



<b>Subject:</b>	<b>Consideration of Entertainments Licences where the applicant has been convicted of an offence</b>
<b>Date:</b>	16th January, 2019
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	James Cunningham, Regulatory Services Manager, Ext 3375

<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>Some time 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 or Summary of main Issues</b>
<b>1.1</b>	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>
<b>2.1</b>	Taking into account the information presented, you are required to consider each application and to:-  <ol style="list-style-type: none"><li>1. Approve the application, or</li><li>2. Should you be of a mind to refuse the application, or approve the application with additional special conditions, an opportunity of appearing before and of being heard by the Committee must be given to the applicant.</li></ol>

<b>3.0</b>	<b>Main report</b>															
	<p data-bbox="272 219 427 248"><b><u>Key Issues</u></b></p> <p data-bbox="165 282 1469 376"><b>3.1</b> 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="165 416 1469 510"><b>3.2</b> However, as the applicant or their company 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="272 544 1458 1496"> <thead> <tr> <th data-bbox="272 544 579 645"><b>Premises and Location</b></th> <th data-bbox="579 544 791 645"><b>Applicant</b></th> <th data-bbox="791 544 979 645"><b>Application Type</b></th> <th data-bbox="979 544 1230 645"><b>Offence Details</b></th> <th data-bbox="1230 544 1458 645"><b>Date of Conviction &amp; Penalty</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="272 645 579 1070"> <p data-bbox="300 763 552 824"><b>Ardoyne Working Men's Club</b></p> <p data-bbox="312 864 539 958">9b Kerrera Street Belfast BT14 7FL</p> </td> <td data-bbox="579 645 791 1070"> <p data-bbox="611 813 759 909">Brendan Mailey (Secretary)</p> </td> <td data-bbox="791 645 979 1070"> <p data-bbox="826 853 946 882">Renewal</p> </td> <td data-bbox="979 645 1230 1070"> <p data-bbox="1002 741 1206 770"><b>December 2014</b></p> <p data-bbox="1007 801 1201 981">Entertainment being provided without a valid Entertainments Licence being in place</p> </td> <td data-bbox="1230 645 1458 1070"> <p data-bbox="1254 779 1433 808"><b>28 July 2015</b></p> <p data-bbox="1254 846 1433 909">£200 and £66 Court costs.</p> </td> </tr> <tr> <td data-bbox="272 1070 579 1496"> <p data-bbox="339 1205 512 1234"><b>Bootleggers</b></p> <p data-bbox="323 1272 531 1368">46 Church Lane Belfast BT1 4QN</p> </td> <td data-bbox="579 1070 791 1496"> <p data-bbox="608 1171 762 1267">Mr Christopher Wolsey</p> <p data-bbox="608 1305 762 1402">Quay Street Merchants Ltd</p> </td> <td data-bbox="791 1070 979 1496"> <p data-bbox="826 1279 946 1308">Renewal</p> </td> <td data-bbox="979 1070 1230 1496"> <p data-bbox="1034 1088 1174 1117"><b>May 2016</b></p> <p data-bbox="999 1155 1209 1485">Breach of a special condition to maintain width through the rear yard to the final exit. Pre-event checks and log book not completed.</p> </td> <td data-bbox="1230 1070 1458 1496"> <p data-bbox="1254 1223 1433 1252"><b>21 Feb 2017</b></p> <p data-bbox="1254 1290 1433 1352">£500 and £69 Court costs.</p> </td> </tr> </tbody> </table> <p data-bbox="272 1536 1469 1630">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="272 1671 544 1700"><b><u>Application history</u></b></p> <p data-bbox="272 1738 687 1767"><b>Ardoyne Working Men's Club</b></p> <p data-bbox="165 1805 1469 1966"><b>3.3</b> This is the fourth time an application for the premises has been considered by the Committee since the applicant was convicted on 28 July 2015. The previous renewal applications were considered by the Committee in relation to the conviction on 12 November 2015, 14 December 2016 and 17 January 2018 and, after consideration, you agreed to renew the Licence.</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="300 763 552 824"><b>Ardoyne Working Men's Club</b></p> <p data-bbox="312 864 539 958">9b Kerrera Street Belfast BT14 7FL</p>	<p data-bbox="611 813 759 909">Brendan Mailey (Secretary)</p>	<p data-bbox="826 853 946 882">Renewal</p>	<p data-bbox="1002 741 1206 770"><b>December 2014</b></p> <p data-bbox="1007 801 1201 981">Entertainment being provided without a valid Entertainments Licence being in place</p>	<p data-bbox="1254 779 1433 808"><b>28 July 2015</b></p> <p data-bbox="1254 846 1433 909">£200 and £66 Court costs.</p>	<p data-bbox="339 1205 512 1234"><b>Bootleggers</b></p> <p data-bbox="323 1272 531 1368">46 Church Lane Belfast BT1 4QN</p>	<p data-bbox="608 1171 762 1267">Mr Christopher Wolsey</p> <p data-bbox="608 1305 762 1402">Quay Street Merchants Ltd</p>	<p data-bbox="826 1279 946 1308">Renewal</p>	<p data-bbox="1034 1088 1174 1117"><b>May 2016</b></p> <p data-bbox="999 1155 1209 1485">Breach of a special condition to maintain width through the rear yard to the final exit. Pre-event checks and log book not completed.</p>	<p data-bbox="1254 1223 1433 1252"><b>21 Feb 2017</b></p> <p data-bbox="1254 1290 1433 1352">£500 and £69 Court costs.</p>
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<p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p> <p>3.8</p> <p>3.9</p> <p>3.10</p> <p>3.11</p>	<p>Since the previous renewal the premises has been subject to one further during performance inspection as well as the recent renewal inspection to ensure that there has been no recurrence of the breach or any other safety issues. We have found that management procedures are being implemented effectively.</p> <p><b>Bootleggers</b></p> <p>This is the third time an application for this premises have been brought before Committee as you previously considered the application at your meeting of 15 March 2017 and 21 March 2108 and, after consideration, you agreed to renew the Licence.</p> <p>Since the previous renewal the premises has been subject to one further during performance inspection as well as the recent renewal inspection to ensure that there has been no recurrence of the breach or any other safety issues. We have found that management procedures are being implemented effectively.</p> <p><b><u>Representations</u></b></p> <p>Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisement.</p> <p><b><u>PSNI</u></b></p> <p>The PSNI has been consulted and has confirmed that they have no objections to the applications. A copy of their correspondence is attached as Appendix 1.</p> <p><b><u>Applicants</u></b></p> <p>The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the applications. A copy of the application form for the premises is attached as Appendix 2.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>There are no issues associated with this report</p>
<p>4.0</p>	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – PSNI Correspondence</li> <li>• Appendix 2 – Application Forms</li> </ul>