



Subject:	Application for the Grant of a Seven-Day Annual Indoor Entertainments Licence with Extended Hours - The Rusty Saddle and Shake or Stir, 21 Howard Street
Date:	14th December, 2022
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"/>
Sometime 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/Summary of Main Issues						
1.1	To consider an application for the grant of a Seven-Day Annual Indoor Entertainments Licence with extended hours for The Rusty Saddle and Shake or Stir. <table><tr><td>Area and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>The Rusty Saddle and Shake or Stir 21 Howard Street Belfast BT1 6NB</td><td>WK/2020/02106</td><td>Mr. Eamonn Diamond 21 Howard Street Belfast BT1 6NB</td></tr></table>	Area and Location	Ref. No.	Applicant	The Rusty Saddle and Shake or Stir 21 Howard Street Belfast BT1 6NB	WK/2020/02106	Mr. Eamonn Diamond 21 Howard Street Belfast BT1 6NB
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1.2	A location map is attached at Appendix 1.						

2.0	Recommendations
2.1	<p>Taking into account the information presented and any representations received Members are required to consider the application and to:</p> <ul style="list-style-type: none"> a) Approve the application for the provision of entertainment to 2.00am on Friday and Saturday, or b) Approve the application with special conditions, or c) Refuse the application for the provision of entertainment to 2.00am on Friday and Saturday.
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, entertainment may not be provided until any such appeal is determined.</p>
3.0	Main Report
	<p><u>Key Issues</u></p> <p><u>Grant of a licence</u></p> <p>3.1 In relation to the Entertainments Licence, all statutory consultations have been completed satisfactorily and the certificates pre-requisite to the grant of licence have been received.</p> <p>3.2 The Committee is 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 Building Control will grant the Licence as provided for in the Council's Scheme of Delegation.</p> <p>3.3 Under the Scheme of Delegation, the Director of Place and Economy has authority to issue any application for the grant of a licence where there are no representations in respect of it and the hours of operation applied for do not exceed 1.00am.</p> <p>3.4 However, applications to provide indoor entertainment beyond 1.00 a.m. are subject to consideration by the Committee and the premises has applied for the following days and hours of use:</p> <ul style="list-style-type: none"> • Sunday: 12.30 am to 1.00 am the following morning • Monday to Thursday: 11.30 am to 1.00 am the following morning • Friday and Saturday: 11:30 am to 2:00 am the following morning <p>3.5 To assist the premises in the circumstances where the building is ready to provide entertainment in advance of consideration of this application for an extension in hours to 2.00 am, the Entertainment Licence has been issued permitting the premises to operate to 1.00 am.</p> <p>3.6 The Committee is, therefore, only being asked to consider whether the provision of entertainment to 2.00 am may be permitted.</p> <p><u>Details of the Premises and Proposals</u></p> <p>3.7 The areas proposed to be licensed to provide indoor entertainment and their maximum occupancies are:</p>

- The Rusty Saddle (Ground floor) - 200
- Shake or Stir (First floor) - 220

3.8 The days and hours during which entertainment is proposed to be provided, are:

- Sunday: 12.30am to 1.00 am the following morning
- Monday to Thursday: 11.30 am to 1.00 am the following morning
- Friday and Saturday: 11:30 am to 2:00 am the following morning

3.9 The applicant has stated that the extension of hours to 2.00 am on Friday and Saturday is because the 1st floor is a nightclub.

3.10 Members are advised that the previous Entertainment Licence for this premises permitted entertainment to be provided to 3.00am the following morning from Monday to Sunday.

Representations

3.11 Public notice of the application has been placed and no written representation has been received as a result of this advertisement.

PSNI

3.12 The Police Service of Northern Ireland has been consulted and has confirmed that it has no objection to the application. Its response is attached at Appendix 2.

NIFRS

3.13 The Northern Ireland Fire and Rescue Service has been consulted and has confirmed that it has no objection to the application.

Health, Safety and Welfare

3.14 The premises has been inspected by the Building Control Service and it is now complete for the purposes of the Building Regulations.

Noise

3.15 No noise complaints have been received in relation to the premises in the last 12-month period.

3.16 The Committee is reminded that the Clean Neighbourhood and Environment Act 2011 gives the Council additional powers in relation to the control of entertainment noise after 11.00 pm.

Applicant

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

Financial and Resource Implications

3.18 None.

3.19	<u>Equality or Good Relations Implications/Rural Needs Assessment</u> There are no issues associated with this report.
4.0	Documents Attached
	Appendix 1 – Location map Appendix 2 – PSNI Response