



Subject:	Application for the renewal of a 7-Day Annual Entertainments Licence for Voodoo
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 renewal of a 7-Day Annual Indoor Entertainments Licence for Voodoo based on the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind.</p> <table border="0"><tr><td>Premises and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>Voodoo 9-11 Fountain Street Belfast, BT1 5ED</td><td>WK/201500086</td><td>Phoenix Wine and Spirit Stores Limited</td></tr></table>	Premises and Location	Ref. No.	Applicant	Voodoo 9-11 Fountain Street Belfast, BT1 5ED	WK/201500086	Phoenix Wine and Spirit Stores Limited
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Voodoo 9-11 Fountain Street Belfast, BT1 5ED	WK/201500086	Phoenix Wine and Spirit Stores Limited					
1.2	The directors of Phoenix Wine and Spirit Stores Limited are Ciaran Smyth and Gavin Smyth.						
1.3	A copy of the Application form is attached as Appendix 1.						
1.4	Under the terms of the Local Government Miscellaneous Provisions (NI) Order 1985, in considering any application for the grant, renewal, or transfer of an Entertainments Licence, the Council must have regard to any conviction of the applicant of an offence under the Order within the period of five years immediately preceding the date when the application was made.						
1.5	This application is placed before the Committee as Mr Ciaran Smyth was convicted of an offence under the Order at Belfast Magistrates Court on 4th September 2012, after a during performance inspection found a locked fire exit, an obstructed means of escape and the log book was not completed prior to entertainment taking place.						
1.6	As a result, Mr Ciaran Smyth was fined a total of £270.00 and ordered to pay court costs of £60.00.						

1.7	Members may recall that a previous renewal application was brought before the Committee on the 21st August 2013 and, after consideration, you agreed to renew the licence.
2.0	Recommendations
2.1	Notwithstanding the opportunity to refuse the application on any other grounds, the Council may refuse an application for an Entertainments Licence on the grounds that the applicant has been convicted of an offence under the Order within the period of 5 years immediately preceding the date when the application was made.
2.2	<p>Taking into account the information presented, you are required to consider the application for the renewal of this licence and to:-</p> <ol style="list-style-type: none"> 1. Approve the application for the renewal, or 2. Should you be of a mind to refuse the application, or approve the application with additional special conditions, an opportunity of appearing before and of being heard by the Committee must be given to the applicant.
2.3	If you are of a mind to refuse the application or attach special conditions to the licence within 7 days from the date of the Council's decision the applicant will be advised in writing of their right to an opportunity of appearing before and of being heard by the Committee.
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>Members are reminded that the normal process for dealing with Entertainments Licence renewals 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. However, in light of the fact that the applicant has been found guilty of committing an offence within 5 years of the application for the licence being submitted to the Council you are required to consider the application.</p>
3.2	<p><u>Representations</u></p> <p>Public notices of the application have been placed and no written representation has been lodged as a result of the advertisements.</p>
3.3	<p><u>PSNI</u></p> <p>The PSNI has been consulted and has confirmed that they have no objection to the application.</p>
3.4	<p><u>Health, safety and welfare inspections</u></p> <p>Since the prosecution has taken place, the Service has carried out a number of during performance inspections on the premises.</p>
3.5	However, on the 15th March 2014 Council Officers discovered that a roller shutter on a means of escape linked to the fire alarm system was in the closed position when entertainment was taking place.
3.6	Whilst the roller shutter was linked to the fire alarm system it was our view that electrical systems cannot be relied upon in this situation if an emergency evacuation was required to take place. An office meeting was held with the licensee to discuss how this would be resolved and it was agreed that the roller shutter must be secured in the open position

	when entertainment is being provided.
3.7	At subsequent inspections, three of which have been carried out in the past 12 months by the Service, it was confirmed that this agreed action was being implemented. Officers also confirmed that the appropriate procedures were in place, the conditions of licence were being adhered to and the management of the premises was satisfactory.
	<u>Licensee / Applicant</u>
3.8	The applicant, or their representative, will be available at your meeting to answer any queries you may have in relation to the application.
	<u>Financial & Resource Implications</u>
3.9	Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.
	<u>Equality or Good Relations Implications</u>
3.10	There are no equality or good relations issues associated with this report.
4.0	Appendices – Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Application form