



Subject:	Revocation/Renewal of a Seven-Day Annual Entertainments Licence with a Recent Conviction, The Belfast Barge, Lanyon Quay
Date:	21st June, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
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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/Summary of Main Issues						
1.1	<p>To consider, in accordance with paragraph 10 (5) of the Local Government Miscellaneous Provisions (NI) Order 1985 (the Order), if the Council wishes to revoke an Entertainments Licence where the applicant has been convicted of an offence.</p> <table><tr><td>Premises and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>The Belfast Barge, Lanyon Quay, Belfast, BT1 3LQ</td><td>WK/201600314</td><td>Mr Jim Crooks Lagan Legacy Limited Lanyon Quay, Belfast, BT1 3LQ</td></tr></table>	Premises and Location	Ref. No.	Applicant	The Belfast Barge, Lanyon Quay, Belfast, BT1 3LQ	WK/201600314	Mr Jim Crooks Lagan Legacy Limited Lanyon Quay, Belfast, BT1 3LQ
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1.2	<p>The Committee is reminded that, at its meeting on 18th January, it agreed to consider the option to revoke an Entertainments Licence immediately after a licensee is convicted of an offence.</p>						

1.3	Rather than wait until the licence falls due for renewal, the licence holder is now required to appear before Committee and convince Members as to why their licence should not be revoked.
1.4	The applicant has also applied to renew the licence so if the Committee decides not to revoke the licence it must then determine whether to grant the renewal application.
2.0	Recommendations
2.1	<p>Revocation</p> <p>Taking into account the information presented and any representations received, you are required to consider the recent legal proceedings and determine if you wish to revoke the Entertainments Licence, on the grounds that the applicant has been convicted of an offence under the Order.</p> <p>2.2 If the licence is revoked the applicant may appeal the Council's decision within 21 days of notification of that decision to the Recorders Court.</p> <p>Renewal Application</p> <p>2.3 Should Members be satisfied that the Entertainments Licence need not be revoked you are then required to consider the application to renew the licence and:</p> <ol style="list-style-type: none"> 1. approve the application for the renewal of the 7-day Annual Entertainments Licence, or 2. approve the application for the renewal of the 7-day Annual Entertainments Licence with special conditions. <p>2.4 If the licence is renewed with special conditions 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
3.1	<p><u>Key Issues</u></p> <p>Members are advised that, whilst you are primarily considering if you wish to revoke the Entertainments Licence on the grounds that the applicant has been convicted of an offence, an application has been received for the renewal of the licence which you are asked to determine should you not revoke the licence.</p> <p>3.2 The matter is before the Committee because the applicant, Lagan Legacy Limited, was convicted of offences under the Order at Belfast Magistrates Court on 23rd May 2017, after a during performance inspection carried out in July 2016 found that the rear exit door from the multi-function space was obstructed by a band set-up, the emergency exit light above this exit was not illuminated and the external gate on the rear escape walkway was padlocked closed. One leaf of the main entrance/exit doors was also locked closed with a barrel bolt and the appropriate pre-entertainments checks were not carried out prior to the entertainment taking place.</p> <p>3.3 As a result, the applicant was fined a total of £150 and ordered to pay court costs of £76.</p>

Premises

3.4 The applicant currently holds a Seven-Day Annual Indoor Entertainments Licence and the areas licensed to provide entertainment are the:

- Multi-function Space, with a maximum capacity of 110 persons
- Gallery Restaurant, with a maximum capacity of 60 Persons

3.5 The days and hours during which the premises are currently licensed to provide entertainment are:

- Monday to Sunday: 08.00 am to midnight.

3.6 A copy of the application form is attached at Appendix 1.

3.7 A location map is attached at Appendix 2.

Representations

3.8 Public notice of the application has been placed and no written representations have been lodged as a result of the advertisement.

PSNI

3.9 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.

Health, Safety and Welfare Inspections

3.10 Following the offence, officers of the Service met with the management of the premises to review their fire safety procedures and ensure that appropriate measures are in place for safe evacuation from the premises should an emergency situation occur

3.11 The premise has also been subject to two further during performance inspections since the offences were uncovered but, on both occasions, there has been no entertainment being provided. However, from the renewal inspection we are satisfied that safety measures and management procedures are being followed and implemented effectively.

NIFRS

3.12 The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and has confirmed that it has no objection.

Noise Issues

3.13 The Environmental Protection Unit (EPU) has been consulted in relation to the application and has confirmed that, since the last renewal, no complaints have been received relating to noise break out from the premises or due to patron dispersal.

Applicant

3.14 The applicant has been made aware of the procedure you have adopted to give Members the opportunity to seek assurances as to why their Entertainments Licence should not be revoked.

3.15	<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>
3.16	<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>
3.17	<p>There are no equality or good relations issues associated with this report.</p>
4.0	<p>Documents Attached</p>
	<p>Appendix 1 – Application Form</p> <p>Appendix 2 – Location Map</p> <p>Appendix 3 – PSNI Correspondence</p>