions, or</li> <li>3. Refuse the application for the variation of the 7-Day Annual Indoor Entertainments Licence.</li> </ol> <p>If the application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council’s decision within 21 days of notification of that decision to the County Court.</p> <p>Should the Committee decide to refuse the variation application, and the applicant decides to appeal, the licence will continue with its present conditions until the Appeal is determined.</p>
<p>3.0</p>	<p><b>Main report</b></p>
<p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p>	<p><b><u>Key Issues</u></b></p> <p>The areas currently licensed to provide indoor entertainment are the:</p> <ul style="list-style-type: none"> <li>• Ground Floor, with a maximum capacity of 300 persons.</li> <li>• First Floor, with a maximum capacity of 200 persons.</li> </ul> <p>The days and hours during which the premises are currently licensed to provide entertainment are:</p> <ul style="list-style-type: none"> <li>• Monday to Saturday: 11.30 am to 1.00 am the following morning, and</li> <li>• Sunday: 12.30 pm to 0.00 midnight</li> </ul> <p>The premises operates as a public house with entertainment currently provided in the form of DJ’s and live band performances.</p> <p>The days and hours during which the applicant proposes to provide entertainment are:</p> <ul style="list-style-type: none"> <li>• Monday and Wednesday: 11.30 am to 1.00 am the following morning, and</li> <li>• Tuesday, Thursday, Friday and Saturday: 11.30 am to 2.00 am the following morning,</li> </ul>

- Sunday: 12.30 pm to midnight.

**Reasons for the Variation**

**3.5** The applicant has stated the main reason they wish to extend the hours of entertainment is to compete with other premises in the City.

**3.6** On the nights applied for the applicant claims there is a noticeable exodus from the premises around midnight and their patrons move on to other premises licensed to operate until 2.00am and beyond. They state customers will go elsewhere if they believe they are getting better value for money.

**3.7** The applicant also conducted some market research when they took over the premises which helped them identify areas for improvement. 78% of respondents stated that the fact the bar was only open to 1.00 am would make them go elsewhere.

**3.8** The applicant appreciates the proximity of residents to the Cuckoo and has highlighted a number of measures they are willing to carry out, such as:

- Meeting with residents and associations to discuss any concerns they might have about the premises and/or antisocial behaviour that the extra hour might cause.
- Providing a direct point of contact to residents with a personal telephone number and be on call for any comments or queries they may have throughout the year.
- Providing extra security and/or extend the security hours so they do not finish as soon as the premises is cleared but will remain until customers are clear of the surrounding area after closing.
- Considering that a Security / Resident Liaison be hired at their expense who would be responsible for ensuring that there is no antisocial behaviour on the way down the Lisburn Road from the premises.

**3.9** A copy of the applicant's submission is appended to this report as Appendix 3.

**Representations**

**3.10** Notice of the application has been advertised and no written representations have been lodged.

**PSNI**

**3.11** The Police Service of Northern Ireland has been consulted in relation to the application and confirmed that they have no objections to the application. A copy of their response is attached as Appendix 4.

**NIFRS**

**3.12** The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and confirmed that they have no objections to the application.

**Health, Safety and Welfare Issues**

**3.13** A total of two during performance inspections have been carried out on the premises by Officers from the Service since the last renewal. The premises has also been subject to inspections as part of the licensing process.

3.14	The inspections revealed that the conditions of the Entertainments Licence were being adhered to and all operational and management procedures were being implemented effectively.
3.15	The premises will continue to be inspected as part of our During Performance Inspection regime to ensure the applicant adheres to their licence conditions.
	<b><u>Applicant</u></b>
3.16	The applicant, and/or their representatives, will be available at your meeting to answer any queries you may have in relation to the application.
	<b><u>Noise Issues</u></b>
3.17	The Environmental Protection Unit (EPU) has been consulted in relation to the application and confirmed that it has received a total of four noise complaints in the last 12 months. Three of the complaints were regarding patron noise and the other was regarding loud music emanating from the premises.
3.18	Officers of the Night Time Noise Team called at the premises for one of the complaints regarding loud music but due to the team dealing with a large number of complaints on that night, they were under pressure and unable to visit the premises until after it was closed. Therefore, no noise was witnessed.
3.19	The other three complainants requested to report that they were being disturbed by patrons leaving the premises and wanted no further action and advice was given regarding the Night Time Noise Service and Building Control.
3.20	EPU have further advised that should the Committee be of the mind to grant the variation application that they would be keen for the applicant to have in place appropriate measures to manage patrons leaving the premises and to encourage them to respect residents in the area.
3.21	The EPU report outlining the complaints is attached as Appendix 5.
	<b><u>Financial &amp; Resource Implications</u></b>
3.22	Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.
	<b><u>Equality or Good Relations Implications</u></b>
3.23	There are no equality or good relations issues associated with this report.
4.0	<b>Appendices – Documents Attached</b>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Copy of the Application Form</li> <li>• Appendix 2 – Location Map</li> <li>• Appendix 3 – Rationale submission from the applicant</li> <li>• Appendix 4 – PSNI response</li> <li>• Appendix 5 – EPU Report</li> </ul>

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of the Local Government Act (Northern Ireland) 2014.

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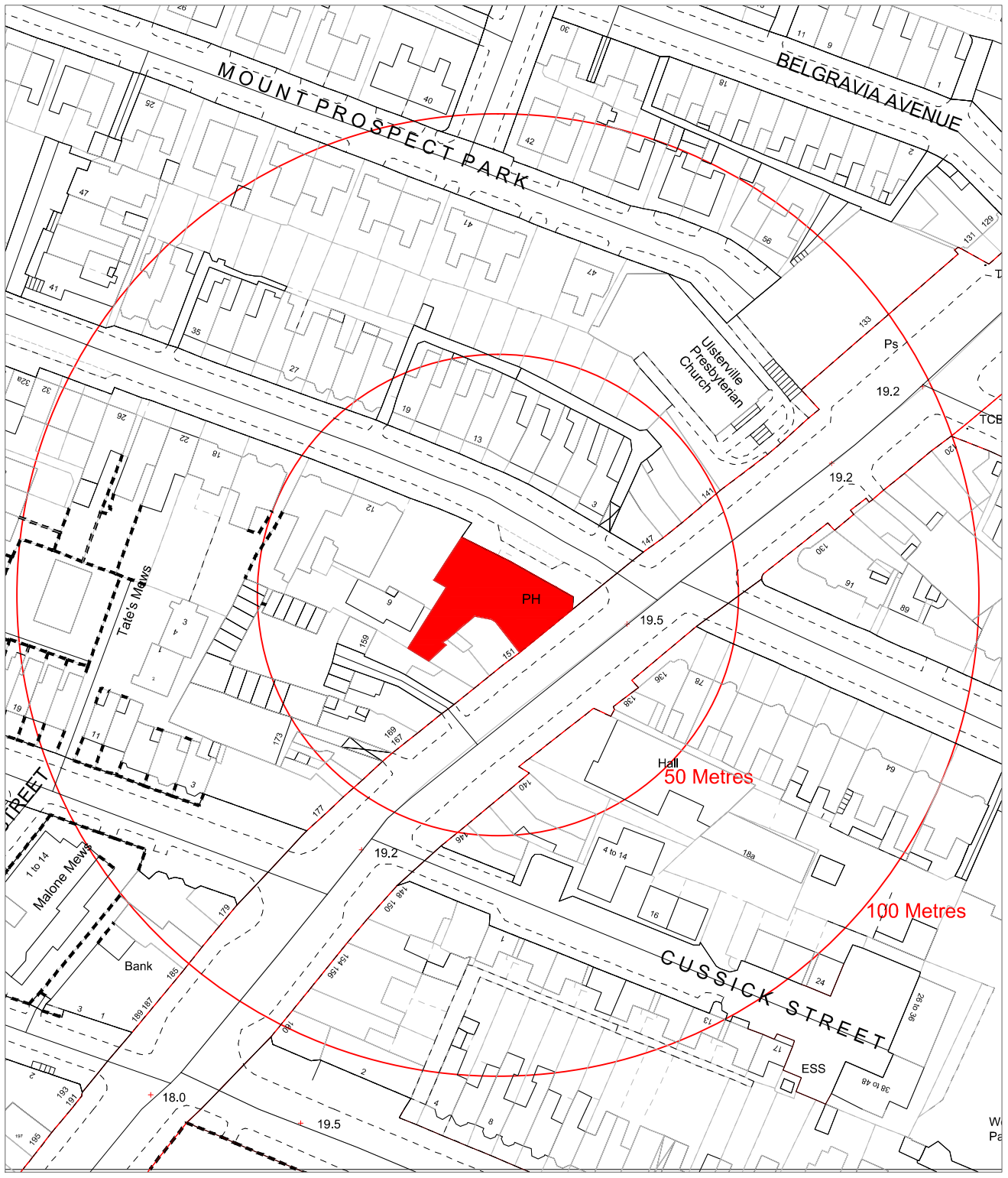
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# Building Control Service

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DATE 12/10/2017

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Cuckoo  
149 Lisburn Road

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Dear [REDACTED]

**RE: DATA ACCESS REQUEST – The Cuckoo, 149 Lisburn Road**

Thank you for your email dated 29<sup>th</sup> September 2017 requesting details of noise complaints received within the last 12 months in relation to The Cuckoo, 149 Lisburn Road, Belfast, BT9 7AJ.

In considering your request under the data subject access arrangements set out in Section 7 of the Data Protection Act 1998, the council have decided that it can disclose the information it holds relating to your request. Accordingly this information is provided below.

<b>Date/Time</b>	<b>Action</b>
1/10/2106 23:42	Complaint re: loud music from bar. Noise Team called at 01:34, premises appeared to be closed, no music heard. Email to Building Control.
6/10/2016 01:26	Complainant wanted to report he was being disturbed by patron dispersal from bar.
8/10/2016 01:10	Complainant wanted to log that he was being disturbed by patrons leaving bar.
21/9/2017	Email received re: excessive noise every night due to patrons. Advice given by Noise Team. Email sent to Building Control.

The Unit would further advise that should the Committee be of the mind to grant the variation application that we would be keen for the applicant to have appropriate measures in place to manage patrons leaving the premises at 2.00am and encourage the respect of any residents in the area.

Yours sincerely,

[REDACTED]

Environmental Health Officer  
Environmental Protection, Public Health & Housing Unit

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<b>Subject:</b>	<b>Application for the Variation of a 7-Day Annual Outdoor Entertainments Licence for Thompson's Garage, 3 Patterson's Place</b>
<b>Date:</b>	18th October, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, Ext 6446

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>						
<b>1.1</b>	<p>To consider an application for the variation of the 7-Day Annual Outdoor Entertainments Licence for Thompsons Garage based on the Council's standard conditions to provide outdoor musical entertainment.</p> <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 33%;"><b>Premises and Location</b></td> <td style="width: 33%;"><b>Ref. No.</b></td> <td style="width: 33%;"><b>Applicant</b></td> </tr> <tr> <td>Thompsons Garage 3 Patterson's Place Belfast BT1 4GW</td> <td>WK/201601621</td> <td>Mr Stephen Boyd Endless Music Limited 41 Downshire Road Belfast, BT6 9JL</td> </tr> </table>	<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	Thompsons Garage 3 Patterson's Place Belfast BT1 4GW	WK/201601621	Mr Stephen Boyd Endless Music Limited 41 Downshire Road Belfast, BT6 9JL
<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>					
Thompsons Garage 3 Patterson's Place Belfast BT1 4GW	WK/201601621	Mr Stephen Boyd Endless Music Limited 41 Downshire Road Belfast, BT6 9JL					
<b>1.2</b>	A copy of the application form is attached as Appendix 1.						

1.3	The nature of the variation is to increase the occupancy of the outdoor area from 104 persons to 185 persons.
1.4	A location map is attached as Appendix 2.
2.0	<b><u>Recommendations</u></b>
2.1	Taking into account the information presented and any representations received you are required to consider the application in light of the legal proceedings against the applicant and determine if you wish to refuse the application on the grounds that the applicant has been convicted of offences under the Order.
2.2	<p>Should Members be satisfied that the application need not be refused you are then required to:</p> <ol style="list-style-type: none"> <li>1. Approve the application for the variation of the 7-Day Annual Outdoor Entertainments Licence, or</li> <li>2. Approve the application for the variation of the 7-Day Annual Outdoor Entertainments Licence with special conditions.</li> </ol>
2.3	If the application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.
2.4	Should the Committee decide to refuse the variation application, and the applicant decides to appeal, the licence will continue with its present conditions until the Appeal is determined.
3.0	<b>Main report</b>
3.1	<p><b><u>Key Issues</u></b></p> <p>Members will recall that, at your meeting of 17 May 2017, the Committee agreed to grant the applicant a Seven-Day Annual Outdoor Entertainments Licence for the premises. This was subsequent to the Committee agreeing to grant the renewal of the indoor Entertainments Licence at your meeting of 19 April 2017.</p> <p><b><u>Details of the Premises and Proposals</u></b></p> <p>3.2 The areas currently licensed to provide entertainment are:</p> <ul style="list-style-type: none"> <li>• Ground Floor Bar, with a maximum capacity of 240 persons.</li> <li>• Mezzanine Floor, with a maximum capacity of 190 persons.</li> <li>• Outdoor Area, with a maximum capacity of 104 persons.</li> </ul> <p>3.3 The days and hours during which the premises are currently licensed to provide indoor entertainment are:</p> <ul style="list-style-type: none"> <li>• Monday to Sunday: 11.30 am to 3.00 am the following morning.</li> </ul> <p>3.4 The premise operates as a public bar and nightclub with entertainment being provided on both floors in the form of DJs.</p>

<p><b>3.5</b></p> <p><b>3.6</b></p> <p><b>3.7</b></p> <p><b>3.8</b></p> <p><b>3.9</b></p> <p><b>3.10</b></p> <p><b>3.11</b></p> <p><b>3.12</b></p> <p><b>3.13</b></p> <p><b>3.14</b></p> <p><b>3.15</b></p> <p><b>3.16</b></p>	<p>The days and hours during which the premises are currently licensed to provide outdoor entertainment are:</p> <ul style="list-style-type: none"> <li>• Monday to Saturday 11.30 am to 11.00 pm, and</li> <li>• Sunday 12.30 pm to 11.00 pm.</li> </ul> <p>Entertainment is provided to the outdoor area in the form of solo performers, live bands or a DJ through the in-house speaker system.</p> <p>Extensive works have been carried out to the outdoor area which includes the addition of a 1st floor balcony and toilet facilities. This allows patrons to smoke in the private area provided. Previously patrons used a smoking area on Patterson's Place which caused some management and anti-social behaviour problems.</p> <p>The applicant has applied to vary the existing Outdoor Entertainments Licence to increase the occupancy of the outdoor area from 104 persons to 185 persons.</p> <p>The areas proposed to provide entertainment are:</p> <ul style="list-style-type: none"> <li>• Outdoor Area, with a maximum capacity of 150 persons.</li> <li>• Outdoor Balcony, with a maximum capacity of 35 persons.</li> </ul> <p>Members are advised that the maximum indoor occupancy for the premise of 430 persons will be managed in conjunction with the agreed maximum occupancy of the outdoor area to ensure numbers do not exceed capacity.</p> <p>The outdoor area is covered by the existing Liquor Licence. A layout plan of the proposed outdoor area is attached as Appendix 3.</p> <p><b><u>Previous convictions</u></b></p> <p>The application is being placed before the Committee because both Mr Stephen Boyd and Endless Music Limited were convicted of offences under the Local Government (Miscellaneous Provisions) (NI) Order 1985 at Belfast Magistrates' Court, on two separate occasions, i.e. 13 May 2014 and 24 May 2016.</p> <p><b>First Conviction</b></p> <p>The first conviction on 13 May 2014 arose following breaches of the terms and conditions of the Entertainments Licence in that they failed to manage the permitted occupancy and migration between licensed areas. They also failed to ensure that the permitted numbers for the Smoking Area was limited to 50 persons as the area was found to be overcrowded.</p> <p>As a result, Mr Stephen Boyd and Endless Music Limited were fined a total of £800 and ordered to pay court costs of £69.</p> <p><b>Second Conviction</b></p> <p>The second conviction on 24 May 2016 arose following breaches of the terms and conditions of the Entertainments Licence in that the 2nd Floor of the premises was found to be overcrowded and in excess of the permitted occupancy.</p> <p>As a result, Endless Music Limited were fined £750 and ordered to pay court costs of £66.</p>
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3.17	Following these offences Officers met with Mr Boyd and his representatives to review all their procedures to ensure that appropriate measures were in place to prevent a recurrence.
3.18	Members may recall that details of the first conviction was brought to your attention previously and both convictions were considered at your meetings in April and May this year in relation to the application for the renewal of the Indoor Entertainments Licence and the grant of the Outdoor Entertainments Licence and, after consideration, you agreed to grant both licences.
3.19	The applicant and/or his representatives will be available to discuss any matters relating to the application at your meeting.
<b><u>Representations</u></b>	
3.20	Notice of the application has been advertised and no written representation has been lodged.
<b><u>PSNI</u></b>	
3.21	The PSNI has been consulted and confirmed that they have no objections to the application. A copy of their correspondences is attached as Appendix 4.
<b><u>NIFRS</u></b>	
3.22	The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and confirmed that they have no objections to the application.
<b><u>Health, safety and welfare inspections</u></b>	
3.23	In support of this application, the applicant has employed the services of fire engineering consultants and provided plans confirming how the migration of patrons will be managed between the relevant areas.
3.24	Members are advised that Officers have carried out a total of four During Performance Inspections over the past 12 months. On each occasion, all technical matters were satisfactory and appropriate measures and management procedures were being implemented effectively.
3.25	The premise has also been subject to inspections as part of the licensing application renewal process. As a result, all technical requirements and associated operational and management procedures have been checked and are satisfactory.
3.26	The premises will continue to be inspected as part of our During Performance Inspection regime and will be subject to further monitoring to ensure the applicant adheres to their licence conditions.
<b><u>Noise issues</u></b>	
3.27	The Council's Environmental Protection Unit (EPU) were consulted as part of the grant application for the Outdoor Entertainments Licence and a special condition was included on the Entertainments Licence requiring the applicant to maintain a noise monitoring logbook to ensure compliance with the agreed music noise level of 79dB <sub>L<sub>Aeq5minutes</sub></sub> and to keep a regular check on volume levels at noise sensitive facades when outdoor entertainment is being provided.

<p><b>3.28</b></p>	<p>The Environmental Protection Unit (EPU) has been further consulted in relation to this variation application and confirmed that it has received no noise complaints since the Outdoor Entertainments Licence was granted in May this year.</p> <p><b><u>Financial and Resource Implications</u></b></p>
<p><b>3.29</b></p>	<p>Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.</p> <p><b><u>Equality and Good Relations Implications</u></b></p>
<p><b>3.30</b></p>	<p>There are no equality or good relations issues associated with this report.</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Application Form</li> <li>• Appendix 2 – Location map</li> <li>• Appendix 3 – Plans of the Outdoor Area</li> <li>• Appendix 4 – PSNI Correspondence</li> </ul>

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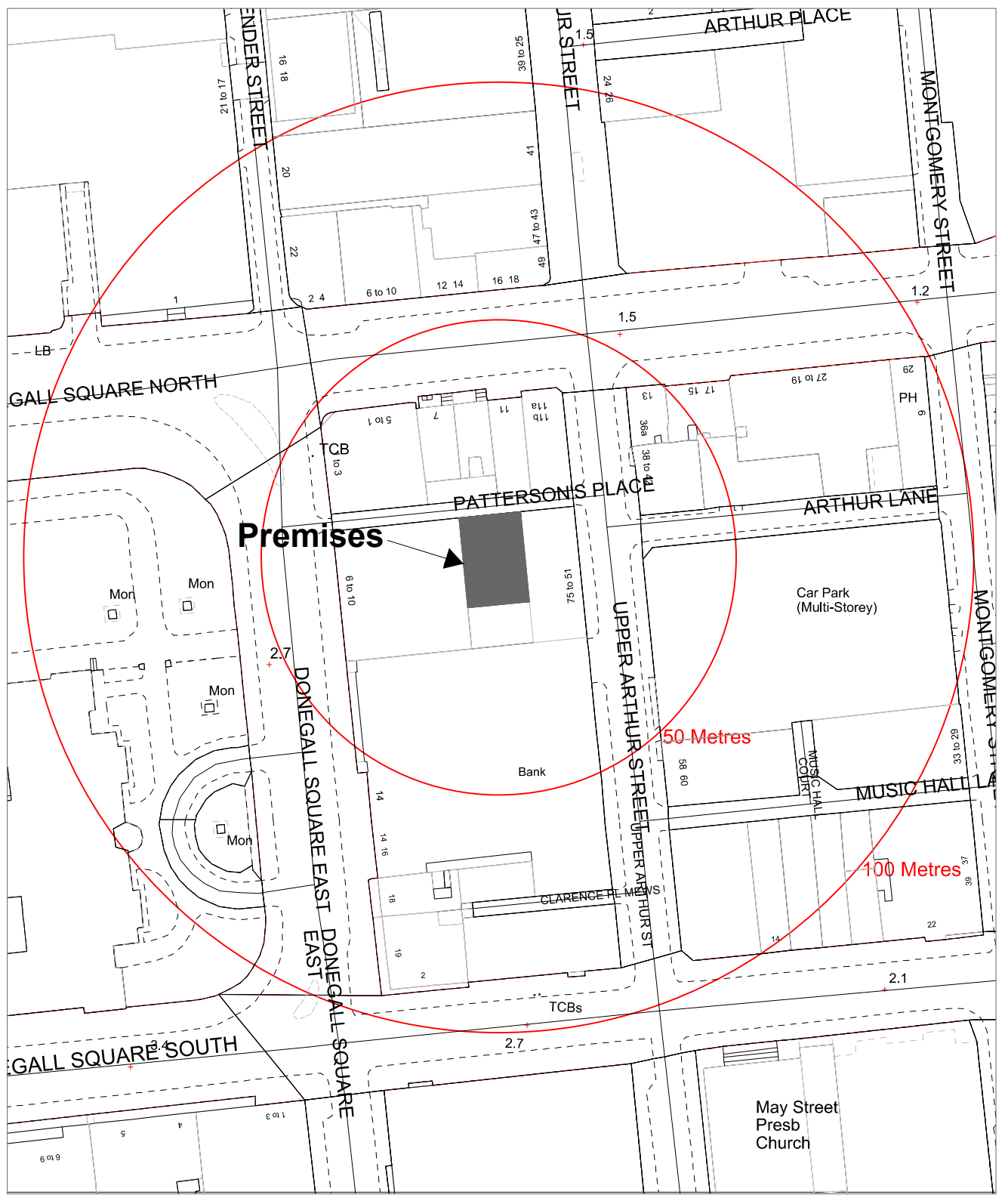
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# Building Control Service

Belfast Mapping Data v3.0  
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**Premises**

50 Metres

100 Metres

DRAWN BY MT  
DATE 12/01/2016

Page 71  
Thompsons Garage  
3 Pattersons Place

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<b>Subject:</b>	<b>Application for the Grant of a 7-Day Annual Indoor Entertainments Licence for the Belfast Telegraph Printworks, 124-144 Royal Avenue</b>
<b>Date:</b>	18th October, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, Ext 6446

<b>Restricted Reports</b>	
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"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>						
<b>1.1</b>	<p>To consider an application for the Grant of a 7-Day Annual Indoor Entertainments Licence for the Ground Floor of the former Belfast Telegraph Printworks, based on the Council's standard conditions to provide indoor music, singing, dancing or any other entertainment of a like kind.</p> <table style="width: 100%; margin-top: 20px;"> <tr> <td style="width: 33%;"><b>Premises and Location</b></td> <td style="width: 33%;"><b>Ref. No.</b></td> <td style="width: 33%;"><b>Applicant</b></td> </tr> <tr> <td>Belfast Telegraph Printworks 124-144 Royal Avenue Belfast BT1 1ND</td> <td>WK/201701227</td> <td>Mr Alan Simms Limelight Belfast Limited 17 Ormeau Avenue Belfast, BT2 8HD</td> </tr> </table>	<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	Belfast Telegraph Printworks 124-144 Royal Avenue Belfast BT1 1ND	WK/201701227	Mr Alan Simms Limelight Belfast Limited 17 Ormeau Avenue Belfast, BT2 8HD
<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>					
Belfast Telegraph Printworks 124-144 Royal Avenue Belfast BT1 1ND	WK/201701227	Mr Alan Simms Limelight Belfast Limited 17 Ormeau Avenue Belfast, BT2 8HD					

<p><b>1.2</b></p> <p><b>1.3</b></p> <p><b>1.4</b></p> <p><b>1.5</b></p>	<p>Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the Director of Planning and Place will grant the licence as provided for in the Council's Scheme of Delegation.</p> <p>However, further to consideration of the application at a special SP&amp;R Committee on Thursday 28 September, the Director of Planning and Place and the City Solicitor have requested that the application be considered by the Licensing Committee.</p> <p>A copy of the application form is attached as Appendix 1.</p> <p>A location map is attached as Appendix 2.</p>
<p><b>2.0</b></p>	<p><b><u>Recommendations</u></b></p>
<p><b>2.1</b></p> <p><b>2.2</b></p> <p><b>2.3</b></p>	<p>Taking into account the information presented and any representations received in respect of the application you are required to make a decision to either:</p> <ol style="list-style-type: none"> <li>1. Approve the application for the grant of the 7-Day Annual Indoor Entertainments Licence, or</li> <li>2. Approve the application for the grant of the 7-Day Annual Indoor Entertainments Licence with special conditions, or</li> <li>3. Refuse the application for the grant of the 7-Day Annual Indoor Entertainments Licence.</li> </ol> <p>If the application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the County Court.</p> <p>Members are reminded that the applicant is required to obtain all statutory consents before any further events take place.</p>
<p><b>3.0</b></p>	<p><b>Main report</b></p>
<p><b>3.1</b></p> <p><b>3.2</b></p> <p><b>3.3</b></p> <p><b>3.4</b></p>	<p><b><u>Key Issues</u></b></p> <p><b>Consideration by Strategic Policy and Resources Committee</b></p> <p>The Committee will be aware that on Thursday 28 September the City Solicitor tabled an item to the special SP&amp;R Committee regarding the interim use of the Belfast Telegraph Printworks by Limelight Belfast Limited.</p> <p>The Limited Liability Partnership between Belfast City Council and McAleer &amp; Rushe (Bel Tel LLP) acquired the Belfast Telegraph site in October 2016.</p> <p>Following the selection process the partnership agreed a nine-month licence with Limelight Belfast Limited to occupy and manage a large section of the ground floor of the site in the non-listed part of the building.</p> <p>A situation then arose whereby Limelight Belfast Limited had marketed and sold an estimated 2,000 tickets for an event on 30 September in advance of having its Entertainments Licence in place (albeit they had applied in August and the consultation period had ended in advance of the event itself), and prior to having received planning permission for a change of use to part of the building and physical alterations to the non-</p>



	<p>listed portion of the building (an application has now been lodged).</p>
<b>3.5</b>	<p>The occupiers had engaged with the Building Control Service and submitted an Entertainments Licence application in August and undertaken significant capital works to make the building safe for the proposed use. Where there are no objections, and safety conditions have been met, as in this case, the Director can approve the Entertainments Licence without putting it in front of the Committee. However, it was considered that in the circumstances that the decision should have political input.</p>
<b>3.6</b>	<p>Having been informed that all the necessary building works and safety measures had been satisfactorily undertaken, including the provision of an Events Management Plan, and in the knowledge the licensing application had been reviewed and approved by the Fire and Rescue Service and PSNI, the SP&amp;R Committee agreed to grant an Entertainments Licence for a one-off event on 30 September.</p>
<b>3.7</b>	<p>A copy of the minutes from the meeting of the Strategic Policy and Resources Committee is attached as Appendix 3.</p>
<b>3.8</b>	<p>Following the SP&amp;R Committee meeting Council officers, along with members of Bel Tel LLP as landlord, met with the occupiers of the building to confirm that an Entertainments Licence would relate only to the event of Saturday 30 September and that the client would do whatever was required to obtain the statutory consents in a timely way before any further events would take place.</p>
	<p><b>Consideration by the Licensing Committee</b></p>
<b>3.9</b>	<p>Members are therefore asked to consider the application for the grant of a 7-Day Annual Indoor Entertainments Licence for the ground floor of the former Belfast Telegraph Printworks by Mr Alan Simms of Limelight Belfast Limited.</p>
<b>3.10</b>	<p>Members are reminded that the applicant is required to obtain all statutory consents before any further events take place.</p>
<b>3.11</b>	<p>Mr Simms is the licensee for Katy Dalys, Limelight, &amp; Limelight 2, 17-21 Ormeau Avenue and is also the event promoter for Belsonic.</p>
<b>3.12</b>	<p>The areas where entertainment is proposed to be provided are as follows:</p> <ul style="list-style-type: none"> <li>• Main Hall, with a maximum capacity of 1870 persons</li> <li>• Room 2, with a maximum capacity of 460 persons</li> <li>• Bar Area and Lobby, with a maximum capacity of 300 persons</li> </ul>
<b>3.13</b>	<p>The applicant has applied to provide entertainment on the following days and hours:</p> <ul style="list-style-type: none"> <li>• Monday to Sunday: 7.00 pm to 1.00 am the following morning.</li> </ul>
<b>3.14</b>	<p>The applicant proposes to provide entertainment in the form of DJ's and live bands. During these occasions they will operate a public bar facility via an Occasional Liquor Licence.</p>
<b>3.15</b>	<p>A Layout plan of the venue is attached as Appendix 4.</p>

### **Representations**

3.16 Notice of the application has been advertised and no written representations have been received.

### **Terms of Licence between Bel Tel LLP and Limelight Belfast Limited**

3.17 The applicant has carried out alterations and remedial works to the venue which have been completed to the satisfaction of the Service. However, at present planning permission has not yet been granted for change of use for the building and, as this is also a prerequisite of the Licence Agreement, the Director of Planning and Place and the City Solicitor have requested that the application be placed before the Committee for consideration.

### **PSNI**

3.18 The PSNI has been consulted and has confirmed that they have no objection to the application. Officers were also included in the discussions and planning for the event held on 30 September. A copy of their correspondence is attached as Appendix 5.

### **Health, safety and welfare inspections**

3.19 The premise has been subject to inspections as part of the Entertainments Licence application process and the building works carried out under the Building Regulations application.

3.20 Additionally, Officers of the Service were present throughout the event held on Saturday 30 September 2017 and were satisfied that all safety measures and management procedures were in place to protect the public, performers and staff.

### **NIFRS**

3.21 The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and confirmed that they have no objections. They were also included in the discussions and planning for the event held on Saturday 30 September 2017 and will be kept informed of any potential future events at the venue.

### **Noise Issues**

3.22 An acoustic report outlining the measures to be taken when entertainment is being provided has been assessed by EPU. The report outlines the measures to be put in place to minimise disturbance to neighbouring premises, either due to noise breakout or from patron activity.

3.23 Officers from the Night Time Noise Team carried out monitoring of the venue and surrounding area during the event and found that noise levels were satisfactory. No complaints have been received in relation to the event on 30 September.

### **Applicant**

3.24 The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the application.

<p><b>3.25</b></p> <p><b>3.26</b></p>	<p><b><u>Financial and Resource Implications</u></b></p> <p>Officers carry out during performance inspections on premises providing entertainment but this is catered 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>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Application Form</li> <li>• Appendix 2 – Location map</li> <li>• Appendix 3 – Copy of the minutes from the meeting of the Strategic Policy and Resources Committee on 28 September 2017.</li> <li>• Appendix 4 – Layout plans of the venue</li> <li>• Appendix 5 – PSNI Correspondence</li> </ul>

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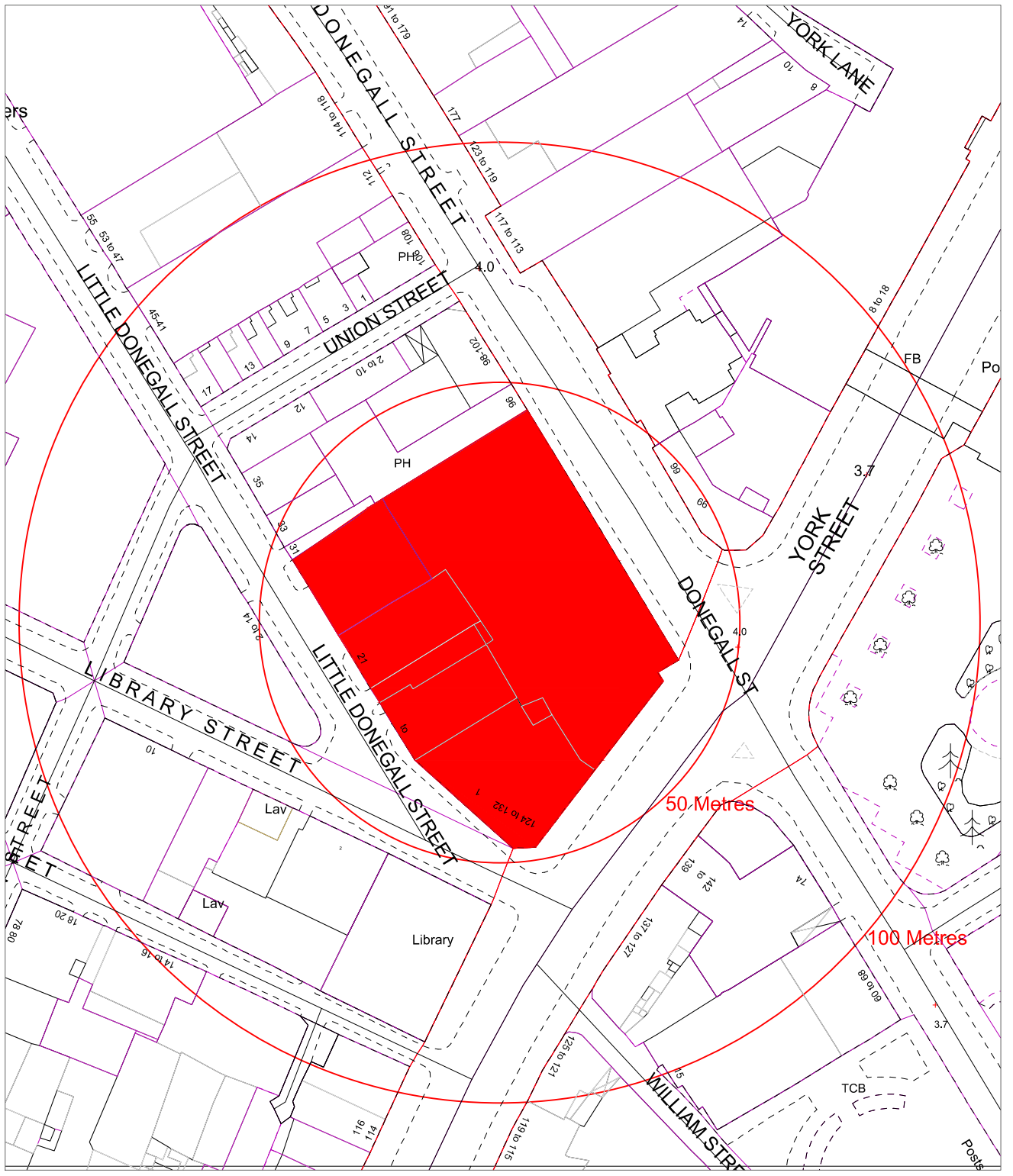
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# Building Control Service

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**Application for the Grant of an Entertainments  
Licence - Limelight Belfast Ltd., former Belfast  
Telegraph Building, Royal Avenue**

(Mr. S. Hewitt, Building Control Manager, and Mr. P. Cunningham, Assistant Building Control Manager, attended in connection with this item.)

The Committee considered an application for the grant of an Entertainments Licence by Limelight Belfast Ltd. for the former Belfast Telegraph Building in Royal Avenue.

In response to a number of questions, the Committee was advised that the application for an entertainments licence had been submitted on 28th August and the statutory consultation period had expired on 26th September and no objections to the application had been received. The company had, during that time, organised a sell-out event at the venue which was to be held on Saturday, 30th September. However, there was an issue in so far as planning permission had not yet been granted for change of use for the building. It was pointed out also that applications of this nature were normally dealt with under the Council's Scheme of Delegation but it was felt that it would be prudent to place the application before the Committee for consideration and decision, given the Council's current interest in the building.

In response to a further question, the Committee was advised that the building met all Health and Safety conditions and technical requirements for the holding of an entertainments licence.

Several Members expressed concern in relation to how the application was being dealt with. It was pointed out that the Council had a quasi-judicial Licencing Committee which had delegated authority from the Council to deal with such applications and the application should have been placed before that Committee.

After further discussion, it was

Moved by Councillor Attwood,  
Seconded by Councillor O'Neill,

That the Committee agrees to grant an Entertainments Licence to Limelight Belfast Ltd. to hold a one-off event in the former Belfast Telegraph Building, Royal Avenue on Saturday, 30th September.

On a vote by show of hands, ten Members voted for the proposal and four against and it was declared carried.

Chairperson

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<b>Subject:</b>	<b>Licensing Training for the Committee</b>
<b>Date:</b>	18th October, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, Ext. 6446

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
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After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<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>
<b>1.1</b>	To outline the proposed dates which are available to deliver training to Members regarding Licensing Committee matters.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	<p>The Committee is asked to:</p> <ol style="list-style-type: none"> <li>1. Confirm if the proposed dates and times listed are suitable for the training programme to be delivered, or</li> <li>2. Suggest alternative dates and times.</li> </ol>

<b>3.0</b>	<b>Main report</b>
	<p data-bbox="256 255 411 286"><b><u>Key Issues</u></b></p> <p data-bbox="148 322 1449 421"><b>3.1</b> Members are reminded that, at your meeting on 20 September, the Committee agreed to attend training sessions which will be tailored to cater for Member’s needs regarding licensing matters.</p> <p data-bbox="148 456 1449 555"><b>3.2</b> The Committee agreed that the training should primarily focus upon the Licensing Committee Protocol and representation process, the legal principles governing the decision-making process and alcohol licensing matters and its relationship to entertainments licensing.</p> <p data-bbox="148 591 1449 689"><b>3.3</b> Training topics identified will be organised in collaboration with Legal Services and Human Resources. Should Members have other queries or topics they wish to discuss these can also be covered during the sessions.</p> <p data-bbox="148 725 1449 824"><b>3.4</b> Officers have identified dates in November and December to deliver two separate training sessions. Additionally, a date in January is available should this be more suitable. The dates are as follows:</p> <ul data-bbox="352 860 580 958" style="list-style-type: none"> <li>• 21 November</li> <li>• 20 December</li> <li>• 15 January</li> </ul> <p data-bbox="148 994 1449 1057"><b>3.5</b> Each of these training sessions will be held in the Lavery Room of the City Hall and will commence at 5.00 pm.</p> <p data-bbox="148 1093 1369 1124"><b>3.6</b> Should Members agree the training can be made available to all Members of Council.</p> <p data-bbox="148 1160 1449 1258"><b>3.7</b> To assist with training delivery we have engaged the services of a Barrister who specialises in licensing matters and has been instructed in several Judicial Reviews on behalf of the Council including the ongoing challenge to the Council’s Amusement Permit Policy.</p> <p data-bbox="256 1294 737 1326"><b><u>Financial &amp; Resource Implications</u></b></p> <p data-bbox="148 1361 963 1393"><b>3.8</b> The training will be catered for within existing budgets.</p> <p data-bbox="256 1429 817 1460"><b><u>Equality or Good Relations Implications</u></b></p> <p data-bbox="148 1496 865 1527"><b>3.9</b> There are no equality or good relations issues.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	<ul data-bbox="272 1666 395 1697" style="list-style-type: none"> <li>• None</li> </ul>