



Subject:	Application for the Grant of an Entertainments Licence - Casement Social Club, 88-100 Andersonstown Road
Date:	17th February, 2016
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>An application has been received from Ms. Maria Toner for the grant of a Seven-day Annual Entertainments Licence for Casement Park Social Club, based upon the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind.</p> <table><tr><td>Premises and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>Casement Park Social Club 88-100 Andersonstown Road, Belfast, BT11 9BX.</td><td>WK/201501661</td><td>Ms Maria Toner Secretary Casement Social Club</td></tr></table>	Premises and Location	Ref. No.	Applicant	Casement Park Social Club 88-100 Andersonstown Road, Belfast, BT11 9BX.	WK/201501661	Ms Maria Toner Secretary Casement Social Club
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1.2	A copy of the application form is attached at Appendix 1.						
1.3	A location map attached at Appendix 2.						
2.0	Recommendations						
2.1	<p>Taking into account the information presented and any representations received you are required to consider the application in light of the pending legal proceedings and to:</p> <ol style="list-style-type: none">1. approve the application for the grant of the Seven-day Annual Entertainments Licence, or2. approve the application for the grant with special conditions, in addition to the standard conditions, or3. refuse the application for the grant of the Seven-day Annual Entertainments Licence.						

2.2	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 Recorders Court.
3.0	Main report
	<p>Key Issues</p> <p>3.1 Prior to this application being made, the Service received complaints alleging that entertainment was being held on the premises, despite the premises not holding a valid Entertainments Licence.</p> <p>3.2 Members are advised that the club previously held an Entertainments Licence which expired on 31st October, 2008.</p> <p>3.3 Prior to the expiry of the Entertainments Licence, we sent our standard renewal reminder to the Club. The letter outlined the renewal application process and advised that if an application was not received the licence would expire and they would not be permitted to provide entertainment on the premises. It also warned that if entertainment was provided without the appropriate licence being in place that they would then be subject to legal action.</p> <p>3.4 Since then, the Service has dealt with several complaints regarding the premises and, as a result, has consulted with senior members of the club on each occasion. Following those visits we sent correspondence to advise them of the application process; remind them that they did not have an Entertainments Licence and that if they were found to be providing entertainment that they may be subject to legal action.</p> <p>3.5 Following receipt of a further complaint Officers of the Service conducted a monitoring inspection of the premises on the 4th August 2015 and, despite our previous warnings, witnessed entertainment taking place in the form of a four piece band. During the course of the inspection Officers met and spoke to the club chairman, Mr Bob Murray.</p> <p>3.6 As part of our investigation into the matter and to give the applicant an opportunity to provide an explanation in relation to the alleged offence, we sent the applicant a letter in accordance with the Codes of Practice issued pursuant to the Police & Criminal Evidence (NI) Order 1989 (PACE). A copy of our letter is attached at Appendix 3.</p> <p>3.7 Subsequently, the applicant's representatives have responded to the letter with an explanation for the breach. Officers have also since met and engaged with the club chairman, Mr Bob Murray, other senior members of the club and their representatives to discuss the issues, the application process and the technical requirements for the premises in order that an Entertainments Licence can be granted. A copy of their response is attached at Appendix 4.</p> <p>3.8 The matter has been referred to Legal Services to initiate legal proceedings against the Applicant and the case has been listed for hearing on 1st March 2016 at Belfast Magistrates' Court, Belfast.</p> <p>3.9 The applicant has requested that the Council consider granting the premises an Entertainments Licence prior to the outcome of any legal proceedings in order for them to be able to provide entertainment over the St Patrick's Day and Easter period.</p> <p>3.10 Members are reminded that the normal process for dealing with Entertainments Licence applications, which are not the subject of objections, is that these will be granted as provided for in the Council's Scheme of Delegation.</p>

3.11	<p>Whilst it must be stressed that the applicant has not been convicted of any offence, in light of the fact that the matter has been listed for hearing at Belfast Magistrates' Court with a recommendation to prosecute the matter is referred to Committee for consideration.</p>
3.12	<p><u>Premises</u></p> <p>Currently the premise operates as a registered GAA members club with a Lounge, Games Room and Members' Bar on the Ground Floor. The applicant has applied to provide entertainment in all three rooms with a combined occupancy of 200 people, as follows:</p> <ul style="list-style-type: none"> • Members Bar – 110 persons • Lounge – 60 persons • Games Room – 30 persons
3.13	<p>Officers are working with senior club officials and their representatives in regard to agreeing the occupancy of these respective areas as part of standard technical discussions. Final figures will be resolved in due course but we do not expect that they will differ greatly from those proposed.</p>
3.14	<p>As the premises is a registered club the days and hours during which entertainment can be provided are:</p> <ul style="list-style-type: none"> • Monday to Saturday: 11.30 pm to 11.00 pm • Sunday: 12.30 pm to 10.00 pm.
3.15	<p>However, a registered club can apply to the local police sub-divisional commander for authorisation to extend the hours during which alcohol may be sold on up to 85 occasions in any period of 12 months. On those occasions the above hours may be extended:</p> <ul style="list-style-type: none"> • from Monday to Saturday (except Good Friday or Christmas Day), from 11:00 pm to 1:00 am on the following day; • on Sunday (except Christmas Day or Easter Day), not being 31 December, from 10:00 pm to 12 midnight; or • on Sunday, being 31 December, from 10:00 pm to 1:00 am on the following day.
3.16	<p>Where such authorisations are obtained entertainment may be provided to the latest hour to which alcohol may be sold.</p>
3.17	<p>Layout plans of the premises are attached at Appendix 5.</p>
3.18	<p>The long terms plans for the club are to move into the new Casement Park development. However, when work starts on the stadium they will relocate into a temporary modular building and remain there for the duration of the project until works are complete.</p>
3.19	<p><u>Representations</u></p> <p>Public notice of the application has been placed and no written representation has been lodged as a result of the advertisement.</p>
3.20	<p><u>PSNI</u></p> <p>The PSNI has been consulted and has confirmed that they have no objection to the application. A copy of its correspondence is attached at Appendix 6.</p>
3.21	<p><u>Health, safety and welfare inspections</u></p> <p>As previously advised, the Service is continuing to liaise and work with the applicant in regards to the proposed occupancy for the premises. Members can be assured that an Entertainments Licence will not be issued until such time as all works and technical requirements are completed to the satisfaction of the Service.</p>

<p>3.22</p> <p>3.23</p> <p>3.24</p> <p>3.25</p> <p>3.26</p>	<p>Three further monitoring inspections have also been carried out since the offence was detected and no entertainment was taking place on each occasion.</p> <p><u>Noise issues</u> The Environmental Protection Unit has confirmed that they have not received any complaints regarding noise disturbance or patron dispersal from the premise since the complaint received in August last year, which resulted in our monitoring of the premises.</p> <p><u>Applicant</u> The applicant and/or their representative will be available to discuss any matters relating to the application should they arise during your meeting.</p> <p><u>Financial and Resource Implications</u> Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.</p> <p><u>Equality and Good Relations Implications</u> There are no equality or good relations issues associated with this report.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<p>Appendix 1 – Application Form</p> <p>Appendix 2 – Location map</p> <p>Appendix 3 – PACE Letter</p> <p>Appendix 4 – Response letter from applicant</p> <p>Appendix 5 – Layout plans of the premises</p> <p>Appendix 6 – PSNI correspondence</p>