

Report on	Entertainment Licensing Committee Protocol
Date of Meeting	8 th January 2024
Reporting Officer	Terry Scullion, AD Property Services
Contact Officer	PJ Fox, Building Control Development Manager

Is this report restricted for confidential business? If 'Yes', confirm below the exempt information category relied upon	Yes	
	No	X

1.0	Purpose of Report
1.1	To seek members approval on the process to consider an Entertainment Licence taken to Committee for decision.
2.0	Background
2.1	The Council has responsibility for Licensing Places of Entertainment in accordance with The Local Government (Miscellaneous Provisions) (NI) Order 1985.
2.2	Each application received for the Grant, Renewal, Variation or Transfer of an Entertainment Licence is processed in accordance with the above legislation and the Entertainment Licensing Policy as adopted by Mid Ulster District Council. See Appendix 1
2.3	There are however circumstances when the Council must meet to discuss an application and provide the opportunity for certain persons to appear before, or have their representation heard by the council before a decision is made.
2.4	Circumstances where an Objection or Representation are to be considered include the following: <ul style="list-style-type: none"> 1) Where PSNI provide information or object to the grant of the licence 2) Where Fire Service have provided an objection to the grant of the licence 3) Where representations have been received because of the Public Notices placed. 4) Where the applicant wishes to make a representation to the council 5) Where the council proposes to refuse an application

3.0	Main Report
	<p data-bbox="213 232 624 271">Format of Representations</p> <p data-bbox="137 271 1398 562">3.1 In advance it is necessary for members to consider the Committee process involved in hearing from Officers, objectors, statutory consultees and the applicant. Members should understand that information presented to Council from an objector representing local residents can be in a variety of formats including written submissions, images, presentations and videos. Showing videos from third party snap chats or similar platforms however would be a breach of data protection legislation as there is the risk of harm to the individuals shown the videos if they were identified as it is not possible to mask, pixilate or redact the images.</p> <p data-bbox="137 636 1398 853">3.2 Committee will be aware that it has a responsibility to make decisions which are sound, lawful, fair and transparent. This means that they must have an open mind when considering an application and ensure that they take into account all relevant considerations and leave out of account irrelevant considerations. A procedure will also allow officers to advise the parties of the process in advance.</p> <p data-bbox="213 891 683 929">Representations to Committee</p> <p data-bbox="129 929 1398 1570">3.3 It is proposed that the meeting shall proceed as follows: <ul style="list-style-type: none"> • The meeting will be in restricted session. • The case officer report will be presented to Committee. • Committee will then have the opportunity to ask questions about the case officer report or seek legal advice before deputations. • Once the Chair is satisfied that there are no questions for officers the parties will be invited into the meeting in the order set out below. • Speakers will not be permitted to be present in the Chamber for other deputations. • Officers will summarise the deputations to the applicant so that they understand the case which has been made against them. • Speakers will be permitted to be present, either in the Chamber or remotely, to hear the Committee discussion. • Committee decision will then be made in restricted session without speakers present. • Committee or Officers will then communicate decision to applicant and objectors. </p> <p data-bbox="137 1644 1398 1749">3.4 Only those who have made written submissions and registered a request to speak in respect of an application shall be permitted to make oral representations before the Committee.</p> <p data-bbox="137 1823 1398 2018">3.5 Deputations shall be heard in the following order: <ul style="list-style-type: none"> • Statutory consultees (PSNI & NIFRS); • Objectors and/or their representatives; • Applicant and/or their representatives and/or those supporting the application. </p>

3.6	Deputations shall consist of no more than 3 persons. Where there are more than 3 objectors or groups of objectors they will be required to arrange a single deputation to express their representations.
3.7	Deputations shall be confined to the presentation of a slideshow and/or the making of a short address either by each member of the deputation or, should they so wish, by their nominated spokesperson or legal adviser.
3.8	Each deputation shall be permitted a maximum of 5 minutes to address the Committee. Where more than one person wishes to make representation the 5 minutes should be shared between the members of the deputation. Speakers will not be permitted to circulate papers to members at the Committee meeting. Committee will have the option on the night of extending time allowances if deemed appropriate.
	<p>Submissions of representations to Committee</p>
3.9	If a speaker wishes to present a slideshow, a copy of the presentation must be emailed to Council officers 3 working days before the Committee. Due to data protection issues, speakers are not permitted to share images of third parties as part of their presentation without confirming the consent of that third party to officers in advance of the meeting.
3.10	This proposed process is similar to that which was approved and followed by Committee for consideration recently of Gribbens Entertainment Licence and will be kept under review with any policy and procedure updates.
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: Within Current Resources</p> <p>Human: Within Current Resources</p> <p>Risk Management: Within Current Resources</p>
4.2	<p>Screening & Impact Assessments</p> <p>Equality & Good Relations Implications: None</p> <p>Rural Needs Implications: None</p>
5.0	Recommendation(s)
5.1	Members are asked to note the contents of the report and approve the process as detailed in section 3.0 to hear Entertainment Licence applications taken to the Environment Committee for consideration.
6.0	Documents Attached & References

6.1	Appendix 1 – Mid Ulster District Council Entertainment Licensing Policy.
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