

<p><b>Title of Report:</b></p> <p><b>Entertainment and Street Trading Licence Applications</b></p>	<p><b>Officer presenting:</b> <b>Director of Health and Community</b></p> <p><b>Author:</b> <b>Head of Health and Community Wellbeing</b></p>
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## **1 Purpose of Report/Recommendations**

- 1.1 To inform Members of Entertainment and Street Trading License Applications recently granted under delegated authority.
- 1.2 Seek members' approval to grant the renewal of an Entertainment Licence for Granny Annie's, Waterloo Street, Derry.

## **2 Background**

- 2.1 Members will be aware that non-contentious Entertainment and Street Trading licence applications may be granted in accordance with the Councils Scheme of Delegation.
- 2.2 A decision was taken by Council to extend the period for determination of the Entertainment Licence Renewal Application for Granny Annie's, Waterloo Street, Derry, in order to permit matters arising out of recent legal proceedings to be concluded (HC159/17).

## **3 Key Issues**

- 3.1 A number of applications for entertainment and street trading licences were received and the 28 day period for representations to be made in respect of these has expired. These are shown in Appendix 1.
- 3.2 There were no representations or objections in response to the public notices advertised in connection with the applications.
- 3.3 The Northern Ireland Fire and Rescue Service (NIFRS) and the Police Service for Northern Ireland (PSNI) were consulted on all entertainment licence applications.
- 3.4 An application for Renewal of an Entertainment Licence for Granny Annies, Waterloo Street was received in October 2016.

- 3.4.1 Representations were made to Council within the specified 28 days of the public notice.
- 3.4.2 Members will be aware that legal proceedings are ongoing in respect to noise nuisance from this premises.
- 3.4.3 A decision was taken by Council to defer any licensing hearing and extend the period for determination of this application in order to permit matters arising out of the legal proceedings in respect of noise nuisance to be concluded (HC159/17).
- 3.4.4 Consequently to date there has been no outcome as the court hearing has been deferred to 21<sup>st</sup> September 2017.
- 3.4.5 As part of the ongoing dialogue between the applicant's legal representative and Council, a Heads of Agreement has been agreed which outlines the noise level and steps required to mitigate noise nuisance at neighbouring residential properties.
- 3.4.6 Officers have consulted with those who made representations on the application and advised on the agreed noise restrictions proposed within the Heads of Agreement to mitigate noise nuisance. Those who made representations and currently reside close to the premises are satisfied with council imposing the following noise condition to any entertainment licence granted.
- 3.4.7 Licence condition:  
'Music noise levels in the 63Hz and 125Hz octave centre frequency bands (Leq) should be controlled so as not to exceed (in habitable rooms of adjacent residential property) 51dB and 39dB (Leq), respectively'.

#### **4 Financial, Equality, Legal, HR, Improvement and Other Implications**

- 4.1 There are no financial or other implications for Council.

#### **5 Recommendations**

- 5.1 Members are asked to note the Entertainment and Street Trading licences issued under delegated authority.

- 5.2 Members to approve the renewal of an Entertainment Licence for Granny Annies Waterloo Street, with the noise condition specified above and a prerequisite that the Entertainment licence may be revoked if conditions are not adhered to.

### **Background Papers**

Appendix 1: Entertainment and Street Trading Licences Granted

## Appendix 1

### Entertainments Licence Applications

#### 1.1 Applications for **Grant** of Outdoor Occasional Entertainments Licences

<b>Area of Location</b>	<b>Reference Number</b>	<b>Event Date(s)</b>	<b>Applicant</b>
Park Football Club Altinure Road Park Village	E.315	Fri.25/8/17 9pm – 12.30am  Sat. 26/8/17 12noon-12.30am  Sun. 27/8/17 12noon -12 Midnight	Park Hall Group Park Hall Altinure Road Park Village
Ebrington Square Ebrington St Columb's Road Waterside Derry	E.313	Sat. 26/8/17 2pm – 11pm  Sun. 27/8/17 2pm – 11pm	Inertia Events Ltd 21 Ballynasilloe Avenue Derry BT48 7SU

No Representations, Approval Granted with specific conditions in relation to noise.

#### 1.2 Entertainment Licence

<b>Address</b>	<b>Reference Number</b>	<b>Times</b>	<b>Applicant</b>
Shipquay Hotel 15-17 Shipquay Street Derry BT48 6DJ	E.311	Monday to Sunday 11.30am -01.00am	Rory Cregan 15-17 Shipquay Street Derry BT48 6DJ

No Representations, Approval Granted

1.3 Temporary Street Trading – Apprentice Boys 12th August 2017

<b>Street Trader</b>	<b>Nature Of Trade</b>
Edgar Monteith	Novelties
Joseph Moore	Hot Food
Phelim Kerlin	Ice Cream
Ivan Joseph Dobbin	Hot Food
Mervyn Hutchinson	Toys
John McNabb	Toys
Wendy Toner	Hot Food
Robert Clyde	General
David Reilly	Hot Food
Don Smith	Hot Food
Lyndsey Vennard	Toys
Brian Oliver	Hot Food
Robert Clyde	General
Chris Hamill	Hot Food
Kenneth Holmes	General
Gregory Esler	General
Mark Neely	General
Caroline Lyttle	General
Lee Gibson	Ice Cream
Ken Lunney	General
Keith Rutherford	Hot Food
Neil Moody	Hot Food
David Deacon	Hot Food
Edgar Monteith	Toys
James Dunseith	General
Scott McGilloway	General
David Deacon	Hot Food
Derek Wasson	Ice Cream
Vladimir Attila Berecz Bancsi	General
Raymond Coulter	General
Benjamin Telford	General

No Representations, Approval Granted