



Subject:	Applications for the Grant/Renewal of Entertainments Licences with Associated Convictions
Date:	21st September, 2016
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant 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/Summary of Main Issues
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.
2.0	Recommendations
2.1	Taking into account the information presented, you are required to consider the applications and to:- <ol style="list-style-type: none">1. Approve the applications, or2. 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.
3.0	Main report
	<u>Key Issues</u>
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.

Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction and Penalty
The Annex Bar 480-482 Shore Road, Belfast, BT15 4HD	Thomas Greer Loughview Services Limited	Renewal	October 2011 Locked Fire Exit	24th April 2012 £800 and £72 Court costs
Sliabh Dubh 79 Whiterock Road, Belfast, BT12 7FW	Tony Clarke	Renewal	July 2015 <u>Caulfield's Bar</u> Final Exit locked shut and an obstructed means of escape	8th March 2016 <u>Caulfield's Bar</u> £200 and £69 Court costs
Chester Park Inn 466-468 Antrim Road, Belfast, BT15 5GE	Eamon Diamond Chester Park Inns Limited	Renewal	August 2015 Entertainment without a Licence in an outdoor area	22nd March 2016 Conditional Discharge
The Corner House 167-177 Oldpark Road, Belfast, BT14	Michael Markey	Grant	February 2016 Entertainment without a Licence	13th September 2016 Conditional Discharge

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.

Application history

3.4 Previous applications for the aforementioned premises were considered by the Committee as follows:

The Annex Bar

3.5 The applicant was convicted of an offence under the Order at Belfast Magistrates Court on the 24th April 2012, after a during performance inspection found a locked final exit.

3.6 Members may recall that previous applications have been brought before the Licensing Committee on the 19th September 2012, 20th November 2013, 17th September 2014 and 21st October 2015 and, after consideration, you agreed to grant the licence on each occasion. Members are advised that this is the last year the application will have to be considered by the Committee.

Sliabh Dubh

3.7 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.

3.8 Members will recall also that you recently considered the renewal application for The Suffolk Inn, which is another of Mr Clarke's premises, at your August meeting and, after taking account of the conviction, you agreed to renew the licence.

Chester Park Inn

3.9 The licensee was convicted of holding outdoor entertainment without the appropriate Entertainments Licence being in place.

The Corner House

3.10 Whilst this is an application for the grant of a licence, there was previously an Entertainments Licence for the premises which expired on 30th April, 2015. Despite our requests to provide the required documentation in order to complete the application and renew the Licence, Mr. Markey failed to do so. His previous licence was therefore deemed to be refused and he was advised that he was no longer permitted to have entertainment on the premises.

Representations

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

PSNI

3.12 The PSNI has been consulted and has confirmed that it has have no objections to the applications.

Health, Safety and Welfare Inspections

3.13 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 to prevent a recurrence of the previous problems. Officers also discussed the arrangements in place for the safety of the public, performers and staff at all times and, in particular, if an emergency situation should occur.

3.14 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.

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

<p>3.16</p> <p>3.17</p> <p>3.18</p>	<p><u>NIFRS</u></p> <p>The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and confirmed that it has no objections.</p> <p><u>Financial and Resource Implications</u></p> <p>Officers carry out during performance inspections on premises providing entertainment which 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>Application Forms</p>