



<b>Subject:</b>	<b>Applications for the Renewal of Entertainments Licences with Previous Convictions</b>
<b>Date:</b>	10th November, 2016
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant 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 /Summary of main Issues</b>
<b>1.1</b>	To consider applications for the renewal of Entertainments Licences where the applicants have 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.

Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction & Penalty
<p><b>The Glenowen Inn</b></p> <p>108 Glen Road Belfast, BT11 8BH</p>	<p>The Keg Company (N.I.) Limited</p>	<p>Renewal</p>	<p><b>October 2015</b></p> <p>A rear exit was blocked by combustible materials, including a table, music equipment and speakers. The rear exit alleyway was also partially obstructed by a parked vehicle. A number of exit signs were not operational and the Log Book for recording pre-event checks was not completed.</p>	<p><b>24th May 2016</b></p> <p>£600 and £66 Court costs</p>
<p><b>T13</b></p> <p>Queens Road Belfast, BT12 6AG</p>	<p>No Limit Limited</p>	<p>Renewal of <b>both</b> the Indoor and Outdoor Entertainments Licences</p>	<p><b>September 2012</b> Failed to provide the required notice of an event involving children and to provide an Event Management Plan. Didn't agree the maximum permitted occupancy suitable for the event. The log book was also not available on the night.</p> <p><b>June 2014</b> No notification of an event held on the 21st June 2014 and the Event Management Plan was not submitted in advance of the event.</p> <p><b>September 2014</b> Entertainment was also held beyond the permitted hours of their Entertainments Licence of 1.00 am.</p>	<p><b>7th May 2013</b> £200 and £109 Court costs</p> <p><b>21st June 2016</b> £100 and £72 Court costs</p>

<p><b>3.3</b></p> <p><b>3.4</b></p> <p><b>3.5</b></p> <p><b>3.6</b></p> <p><b>3.7</b></p> <p><b>3.8</b></p> <p><b>3.9</b></p> <p><b>3.10</b></p> <p><b>3.11</b></p> <p><b>3.12</b></p>	<p>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.</p> <p><b><u>Application History</u></b></p> <p><b>The Glenowen Inn</b></p> <p>These are the first offences committed by the applicant and, therefore, this is the first time that the application is being considered by the Committee.</p> <p>The applicant was convicted of offences under the Order at Belfast Magistrates Court on 24th May this year, after a during performance inspection found a rear exit from the premises was blocked by a folded table, music equipment and associated speakers.</p> <p>The rear exit alleyway was also partially obstructed by a parked vehicle and a number of fire safety signs were not illuminated on the ground floor. The Log Book for recording pre-event checks was not completed. As a result, the applicant was fined a total of £600 and ordered to pay court costs of £66.</p> <p><b>T13</b></p> <p>No Limat Limited was convicted of offences under the Order at Belfast Magistrates Court on 7th May, 2013. This conviction arose following the applicant's failure to provide one month's notice to the Council of proposed entertainment involving children. In addition, the applicant failed to provide an Event Management Plan and did not agree the maximum occupancy suitable for the event with the Service. The log book was also not available on the night the event took place to demonstrate that pre-event checks had been carried out. As a result, the applicant was fined a total of £200 and ordered to pay court costs of £109 for the offence, with a 12 month conditional discharge.</p> <p>Members are reminded that, after this conviction, a renewal application was considered by the Licensing Committee on 22nd January, 2014 and the Committee agreed to renew the Entertainments Licence.</p> <p>Subsequently, No Limat Limited failed to comply with a special condition attached to their Entertainments Licence which required an Event Management Plan to be provided at least 28 days in advance of an event which took place on 21st June, 2014.</p> <p>Then, on Saturday 6th September 2014, when investigating noise complaints, officers of the Council's Night Time Noise Team observed entertainment being held at the venue beyond 1.00 am, the latest permitted hours of entertainment.</p> <p>Members may recall that, at your meeting on 16th September 2015, you took account of these further offences, which were the subject of pending legal action at that time, and of the oral representations which the applicant, Mr Liam Lynch, made to the Committee and agreed to renew the indoor Entertainments Licence and grant the outdoor Entertainments Licence.</p> <p>As a result of the further offences outlined at your meeting on 16th September 2015, the applicant appeared in court on 21st June 2016 and was fined a total of £100 and ordered to pay court costs of £72.</p>
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4.0	<b>Documents Attached</b>
	Application Forms