



Subject:	Application for the Variation of an Annual Indoor Entertainments Licence - Love and Death Inc., 10a Ann Street
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	<p>To consider an application for the variation of the Seven-Day Annual Indoor Entertainments Licence for Love and Death Inc., based on the Council's standard conditions to provide indoor 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>Love and Death Inc. 10a Ann Street Belfast BT1 4EF</td><td>WK/201701574</td><td>Mr. Mark Marais Maclad Limited Pearl Assurance House, 2 Donegall Square East, Belfast, BT1 HB</td></tr></table>	Premises and Location	Ref. No.	Applicant	Love and Death Inc. 10a Ann Street Belfast BT1 4EF	WK/201701574	Mr. Mark Marais Maclad Limited Pearl Assurance House, 2 Donegall Square East, Belfast, BT1 HB
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1.2	A copy of the application form is attached at Appendix 1.						

1.3	The premises are currently licenced to provide entertainment to 3.00 a.m. on a Thursday, Friday and Saturday. However, the nature of the variation is to extend the hours during which entertainment may be provided from 1.00 a.m. to 3.00 a.m. on a Sunday, Monday, Tuesday and Wednesday.
1.4	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.
1.5	The applicant company has also applied to transfer and renew the current Entertainments Licence for the premises and these have already been dealt with under the delegated powers of the Director of Planning and Building Control.
1.6	However, in light of the fact that the applicant has also applied for a variation to extend the hours of entertainment past 1.00 a.m., the application is being presented before you for your consideration.
1.7	A location map is attached at Appendix 2.
2.0	Recommendations
2.1	Taking into account the information presented and representations received in respect of the application you are required to make a decision to either: <ol style="list-style-type: none"> 1. approve the application for the variation of the Seven-Day Annual Indoor Entertainments Licence, or 2. approve the application for the variation of the Seven-Day Annual Indoor Entertainments Licence with special conditions, or 3. refuse the application for the variation of the Seven-Day Annual Indoor Entertainments Licence.
2.2	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.
2.3	Should the Committee decide to refuse the variation application and the applicant decides to appeal, the licence will continue with its present conditions until the appeal is determined.
3.0	Main Report
	<u>Key Issues</u>
3.1	The areas currently licensed to provide indoor entertainment are the: <ul style="list-style-type: none"> • First Floor, with a maximum capacity of 50 persons. • Second Floor, with a maximum capacity of 110 persons.
3.2	The days and hours during which the premises are currently licensed to provide entertainment are:

- Monday to Wednesday: 11.30 am to 1.00 am the following morning,
- Thursday to Saturday: 11.30 am to 3.00 am the following morning, and
- Sunday: 12.30 pm to 0.00 midnight

3.3 Members are advised that the Licensing Committee granted a previous variation application to enable entertainment to be provided until 3.00 a.m. on a Thursday, Friday and Saturday on 7th December, 2010.

3.4 The premise operates as a public house, with entertainment currently provided in the form of DJ's and live band performances.

Reasons for the Variation

3.5 The applicant has stated that the main reasons they wish to extend the hours of entertainment are to offer entertainment to tourists' midweek and because customers are now coming out later and expect live entertainment. The applicant is currently investing in the premises and believes the additional hours will be needed to sustain its viability.

3.6 A copy of the applicant's submission is attached at Appendix 3.

Representations

3.7 Notice of the application has been advertised and no written representations have been lodged.

PSNI

3.8 The PSNI has confirmed that it has no objection to the application. A copy of its correspondence is attached at Appendix 4.

Health, Safety and Welfare Issues

3.9 A total of eight during performance inspections have been carried out on the premises by officers from the Service since the licence was previously renewed in 2016. Of those inspections:

- three revealed some issues that required to be resolved;
- two found that no entertainment was taking place; and
- the remaining three revealed that all management procedures were being adhered to.

3.10 Officers have met with representatives of the applicant company regarding the inspections when issues were uncovered and these have been corrected. The other inspections were carried out following those meetings. The premise has also been subject to inspection as part of the licence renewal process.

3.11 All technical requirements and associated operational and management procedures have been checked and are satisfactory.

3.12 The premises will continue to be inspected as part of our During Performance Inspection regime and will be subject to further monitoring to ensure the applicant adheres to their licence conditions.

<p>3.13</p> <p>3.14</p> <p>3.15</p> <p>3.16</p>	<p><u>NIFRS</u></p> <p>The Northern Ireland Fire Rescue Service has confirmed that it has no objection to the application.</p> <p><u>Noise Issues</u></p> <p>The Environmental Protection Unit (EPU) has been consulted in relation to the application and has confirmed that it has received no noise complaints in the past 12 months.</p> <p><u>Financial and Resource Implications</u></p> <p>Officers carry out during performance inspections on premises providing entertainment but this is catered for within existing budgets.</p> <p><u>Equality or 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 – Rationale for variation from the applicant</p> <p>Appendix 4 – PSNI Comments</p>