



<b>Subject:</b>	<b>Applications for the Renewal of Seven-Day Annual Entertainments Licences with Previous Convictions – Teach na Monagh / The Spaniard</b>
<b>Date:</b>	19th April, 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>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Sometime in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<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>
1.1	To consider applications for 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>
2.1	Taking into account the information presented, you are required to consider the applications and to:-  1. approve the applications, or 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.

<b>3.0</b>	<b>Main Report</b>															
	<p data-bbox="264 255 421 286"><b><u>Key Issues</u></b></p> <p data-bbox="165 322 1474 421">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.</p> <p data-bbox="165 456 1474 555">3.2 However, as each 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.</p> <table border="1" data-bbox="264 591 1468 1352"> <thead> <tr> <th data-bbox="264 591 568 743"><b>Premises and Location</b></th> <th data-bbox="568 591 740 743"><b>Applicant</b></th> <th data-bbox="740 591 932 743"><b>Application Type</b></th> <th data-bbox="932 591 1251 743"><b>Offence Details</b></th> <th data-bbox="1251 591 1468 743"><b>Date of Conviction &amp; Penalty</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="264 743 568 1048"> <p data-bbox="287 828 545 860"><b>Teach Na Monagh</b></p> <p data-bbox="296 896 536 994">2a Monagh Grove Belfast BT11 8EJ</p> </td> <td data-bbox="568 743 740 1048"> <p data-bbox="593 779 715 842">Patrick Donnelly</p> <p data-bbox="603 878 705 1012">Regent House Mews Limited</p> </td> <td data-bbox="740 743 932 1048"> <p data-bbox="772 878 900 909">Renewal</p> </td> <td data-bbox="932 743 1251 1048"> <p data-bbox="1021 810 1161 842"><b>May 2012</b></p> <p data-bbox="951 878 1232 1012">Locked Fire Exit Obstructed Means of Escape Logbook not provided</p> </td> <td data-bbox="1251 743 1468 1048"> <p data-bbox="1267 810 1452 873"><b>29th January 2013</b></p> <p data-bbox="1267 909 1452 972">£800 and £66 Court Costs</p> </td> </tr> <tr> <td data-bbox="264 1048 568 1352"> <p data-bbox="319 1115 507 1146"><b>The Spaniard</b></p> <p data-bbox="309 1182 517 1281">3 Skipper Street Belfast BT1 2DZ.</p> </td> <td data-bbox="568 1048 740 1352"> <p data-bbox="606 1115 695 1178">Janine Kane</p> <p data-bbox="596 1214 705 1276">JK Pubs Limited</p> </td> <td data-bbox="740 1048 932 1352"> <p data-bbox="772 1182 900 1214">Renewal</p> </td> <td data-bbox="932 1048 1251 1352"> <p data-bbox="979 1079 1203 1111"><b>December 2014</b></p> <p data-bbox="948 1146 1235 1312">Entertainment taking place in an area of the premises not covered by the Entertainments Licence</p> </td> <td data-bbox="1251 1048 1468 1352"> <p data-bbox="1267 1115 1452 1178"><b>11th August 2015</b></p> <p data-bbox="1267 1214 1452 1276">£150 and £69 Court costs</p> </td> </tr> </tbody> </table> <p data-bbox="165 1388 1474 1487">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.</p> <p data-bbox="264 1523 536 1554"><b><u>Application History</u></b></p> <p data-bbox="264 1590 517 1621"><b>Teach Na Monagh</b></p> <p data-bbox="165 1657 1474 1792">3.4 This is the fifth time that an application for the premises has been considered since the applicant was convicted on 29th January 2013. The last renewal application was brought before the Committee at your meeting on 17th August 2016 and, after consideration, you agreed to renew the licence.</p> <p data-bbox="165 1827 1474 1962">3.5 Since the previous renewal, the premises have been subject to three during performance inspections as well as the renewal inspection to ensure that there has been no recurrence of these or any other safety issues. As a result, we have found that management procedures are being implemented effectively.</p>	<b>Premises and Location</b>	<b>Applicant</b>	<b>Application Type</b>	<b>Offence Details</b>	<b>Date of Conviction &amp; Penalty</b>	<p data-bbox="287 828 545 860"><b>Teach Na Monagh</b></p> <p data-bbox="296 896 536 994">2a Monagh Grove Belfast BT11 8EJ</p>	<p data-bbox="593 779 715 842">Patrick Donnelly</p> <p data-bbox="603 878 705 1012">Regent House Mews Limited</p>	<p data-bbox="772 878 900 909">Renewal</p>	<p data-bbox="1021 810 1161 842"><b>May 2012</b></p> <p data-bbox="951 878 1232 1012">Locked Fire Exit Obstructed Means of Escape Logbook not provided</p>	<p data-bbox="1267 810 1452 873"><b>29th January 2013</b></p> <p data-bbox="1267 909 1452 972">£800 and £66 Court Costs</p>	<p data-bbox="319 1115 507 1146"><b>The Spaniard</b></p> <p data-bbox="309 1182 517 1281">3 Skipper Street Belfast BT1 2DZ.</p>	<p data-bbox="606 1115 695 1178">Janine Kane</p> <p data-bbox="596 1214 705 1276">JK Pubs Limited</p>	<p data-bbox="772 1182 900 1214">Renewal</p>	<p data-bbox="979 1079 1203 1111"><b>December 2014</b></p> <p data-bbox="948 1146 1235 1312">Entertainment taking place in an area of the premises not covered by the Entertainments Licence</p>	<p data-bbox="1267 1115 1452 1178"><b>11th August 2015</b></p> <p data-bbox="1267 1214 1452 1276">£150 and £69 Court costs</p>
<b>Premises and Location</b>	<b>Applicant</b>	<b>Application Type</b>	<b>Offence Details</b>	<b>Date of Conviction &amp; Penalty</b>												
<p data-bbox="287 828 545 860"><b>Teach Na Monagh</b></p> <p data-bbox="296 896 536 994">2a Monagh Grove Belfast BT11 8EJ</p>	<p data-bbox="593 779 715 842">Patrick Donnelly</p> <p data-bbox="603 878 705 1012">Regent House Mews Limited</p>	<p data-bbox="772 878 900 909">Renewal</p>	<p data-bbox="1021 810 1161 842"><b>May 2012</b></p> <p data-bbox="951 878 1232 1012">Locked Fire Exit Obstructed Means of Escape Logbook not provided</p>	<p data-bbox="1267 810 1452 873"><b>29th January 2013</b></p> <p data-bbox="1267 909 1452 972">£800 and £66 Court Costs</p>												
<p data-bbox="319 1115 507 1146"><b>The Spaniard</b></p> <p data-bbox="309 1182 517 1281">3 Skipper Street Belfast BT1 2DZ.</p>	<p data-bbox="606 1115 695 1178">Janine Kane</p> <p data-bbox="596 1214 705 1276">JK Pubs Limited</p>	<p data-bbox="772 1182 900 1214">Renewal</p>	<p data-bbox="979 1079 1203 1111"><b>December 2014</b></p> <p data-bbox="948 1146 1235 1312">Entertainment taking place in an area of the premises not covered by the Entertainments Licence</p>	<p data-bbox="1267 1115 1452 1178"><b>11th August 2015</b></p> <p data-bbox="1267 1214 1452 1276">£150 and £69 Court costs</p>												

	<p><b>The Spaniard</b></p> <p>3.6 This is the second time that an application for the premises has been considered since the applicant was convicted on 11th August 2015. The last renewal application was brought before the Committee at your meeting on 20th January 2016 and, after consideration, you agreed to renew the licence.</p> <p>3.7 Since the previous renewal, the premises have been subject to two during performance inspections as well as the renewal inspection to ensure that there has been no further safety issues. As a result, we have found that management procedures are being implemented effectively.</p> <p><b><u>Representations</u></b></p> <p>3.9 Notice of the applications has been advertised and no written representations have been received.</p> <p><b><u>PSNI</u></b></p> <p>3.10 The PSNI has confirmed that it has no objections to the applications.</p> <p><b><u>NIFRS</u></b></p> <p>3.11 The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and has confirmed that it has no objections.</p> <p><b><u>Applicants</u></b></p> <p>3.12 The applicants and/or their representatives will be available at your meeting to answer any queries you may have in relation to their respective applications. Copies of the respective application forms for the premises are attached.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>3.13 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>3.14 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>Application Forms</p>