



<b>Subject:</b>	<b>Application for the Renewal of a Seven-Day Annual Entertainments Licence with a Previous Conviction - Bootleggers, 46 Church Lane</b>
<b>Date:</b>	15th March 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<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"/>

1.0	<b>Purpose of Report/Summary of Main Issues</b>						
1.1	<p>To consider, in accordance with paragraph 10 (5) of the Local Government Miscellaneous Provisions (NI) Order 1985 (the Order), if the Council wishes to revoke an Entertainments Licence where the applicant has been convicted of an offence.</p> <table border="1"><thead><tr><th><b>Premises and Location</b></th><th><b>Ref. No.</b></th><th><b>Applicant</b></th></tr></thead><tbody><tr><td>Bootleggers 46 Church Lane Belfast BT1 4QN</td><td>WK/201600979</td><td>Quay Street Merchants Limited</td></tr></tbody></table>	<b>Premises and Location</b>	<b>Ref. No.</b>	<b>Applicant</b>	Bootleggers 46 Church Lane Belfast BT1 4QN	WK/201600979	Quay Street Merchants Limited
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Bootleggers 46 Church Lane Belfast BT1 4QN	WK/201600979	Quay Street Merchants Limited					
1.2	Members will recall that, at your meeting of the 18th January 2017, after considering a report regarding the level of fines imposed by the Court in relation to offences under the Order the Committee agreed to consider the option to revoke an Entertainments Licence immediately after a licensee is convicted of an offence.						
1.3	Rather than wait until the licence falls due for renewal the licence holder is now required to appear before Committee and convince Members as to why their licence should not be revoked.						
1.4	The applicant has also applied to renew the licence, so should the Committee decides not to revoke the licence it must then determine whether to grant the renewal application.						

2.0	<b>Recommendations</b>
	<p data-bbox="245 241 405 275"><b>Revocation</b></p> <p data-bbox="150 309 1444 443">2.1 Taking into account the information presented and any representations received, you are required to consider the recent legal proceedings and determine if you wish to revoke the Entertainments Licence, on the grounds that the applicant has been convicted of an offence under the Order.</p> <p data-bbox="150 477 1444 544">2.2 If the licence is revoked, the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.</p> <p data-bbox="245 577 533 611"><b>Renewal application</b></p> <p data-bbox="150 645 1444 712">2.3 Should Members be satisfied that the Entertainments Licence need not be revoked, you are then required to consider the application to renew the licence and:</p> <ol data-bbox="261 745 1396 880" style="list-style-type: none"> <li>1. Approve the application for the renewal of the Seven-day Annual Entertainments Licence, or</li> <li>2. Approve the application for the renewal of the Seven-day Annual Entertainments Licence with special conditions.</li> </ol> <p data-bbox="150 913 1444 981">2.4 If the licence is renewed with special conditions, the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.</p>

3.0	<b>Main report</b>
	<p data-bbox="245 1104 405 1137"><b><u>Key Issues</u></b></p> <p data-bbox="150 1171 1444 1305">3.1 Members are advised that, whilst you are primarily considering if you wish to revoke the Entertainments Licence on the grounds that the applicant has been convicted of an offence, an application has been received for the renewal of the licence which you are asked to determine, should you not revoke the licence.</p> <p data-bbox="150 1339 1444 1541">3.2 The matter is before Committee because the applicant company, Quay Street Merchants Limited, was convicted of offences under the Order at Belfast Magistrates Court on 21st February 2017, after a during performance inspection carried out in May last year found that the required minimum clear distance through a rear escape route was not being maintained and the appropriate pre-entertainments checks were not carried out prior to the entertainment taking place.</p> <p data-bbox="150 1574 1396 1608">3.3 As a result, the applicant was fined a total of £500 and ordered to pay court costs of £69.</p> <p data-bbox="245 1641 373 1675"><b><u>Premises</u></b></p> <p data-bbox="150 1709 1444 1776">3.4 The applicant currently holds a Seven-Day Annual Indoor Entertainments Licence and the areas licensed to provide entertainment are the:</p> <ul data-bbox="277 1809 1204 1977" style="list-style-type: none"> <li>• Ground Floor Bar, with a maximum capacity of 100 persons</li> <li>• Ground Floor Restaurant, with a maximum capacity of 80 Persons</li> <li>• First Floor Function Room, with a maximum capacity of 60 persons</li> </ul>

3.5	<p>The days and hours during which the premises are currently licensed to provide entertainment are:</p> <ul style="list-style-type: none"> <li>• Monday to Saturday: 11.30 am to 3.00 am the following morning, and</li> <li>• Sunday: 12.30 pm to 3.00 am the following morning.</li> </ul>
3.6	A copy of the application form is attached at Appendix 1.
3.7	A location map is attached at Appendix 2.
<p><b><u>Representations</u></b></p>	
3.8	Public notice of the application has been placed and no written representations have been lodged as a result of the advertisement.
<p><b><u>PSNI</u></b></p>	
3.9	The PSNI has been consulted and has confirmed that it has no objections to the application. A copy of its correspondence is attached at Appendix 3.
<p><b><u>Health, Safety and Welfare Inspections</u></b></p>	
3.10	Following the offence, officers of the Service met with the management of the bar to review their fire safety procedures and ensure that appropriate measures are in place for safe evacuation from the club should an emergency situation occur
3.11	Particular attention was given to the rear escape route to ensure that the required minimum clear width of 1.1m is maintained. The applicant has since marked the area with appropriate paint to prevent a recurrence of the offence for which they were convicted.
3.12	Further to this action, the recent opening of the Bullitt Hotel, which backs on to the premises, required a boundary wall to be removed which increased the available space for the rear escape route and this has resolved the issue.
3.13	The premise has been subject to three further during performance inspections as well as a recent renewal inspection to ensure that there has been no recurrence of these or any other safety issues and we have found that management procedures are being implemented effectively.
<p><b><u>NIFRS</u></b></p>	
3.14	The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and has confirmed that it has no objection.
<p><b><u>Noise Issues</u></b></p>	
3.15	The Environmental Protection Unit (EPU) has been consulted in relation to the application and has confirmed that, since the last renewal, no complaints have been received relating to noise break out from the premises or due to patron dispersal.
<p><b><u>Applicant</u></b></p>	
3.16	The applicant has been made aware of the concerns raised by the Committee regarding the level of fines imposed by the Court and the new procedure you have adopted to give Members the opportunity to seek assurances as to why their Entertainments Licence should not be revoked.

3.17	<p>As a result, they have been invited to attend your meeting to answer any queries you may have in relation to the future management of the premises.</p> <p><b><u>Financial and Resource Implications</u></b></p>
3.18	<p>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>
3.19	<p>There are no equality or good relations issues associated with this report.</p>
4.0	<p><b>Documents Attached</b></p>
	<p>Appendix 1 – Application Form</p> <p>Appendix 2 – Location Map</p> <p>Appendix 3 – PSNI correspondence</p>