



Subject:	Applications for the Renewal of Annual Indoor Entertainments Licences with Previous Convictions – Dundela Football Athletic and Social Club / The Spaniard
Date:	14th February, 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 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: <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	<p><u>Key Issues</u></p> <p>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.</p>															
3.2	<p>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.</p>															
	<table border="1"> <thead> <tr> <th data-bbox="272 577 579 678">Premises and Location</th> <th data-bbox="579 577 791 678">Applicant</th> <th data-bbox="791 577 979 678">Application Type</th> <th data-bbox="979 577 1228 678">Offence Details</th> <th data-bbox="1228 577 1458 678">Date of Conviction and Penalty</th> </tr> </thead> <tbody> <tr> <td data-bbox="272 678 579 1104"> <p>Dundela Football Athletic & Social Club</p> <p>Wilgar Street Belfast BT4 3BL</p> </td> <td data-bbox="579 678 791 1104"> <p>Susan Gilmore (Secretary)</p> <p>Jack Majury prosecuted</p> </td> <td data-bbox="791 678 979 1104"> <p>Renewal</p> </td> <td data-bbox="979 678 1228 1104"> <p>24 November 2012</p> <p>Overcrowding Obstructed Emergency Exit Route</p> </td> <td data-bbox="1228 678 1458 1104"> <p>23 July 2013</p> <p>£400 and £69 Court costs</p> </td> </tr> <tr> <td data-bbox="272 1104 579 1469"> <p>The Spaniard</p> <p>3 Skipper Street Belfast BT1 2DZ</p> </td> <td data-bbox="579 1104 791 1469"> <p>Janine Kane</p> <p>JK Pubs Limited</p> </td> <td data-bbox="791 1104 979 1469"> <p>Renewal</p> </td> <td data-bbox="979 1104 1228 1469"> <p>December 2014</p> <p>Entertainment taking place in an area of the premises not covered by the Entertainments Licence</p> </td> <td data-bbox="1228 1104 1458 1469"> <p>11 August 2015</p> <p>£150 and £69 Court costs</p> </td> </tr> </tbody> </table>	Premises and Location	Applicant	Application Type	Offence Details	Date of Conviction and Penalty	<p>Dundela Football Athletic & Social Club</p> <p>Wilgar Street Belfast BT4 3BL</p>	<p>Susan Gilmore (Secretary)</p> <p>Jack Majury prosecuted</p>	<p>Renewal</p>	<p>24 November 2012</p> <p>Overcrowding Obstructed Emergency Exit Route</p>	<p>23 July 2013</p> <p>£400 and £69 Court costs</p>	<p>The Spaniard</p> <p>3 Skipper Street Belfast BT1 2DZ</p>	<p>Janine Kane</p> <p>JK Pubs Limited</p>	<p>Renewal</p>	<p>December 2014</p> <p>Entertainment taking place in an area of the premises not covered by the Entertainments Licence</p>	<p>11 August 2015</p> <p>£150 and £69 Court costs</p>
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3.3	<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>															
	<p><u>Application History</u></p>															
3.4	<p>Previous applications for the aforementioned premises were considered by the Committee as follows:</p>															
	<p>Dundela Football Athletic and Social Club</p>															
3.5	<p>This is the fifth and last time the Committee will have to consider an application from the applicant since the conviction on 23rd July, 2013.</p>															
	<p>Previous renewal applications for the premises were brought before the Committee on 19th</p>															

3.6	February 2014, 21st January 2015, 15th June 2016 and 15th February 2017 and, after consideration, you agreed to renew the licence on each occasion.
3.7	Since the licence was renewed, the premises have been subject to one during performance inspection as well as the recent renewal inspection to ensure that there has been no recurrence of these or any other safety issues. Officers can confirm that management procedures are being implemented effectively.
	The Spaniard
3.9	This is the third time an application for the premises has been considered since the applicant was convicted on 11th August 2015.
3.10	Previous renewal applications for the premises were brought before the Committee on 20th January 2016 and 19th April 2017 and, after consideration, you agreed to renew the licence on each occasion.
3.11	Since the licence was renewed the premises have been subject to one during performance inspection as well as the recent renewal inspection to ensure that there has been no recurrence of these or any other safety issues. Officers can confirm that management procedures are being implemented effectively.
	<u>Representations</u>
3.12	Public notice of the applications has been placed and no written representations have been lodged as a result of the advertisements.
	<u>PSNI</u>
3.13	The PSNI has been consulted and has confirmed that it has no objections to the applications. A copy of its correspondence is attached at Appendix 1.
	<u>NIFRS</u>
3.14	The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and has confirmed that it has no objections.
	<u>Applicants</u>
3.15	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.
	<u>Financial and Resource Implications</u>
3.16	Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.
	<u>Equality and Good Relations Implications</u>
3.17	There are no equality or good relations issues associated with this report.
4.0	Documents Attached
	Appendix 1 – PSNI Correspondence Appendix 2 – Application Forms