



<b>Subject:</b>	<b>Application for the Renewal and Variation of a 7 day Annual Entertainments Licence for Lavery's Bar</b>
<b>Date:</b>	17th June, 2015
<b>Reporting Officer:</b>	Trevor Martin, Head of Building Control, ext. 2450
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435

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

<b>1.0</b>	<b>Purpose of Report or Summary of Main Issues</b>						
1.1	<p>To consider applications for the renewal and variation of a 7-Day Annual Entertainments Licence for Lavery's bar based on the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind.</p> <table border="0"><thead><tr><th><b>Premises and Location</b></th><th><b>Ref. No.</b></th><th><b>Applicant</b></th></tr></thead><tbody><tr><td>Lavery's Bar 12-18 Bradbury Place, BT7 1RS</td><td>WK/2015/00115</td><td>Mr Bernard Lavery</td></tr></tbody></table>	<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	Lavery's Bar 12-18 Bradbury Place, BT7 1RS	WK/2015/00115	Mr Bernard Lavery
<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>					
Lavery's Bar 12-18 Bradbury Place, BT7 1RS	WK/2015/00115	Mr Bernard Lavery					
1.2	Copies of the application forms are appended to this report as Appendix 1.						
1.3	The nature of the variation is to extend the hours during which entertainment may be provided from 1.00am to 2.00am on Saturday morning and from 2.00am to 3.00am on Sunday morning.						
1.4	Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the Director of Health and Environmental Services will grant the licence as provided for in the Council's Scheme of Delegation.						
1.5	However, in light of the fact that the applicant has also applied for a variation to extend the hours of entertainment past 1.00am the applications are being presented to you for your consideration.						
1.6	A location map is appended to this report as Appendix 2.						

<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Taking into account the information presented and representations made in respect of the applications you are required to make a decision to either:</p> <ol style="list-style-type: none"> <li>1. Approve the application for the renewal of the 7-Day Annual licence, or</li> <li>2. Approve the application for the renewal with special conditions, or</li> <li>3. Refuse the application for the renewal of the 7-Day Annual licence.</li> </ol>
2.2	<p>Should you be of a mind to approve the application to renew the licence you are then required to determine, subject to all technical requirements being met, either to:</p> <ol style="list-style-type: none"> <li>1. Agree to the variation of the licence and that entertainment be permitted to take place beyond the standard hours of Licence to 2.00am on Saturday morning and 3.00am on Sunday morning.</li> <li>2. Refuse to extend any or all of the hours as requested.</li> </ol>
2.3	<p>If the applications are 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>
2.4	<p>Should the Committee decide to refuse the variation application, and the applicant decides to appeal, the licence will continue with its present conditions until the Appeal is determined.</p>
3.0	<b>Main report</b>
	<b><u>Key Issues</u></b>
3.1	<p>The areas licensed to provide entertainment are the:</p> <ul style="list-style-type: none"> <li>• Ground floor bar with a maximum capacity of 485 persons,</li> <li>• First floor lounge with a maximum capacity of 300 persons,</li> <li>• Second Floor (Pool layout) with a maximum capacity of 300 persons or</li> <li>• Second Floor (Concert layout) with a maximum capacity of 600 persons,</li> <li>• Mezzanine with a maximum capacity of 60 persons, and</li> <li>• Woodworkers Bar with a maximum capacity of 150 persons.</li> </ul>
3.2	<p>The days and hours during which the premises are currently licensed to provide entertainment are:</p> <ul style="list-style-type: none"> <li>• Monday to Friday: 11.30am to 1.00am the following morning, and</li> <li>• Saturday: 11.30am to 2.00am the following morning, and</li> <li>• Sunday: 12.30pm to midnight</li> </ul>
3.3	<p>Entertainment is currently provided in the form of a DJ and live band performances.</p>
	<b><u>Reasons for the Variation</u></b>
3.4	<p>The applicant has advised that the main reason they wish to extend the hours of entertainment is to compete with other establishments in the area. The applicant has also stated that they plan to operate the first floor to 2.00am on Fridays and the first and second floors to 3.00am on Saturdays.</p>
3.5	<p>A copy of the applicant's submission is appended to this report as Appendix 3.</p>

<p>3.6</p> <p>3.7</p> <p>3.8</p> <p>3.9</p> <p>3.10</p> <p>3.11</p> <p>3.12</p> <p>3.13</p>	<p><b><u>Representations</u></b> No written representation has been lodged as a result of the public notices of the applications.</p> <p><b><u>PSNI</u></b> The PSNI have been consulted and also have no objection to the applications. A copy of their correspondence is appended to this report as Appendix 4.</p> <p><b><u>Health, safety and welfare inspections</u></b> Four during performance inspections have been carried out on the premises by Officers from the Service in the last 12 months. The inspections revealed that the conditions of the Entertainments Licence were being adhered to and the Officers were satisfied that all operational and management procedures were being implemented effectively.</p> <p><b><u>Noise issues</u></b> The Environmental Protection Unit (EPU) has been consulted in relation to the applications and they have confirmed that no complaints have been received over the last 12 months relating to noise break out from the premises or due to patron dispersal.</p> <p>Members are reminded that the Clean Neighbourhood And Environment Act 2011 gives councils additional powers in relation to the control of entertainment noise after 11.00pm.</p> <p><b><u>Licensee / Applicant</u></b> The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the request for additional hours.</p> <p><b><u>Financial and Resource Implications</u></b> Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.</p> <p><b><u>Equality and Good Relations Implications</u></b> There are no equality or good relations issues associated with this report.</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p> <ul style="list-style-type: none"> <li>• Appendix 1 – Application form</li> <li>• Appendix 2 – Location map</li> <li>• Appendix 3 – Rationale submission from the applicant</li> <li>• Appendix 4 – PSNI Comments</li> </ul>