



Subject:	Application for the Grant of a Seven-Day Annual Entertainments Licence with a Recent Conviction - Crusaders Football Athletic and Sports Club
Date:	19th April, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

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"/>
Sometime 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/Summary of Main Issues						
1.1	To consider, in accordance with the Local Government Miscellaneous Provisions (NI) Order 1985 (the Order), if the Council wishes to refuse an Entertainments Licence where the applicant has been convicted of an offence. <table><tr><td>Premises and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>Crusaders Football Athletic and Sports Club Seaview 59-63 Shore Road Belfast BT15 3LP</td><td>WK/201601662</td><td>Mr Alexander Cromie (Secretary) Crusaders Football Athletic and Sports Club</td></tr></table>	Premises and Location	Ref. No.	Applicant	Crusaders Football Athletic and Sports Club Seaview 59-63 Shore Road Belfast BT15 3LP	WK/201601662	Mr Alexander Cromie (Secretary) Crusaders Football Athletic and Sports Club
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1.2	Members are advised that when considering applications, the Council may refuse an Entertainments Licence because the applicant has been convicted of an offence under the Order within the period of five years immediately preceding the date when the application was made.						

1.3	As a result of a previous conviction, the applicant is now required to appear before Committee and convince Members as to why their application for an Entertainments Licence should not be refused.
2.0	Recommendations
2.1	Taking into account the information presented and any representations received you are required to consider the application in light of the recent legal proceedings and determine if you wish to refuse the Entertainments Licence on the grounds that the applicant has been convicted of an offence under the Order.
2.2	Should Members be satisfied that the application need not be refused you are then required to: <ol style="list-style-type: none"> 1. approve the application for the grant of the Seven-day Annual Entertainments Licence, or 2. approve the application for the grant of the Seven-day Annual Entertainments Licence with special conditions.
2.3	If the application is refused, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court. The applicant may also appeal any special conditions attached to the Entertainments Licence.
3.0	Main Report
3.1	<p><u>Key Issues</u></p> <p>The matter is before Committee because the applicant and Secretary of the club, Mr. Alexander Cromie and the Club Treasurer, Mr. Tommy Whiteside were convicted of offences under the Order at Belfast Magistrates Court on 14th March 2017, having been found to be holding indoor entertainment on the premises on 23rd July 2016 without an Entertainments Licence being in place.</p> <p>3.2 As a result, the applicant was convicted and an Absolute Discharge was imposed on both defendants and they were ordered to pay court costs of £138.</p> <p>3.3 Members are advised that the Club previously held an Indoor Entertainments Licence, which expired on 31 March 2013. Despite several attempts by officers to get the club to make application they confirmed that they did not wish to renew the Entertainments Licence.</p> <p><u>Premises</u></p> <p>3.4 Currently the premises operate as a registered members club with ground and first floor bar areas. The applicant has applied to provide entertainment in both locations, as was previously licensed, with a combined occupancy of 410 people, as follows:</p> <ul style="list-style-type: none"> • Ground Floor Bar – 110 persons • First Floor Bar – 300 persons <p>3.5 Officers are working with senior club officials and their representatives to agree the occupancy of these respective areas and do not expect that they will differ greatly from those previously granted.</p>

3.6	A copy of the application form is attached at Appendix 1.
3.7	<p>As the premises is a registered club, the days and hours during which entertainment can be provided are:</p> <ul style="list-style-type: none"> • Monday to Saturday: 11.30 pm to 11.00 pm • Sunday: 12.30 pm to 10.00 pm.
3.8	<p>However, a registered club can apply to the local Police Service Sub-Divisional Commander for authorisation to extend the hours during which alcohol may be sold on up to 85 occasions in any period of 12 months. On those occasions the above hours may be extended:</p> <ul style="list-style-type: none"> • from Monday to Saturday (except Good Friday or Christmas Day), from 11:00 pm to 1:00 am on the following day; • on Sunday (except Christmas Day or Easter Day), not being 31 December, from 10:00 pm to 12 midnight; or • on Sunday, being 31 December, from 10:00 pm to 1:00 am on the following day.
3.9	Where such authorisations are obtained, entertainment may be provided to the latest hour to which alcohol may be sold.
3.10	The long-term plan for the club is to move into a new development within the confines of the existing site.
3.11	A location map is attached at Appendix 2.
<u>Representations</u>	
3.12	Public notice of the application has been placed and no written representations have been lodged as a result of the advertisement.
<u>PSNI</u>	
3.13	The PSNI has been consulted and has confirmed that it has no objections to the application. A copy of its correspondence is attached at Appendix 3.
<u>Health, Safety and Welfare Inspections</u>	
3.14	Following the offence, Officers of the Service met with the management of the Club to discuss the use of the club and the short and long term plans for the club. The meetings also allowed Officers to explain the procedures for the grant of an Entertainments Licence and included advice on fire safety procedures and measures that should be in place for safe evacuation from the club should an emergency situation occur.
<u>NIFRS</u>	
3.15	The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and has confirmed that it has no objection.
<u>Noise Issues</u>	
3.16	The Environmental Protection Unit has been consulted in relation to the application and they have confirmed that no complaints have ever been received relating to noise break out from the premises or due to patron dispersal.

<p>3.17</p> <p>3.18</p> <p>3.19</p> <p>3.20</p>	<p><u>Applicant</u></p> <p>The applicant has been made aware of the concerns raised by the Committee regarding the level of fines imposed by the Court and the new procedure which you have adopted to give Members the opportunity to seek assurances as to why their application for an Entertainments Licence should not be refused.</p> <p>As a result, they have been invited to attend your meeting to answer any queries you may have in relation to the future management of the premises.</p> <p><u>Financial and Resource Implications</u></p> <p>Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.</p> <p><u>Equality and Good Relations Implications</u></p> <p>There are no equality or good relations issues associated with this report.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<p>Appendix 1 – Application Form</p> <p>Appendix 2 – Location Map</p> <p>Appendix 3 – PSNI Comments</p>