



<b>Subject:</b>	<b>Applications for Grant/Renewal of Entertainments Licences with Previous Convictions</b>
<b>Date:</b>	12th November, 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</b>
1.1	To consider applications for the grant/renewal of Entertainments Licences where the applicant has been convicted of an offence under the Local Government Miscellaneous Provisions (NI) Order 1985 (the Order) within the previous five years.
<b>2.0</b>	<b>Recommendation</b>
2.1	Taking into account the information presented, you are required to consider the applications and to:  1. approve the applications, or  2. should you be of a mind to refuse any of the applications, or approve any applications with additional special conditions, an opportunity of appearing before and of being heard by the Committee must be given to the applicants.
<b>3.0</b>	<b>Main report</b>
	<b>Key Issues</b>
3.1	Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the licence will be granted as provided for in the Council's Scheme of Delegation.
3.2	However, in light of the fact that an applicant has been found guilty of committing an offence within five years of the application for a licence being submitted to the Council, you are required to consider the following applications.
3.3	Notwithstanding the possibility of refusing an Entertainments Licence on any other grounds, the Council may refuse an application on the grounds that the applicant has been convicted of an offence under the Order.

Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction & Penalty
<b>Ardoyne Working Men's Club</b> 9b Kerrera Street Belfast BT14 7FL	Brendan Mailey (Secretary)	Grant	<b>18<sup>th</sup> December 2014</b> Entertainment being provided without a valid Entertainments Licence being in place	<b>28<sup>th</sup> July 2015</b> £200 and £66 Court costs. 6 months to pay
<b>The Cuckoo</b> 149 Lisburn Road Belfast BT9 7AJ	North Down Leisure Ltd	Renewal	<b>24<sup>th</sup> August 2012</b> Locked exit door and log book not completed	<b>26<sup>th</sup> March 2013</b> £400 and £69 Court costs.

#### **Applications previously considered**

3.4 Members may recall that previous renewal applications for The Cuckoo were brought before the Licensing Committee on 18<sup>th</sup> September 2013 and 15<sup>th</sup> April 2015 and, after consideration, you agreed on each occasion to grant the Licence.

#### **Representations**

3.5 Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisements.

#### **PSNI**

3.6 The PSNI has been consulted and has confirmed that they have no objections to the applications.

#### **Health, safety and welfare inspections**

3.7 Following the offences, officers of the Service met with the person in charge of each of the premises to review their management procedures and ensure that appropriate measures are in place for the safety of the public, performers and staff at all times and, in particular, if an emergency situation should occur.

3.8 Each of the premises have also been subject to further inspections by officers of the Service and on each occasion agreed that management procedures were being implemented effectively.

3.9 Copies of the application forms for each of the premises are attached.

#### **Financial and Resource Implications**

3.10 Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.

#### **Equality and Good Relations Implications**

3.11 There are no equality or good relations issues associated with this report.

<b>4.0</b>	<b>Documents Attached</b>
	Appendices 1 and 2 - Application forms