



Subject:	Application for the Provisional Grant of a 7-Day Annual Indoor Entertainments Licence for Arnott's Fruit Warehouse
Date:	12th December, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Quintin Thompson, Senior Building Control Surveyor, ext. 2570

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	<p>To consider an application for the provisional grant of a 7-Day Annual Indoor Entertainments Licence for the former Arnott's fruit warehouse building, now known as The Link, based on the Council's standard conditions to provide indoor music, singing, dancing or any other entertainment of a like kind and theatrical performances.</p> <table><tr><td>Premises and Location Arnott's Fruit Warehouse 16-20 Dunbar Link Belfast, BT1 2LH</td><td>Ref. No. WK/201801726</td><td>Applicant Mr Alan Simms Limelight Belfast Limited 17 Clarendon Road Belfast, BT1 3BG</td></tr></table>	Premises and Location Arnott's Fruit Warehouse 16-20 Dunbar Link Belfast, BT1 2LH	Ref. No. WK/201801726	Applicant Mr Alan Simms Limelight Belfast Limited 17 Clarendon Road Belfast, BT1 3BG
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1.2	A copy of the application form is attached as Appendix 1.			

1.3	A location map is attached as Appendix 2.
2.0	Recommendations
2.1	<p>Taking into account the information presented and any representations received you are required to consider the application and to either:</p> <ol style="list-style-type: none"> 1. Approve the application for the provisional grant of 7-Day Annual Indoor Entertainments Licence, or 2. Approve the application for the provisional grant of 7-Day Annual Indoor Entertainments Licence with Special Conditions, or 3. Refuse the application for the provisional grant of 7-Day Annual Indoor Entertainments Licence.
2.2	<p>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.</p>
2.3	<p>If you are of a mind to refuse the application or attach Special Conditions to the licence within 7 days from the date of the Council's decision the applicant will be advised in writing of their right to an opportunity of appearing before and of being heard by the Committee.</p>
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p><u>Provisional grant of a licence</u></p> <p>There is provision within the Local Government (Miscellaneous Provisions) (NI) Order (the Order) to make application for the grant of an entertainments licence in respect of premises which are to be, or are in the course of being, constructed, extended or altered.</p>
3.2	<p>If the Council is satisfied that the premises would, if completed in accordance with plans deposited in accordance with the requirements of the Council, be such that it would grant the licence, the Council may grant the licence subject to a Condition that it shall be of no effect until confirmed by the Council.</p>
3.3	<p>This is described as the provisional grant of a licence.</p>
3.4	<p>The Order stipulates that the Council must confirm any licence granted provisionally when it is satisfied that the premises have been completed in accordance with the plans deposited with the application or in accordance with those plans as modified with the approval of the council.</p>
3.5	<p>Should Members be of mind to grant the licence provisionally, Committee is requested to consider delegating authority to the Director of Planning and Building Control in consultation with the City Solicitor to issue the licence once all necessary technical requirements relating to health, safety, welfare and amenity have been completed to the satisfaction of the Building Control Service.</p>

Extended hours of entertainment

3.6 Members are reminded that the normal process for dealing with an Entertainments Licence application which is not the subject of objections is that the licence will be granted as provided for in the Council's Scheme of Delegation.

3.7 The applicant has applied to provide entertainment beyond the latest hour to which licences are normally granted. As such, the application is being presented before Committee for your consideration.

3.8 The applicant has applied to provide entertainment on the following days and hours:

- Monday to Sunday: 12.00 pm to 3.00 am the following morning.

3.9 The applicant has provided a rationale to support their application for the extended hours of entertainment which, in summary, includes:-

- The desire to provide entertainment in line with the operation of other city centre licensed premises, which offer similar entertainment.
- There is an expectation amongst young people that certain events should end at 3.00am and that a 1.00am finish is not value for money. This is particularly true for customers travelling from other countries with more relaxed licensing laws.
- The additional hours will help them attract more international acts to the City.

3.10 A copy of the applicant's rationale for a 3.00 am Entertainment Licence is appended to this report as Appendix 3.

Venue details

3.11 The area where indoor entertainment is proposed to be provided is the:

- Ground floor area with a maximum capacity of 1500 persons.

3.12 The ground floor is a flexible space that will be used to provide a variety of events. Whilst the maximum numbers for the area will be approximately 1500 persons an occupancy will be agreed for each event by the Service after an assessment of individual event details and layout.

3.13 The applicant proposes to provide entertainment in the form of live bands, DJ's and theatre. During these occasions, they will operate a public bar facility via an Occasional Liquor Licence.

3.14 The applicant has provided additional information advising of the types of events they propose to hold in the premises, which include: -

- Live music performances
- Comedy
- Filming
- Award ceremonies
- Podcasts
- Fashion Shows
- Film Festivals

- Conferences

3.15 Members are advised that not all these events will fall within the scope of entertainments licensing.

3.16 A copy of the applicant's submission is included on the application form attached in Appendix 4.

3.17 Layout plans of the venue are attached as Appendix 5.

Representations

3.18 Notice of the application has been advertised and one written representation in support of the application has been lodged which is attached as Appendix 6.

3.19 At the time of writing this report no written representations have been received objecting to the application. However, as the 28-day statutory objection period does not expire until 11th December 2018 Members will be advised at your meeting on 12th December if any objections have been received.

PSNI

3.20 The PSNI has been consulted and has confirmed that they have no objection to the application. A copy of their correspondence is attached as Appendix 7.

Health, safety and welfare inspections

3.21 This building was previously used by Arnott's for fruit and vegetable storage. The applicant has submitted a Building Regulations application for the change of use to an assembly building. It is envisaged that the building works to refurbish this space will commence in January 2019.

3.22 Before the Entertainments Licence can be confirmed as outlined in 3.4 the Building Regulations application must be approved, and all site works must be completed to the satisfaction of the Service in accordance with the Regulations. This will ensure compliance, amongst other matters, with all fire safety, structural and access requirements.

3.23 All certification pre-requisite to the grant of a licence will also be required before the licence can be confirmed.

NIFRS

3.24 The Northern Ireland Fire and Rescue Service has been consulted in relation to the application and we are awaiting their response. Officers will advise of the NIFRS response at the Committee meeting on 12th December 2018.

Noise Issues

3.25 Given the nature of the entertainment in the venue, an acoustic report outlining the measures to be taken to ensure minimal disturbance to persons in the neighbourhood, either due to noise breakout or from patron activity, has been requested from the applicant. The acoustic report has been submitted to the Environmental Protection Unit and consultations are ongoing to ensure all relevant steps are taken to address any noise issues.

<p>3.26</p> <p>3.27</p> <p>3.28</p> <p>3.29</p>	<p>If Members are of the mind to grant the provisional application for the Entertainments Licence delegated authority is sought, before confirming the licence, to attach any Terms and Conditions to the Licence regarding the management of noise. Such conditions will only be attached with the full agreement of the licensee.</p> <p><u>Applicant</u></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.</p> <p><u>Financial and Resource Implications</u></p> <p>Officers carry out during performance inspections on premises providing entertainment this is catered for within existing budgets.</p> <p><u>Equality and Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no issues associated with this report.</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 – Application Form • Appendix 2 – Location Map • Appendix 3 – Rational for a 3am Entertainment Licence • Appendix 4 – Applicant’s submission • Appendix 5 – Layout plans • Appendix 6 – Support Letter • Appendix 7 – PSNI response