



Subject:	Request to operate beyond the standard hours of 11.00pm at Holy Cross Boys Primary School
Date:	17th June, 2015
Reporting Officer:	Trevor Martin, Head of Building Control, ext. 2450
Contact Officer:	Stephen Hewitt, Building Control Manager, ext. 2435

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 a request from the Ardoyne Fleadh Project to operate three nights of this year's Ardoyne Fleadh Event beyond the standard hours of 11:00pm to 12.00am; the dates of which are 7 th , 8 th and 9 th August 2015.						
1.2	It is a condition of the Outdoor Entertainments Licence that all requests to operate beyond the permitted hours of entertainment must be considered by the Licensing Committee. <table border="0"><thead><tr><th>Premises and Location</th><th>Ref. No.</th><th>Applicant</th></tr></thead><tbody><tr><td>Holy Cross Boys Primary School Brookfield Street Belfast BT14 7EX</td><td>WK/201500283</td><td>Ardoyne Fleadh Project Ardoyne Community Centre 40 Herbert Street BT14 7FE</td></tr></tbody></table>	Premises and Location	Ref. No.	Applicant	Holy Cross Boys Primary School Brookfield Street Belfast BT14 7EX	WK/201500283	Ardoyne Fleadh Project Ardoyne Community Centre 40 Herbert Street BT14 7FE
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1.3	A copy of their request is attached as Appendix 1.						
1.4	A location map is attached as Appendix 2.						

2.0	Recommendations
2.1	Taking into account the information presented and representations made in respect of the request you are required to, either: <ol style="list-style-type: none">1. Agree that the three proposed events on the 7th, 8th and 9th August 2015 should be permitted to take place beyond the standard hours of Licence to 12.00am or;2. Refuse to extend any or all of the hours as requested.

3.0	Main report
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	<u>Key Issues</u>
3.1	The standard days and hours for an Outdoor Entertainments Licence are: <ul style="list-style-type: none"> Monday to Sunday 11:30am to 11:00pm
3.2	In addition, the following special conditions are attached to the Licence: <ol style="list-style-type: none"> 1. The Licensee is required, at least one month in advance of any event, to submit a suitable noise assessment and noise management plan to demonstrate evidence of early consultation with local residents and have in place a robust system of dealing with any complaints. The noise assessment must be completed by a suitably qualified and experienced noise control consultant and demonstrate that noise from the event will not cause unreasonable disturbance to nearby residential properties. The plan shall be agreed to the satisfaction of the Council and failure to comply with the requirements set down in it shall be considered to be a breach of the licence conditions. 2. Maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual concert set up proposals. 3. The licensee may, three months in advance of a proposed event, apply for additional hours to provide entertainment beyond 11.00pm. Such applications will be considered by the Licensing Committee and any previous noise issues will be taken into account.
3.3	Members will be aware that the Ardoyne Fleadh is an annual event which regularly takes place over the August Bank Holiday weekend at this location and was considered last year by the Licensing Committee on both 18 th June and 20 th August 2014.
3.4	The Committee considered the matters and granted permission for entertainment to be provided at the event to 12.00am on each of the 3 nights requested at their meeting of 18 th June 2014. The Committee then agreed to grant the renewal application at the subsequent meeting of 20 th August 2014.
3.5	The applicant has advised the Service that they will lodge an application to renew the Entertainments Licence in due course. However this is a request for permission to operate this year's event beyond the standard hours of 11.00pm under the terms of the current Entertainments Licence, which is due to expire on the 31 st July 2015.
3.6	As a result of last year's event the Council received a total of 37 complaints in comparison to 6 in 2013 and 119 received in 2012.
3.7	1 complaint was received on each of the first two nights and 7 were received on the final night. However, a further 28 complaints were received after the event.
3.8	The majority of the complaints received were regarding the lyrics of some of the songs being played.
3.9	For this year's event the organisers have confirmed that guidelines have been drawn up for all acts and performers and they have reiterated what was released in a press statement last year regretting any offence caused by the Druids incident, that it was disappointing and should not have happened. A copy of their correspondence is attached as Appendix 3.
3.10	The organisers have advised that the primary purpose of the Entertainments Licence is for the Fleadh event but it is also to provide a facility for the school and the local Community Centre to hold outdoor events and provide entertainment in a controlled, managed and

	safe environment.
3.11	The Ardoyne Fleadh Project is now in its 24 th year and plays host to a number of local acts of music, drama, comedy and family entertainment. The organisers have informed the Service that they are still awaiting decisions on funding applications and are therefore unable to confirm the acts for this year's event as yet.
3.12	As this is not an application to vary the terms of the licence, but a request for Council's permission to extend the hours under an existing licence condition, there is no requirement for public advertisement in this case.
	<u>PSNI</u>
3.13	The PSNI has been consulted in relation to the request to operate the event to 12.00am on each night. They have also confirmed that the organisers of the Fleadh have been in contact with them about it. At the time of writing this report their response is outstanding but will be available at your meeting.
	<u>NIFRS</u>
3.14	The Northern Ireland Fire and Rescue Service, as with other outdoor licences, will be invited to all pre-event meetings and will be provided with all relevant documentation in advance of any proposed concert to work with Officers of the Service regarding any technical requirements that need to be met.
	<u>Health, safety and welfare issues</u>
3.15	Last year the organisers worked with Council Officers on all aspects of the event. Officers of the Service have already engaged with the applicant and organisers of the Ardoyne Fleadh and will ensure that appropriate measures with regard to health, safety and welfare management will again be in place for this year's event.
3.16	The applicant is required to develop an Event Management Plan, which will include an appropriate background noise survey, to allow Officers of the Building Control Service and Environmental Protection Unit to assess it and ensure that the relevant technical requirements are complied with.
3.17	In order to comply with the condition of the Licence to demonstrate evidence of early consultation with local residents the organisers will be sending a letter to residents within the vicinity of the venue at least 3 weeks before the event. This letter will provide specific detail about the event such as the set-up and take down times, the running order and the desired finish time of 12.00am. The content of the letter and extent of its delivery will be agreed with the Service before it is issued.
	<u>Noise issues</u>
3.18	The Environmental Protection Unit (EPU) has been informed of the application and will comment on each individual outdoor event when information relevant to it has been provided, such as the appropriate noise report.
3.19	Due to residential properties in close proximity to the venue EPU has emphasised the importance of protecting the night time period between 11.00pm and 7.00am. Given the cumulative impact of several late consecutive nights and the potential for sleep disturbance there is concern over a greater potential for complaints after 11.00pm. Members are reminded that the Clean Neighbourhoods and Environment (NI) Act 2011 gives council's additional powers in relation to entertainment after 11.00pm.
3.20	For the purposes of this year's Ardoyne Fleadh an acoustic consultant will be appointed and a meeting to discuss noise issues and the formulation of a noise management plan

	will be organised in due.
3.21	An officer from EPU will be available at your meeting to advise on any concerns regarding the proposed event and any potential noise impact it may have on nearby residents.
	<u>Licensee / Applicant</u>
3.22	The representatives from Ardoyne Fleadh Project have been invited to attend your meeting to answer any queries you may have in relation to their request.
	<u>Financial and Resource Implications</u>
3.23	Officers will be required to carry out inspections for each outdoor event and attend any planned meetings but this is catered for within existing budgets.
	<u>Equality and Good Relations Implications</u>
3.24	There are no equality or good relations issues associated with this report.

4.0	Appendices – Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Request from Ardoyne Fleadh Project • Appendix 2 – Location map • Appendix 3 - Correspondence in relation to the Druids incident