



Belfast City Council

Report to: Licensing Committee

Subject: **Application for the Transfer and Renewal of a Seven-day Annual Entertainments Licence - Villa, 2-6 Dunbar Street**

Date: 18 June 2014

Reporting Officer: Trevor Martin, Head of Building Control, ext. 2450

Contact Officer: Stephen Hewitt, Building Control Manager, ext. 2435

1	Relevant Background Information						
1.1	<p>Members will recall that, at your meeting on 16 April, you were advised that an anonymous objection had been received against the applications for the transfer and renewal of the Entertainments Licence for Mynt nightclub.</p> <table border="1"><thead><tr><th>Premises and Location</th><th>Ref. No.</th><th>Applicant</th></tr></thead><tbody><tr><td>Villa (formerly Mynt) 2-6 Dunbar Street Belfast, BT1 2LH</td><td>WK/201201878</td><td>Lawrence Bannon 5 Donegall Park Avenue Belfast, BT15 4EU</td></tr></tbody></table>	Premises and Location	Ref. No.	Applicant	Villa (formerly Mynt) 2-6 Dunbar Street Belfast, BT1 2LH	WK/201201878	Lawrence Bannon 5 Donegall Park Avenue Belfast, BT15 4EU
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1.2	<p>The objection raised issues around the management of the premises and their links to Mr Ryan Morton and Mr Daniel Morton who had, in the past, been the subject of legal proceedings by the Council.</p>						
1.3	<p>After consideration, you agreed to exercise your discretion to consider the objection and to ascertain the roles of the various personnel involved in the operation and management of the business.</p>						
1.4	<p>The previous licensee for Mynt was also Mr Lawrence Bannon in his capacity as a director of Metropolitan Inns (NI) Limited. However, Members may recall that Metropolitan Inns (NI) Limited entered into administration in November 2012 hence the reason for the transfer application.</p>						

2	Key Issues
2.1	<p>In association with the transfer and renewal applications, extensive refurbishment works took place and the premises were closed for some time.</p>

2.2	The works have recently been completed to the satisfaction of the Service and the venue reopened on 28 March 2014. A variation application was not required as there was no increase in occupancy or extension to the permitted hours to provide entertainment.
2.3	The Building Regulations application received for the refurbishment works is in the name of Ms Lauren Morton of Newgate Inns Limited. Ms Lauren Morton is the daughter of Mr Daniel Morton. The directors of Newgate Inns Limited are Ms Lauren Morton and Ms Alana Fox, who will both be working in the club.
2.4	Mr Bannon submitted a letter to the Service in response to the objection. A copy of this letter is attached.
2.5	Mr Bannon has confirmed that the new enterprise is a joint venture between himself and Newgate Inns Ltd. Whilst he is still the owner of the property he has leased the premises to Newgate Inns Limited for a period of 10 years to help with the business going forward and to provide some financial assistance. Whilst it is a joint venture he will be the operations director, responsible for the 'day to day' running and management of the business including entertainment licensing and all compliance matters.
2.6	Mr Bannon has also confirmed that both he and Newgate Inns Limited will make joint financial decisions including staff appointments and dismissals.
2.7	The Service has also been advised that Mr Ryan Morton's only role will be promoting the club and that both Mr Daniel Morton and Mr Ryan Morton will play no part in the management of the club.
2.8	Mr Bannon has confirmed that he will be present at your meeting in order to address the Committee and answer any questions the Committee may have.
	Health, safety and welfare issues
2.9	Since the premise reopened on 28 th March 2014, 2 during performance inspections have been carried out which revealed that the terms and conditions of the Entertainments Licence were being adhered to and that the management of the premises was satisfactory. Some minor issues were identified which were quickly rectified.
	Noise Issues
2.10	The Environmental Protection Unit (EPU) has been consulted in relation to the application and confirmed that they have received one complaint since the premise reopened on 28 th March 2014.
2.11	The complaint related to noise emanating from the premise as a result of doors being left in the open position to allow patrons in the smoking area to avail of the entertainment. The Licensee has been made aware that this is a breach of the terms and condition of licence and has confirmed that he will ensure that this does not occur in future.
	PSNI
2.12	The PSNI has been consulted and has no objection to the applications. A copy of its correspondence is attached.

3	Resource Implications
3.1	<u>Financial</u> None

3.2	<p><u>Human Resources</u> None</p>
3.3	<p><u>Asset and Other Implications</u> None</p>

4	Equality and Good Relations Considerations
4.1	There are no equality or good relations issues.

5	Recommendation
5.1	<p>Taking into account the information presented and representations made in respect of the application you are required to make a decision to either:</p> <ol style="list-style-type: none"> 1. Approve the applications for the transfer and renewal of the 7-day Annual Entertainments Licence, or 2. Approve the applications with special conditions, or 3. Refuse the applications for the transfer and renewal of the 7-day Annual Entertainments Licence.
5.2	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 Recorders Court.

6	Decision Tracking
<p>If the application is granted, assuming all outstanding technical matters have been dealt with, the applicant will be sent a copy of the Licence within 7 days of the Council decision. The person responsible for this action is Trevor Martin, Head of Building Control.</p> <p>If an application is refused, or special conditions are attached to the licence to which the applicant does not consent, the applicant will be advised in writing within 7 days of the right to appeal the Council's decision within 21 days of notification of that decision to the Magistrates Court. The person responsible for this action is Henry Downey, Democratic Services Officer, Chief Executive's Department.</p>	

7	Documents Attached
<p>Appendix 1 - Application form</p> <p>Appendix 2 - PSNI comments</p> <p>Appendix 3 - Letter of Objection</p> <p>Appendix 4 - Letter from Applicant</p> <p>Appendix 5 - Location Map</p> <p>Appendix 6 - Company hierarchy</p>	