



<b>Subject:</b>	<b>Applications for the Renewal of Entertainments Licences with Associated Convictions</b>
<b>Date:</b>	17th August, 2016
<b>Reporting Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, ext. 6446
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

<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>
<b>1.1</b>	To consider applications for the 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>Recommendations</b>
<b>2.1</b>	Taking into account the information presented, you are required to consider the applications and to:-  <ol style="list-style-type: none"><li>1. Approve the applications, or</li><li>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.</li></ol>
<b>3.0</b>	<b>Main Report</b>
	<b><u>Key Issues</u></b>
<b>3.1</b>	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.
<b>3.2</b>	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>Teach Na Monagh</b> 2a Monagh Grove Belfast BT11 8EJ	Regent House Mews Limited	Renewal	<b>18<sup>th</sup> May 2012</b> Locked Emergency Exit, Obstructed Means of escape and Log Book not provided	<b>29th January 2013</b> £800 and £66 Court costs
<b>Dundela Football Athletic &amp; Social Club</b> Wilgar Street Belfast BT4 3BL	Susan Elizabeth Gilmore (Secretary)	Renewal	<b>24<sup>th</sup> November 2012</b> Overcrowding and obstructed Emergency Exit Route	<b>23rd July 2013</b> £400 and £69 Court costs
<b>The Suffolk Inn</b> 12-14 Suffolk Road Belfast BT11 9PB	Tony Clarke	Renewal	<b>4th July 2015</b> <b>Caulfield's Bar</b> Final Exit locked shut and an Obstructed Means of escape	<b>8th March 2016</b> <b>Caulfield's Bar</b> £200 and £69 Court costs

**Applications Previously Considered**

**3.4** Members may recall that previous applications for the aforementioned premises were considered by the Committee as follows:

**Teach Na Monagh**

**3.5** Previous renewal applications for the premises were brought before the Committee on the 20th February 2013, 16th April 2014 and 18th March 2015 and, after consideration, you agreed to renew the licence on each occasion.

**Dundela Football and Social Club**

**3.6** Previous renewal applications for the premises were brought before the Committee on 19th February 2014 and the 21st January 2015 and, after consideration, you agreed to renew the licence on each occasion.

	<p><b>The Suffolk Inn</b></p> <p><b>3.7</b> This application is being placed before the Committee because the applicant, Mr Tony Clarke, was convicted of offences under the Order at Belfast Magistrates Court on the 8th March 2016 regarding Caulfield's Bar, another premises for which he is the licensee. The offences took place on the 4th July 2015 and included a final exit being locked shut and a designated means of escape from the premises being impeded. Members will recall that you considered the renewal application for Caulfield's Bar at your meeting on the 18th May, this year and, after taking account of the conviction, you agreed to renew the licence.</p> <p><b><u>Representations</u></b></p> <p><b>3.8</b> Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisements.</p> <p><b><u>PSNI</u></b></p> <p><b>3.9</b> The PSNI has been consulted and has confirmed that it has no objections to the applications.</p> <p><b><u>Health, Safety and Welfare Inspections</u></b></p> <p><b>3.10</b> Following the offences, officers of the Service met with the licensees 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.</p> <p><b>3.11</b> Each of the premises have also been subject to further inspections by officers of the Service and on each occasion we found that management procedures were being implemented effectively.</p> <p><b>3.12</b> Copies of the application forms for each of the premises are attached as Appendix 1.</p> <p><b><u>NIFRS</u></b></p> <p><b>3.13</b> The Northern Ireland Fire Rescue Service has also been consulted in relation to each of the applications and confirmed that it has no objections.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p><b>3.14</b> Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.</p> <p><b><u>Equality and Good Relations Implications</u></b></p> <p><b>3.15</b> There are no equality or good relations issues associated with this report.</p>
<p><b>4.0</b></p>	<p><b>Documents Attached</b></p>
	<p>Appendices 1 to 3 – Application forms</p>