



Subject:	Consideration of objections to an application for the Renewal of an Entertainments Licence for Shaftesbury Bowling and Recreation Centre
Date:	21 June 2023
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Fiona Millen, Building Control Surveyor, ext. 2572

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

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

1.0	Purpose of Report or Summary of Main Issues						
1.1	To consider an application for the Renewal of a 6-Day Annual Indoor Entertainments Licence for the Shaftesbury Bowling and Recreation Centre based on the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind.						
1.2	<table><tr><td>Premises and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>Shaftesbury Bowling and Recreation Centre, 20A Annadale Avenue, Belfast, BT7 3JJ</td><td>WK/202201640</td><td>Mr Fred Simpson, 79 Cedar Grove, Holywood, BT18 9QB.</td></tr></table>	Premises and Location	Ref. No.	Applicant	Shaftesbury Bowling and Recreation Centre, 20A Annadale Avenue, Belfast, BT7 3JJ	WK/202201640	Mr Fred Simpson, 79 Cedar Grove, Holywood, BT18 9QB.
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Shaftesbury Bowling and Recreation Centre, 20A Annadale Avenue, Belfast, BT7 3JJ	WK/202201640	Mr Fred Simpson, 79 Cedar Grove, Holywood, BT18 9QB.					
1.3	A location map of the premises is attached as Appendix 1.						

<p>1.4</p> <p>1.5</p>	<p>The application for renewal of the licence was received on 22 December 2022. In advance of the application being received, representations to the renewal of the licence were received from 2 objectors.</p> <p>Further communication was then received from the objectors within the 28-day period confirming they still wished to object to the application.</p>
<p>2.0</p>	<p>Recommendations</p>
<p>2.1</p> <p>2.2</p> <p>2.3</p>	<p>Considering 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"> 1. Approve the application for the Renewal of the 6-Day Annual Entertainments Licence, or 2. Approve the application for the Renewal of the 6-Day Annual Entertainments Licence with special conditions, or 3. Refuse the application for the Renewal of the 6-Day Annual Entertainments Licence. <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>If the application is refused and an appeal is lodged entertainment may not be provided during the appeal period.</p>
<p>3.0</p>	<p>Main report</p>
<p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p>	<p><u>Key Issues</u></p> <p>Two objections have been received from residents living near the Club. The nature of their objections relates to the following:</p> <ul style="list-style-type: none"> • Ongoing loud music every Tuesday evening. <p>Copies of these objections are attached as Appendix 2.</p> <p><u>Liaison meetings</u></p> <p>Following receipt of the objections the Service facilitated a liaison meeting between all parties involved to discuss residents' issues and attempt to resolve them.</p> <p>Both objectors, Members of the Club Committee and an Officer from the Service met at the Club to discuss resident's concerns on 11 November 2022.</p> <p>Following discussions, the Club Committee advised they implemented arrangements in relation to noise as requested by residents. However, the residents advise they still wish to pursue their objections.</p> <p>As required by the Committee Protocol the applicant and each of the objectors were requested to provide their representation in advance of the meeting for consideration.</p>

Objectors Representation

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

- Ongoing loud music every Tuesday evening.

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

Applicants Representation

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

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

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

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

Counter representations

3.12 In response to the Representation Form submitted by the applicant, the objector has advised the music is persistently loud on Tuesday evenings which affects their family's health, well-being and overall quality of life and believe the Club are not taking their concerns seriously.

3.13 A copy of this email is included as Appendix 5.

3.14 Further to providing the applicant with a copy of the objectors' Representation Forms the applicant has advised they do not have anything additional to add to their earlier submission.

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

Details of the Premises

3.16 The area the applicant wishes to be licensed to provide entertainment is the:

- Main Hall which will have a maximum capacity of 200 persons

3.17	<p>The days and hours during which the applicant wishes to provide entertainment are:</p> <ul style="list-style-type: none"> Monday to Saturday: 11.30 am to 11.00 pm <p><u>PSNI</u></p>
3.18	<p>The PSNI have been consulted in relation to the application and confirmed that they have no objection to it.</p>
	<p><u>NIFRS</u></p>
3.19	<p>The Northern Ireland Fire Rescue Service has also been consulted in relation to the application and have advised they have no objection to it.</p>
	<p><u>Health, safety and enforcement inspections</u></p>
3.20	<p>The premises have been inspected and all works to ensure patron safety in the premises have been completed to the satisfaction of the Service.</p>
3.21	<p>The Service became aware of residents' concerns with the premises in March 2022 when complaints were made through the Council's Noise Hotline Service of loud music from the Club.</p>
	<p><u>Noise Complaints for year 2022</u></p>
3.22	<p>Eleven noise complaints were received by the Night Time Noise Team (NTNT) between March 2022 and October 2022.</p>
3.23	<p>On four occasions, Officers of the Noise Team witnessed excessive noise levels that warranted action in the form of a verbal warning.</p>
3.24	<p>On 11th March 2022 Night Time Noise Team (NTNT) witnessed audible music with a bass element emanating from the bowling club. They advised the level of noise would likely cause sleep disturbance to nearby properties and asked for music to be turned down and any open doors or windows to be closed.</p>
3.25	<p>On 23rd April 2022 Night Time Noise Team (NTNT) issued a verbal warning after witnessing loud bass beat music that could be heard over a wide area and would cause a general disturbance to nearby properties.</p>
3.26	<p>On 10th June 2022 and on 30th August 2022 NTNT issued verbal warnings as noise levels were again too loud.</p>
3.27	<p>The applicant has been informed on all occasions when the Service have been notified of a noise complaint. The applicant has also been advised that in situations of ongoing noise disturbance that it may be necessary to engage with an Acoustic Consultant who can advise on appropriate mitigations to limit noise breakout.</p>
	<p><u>Noise Complaints for year 2023</u></p>
3.28	<p>The objector has identified that ongoing noise disturbance from the venue continues to be experienced. Particular reference had been made to dance classes held in the venue on Tuesday evenings. Building Control have reminded the objectors of the need to contact NTNT when disturbed by noise. No noise complaints have been received by Building Control from NTNT in 2023.</p>

<p>3.29</p> <p>3.30</p> <p>3.31</p>	<p>Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives council's additional powers in relation to the control of entertainment noise after 11.00 pm.</p> <p><u>Financial and Resource Implications</u></p> <p>Officers carry out monitoring inspections on premises receiving complaints, but this is catered for within existing budgets.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no issues associated with this report.</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 – Location Map • Appendix 2 – Letters of objection • Appendix 3 – Objectors Representation Forms • Appendix 4 – Applicant's Representation Form • Appendix 5 – Objectors counter representation • Appendix 6 – PSNI Comments