



Subject:	Applications for the Renewal of Seven-Day Annual Entertainments Licences with Previous Convictions – Irish National Foresters Club / Phoenix Bar / Dukes at Queens
Date:	16th August, 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 applications for the 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, 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:

Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction and Penalty
Irish National Foresters Club 14-18 Albert Street, Belfast, BT12 4HB	Mr. Gerry Lappin Secretary	Renewal	June, 2011 Padlocked emergency exit at rear of premise	22nd November, 2011 £400 and £66 Court costs
Phoenix Bar 179-181 Antrim Road Belfast BT15 2EW	Mr. Joe Crangle	Renewal	November, 2015 Entertainment without an Entertainments Licence	24th May, 2016 Conditional Discharge and £69 Court costs
Dukes at Queens 65-67 University Street Belfast BT7 1HL	Mr. Eamon Diamond Dukes Belfast LLP	Renewal	August, 2015 <u>The Chester Park Inn</u> Entertainment without an Entertainments Licence in an outdoor area	22nd March, 2016 Conditional Discharge and £69 Court costs

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

Irish National Foresters Club

3.4 This is the fifth and final time that an application for the premises will be considered since the applicant was convicted on 22nd November, 2011. The last renewal application was brought before the Committee on 15th June, 2016 and, after consideration, it agreed to renew the licence.

3.5 Since the previous renewal, the premises have been subject to one during performance inspection, as well as the 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.

Phoenix Bar

3.6 This is the second time that an application for the premises has been considered since the applicant was convicted on 24th May, 2016. The last renewal application was brought before the Committee on 15th June 2016 and, after consideration, it agreed to renew the licence.

3.7	<p>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 recurrence of these or any other safety issues and we have found that management procedures are being implemented effectively.</p>
<p>Dukes at Queens</p>	
3.8	<p>This application is being placed before the Committee, because the applicant was convicted on 22nd March 2016 of offences under the Order at Belfast Magistrates Court regarding one of their other premises, namely, the Chester Park Inn.</p>
3.9	<p>This is the second time that an application from Mr. Diamond has been brought before the Committee. It previously considered an application for the Chester Park Inn on 21st September 2016 and, after consideration, it agreed to renew the licence.</p>
3.10	<p>The applicant is also the licensee for The Washington Bar, 21 Howard Street. The application to renew that licence will be brought before the Committee in due course for consideration.</p>
3.11	<p>Since the previous renewal, the premises have been subject to three further during performance inspections, as well as the recent renewal inspection, to ensure that there has been no recurrence of the breach or any other safety issues. For one of the inspections, no entertainment was taking place whilst the other inspections showed that safety and management procedures are being implemented effectively.</p>
<p><u>Representations</u></p>	
3.12	<p>Notice of the applications has been advertised and no written representations have been received.</p>
<p><u>PSNI</u></p>	
3.13	<p>The PSNI has confirmed that it has no objections to the applications.</p>
<p><u>NIFRS</u></p>	
3.14	<p>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><u>Applicants</u></p>	
3.15	<p>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><u>Financial and Resource Implications</u></p>	
3.16	<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>	
3.17	<p>There are no equality or good relations issues associated with this report.</p>

4.0	Documents Attached
	Application Forms