



Subject:	Application for the Grant of an Outdoor Entertainments Licence for The Perch
Date:	16th September, 2015
Reporting Officer:	Trevor Martin, Head of Building Control, ext. 2450
Contact Officer:	Stephen Hewitt, Building Control Manager, ext. 2435

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

1.0	Purpose of Report or Summary of main Issues						
1.1	<p>To consider an application for the grant of a 7-Day Annual Outdoor Entertainments Licence for The Perch based on the Council's standard conditions to provide outdoor musical entertainment.</p> <table><thead><tr><th>Premises and Location</th><th>Ref. No.</th><th>Applicant</th></tr></thead><tbody><tr><td>The Perch, China White, Shiro, and Rita's, 43 Franklin Street, BT7 1RS</td><td>WK/2015/00238</td><td>Mr Paul Langsford Abacus Inns Ltd</td></tr></tbody></table>	Premises and Location	Ref. No.	Applicant	The Perch, China White, Shiro, and Rita's, 43 Franklin Street, BT7 1RS	WK/2015/00238	Mr Paul Langsford Abacus Inns Ltd
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The Perch, China White, Shiro, and Rita's, 43 Franklin Street, BT7 1RS	WK/2015/00238	Mr Paul Langsford Abacus Inns Ltd					
1.2	A copy of the Application form is attached as Appendix 1.						
1.3	A location map is attached as Appendix 2.						
1.4	Members are reminded that all applications for the grant of Outdoor Entertainments Licences must be brought before Committee for consideration.						
2.0	Recommendations						
2.1	<p>Taking into account the information presented and any 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 application for the grant of the 7-day Annual Outdoor Entertainments Licence, or2. Approve the application for the grant with special conditions, or3. Refuse the application for the grant of the 7-day Annual Outdoor Entertainments Licence.						

2.2	If the application is granted it will be conditional upon any outstanding technical matters, such as those relating to noise management, being completed to the satisfaction of the Council.
2.3	If the 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, outdoor entertainment may not be provided until any such appeal is determined.
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>The applicant currently holds a 7-Day Annual indoor Entertainments Licence. The indoor areas licensed to provide entertainment are:</p> <ul style="list-style-type: none"> • Rita's with a maximum capacity of 170 persons, • Shiro with a maximum capacity of 240 persons. • China White (First floor) with a maximum capacity of 250 persons, • China White (Second floor) with a maximum capacity of 220 persons. <p>3.2 Members are advised that the number of persons to be accommodated in the new outdoor area will be 220 persons. This will be in addition to the other licensed areas and measures will be implemented by the licensee to ensure that occupancies are controlled on all floors such that over-crowding does not take place.</p> <p>3.3 The days and hours during which the premises are currently licensed to provide indoor entertainment are:</p> <ul style="list-style-type: none"> • Monday to Thursday: 11.30am to 3.00am the following morning, and • Sunday: 12.30pm to 3.00am the following morning. <p>3.4 The premise operates as a restaurant (Shiro), public bar (Rita's) and nightclub (China White) with indoor entertainment being provided in the form of DJs and live bands.</p> <p>3.5 The applicant proposes to provide entertainment within the bar's Smoking Area which is covered by a Liquor Licence, and is located on the fifth floor of the building. This area is known as the Perch.</p> <p>3.6 A layout plan of the proposed outdoor area is attached as Appendix 3.</p> <p>3.7 The days and hours during which entertainment is proposed to be provided in the new outdoor area is as follows:</p> <ul style="list-style-type: none"> • Monday to Saturday: 12.00pm to 1.00am the following morning and • Sunday: 12.30pm to 1.00am the following morning. <p><u>Representations</u></p> <p>3.8 Public notice of the application has been placed and no written representation has been lodged as a result of the advertisement.</p> <p><u>PSNI</u></p> <p>3.9 The PSNI has been consulted and has confirmed that they have no objection to the application. A copy of their correspondence is attached as Appendix 4.</p>

<p>3.10</p> <p>3.12</p> <p>3.13</p> <p>3.14</p> <p>3.15</p> <p>3.16</p> <p>3.17</p> <p>3.18</p> <p>3.19</p>	<p><u>Health, safety and welfare inspections</u></p> <p>A total of two during performance inspections have been carried out on the premises by Officers from the Service regarding the provision of indoor entertainment in the past 12 months. These revealed that the conditions of the Entertainments Licence were being adhered to and Officers were satisfied that all operational and management procedures were being implemented effectively.</p> <p>However, the smoking area on the Fifth Floor was inspected by the Council's Tobacco Control Officer and found to be in breach of the Smoking (Northern Ireland) Order 2006. The licensee has since been advised of the measures required to ensure compliance and is currently in the process of agreeing the extent of those works with the Tobacco Officer and intends to have the work completed as soon as possible.</p> <p><u>Noise Issues</u></p> <p>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>A condition imposed on the Planning Approval for The Perch noted that no entertainment was to be provided. The licensee has since applied to vary the Planning permission to allow entertainment which, following submission of an acoustic report and consultation with the Council's EPU, has now been amended.</p> <p>A copy of the amended Planning Permission is attached as Appendix 5. The condition now states:-</p> <p><i>'No music or amplified sound shall be played within the external smoking area until a suitable music noise level (in $dB_{L_{Aeq}}$), 1m from the loudspeakers, is set and limited based on a sound test witnessed and agreed by Belfast City Council'</i></p> <p>These technical matters will be resolved between Officers and the applicant in due course but an Officer from the EPU will be in attendance at your meeting to answer any queries you may have regarding noise.</p> <p><u>Licensee / Applicant</u></p> <p>The applicant, or their representative, will be available at your meeting to answer any queries you may have in relation to the application.</p> <p><u>Financial & Resource Implications</u></p> <p>Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relations issues associated with this report.</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 – Application form • Appendix 2 – Location map • Appendix 3 – Layout plan of the proposed outdoor area • Appendix 4 – PSNI correspondence • Appendix 5 – Amended Planning Permission

