



<b>Subject:</b>	<b>Application for the Renewal of a Six-day Annual Indoor Entertainments Licence - Flame Restaurant, 36-50 Howard Street</b>
<b>Date:</b>	21st October, 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/Summary of Main Issues</b>						
1.1	<p>To consider an application for the renewal of a Six-day Annual Indoor Entertainments Licence for Flame Restaurant, 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><b>Premises and Location</b></td><td><b>Ref. No.</b></td><td><b>Applicant</b></td></tr><tr><td>Flame Restaurant 36-50 Howard Street Belfast, BT1 6PG</td><td>WK/201501201</td><td>Miss Charlotte Smyth</td></tr></table>	<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	Flame Restaurant 36-50 Howard Street Belfast, BT1 6PG	WK/201501201	Miss Charlotte Smyth
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Flame Restaurant 36-50 Howard Street Belfast, BT1 6PG	WK/201501201	Miss Charlotte Smyth					
1.2	A copy of the application form is attached.						
1.3	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.						
1.4	This application is placed before Committee as Miss Smyth was convicted of an offence under the Order at Belfast Magistrates Court on the 3 <sup>rd</sup> February 2015. The conviction arose after officers witnessed entertainment taking place on the premises with no valid Entertainments Licence being in place.						
1.5	As a result Miss Smyth was fined £150 and ordered to pay legal costs of £69 for the offence.						
1.6	Members may recall that a previous grant application was brought before the Licensing Committee on the 17 <sup>th</sup> September 2014 and, after consideration, you agreed to grant the licence despite the fact that, at the time, the applicant was still the subject of the aforementioned legal proceedings.						

<b>2.0</b>	<b>Recommendations</b>
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	Taking into account the information presented, you are required to consider the application for the renewal of this licence and to:- <ol style="list-style-type: none"> <li>1. approve the application for the renewal, or</li> <li>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.</li> </ol>
2.3	If you are of a mind to refuse the application or attach special conditions to the licence within seven 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.
<b>3.0</b>	<b>Main report</b>
	<b><u>Key Issues</u></b>
3.1	The Committee is required to consider applications where the applicant has been found guilty of committing an offence under the Order.
	<b><u>Representations</u></b>
3.2	Public notice of the application has been placed and no written representation has been lodged as a result of the advertisements.
	<b><u>PSNI</u></b>
3.3	The PSNI has been consulted and has confirmed that it has no objection to the application.
	<b><u>Health, Safety and Welfare Inspections</u></b>
3.4	Since the prosecution has taken place the Service has carried out two during performance inspections on the premises.
3.5	The inspections revealed only minor issues, such as an emergency exit sign not being illuminated. However, officers were satisfied that all operational and management procedures were being implemented effectively.
	<b><u>Licensee / Applicant</u></b>
3.6	The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the application.
	<b><u>Financial and Resource Implications</u></b>
3.7	Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.
	<b><u>Equality and Good Relations Implications</u></b>
3.8	There are no equality or good relations issues associated with this report.
<b>4.0</b>	<b>Document Attached</b>
	Application form