



Subject:	Consideration of Entertainments Licences where the applicant has been convicted of an offence
Date:	21 st March 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Stephen Hewitt, Building Control Manager, ext. 2435

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 or 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

Key Issues

3.1 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.

3.2 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 & Penalty
Bootleggers 46 Church Lane, Belfast, BT1 4QN	Mr Christopher Wolsey Quay Street Merchants Ltd	Renewal	May 2016 Breach of a special condition to ensure minimum width through the rear yard to the final exit maintained. Pre-event checks and Log Book not completed.	21 Feb 2017 £500 and £69 Court costs.
Dukes Hotel 65-67 University Street, Belfast, BT7 1HL	Mr Eamon Diamond Dukes Belfast LLP	Renewal	August 2015 <u>The Chester Park Inn</u> Providing entertainment without an Entertainments Licence in an outdoor area	22 March 2016 Conditional Discharge and £69 Court costs

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:

Bootleggers

<p>3.5</p> <p>3.6</p> <p>3.7</p> <p>3.8</p> <p>3.9</p> <p>3.10</p> <p>3.11</p> <p>3.12</p> <p>3.13</p> <p>3.14</p>	<p>This application is being placed before Committee because the applicant was convicted of offences under the Order at Belfast Magistrates' Court on 21 February 2017, after a during performance inspection carried out in May 2016, found that the required minimum clear distance through a rear escape route was not being maintained and the appropriate pre-entertainments checks were not carried out prior to the entertainment taking place.</p> <p>This is the second time an application for this premises have been brought before Committee as you previously considered the application at your meeting of 15 March 2017 and, after consideration, you agreed to renew the licence.</p> <p>Since the previous renewal the premises has been subject to one further during performance inspection as well as the recent renewal inspection to ensure that there has been no recurrence of the breach or any other safety issues. We have found that management procedures are being implemented effectively.</p> <p>Dukes at Queens</p> <p>This application is being placed before Committee because the applicant was convicted of offences under the Order at Belfast Magistrates' Court on the 22 March 2016, regarding one of their other premises; namely the Chester Park Inn. During an inspection it was found that entertainment was being provided in an outdoor area, without a valid entertainments licence being in place.</p> <p>This is the second time an application for this premises have been brought before Committee as you previously considered the application for the Dukes Hotel at your meeting of 16 August 2017 and, after consideration, you agreed to renew the licence.</p> <p>Since the previous renewal the premises have been subject to two further during performance inspections as well as the recent renewal inspection to ensure that there has been no recurrence of the breach or any other safety issues. An inspection in December 2017 identified a minor breach at the premises as the log book was not filled out.</p> <p>A further inspection, which was carried out recently, showed no recurrence of this or any other safety issues and we have found that management procedures are being implemented effectively.</p> <p><u>Representations</u></p> <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> <p>The PSNI has been consulted and has confirmed that they have no objections to the applications. A copy of their correspondences are attached as Appendix 1.</p> <p><u>NIFRS</u></p> <p>The Northern Ireland Fire Rescue Service has been consulted in relation to each of the applications and confirmed that they have no objections.</p> <p><u>Applicants</u></p>
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<p>3.15</p> <p>3.16</p> <p>3.17</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 the respective application forms for the premises are attached as 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>Appendices – Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 – PSNI Correspondence • Appendix 2 – Application Forms