



<b>Subject:</b>	<b>Application for the Variation of a 7-Day Annual Entertainments Licence for McKenna's Bar</b>
<b>Date:</b>	19th June, 2019
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Moira Dougherty, Senior Building Control Surveyor, ext. 2458

#### Restricted Reports

Is this report restricted?

Yes

☐

No

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If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Some time in the future

Never

☐  
☐  
☐  
☐

#### Call-in

Is the decision eligible for Call-in?

Yes

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No

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<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>										
<b>1.1</b>	<p>To consider an application for the renewal and variation of the 7-Day Annual Indoor Entertainments Licence for McKenna's Bar, based on the Council's Standard Conditions to provide indoor music, singing, dancing or any other entertainment of a like kind.</p> <table><tr><td><b>Premises and Location</b></td><td><b>Applicant</b></td></tr><tr><td>McKenna's Bar</td><td>Mr Brian McKenna</td></tr><tr><td>25-29 Garmoyle Street</td><td>25-29 Garmoyle Street</td></tr><tr><td>Belfast</td><td>Belfast</td></tr><tr><td>BT15 1DY</td><td>BT15 1 DY</td></tr></table>	<b>Premises and Location</b>	<b>Applicant</b>	McKenna's Bar	Mr Brian McKenna	25-29 Garmoyle Street	25-29 Garmoyle Street	Belfast	Belfast	BT15 1DY	BT15 1 DY
<b>Premises and Location</b>	<b>Applicant</b>										
McKenna's Bar	Mr Brian McKenna										
25-29 Garmoyle Street	25-29 Garmoyle Street										
Belfast	Belfast										
BT15 1DY	BT15 1 DY										
<b>1.2</b>	<p>The nature of the variation is to extend the hours during which entertainment may be provided on Friday and Saturday nights from 1.00 am to 3.00 am the following morning.</p>										

<b>1.3</b>	Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the Director of Planning and Building Control will grant the licence as provided for in the Council's Scheme of Delegation.
<b>1.4</b>	However, in light of the fact that the applicant has applied for a variation to extend the hours of entertainment beyond 1.00 am, the application is being presented to you for your consideration.
<b>1.5</b>	A renewal application is pending and will be issued under delegated authority when the variation application has been considered.
<b>1.6</b>	A location map is attached as Appendix 1.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	<p>Taking into account the information presented and representations you are required to make a decision to either:</p> <ol style="list-style-type: none"> <li>1. Approve the application for the variation of the 7-Day Annual Indoor Entertainments Licence, or</li> <li>2. Approve the application for the variation of the 7-Day Annual Indoor Entertainments Licence with special conditions, or</li> <li>3. Refuse the application for the variation of the 7-Day Annual Indoor Entertainments Licence.</li> </ol>
<b>2.2</b>	If the 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 County Court.
<b>2.3</b>	Should the Committee decide to refuse the variation application, and the applicant decides to appeal, the licence will continue with its present conditions until the Appeal is determined.
<b>3.0</b>	<b>Main report</b>
	<b><u>Key Issues</u></b>
<b>3.1</b>	<p>The areas currently licensed to provide indoor entertainment are the:</p> <ul style="list-style-type: none"> <li>• Ground Floor, with a maximum capacity of 60 persons.</li> <li>• First Floor, with a maximum capacity of 60 persons.</li> </ul>
<b>3.2</b>	<p>The days and hours during which the premises are currently licensed to provide entertainment are:</p> <ul style="list-style-type: none"> <li>• Monday to Saturday: 11.30 am to 1.00 am the following morning, and</li> <li>• Sunday: 12.30 pm to 12.00 midnight</li> </ul>
<b>3.3</b>	The premises operates as a public house with entertainment currently provided in the form of DJ's and Karaoke performances.
<b>3.4</b>	<p>The days and hours during which the applicant proposes to provide entertainment are:</p> <ul style="list-style-type: none"> <li>• Monday to Thursday: 11.30 am to 1.00 am the following morning, and</li> <li>• Friday and Saturday: 11.30 am to 3.00 am the following morning,</li> </ul>

	<ul style="list-style-type: none"> <li>• Sunday: 12.30 pm to 12.00 midnight</li> </ul>
	<p><b><u>Reasons for the Variation</u></b></p>
3.5	<p>The applicant has stated the main reasons they wish to extend the hours of entertainment is to compete with other premises in the City providing late night private functions as they are:</p> <ul style="list-style-type: none"> <li>• Losing out on local custom, as people favour heading into town due to later opening hours.</li> <li>• Keen to offer an alternative for customers to city centre venues, keeping alive the Sailortown area.</li> </ul>
3.6	<p>A copy of the applicant's submission is appended to this report as Appendix 2.</p>
	<p><b><u>Representations</u></b></p>
3.7	<p>Notice of the application has been advertised and no written representations have been lodged.</p>
	<p><b><u>PSNI</u></b></p>
3.8	<p>The Police Service of Northern Ireland has been consulted in relation to the application and confirmed that they have no objections to the application. A copy of their response is attached as Appendix 3.</p>
	<p><b><u>NIFRS</u></b></p>
3.9	<p>The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and confirmed that they have no objections to the application.</p>
	<p><b><u>Health, Safety and Welfare Issues</u></b></p>
3.10	<p>A during performance inspection has been carried out on the premises by Officers from the Service since the last renewal. The premises has also been subject to inspections as part of the application renewal process.</p>
3.11	<p>The inspections revealed that the Conditions of the Entertainments Licence were being adhered to and operational and management procedures were being implemented effectively.</p>
	<p><b><u>Applicant</u></b></p>
3.12	<p>The applicant, and/or their representatives, will be available at your meeting to answer any queries you may have in relation to the application.</p>
	<p><b><u>Noise Issues</u></b></p>
3.13	<p>The Environmental Protection Unit (EPU) has been consulted in relation to the application and confirmed that it has received no noise complaints in the last 12 months.</p>
	<p><b><u>Financial &amp; Resource Implications</u></b></p>
3.14	<p>Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.</p>

3.15	<p><b><u>Equality or Good Relations Implications</u></b></p> <p>There are no equality or good relations issues associated with this report.</p>
4.0	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – Location Map</li> <li>• Appendix 2 – Rationale submission from the applicant</li> <li>• Appendix 3 – PSNI response</li> </ul>