



Belfast City Council

Report to:	Licensing Committee
Subject:	Application for the renewal of a 7-Day Annual Entertainments Licence for Grove Tavern
Date:	20 February 2013
Reporting Officer:	Suzanne Wylie, Director of Health and Environmental Services, ext 3260
Contact Officer:	Stephen Hewitt, Building Control Manager, ext. 2435

1	Relevant Background Information						
1.1	An application has been received from Mrs Elizabeth Thompson for the renewal of a 7-day Annual Entertainments Licence for Grove Tavern. <table><tr><td>Premises and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>Grove Tavern 203 York Road Belfast, BT15 3HB</td><td>WK/201201243</td><td>Mrs Elizabeth Thompson</td></tr></table>	Premises and Location	Ref. No.	Applicant	Grove Tavern 203 York Road Belfast, BT15 3HB	WK/201201243	Mrs Elizabeth Thompson
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2	Key Issues
2.1	Offence An Officer of the Service carried out a during performance inspection of the premises on 19 May 2012 and witnessed a locked roller shutter over an emergency exit to the rear of the ground floor.
2.2	The licensee, Mrs Thompson, was subsequently made aware that a prosecution would be taken in relation to this matter.
2.3	Following legal proceedings, at Belfast Magistrate's Court on 8 January 2013, Mrs Thompson pleaded guilty to the offence on 19 May 2012 and was fined a total of £200 and ordered to pay court costs of £69.
2.4	Under the terms of the Local Government (Miscellaneous Provisions) (NI) Order 1985, in considering any application for the grant, renewal, or transfer of an Entertainments Licence, the Council must have regard to any conviction of the Applicant of an offence under the Order within the period of 5 years immediately preceding the date when the application was made.
2.5	Objections No objections have been received in relation to the application for the renewal of the licence as a result of the public notices of application.
2.6	PSNI The PSNI have been consulted and has no objection to the application.

	Building Control
2.7	Since the breaches were discovered in May 2012, inspections have been carried out on the premises by an Officer from the Service and they are satisfied that the premises is operating suitably.
2.8	Additionally, given the need for legal action the Service also engaged with the licensee in order to ensure that the problems discovered were addressed and offered advice and guidance on preventative measures to be put in place.
2.9	The licensee has also confirmed that she has since provided specific training for staff in order to improve awareness and prevent a recurrence of the problem.
	Environmental Protection Unit
2.10	The Environmental Protection Unit of the Department have confirmed that over the past 12 months they have received no complaints regarding noise disturbance due to noise/music breakout or from patron dispersal at the premises.
	Licensee
2.11	The applicant will be available to discuss any matters relating to the application at your meeting.
	Committee Powers
2.12	The Committee has a number of options open to it. Notwithstanding the opportunity to refuse the renewal on any other grounds, the Council may revoke an application for an Entertainments Licence on the grounds that the holder has been convicted of an offence under the Order. It may also decide to approve the renewal or add special conditions.

3	Resource Implications
3.1	<u>Financial</u> None.
3.2	<u>Human Resources</u> None.
3.3	<u>Asset and Other Implications</u> None.

4	Equality and Good Relations Considerations
4.1	There are no equality or good relations issues.

5	Recommendations
5.1	Based on the information presented, Committee is required to either: <ol style="list-style-type: none"> 1. Revoke the Entertainments Licence as the licence holder has been convicted of offences under the Order, or 2. Approve the application for renewal, or 3. Approve the application for renewal with special conditions; in addition to the standard conditions, or 4. Refuse the application for the renewal of the licence.

5.2	If the application is revoked, 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. If the applicant decides to appeal, the Licence will continue with its present conditions until the Appeal is determined.
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Decision Tracking	
<p>If the application is granted, Mrs Thompson will be sent a copy of the licence within 7 days of the Council decision. The person responsible for this action is Trevor Martin, Head of Building Control.</p> <p>If you are of a mind to refuse the application or attach special conditions to the licence within 7 days from the date of the Council's decision the applicant will be advised in writing of their right to appeal. The person responsible for this action is Henry Downey, Democratic Service Officer, Chief Executive's Department.</p>	

7	Documents Attached
<p>For your information, the following supporting documents are contained in the Appendix to this Report:-</p> <ul style="list-style-type: none">• Application form	