



Subject:	Consideration of Entertainments Licences where the applicant has been convicted of an offence
Date:	18 th April 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
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.
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

Key Issues

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 & Penalty
Muriel's Bar 12-14 Church Lane, Belfast, BT1 4 QN	Ms Janine Kane JK Pubs Ltd.	Grant	December 2014 <u>The Spaniard</u> Entertainment taking place in an area of the premises not covered by the Entertainments Licence	11 August 2015 £150 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

Muriel's Bar

3.4 This is an application for the grant of an Entertainments Licence and it is being placed before Committee because the applicant was convicted of offences under the Order at Belfast Magistrates' Court on 11 August 2015, regarding one of their other premises; namely The Spaniard, 3 Skipper Street. During an inspection at the Spaniard it was found that entertainment was being provided in the ground floor area, without a valid entertainments licence being in place.

3.5 This is the fourth time an application has been considered since the applicant was convicted on 11 August 2015.

3.6 Previous renewal applications for the Spaniard were brought before the Committee on 20 January 2016, 19 April 2017 and 14 February 2018 and, after consideration, you agreed to renew the licence on each occasion.

3.7 Since the licence for the Spaniard was renewed the premises have been subject to one during performance inspection whilst Muriel's has been subject to a grant inspection and we have found that management procedures are being implemented effectively.

Representations

<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>Public notice of the application has been placed and no written representations have been lodged as a result of the advertisements.</p> <p><u>PSNI</u></p> <p>The PSNI has been consulted and has confirmed that they have no objections to the application. A copy of their correspondences are attached as Appendix 1.</p> <p><u>NIFRS</u></p> <p>The Northern Ireland Fire Rescue Service has been consulted in relation to the application and confirmed that they have no objections.</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 applications. Copies of the respective application forms for the premises are attached as Appendix 2.</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>Appendices – Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 – PSNI Correspondence • Appendix 2 – Application Forms