



Subject:	Applications for the Renewal of Annual Indoor Entertainments Licences with Previous Convictions – AM:PM/St. Paul’s GAC
Date:	13th December, 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"/>
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 applications for the renewal of Indoor Entertainments Licences where the applicant has been convicted of an offence under the Local Government Miscellaneous Provisions (Northern Ireland) Order 1985 (the Order) within the previous five years.
2.0	Recommendations
2.1	Taking into account the information presented, you are required to consider the applications and to:- <ol style="list-style-type: none">1. approve the applications, or2. should you be of a mind to refuse any of the applications, or approve any applications with additional special conditions, an opportunity of appearing before and of being heard by the Committee must be given to the applicants.

3.0	Main Report				
3.1 3.2	<u>Key Issues</u>				
Members are reminded that the normal process for dealing with Entertainments Licence applications which are not the subject of objections is that the licence will be granted as provided for within the Council's Scheme of Delegation.					
However, as each applicant has been found guilty of committing an offence within five years of the application for a licence being submitted to the Council, you are required to consider the following applications.					
	Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction and Penalty
<p>St Paul's GAC</p> <p>98c Shaw's Road Belfast BT11 8LN</p>	<p>Caroline McLaughlin</p>	<p>Renewal</p>	<p>28 March 2015</p> <p>Entertainment taking place in an area (1st Floor) not covered by the Entertainments Licence; The appropriate pre-entertainment checks had not been completed prior to entertainment taking place; A games machine was obstructing a final exit; and The main entrance door was not being manned.</p>	<p>10 November 2015</p> <p>12 months Conditional Discharge and ordered to pay court costs of £69.</p>	
<p>AM:PM</p> <p>38-44 Upper Arthur Street Belfast BT1 4GH</p>	<p>AM:PM Limited</p>	<p>Renewal</p>	<p>20th May 2016</p> <p>Rear final escape door was obstructed; Rear escape stair was obstructed; Rear escape corridor on the ground floor was obstructed; Fire door was held open on the ground floor escape route; All escape routes, including stairways, were not maintained with non-slippery and even surfaces; Entertainment was being provided on the 2nd floor which is an area not covered by the Entertainments Licence; and The Entertainments Licence was not being displayed.</p>	<p>On appeal: 6 January 2017</p> <p>£2750 and £66 Court costs.</p> <p>Charges 1-5 £500 each, Charge 6 withdrawn 7-8 £250 each.</p> <p>Original penalty was £3250 – charge 6 was withdrawn – penalty reduced to £2750.</p>	
<p>Notwithstanding the possibility of refusing an Entertainments Licence on any other grounds, the Council may refuse an application on the grounds that the applicant has been convicted of an offence under the Order.</p>					

Application History

3.3 Previous applications for the aforementioned premises were considered by the Committee as follows:

St Paul's GAC

3.4 This is the third time an application for the premises has been considered by the Committee since being convicted of the offences on 10th November, 2015.

3.5 The previous renewal applications were considered by the Committee, in relation to these convictions on 14th December, 2016 and 19th August 2015 and, after consideration, you agreed to renew the Entertainments Licence.

3.6 Since you last considered the application the premises have been subject to one further during performance inspection as well as a renewal inspection. The premises were satisfactory and management procedures were being implemented effectively.

AM:PM

3.7 This is the second time an application for the premises has been considered by the Committee since the applicant was convicted on 6 January 2017.

3.8 The previous renewal application was considered by the Committee on 18 January this year and, after consideration, you agreed to renew the Entertainments Licence.

3.9 Since you last considered the application the premises have been subject to two further during performance inspections as well as a renewal inspection. The premises were satisfactory and management procedures were being implemented effectively.

Representations

3.10 Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisements.

PSNI

3.11 The PSNI has been consulted and has confirmed that it has no objections to the applications. A copy of each of its responses is attached at Appendix 1.

NIFRS

3.12 The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and has confirmed that it has no objections.

Applicants

3.13 The applicants and/or their representatives will be available at your meeting to answer any queries you may have in relation to their applications. Copies of the respective application forms for the premises are attached at Appendix 2.

Financial and Resource Implications

3.14 Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.

3.15	<u>Equality and Good Relations Implications</u> There are no equality or good relations issues associated with this report.
4.0	Documents Attached
	Appendix 1 – PSNI Correspondence Appendix 2 – Application Forms