



Belfast City Council

Report to:	Licensing Committee
Subject:	Application for the Variation of a Seven-day Annual Entertainments Licence - The Errigle Inn, 312-320 Ormeau Road
Date:	11th December, 2013
Reporting Officer:	Trevor Martin, Head of Building Control, ext. 2450
Contact Officer:	Stephen Hewitt, Building Control Manager, ext. 2435

1	Relevant Background Information						
1.1	<p>An application has been received from Mr Phillip McGurran for variation of a Seven-day Annual Entertainments Licence for The Errigle Inn, based on the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind.</p> <table><tr><td>Premises and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>The Errigle Inn 312-320 Ormeau Road Belfast BT7 2GE</td><td>WK/201301660</td><td>Mr Phillip McGurran</td></tr></table>	Premises and Location	Ref. No.	Applicant	The Errigle Inn 312-320 Ormeau Road Belfast BT7 2GE	WK/201301660	Mr Phillip McGurran
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The Errigle Inn 312-320 Ormeau Road Belfast BT7 2GE	WK/201301660	Mr Phillip McGurran					
1.2	<p>The areas licensed to provide entertainment are the:</p> <ul style="list-style-type: none">Arbele lounge, with a maximum capacity of 176 personsMarble Cedar lounge, with a maximum capacity of 90 personsPhillip McGurran's bar, with a maximum capacity of 310 persons						
1.3	<p>The days and hours during which the premises are licensed to provide entertainment are:</p> <ul style="list-style-type: none">Monday to Saturday: 11.30 a m to 1.00 a m the following morning, andSunday: 12.30 p m to 12.00 midnight						
1.4	<p>The premise operates as a night time venue with entertainment normally being provided from Thursday to Saturday inclusive. Entertainment is in the form of DJs and live bands.</p>						
1.5	<p>The nature of the variation applied for is to extend the hours during which entertainment may be provided as follows:</p> <ul style="list-style-type: none">Monday to Saturday: 11.30 a m to 2.00 a m the following morning						
1.6	<p>The Licensee has confirmed that whilst he has applied to provide entertainment to 2.00am 6 days per week they regularly only provide entertainment from Thursday to Saturday inclusive and therefore will only normally be operating to 2.00 am on these days.</p>						

1.7	It would only be on special occasions that entertainment would be provided on a Monday, Tuesday or Wednesday.
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2	Key Issues
	<p>Reasons for the variation</p> <p>2.1 The licensee has confirmed that the extension in their permitted hours for entertainment to 2.00 a m will help him to compete with other venues operating to similar hours.</p> <p>2.2 Additionally the licensee has noted that patrons are now typically entering the premises later in the evening than in comparison to previous years. The extended hours also will enable him to maintain and create employment.</p> <p>2.3 A copy of an email from the applicant outlining the reasons for making the variation application is attached at Appendix 4.</p> <p>Representations</p> <p>2.4 No written representation has been lodged as a result of the public notices of the application.</p> <p>PSNI</p> <p>2.5 The PSNI has been consulted and has confirmed that they have no objection to the application. A copy of their correspondence is attached at Appendix 3.</p> <p>Health, safety and welfare inspections</p> <p>2.6 Since the last renewal, two during performance inspections have been carried out by Officers from the Service.</p> <p>2.7 The two inspections revealed that the conditions of licence were being adhered to and that the management of the premises was satisfactory.</p> <p>Noise issues</p> <p>2.8 The Environmental Protection Unit has confirmed that, since the Licence was renewed in November 2012 they have received no complaints.</p> <p>Licensee</p> <p>2.9 The applicant and/or his representative will be available to discuss any matters relating to the application should they arise during your meeting.</p>

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

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

5	Recommendations
5.1	<p>Taking into account the information presented and the representations received you are required to consider the application for the variation of this licence and to:</p> <ol style="list-style-type: none"> 1. Approve the application for the variation to extend the hours during which entertainment may be provided to 2.00am the following morning, or 2. Approve the application with special conditions; in addition to the standard conditions, or 3. Refuse the application for the variation of the licence
5.2	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.
5.3	Should you refuse to vary the licence as requested, and the applicant decides to appeal, the licence will continue with its present conditions until the Appeal is determined.

6	Decision Tracking
<p>If the application is granted, the applicant 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 the application is refused, or special conditions are attached to the Licence to which the applicant does not consent the applicant will be advised in writing within 7 days of his right to appeal the Council's decision within 21 days of notification of that decision to the Magistrates' Court. The person responsible for this action is Henry Downey, Democratic Services Officer, Chief Executive's Department.</p>	

7	Documents Attached
<p>Appendix 1 - Application form</p> <p>Appendix 2 - Location map</p> <p>Appendix 3 - PSNI comments</p> <p>Appendix 4 -Rationale for extension of hours</p>	