



Subject:	Application for the Renewal of an Entertainments Licence with a Previous Conviction - The Devenish Complex, 33-37 Finaghy Road North
Date:	15th March, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	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	To consider an application for an 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 application and to:- <ol style="list-style-type: none">1. approve the application, or2. should you be of a mind to refuse the application, or approve it with additional special conditions, an opportunity of appearing before and of being heard by the Committee must be given to the applicant.
3.0	Main Report
3.1	<u>Key Issues</u> 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, as the 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 application:

Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction and Penalty
<p style="text-align: center;">The Devenish Complex</p> <p>33-37 Finaghy Road North Belfast BT10 0JB</p>	<p style="text-align: center;">Mooney Inns Limited</p>	<p style="text-align: center;">Renewal</p>	<p style="text-align: center;">October 2015</p> <p style="text-align: center;"><u>Wolf and Whistle</u> Formally (The Whitefort Inn)</p> <p>One leaf of a final exit closed and screwed to door frame. Log Book for pre-event checks was not completed. Fire door wedged open. Fire door/wall providing inadequate fire protection. Fire Safety signage not being illuminated; and a designated means of escape was obstructed.</p>	<p style="text-align: center;">28 June 2016</p> <p>£600 and £69 Court costs</p>

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

The Devenish Complex

3.4 This application is being placed before Committee because the applicant company, Mooney Inns Limited, was convicted of offences under the Order at Belfast Magistrates Court on the 28th June 2016 regarding one of their other premises namely the Wolf and Whistle (formally known as The Whitefort Inn).

3.5 This is the second time an application from Mooney Inns has been brought before the Committee, as you previously considered the application for the Wolf and Whistle at your meeting on 19th October 2016 and, after consideration, you agreed to renew the licence.

3.6 The applicant is also the licensee for the Rock Bar, 491 Falls Road. The application to renew that licence will be brought before the Committee in due course for consideration.

<p>3.7</p> <p>3.8</p> <p>3.9</p> <p>3.10</p> <p>3.11</p> <p>3.12</p> <p>3.13</p>	<p>Since the previous renewal, the premises have been subject to two further during performance inspections as well as the 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> <p><u>Representations</u></p> <p>Notice of the application has been advertised and no written representations have been received.</p> <p><u>PSNI</u></p> <p>The PSNI has confirmed that it has no objection to the application.</p> <p><u>NIFRS</u></p> <p>The Northern Ireland Fire Rescue Service has been consulted in relation to the application and has confirmed that it has no objection.</p> <p><u>Applicants</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 their application. A copy of the application form is attached at Appendix 1.</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 Form</p>