



Subject:	Applications for the Renewal of a Seven-day Indoor Entertainments Licence and the Grant of a Seven-day Outdoor Entertainments Licence - Box Nightclub, Units 1 and 8 Queen's Quay
Date:	18th May, 2016
Reporting Officer:	Mr. Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Mr. Patrick Cunningham, Assistant Building Control Manager, ext. 6446

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 /Summary of Main Issues						
1.1	<p>To consider applications for the renewal of a Seven-day Annual Indoor Entertainments Licence and the grant of a Seven-day Annual Outdoor Entertainments Licence for Box Nightclub, 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.</p> <table><thead><tr><th>Premises and Location</th><th>Ref. No.</th><th>Applicant</th></tr></thead><tbody><tr><td>Box Units 1 and 8 Odyssey Pavilion, 2 Queens Quay, Belfast, BT3 9QQ</td><td>WK/201600664 WK/201500889</td><td>Mr Carl Hornsby Sheridan Nightclubs Limited, C/o Utopian Leisure, Units 1 and 8 Odyssey Pavilion, 2 Queens Quay, Belfast, BT3 9QQ</td></tr></tbody></table>	Premises and Location	Ref. No.	Applicant	Box Units 1 and 8 Odyssey Pavilion, 2 Queens Quay, Belfast, BT3 9QQ	WK/201600664 WK/201500889	Mr Carl Hornsby Sheridan Nightclubs Limited, C/o Utopian Leisure, Units 1 and 8 Odyssey Pavilion, 2 Queens Quay, Belfast, BT3 9QQ
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1.2	Copies of the application forms are attached at Appendix 1.						
1.3	A location map is attached at Appendix 2.						
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.						

<p>2.2</p> <p>2.3</p>	<p>Taking into account the information presented and any representations received you are required to consider the applications in light of the previous legal proceedings and to:</p> <ol style="list-style-type: none"> 1. approve the applications for the renewal of the Indoor and grant of the Outdoor Seven-day Annual Entertainments Licences, or 2. approve the applications for the renewal of the Indoor and grant of the Outdoor Seven-day Annual Entertainments Licences with special conditions, or 3. Refuse the applications for the renewal of the Indoor and grant of the Outdoor Seven-day Annual Entertainments Licences. <p>If the applications are 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.</p>
<p>3.0</p>	<p>Main report</p>
<p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p>	<p><u>Key Issues</u></p> <p>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.</p> <p>However, in light of the fact that the applicant has been found guilty of committing an offence within five years of the application for the licence being submitted to the Council, you are required to consider the application.</p> <p>Members are advised that Sheridan Nightclubs Limited were convicted of an offence under the Order at Belfast Magistrates Court on 17th November 2015. The conviction arose after officers witnessed entertainment taking place within the Outdoor Smoking Area without an Entertainments Licence being in place for that area of the premises.</p> <p>As a result Sheridan Nightclubs Limited were fined £200 and ordered to pay court costs of £69 for the offence.</p> <p><u>Premises</u></p> <p>The applicant currently holds a Seven-day Annual indoor Entertainments Licence and the areas licensed to provide entertainment are the:</p> <ul style="list-style-type: none"> • Ground floor Bar, with a maximum capacity of 620 persons • 1st floor Bar, with a maximum capacity of 1060 persons • 1st Floor VIP Bar, with a maximum capacity of 50 persons. <p>Members are advised that the number of persons to be accommodated in the new outdoor area is included in the overall maximum occupancy of the indoor area of 1730 persons; they are not in addition to this occupancy.</p> <p>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 Saturday: 11.30 am to 3.00 am the following morning, and • Sunday: 12.30 am to 2.00 am the following morning.

3.8	<p>The following special conditions are attached to the current Entertainments Licence:</p> <ul style="list-style-type: none">• occupancy figures shall be controlled to ensure that the numbers on each floor do not exceed those stipulated on the licence.• review meetings to be held on a quarterly basis or as the need arises between the PSNI, the applicant and the Council.
3.9	<p>The premise operates as a nightclub with indoor entertainment being provided in the form of DJs.</p>
3.10	<p>The applicant proposes to extend the entertainment into the outdoor Smoking Area, which is covered by a Liquor Licence and is located at the front of the Odyssey Pavilion. A layout plan of the proposed outdoor area is attached as Appendix 3.</p>
3.11	<p>The days and hours during which entertainment is proposed to be provided in the new outdoor area is the same as is currently being provided indoors, as follows:</p> <ul style="list-style-type: none">• Monday to Saturday: 11.30 am to 3.00 am the following morning, and• Sunday: 12.30 am to 2.00 am the following morning.
<p><u>Representations</u></p>	
3.12	<p>Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisement.</p>
<p><u>PSNI</u></p>	
3.13	<p>The PSNI has been consulted and has confirmed that it has no objection to the applications. A copy of its correspondence is attached at Appendix 4.</p>
<p><u>Health, Safety and Welfare Inspections</u></p>	
3.14	<p>Following the offence, officers met with the applicant to review their management procedures and ensure that appropriate measures are in place to prevent a recurrence.</p>
3.15	<p>The premise has been subject to a further during performance inspection and Officers were satisfied that measures were being implemented effectively.</p>
3.16	<p>The premise has also been subject to inspection as part of the application process; therefore all operational and management procedures have been checked to safeguard the safety of the public, performers and staff and, in particular, if an emergency situation should occur.</p>
<p><u>NIFRS</u></p>	
3.17	<p>The Northern Ireland Fire and Rescue Service has been consulted in relation to the applications and confirmed that it has no objections.</p>
<p><u>Noise Issues</u></p>	
3.18	<p>The Environmental Protection Unit (EPU) has been consulted in relation to the applications and confirmed that no noise complaints have been received since the previous renewal.</p>

<p>3.19</p> <p>3.20</p> <p>3.21</p> <p>3.22</p> <p>3.23</p>	<p>An acoustic report outlining the measures to be taken when outdoor entertainment is being provided has been received and is currently being assessed by EPU. The report outlines the measures to be put in place to minimise disturbance to neighbouring premises, either due to noise breakout or from patron activity.</p> <p>Should you be minded to grant the outdoor licence these technical matters will be resolved between Officers and the applicant and an Entertainments Licence will not be issued until the proposed levels have been verified and agreed.</p> <p><u>Applicant</u></p> <p>The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the applications.</p> <p><u>Financial and 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 and Good Relations Implications</u></p> <p>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 – Layout plans of the outdoor area</p> <p>Appendix 4 – PSNI correspondence</p>