



Subject:	Application for the Renewal of a 7-Day Annual Entertainments Licences for Fourteen Tomb Street
Date:	16th January, 2019
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext 2435
Contact Officer:	Quintin Thompson, Senior Building Control Surveyor, Ext 2570

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	<p>To consider an application for the renewal of the 7-Day Annual Indoor and outdoor Entertainments Licences for 14 Tomb Street, based on the Council's Standard Conditions to provide music, singing, dancing or any other entertainment of a like kind and outdoor musical entertainment.</p> <table><tr><td>Premises and Location</td><td>Applicant</td></tr><tr><td>Fourteen Tomb Street, 10-14 Tomb Street, Belfast, BT1 3AS.</td><td>Patrick Fegan, Energizinn Ltd, 14 Tomb Street.</td></tr></table>	Premises and Location	Applicant	Fourteen Tomb Street, 10-14 Tomb Street, Belfast, BT1 3AS.	Patrick Fegan, Energizinn Ltd, 14 Tomb Street.
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1.2	A location map of the premises is included as Appendix 1.				

2.0	<u>Recommendations</u>
2.1	<p>Taking into account the information presented and any representations made in respect of the application you are required to make a decision to either:</p> <ol style="list-style-type: none"> 1. Approve the applications for the renewal of the 7-Day Annual Indoor and Outdoor Entertainment Licences, or 2. Approve the applications for the renewals with Special Conditions, or 3. Refuse the applications for the renewal of the 7-Day Annual Indoor and Outdoor Entertainment Licences.
2.2	<p>If an application is refused, or Special Conditions are attached to the Licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.</p>
3.0	Main report
	<p><u>Key Issues</u></p> <p><u>Details of the Premises and Proposals</u></p> <p>3.1 Currently the premises operates as a Nightclub on the Ground Floor and First Floor and has an Outdoor Entertainments Licence for the smoking area located at the side of the premises.</p> <p>3.2 A copy of each of the current Entertainments Licences is attached to this report as Appendix 2.</p> <p>3.3 The areas where entertainment is currently provided are the:</p> <ul style="list-style-type: none"> • Ground Floor, with a maximum capacity of 220 persons. • First Floor, with a maximum capacity of 220 persons. • External Smoking Area, with a maximum capacity of 250 persons. <p>3.4 The days and hours during which entertainment is proposed to be provided are:</p> <ul style="list-style-type: none"> • Monday to Saturday: 11.30am to 3.00am the following morning and • Sunday: 12.30pm to 3.00am the following morning <p>3.5 Layout plans of the premise are attached as Appendix 3.</p> <p><u>Drinks Promotions</u></p> <p>3.6 Members are reminded that, at your meeting on 19th September 2018, the issue of a cut-price drinks promotion being advertised by Fourteen Belfast was raised, which had been brought to the attention of a number of Members by concerned parents.</p> <p>3.7 Whilst liquor licensing is the responsibility of the Police Service of Northern Ireland the Committee has, in the past, as part of the Entertainments Licensing process, requested a number of licensees to agree to adhere to the Pubs of Ulster's voluntary code of practice on irresponsible drinks promotions.</p>

3.8 After discussion, the Committee agreed that the Chief Executive of Hospitality Ulster be advised of its concerns around the drinks promotions associated with Fourteen Belfast and agreed also that the Licensee be invited to attend the meeting at which the renewal of his Entertainments Licences' were being considered.

3.9 The Licensee has confirmed that the details of the promotions are as follows:-

- 666 - Entry £6, 60p a spirit, 60p a mixer, 60p one selected bottled beer. It is available on a Monday night from 10pm to 11.30pm. House spirits include vodka, gin and rum.
- Bottomless - This promotion is run with terms and conditions as attached in Appendix 4. It is available on Friday and Saturday nights until 11pm. It was priced at £25 but increased to £30 on 1st January. The terms and conditions are provided upon request by a customer.
- Other drinks promotions at the premises are £3 drinks and £5 doubles on a Friday night until 12 midnight and 2-4-1 pints on a Saturday from 4pm - 9pm.

3.10 Hospitality Ulster were consulted in relation to the promotions and have advised that the sale of one drink, albeit at a very low price, does not contravene the responsible retailing code. In relation to the bottomless promotion, it is limited to a maximum of 14 drinks and various conditions that mean it too does not contravene the code, as it is not actually bottomless.

3.11 The Licensee has advised that all staff are provided with an induction into the work place which includes drinkaware training to ensure that all promotions are run safely and lawfully. A strict policy is also implemented to prevent drunk persons from gaining admission.

3.12 The Licensee is available should Members wish to hear from him in relation to the operation of the premises.

Representations

3.13 Notice of the application has been advertised and no written representation has been received.

PSNI

3.14 The PSNI has been consulted and confirmed that they have no objections to the applications. However they have expressed concerns about drinks promotions at the venue. A copy of their correspondence is attached as Appendix 5 and the police have been invited to your meeting should Members wish to hear from them.

NIFRS

3.15 The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and confirmed that they have no objections.

Health, safety and welfare inspections

3.16 A total of two during performance inspections have been carried out on the premises by Officers from the Service within the past 12 months and Officers of the Service are satisfied with all safety measures and management procedures.

An inspection by officers from the Building Control Service and the Environmental Health

3.17	Food Safety Section on 17 th September 2018 had identified no issues with the operation of Fourteen Belfast. The Officers from Food Safety viewed invoices from reputable suppliers and took samples of different types of alcohol which were tested and the results confirmed that the alcohol was genuine.
3.18	The premises will continue to be inspected as part of our During Performance Inspection regime to ensure the applicant adheres to their Licence Conditions.
	<u>Noise issues</u>
3.19	The Environmental Protection Unit (EPU) has been consulted in relation to the application and advised that three noise complaints have been received in the last 12 months. Only one of these noise complaints resulted in the Night Time Noise Team approaching the management and asking for the noise levels to be reduced and a door to be kept closed.
3.20	Members are reminded that the Clean Neighbourhood And Environment Act 2011 gives councils additional powers in relation to the control of entertainment noise after 11.00 pm.
	<u>Financial and Resource Implications</u>
3.21	Officers carry out during performance inspections on premises providing entertainment, but this is catered for within existing budgets.
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.22	There are no issues associated with this report.
4.0	Appendices – Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Location map • Appendix 2 – Entertainments Licences • Appendix 3 – Plans of the Premises • Appendix 4 – Terms and Conditions of the drinks promotion • Appendix 5 – PSNI Correspondence