



<b>Subject:</b>	Consideration of Entertainments Licences where the applicant has been convicted of an offence
<b>Date:</b>	20th November 2018
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	James Cunningham, Regulatory Services Manager, Ext 3375

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
<b>1.1</b>	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.
<b>2.0</b>	<b>Recommendations</b>
<b>2.1</b>	Taking into account the information presented, you are required to consider the application and to:-  <ol style="list-style-type: none"><li>1. Approve the application, or</li><li>2. Should you be of a mind to refuse the application, or approve the application with additional special conditions, an opportunity of appearing before and of being heard by the Committee must be given to the applicant.</li></ol>

<b>3.0</b>	<b>Main report</b>										
	<p data-bbox="272 226 427 255"><b><u>Key Issues</u></b></p> <p data-bbox="165 293 1422 389"><b>3.1</b> Members are reminded that the normal process for dealing with Entertainments Licence application 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> <p data-bbox="165 427 1461 524"><b>3.2</b> However, as the applicant or their company 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" data-bbox="272 591 1458 1122"> <thead> <tr> <th data-bbox="272 591 576 696"><b>Premises and Location</b></th> <th data-bbox="576 591 791 696"><b>Applicant</b></th> <th data-bbox="791 591 979 696"><b>Application Type</b></th> <th data-bbox="979 591 1230 696"><b>Offence Details</b></th> <th data-bbox="1230 591 1458 696"><b>Date of Conviction &amp; Penalty</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="272 696 576 1122"> <p data-bbox="288 824 443 853"><b>Boyles Bar</b></p> <p data-bbox="288 891 472 987">91 Falls Road Belfast BT12 4PE</p> </td> <td data-bbox="576 696 791 1122"> <p data-bbox="592 860 692 956">Bothar Trading Limited</p> </td> <td data-bbox="791 696 979 1122"> <p data-bbox="807 898 924 927">Renewal</p> </td> <td data-bbox="979 696 1230 1122"> <p data-bbox="995 779 1182 837"><b>26<sup>th</sup> February 2016</b></p> <p data-bbox="995 875 1198 1039">Entertainment taking place without a valid Entertainments Licence</p> </td> <td data-bbox="1230 696 1458 1122"> <p data-bbox="1246 824 1433 882"><b>13<sup>th</sup> December 2016</b></p> <p data-bbox="1246 920 1426 987">£250 and £66 Court costs.</p> </td> </tr> </tbody> </table> <p data-bbox="165 1160 1461 1256"><b>3.3</b> 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 data-bbox="272 1294 544 1323"><b><u>Application history</u></b></p> <p data-bbox="272 1361 427 1391"><b>Boyles Bar</b></p> <p data-bbox="165 1429 1461 1525"><b>3.4</b> This application is being placed before Committee because the applicant Company, Bothar Trading Limited, was convicted of an offence under the Order at Belfast Magistrates' Court on 13<sup>th</sup> December 2016.</p> <p data-bbox="165 1563 1374 1659"><b>3.5</b> A grant application was placed before committee on 18 January 2017 and, after consideration, you agreed to grant the licence. The application for the renewal of the Entertainments Licence is now before you for your consideration.</p> <p data-bbox="165 1697 1398 1756"><b>3.6</b> Since you last considered the application a renewal inspection has been carried out to ensure safety issues and management procedures are being implemented effectively.</p> <p data-bbox="272 1794 507 1823"><b><u>Representations</u></b></p> <p data-bbox="165 1861 1453 1928"><b>3.7</b> Public notice of the application has been placed and no written representations have been lodged as a result of the advertisement.</p>	<b>Premises and Location</b>	<b>Applicant</b>	<b>Application Type</b>	<b>Offence Details</b>	<b>Date of Conviction &amp; Penalty</b>	<p data-bbox="288 824 443 853"><b>Boyles Bar</b></p> <p data-bbox="288 891 472 987">91 Falls Road Belfast BT12 4PE</p>	<p data-bbox="592 860 692 956">Bothar Trading Limited</p>	<p data-bbox="807 898 924 927">Renewal</p>	<p data-bbox="995 779 1182 837"><b>26<sup>th</sup> February 2016</b></p> <p data-bbox="995 875 1198 1039">Entertainment taking place without a valid Entertainments Licence</p>	<p data-bbox="1246 824 1433 882"><b>13<sup>th</sup> December 2016</b></p> <p data-bbox="1246 920 1426 987">£250 and £66 Court costs.</p>
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<p><b>3.8</b></p> <p><b>3.9</b></p> <p><b>3.10</b></p> <p><b>3.11</b></p> <p><b>3.12</b></p>	<p><b><u>PSNI</u></b></p> <p>The PSNI has been consulted and has confirmed that they have no objections to the application. A copy of their correspondence is attached as Appendix 1.</p> <p><b><u>NIFRS</u></b></p> <p>The Northern Ireland Fire Rescue Service has been consulted in relation to the application and confirmed that they have no objections.</p> <p><b><u>Applicants</u></b></p> <p>The applicant and/or their representatives will be available at your meeting to answer any queries you may have in relation to the application. A copy of the application form for the premise is attached as Appendix 2.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>Officers carry out during performance inspections on premises providing entertainment which is catered for within existing budgets.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>There are no issues associated with this report.</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents Attached</b></p>
	<ul style="list-style-type: none"> <li>• Appendix 1 – PSNI Correspondence</li> <li>• Appendix 2 – Application Form</li> </ul>