



Subject:	Applications for the Renewal of Annual Indoor Entertainments Licences with Previous Convictions – Ardoyne Working Men’s Club / Sliabh Dubh / The Corner House / Wolf and Whistle
Date:	17th January, 2018
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"/>
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	To consider applications for the renewal of Entertainments Licences where the applicant has been convicted of an offence under the Local Government Miscellaneous Provisions (NI) 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: 1. approve the applications, or 2. 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 in 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.																			
<table border="1"> <thead> <tr> <th data-bbox="272 542 576 645">Premises and Location</th> <th data-bbox="576 542 791 645">Applicant</th> <th data-bbox="791 542 979 645">Application Type</th> <th data-bbox="979 542 1230 645">Offence Details</th> <th data-bbox="1230 542 1458 645">Date of Conviction and Penalty</th> </tr> </thead> <tbody> <tr> <td data-bbox="272 645 576 1238"> <p>Ardoyne Working Men's Club</p> <p>9b Kerrera Street Belfast BT14 7FL</p> </td> <td data-bbox="576 645 791 1238"> <p>Mr. Brendan Mailey (Secretary)</p> </td> <td data-bbox="791 645 979 1238"> <p>Renewal</p> </td> <td data-bbox="979 645 1230 1238"> <p>December, 2014</p> <p>Entertainment being provided without a valid Entertainments Licence being in place</p> </td> <td data-bbox="1230 645 1458 1238"> <p>28th July, 2015</p> <p>£200 and £66 Court costs.</p> </td> </tr> <tr> <td data-bbox="272 1238 576 1944"> <p>Wolf and Whistle</p> <p>67-71 Andersonstown Road Belfast BT11 9AH</p> </td> <td data-bbox="576 1238 791 1944"> <p>Mooney Inns Limited</p> </td> <td data-bbox="791 1238 979 1944"> <p>Renewal</p> </td> <td data-bbox="979 1238 1230 1944"> <p>October 2015</p> <p>One Leaf of a final Exit closed and screwed to door frame. Log Book for pre-event checks was not completed. Fire door wedged open. Fire door/wall providing inadequate fire protection. Fire Safety signage not being illuminated; and a designated means of escape was obstructed.</p> </td> <td data-bbox="1230 1238 1458 1944"> <p>28th June, 2016</p> <p>£600 and £69 Court costs</p> </td> </tr> </tbody> </table>						Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction and Penalty	<p>Ardoyne Working Men's Club</p> <p>9b Kerrera Street Belfast BT14 7FL</p>	<p>Mr. Brendan Mailey (Secretary)</p>	<p>Renewal</p>	<p>December, 2014</p> <p>Entertainment being provided without a valid Entertainments Licence being in place</p>	<p>28th July, 2015</p> <p>£200 and £66 Court costs.</p>	<p>Wolf and Whistle</p> <p>67-71 Andersonstown Road Belfast BT11 9AH</p>	<p>Mooney Inns Limited</p>	<p>Renewal</p>	<p>October 2015</p> <p>One Leaf of a final Exit closed and screwed to door frame. Log Book for pre-event checks was not completed. Fire door wedged open. Fire door/wall providing inadequate fire protection. Fire Safety signage not being illuminated; and a designated means of escape was obstructed.</p>	<p>28th June, 2016</p> <p>£600 and £69 Court costs</p>
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<p>Sliabh Dubh</p> <p>79 Whiterock Road Belfast BT12 7FW</p>	Mr. Tony Clarke	Renewal	<p>July 2015</p> <p><u>Caulfield's Bar</u></p> <p>Final Exit locked shut and an obstructed means of escape</p>	<p>8th March, 2016</p> <p><u>Caulfield's Bar</u></p> <p>£200 and £69 Court costs</p>
<p>The Corner House</p> <p>167-177 Oldpark Road Belfast BT14</p>	Mr. Michael Markey	Renewal	<p>February 2016</p> <p>Entertainment being provided without a valid Entertainments Licence being in place</p>	<p>13th September, 2016</p> <p>Conditional Discharge</p>

3.3 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.

Application History

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

Ardoyne Working Men's Club

3.5 This is the third time that an application for the premises has been considered by the Committee since the applicant was convicted on 28th July, 2015.

3.6 The previous renewal applications were considered by the Committee, in relation to the conviction, on 12th November, 2015 and 14th December, 2016 and, after consideration, it agreed to renew the Entertainments Licence.

3.7 Since the previous renewal application, the premises have been subject to one during performance inspection as well as the annual renewal inspection to ensure that there has been no recurrence of these or any other safety issues and management procedures were being implemented effectively.

Wolf and Whistle

3.9 This is the second time that an application for the premises has been considered by the Committee since the applicant was convicted on 28th June, 2016.

3.10 The previous renewal application was considered by the Committee on 19th October, 2016 and, after consideration, you agreed to renew the Entertainments Licence.

3.11	<p>Since you last considered the application, the premises have been subject to three further during performance inspections as well as a renewal inspection to ensure that there has been no recurrence of these or any other safety issues and management procedures were being implemented effectively.</p> <p>Sliabh Dubh</p>
3.12	<p>This is the second time that an application for the premises has been considered by the Committee since the applicant was convicted on 8th March, 2016.</p>
3.13	<p>The application is placed before the Committee because the applicant, Mr Tony Clarke, was convicted of offences under the Order at Belfast Magistrates' Court regarding Caulfield's Bar, another premises for which he is the licensee.</p>
3.14	<p>The previous renewal application was considered by the Committee on 21st September, 2016 and, after consideration, you agreed to renew the Entertainments Licence.</p>
3.15	<p>Since you last considered the application, the premises have been subject to one further during performance inspection as well as a renewal inspection to ensure that there has been no recurrence of these or any other safety issues and management procedures were being implemented effectively.</p> <p>The Corner House</p>
3.16	<p>This is the second time an application for the premises has been considered by the Committee since the applicant was convicted on 13 September 2016.</p>
3.17	<p>The previous renewal application was considered by the Committee, in relation to the conviction, on 21 September 2016 and, after consideration, you agreed to renew the Entertainments Licence.</p>
3.18	<p>Since the previous renewal application, the premises have been subject to three further during performance inspection as well as the annual renewal inspection.</p>
3.19	<p>On two of our inspections we found that no entertainment was taking place. The other inspection uncovered no further issues and management procedures were being implemented effectively.</p> <p><u>Representations</u></p>
3.20	<p>Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisements.</p> <p><u>PSNI</u></p>
3.21	<p>The PSNI has been consulted and has confirmed that it has no objections to the applications. A copy of its correspondences is attached at Appendix 1.</p> <p><u>NIFRS</u></p>
3.22	<p>The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and has confirmed that it has no objections.</p>

<p>3.23</p> <p>3.24</p> <p>3.25</p>	<p><u>Applicants</u></p> <p>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 their respective application forms for the premises are attached at Appendix 2.</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 – PSNI Comments</p> <p>Appendix 2 – Application Forms</p>