



Subject:	Application for Extended Hours - Cathedral Quarter Arts Festival, Custom House Square
Date:	16th March, 2016
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/Summary of main Issues
1.1	To consider a request from the organisers of Cathedral Quarter Arts Festival to operate their annual musical arts festival over eleven nights within a marquee at Custom House Square running from Thursday 28 th April to Sunday 8 th May 2016, and to permit the entertainment to run beyond 11.00 pm to 12.00 am on five of those nights.
1.2	The festival has been taking place for the last seventeen years and includes a wide programme of events of local, national and international music, literature, comedy and drama. The event is also regarded as being an integral part of the arts and cultural calendar in Belfast.
1.3	It is a standard condition of the Marquee Entertainments Licence that all requests to operate beyond the permitted hours of entertainment must be considered by the Licensing Committee.
1.4	A copy of the letter from the organisers outlining the background to the festival and reasons for requesting the extended hours to 12.00am is attached at Appendix 2.
1.5	A location map is attached at Appendix 1.
2.0	Recommendations
2.1	Taking into account the information presented and any representations received you are required to consider the request to extend the hours of entertainment and, subject to all technical requirements being met, either: <ol style="list-style-type: none">1. agree if any or all of the five proposed events should be permitted to take place beyond the standard hours of licence or;2. refuse to extend any or all of the hours as requested.

3.0	Main report
	<p data-bbox="256 241 416 277"><u>Key Issues</u></p> <p data-bbox="150 315 1450 412">3.1 Custom House Square is the responsibility of the Department for Social Development and they currently hold both a Seven-day Annual Outdoor Entertainments Licence and a 7-Day Annual Marquee Entertainments Licence for the Square.</p> <p data-bbox="150 450 1450 510">3.2 The standard days and hours during which the marquee is currently licensed to provide entertainment are:</p> <p data-bbox="357 548 932 584" style="padding-left: 40px;">Monday to Sunday: 11.30 am to 11.00 pm.</p> <p data-bbox="150 622 1289 658">3.3 In addition the following conditions are attached to the Entertainments Licence:</p> <ol data-bbox="277 685 1362 1218" style="list-style-type: none"> <li data-bbox="277 685 1362 748">1. maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual concert set up proposals; <li data-bbox="277 786 1362 882">2. prior to any event taking place the promoters are required to demonstrate evidence of early consultation and have in place a robust system of dealing with any complaints, which has been agreed in advance with the Council; <li data-bbox="277 920 1362 1016">3. any requests to provide entertainment later than 23:00hrs must be considered by the Licensing Committee and therefore must be made at least 3 months in advance of the proposed event; and <li data-bbox="277 1055 1362 1218">4. should the Council receive a significant number of noise complaints for any event which has successive nights of entertainment permitted beyond 23:00hrs or if a complaint about an event beyond 23:00hrs is of major concern, then those successive nights with later hours may be subject to reduction and the promoter should have appropriate arrangements in place should this occur. <p data-bbox="150 1256 1450 1352">3.4 Members may recall that in previous years the Committee has granted extensions beyond the standard hours of 11.00 pm for the Cathedral Quarter Arts Festival and was last considered by the Committee at their meeting on 18th March 2015.</p> <p data-bbox="150 1391 1450 1487">3.5 Whilst recognising that such music events contribute to the overall ‘vibrancy’ of the City, it is also the case that noise from these events has the potential to cause widespread disturbance to those living and working in the vicinity.</p> <p data-bbox="150 1525 1450 1688">3.6 Before granting any extension, the Committee has always carefully considered the financial and commercial benefits of such events against the interests of residents within the area and has, on occasions, agreed with respective promoters to reduce the number of nights they had originally intended to go beyond the standard hours of 11.00 pm in order to reduce the impact the event may have upon them.</p> <p data-bbox="150 1727 1450 1823">3.7 The organisers are still in the process of finalising the programme of entertainments for this year’s festival but they have confirmed that the type of entertainment will be similar to previous years consisting of mainly local talent mixed with some headline acts.</p> <p data-bbox="150 1861 1450 1921">3.8 The organisers have requested that you give consideration to permitting five nights of entertainment to run beyond 11.00 pm as follows:</p>

- Friday 29th April 12.00 am
- Sunday 1st May 12.00 am (Bank Holiday)
- Friday 6th May 12.00 am
- Saturday 7th May 12.00 am
- Sunday 8th May 12.00 am

Rationale for Additional Hours

- 3.9 The organisers have advised that the two weekends of the festival are regarded as the busiest evenings and they see more visitors from outside the city and further afield attending these festival events.
- 3.10 They hope that the extended hours will provide their visitors with a memorable festival experience and value for money and allow them to ‘make a night of it’ by availing of the many local restaurants before attending the concerts.
- 3.11 The organisers have also advised that the extra hour enables them to add local support acts to the bill and give them the opportunity to support a headline festival act.
- 3.12 As this is not an application to vary the terms of the Marquee Entertainments Licence, but a request for Council’s permission to extend the hours under an existing licence condition; there is no requirement to advertise the application.
- 3.13 The Service has received a draft copy of the Event Management Plan and a proposed site plan. Officers are currently assessing this information and working with the organisers to ensure that all technical requirements will be met. Work is ongoing in this regard.
- 3.14 Officers have also engaged with the organisers to identify and liaise with residents and representatives of local resident groups. Officers have received a copy of a draft resident’s notification letter and they will liaise with them to ensure that the letter is appropriate and issued to the correct addresses prior to the event taking place.
- 3.15 Representatives of the Cathedral Quarter Arts Festival will be available at your meeting should you wish to seek further information about the festival.

PSNI

- 3.16 The PSNI has been consulted regarding the festival and their request to operate five nights of the event to 12.00am. It has confirmed that it has no objections or concerns with the operation of the event and will also be working with the organisers regarding the extent of the proposed Liquor Licence. A copy of its comments are attached at Appendix 3.

NIFRS

- 3.17 The Northern Ireland Fire and Rescue Service have also been consulted about the application and confirmed that they have no concerns about the event.
- 3.18 Members are advised that, as with all such events, a series of detailed planning meetings will be held, and attended by officers of the PSNI and NIFRS to look at public safety, traffic management, transport and any wider operational issues.

Health, Safety and Welfare Issues

- 3.19 Officers from the Service have carried out inspections for previous festivals and have always found the organisers to be professional in their approach and have had no issues with the health, safety and welfare management of each individual event during that time.

	<p><u>Noise issues</u></p> <p>3.20 The Environmental Protection Unit (EPU) has been consulted in relation to the request for late night entertainment to run beyond 11.00pm on five of the eleven nights at the venue.</p> <p>3.21 Due to the cumulative impact of the consecutive nights proposed and potential sleep disturbance to nearby residents, Officers are concerned that there is a greater potential for complaints after 11.00pm. Members are reminded that the Clean Neighbourhood and Environment Act (Northern Ireland) 2011 gives councils additional powers in relation to entertainment noise after 11.00pm.</p> <p>3.22 However, considerable work has been done with organisers of various events and festivals at the venue and as a result; the level of complaints and noise issues has been reduced.</p> <p>3.23 Last year's festival generated only one complaint, which was due to patron dispersal at the end of an event. It also did not result in any formal action being taken by the Council.</p> <p>3.24 As for all of these types of events, Officers are currently working with the organisers and their representatives on appropriate noise management plans for the festival. The noise plan must demonstrate that noise from the event will not cause unreasonable disturbance to both the commercial and residential premises of the area.</p> <p>3.25 Officers will consider all reports and supporting information to ensure the technical requirements are in accordance with all the relevant legislation and guidance.</p> <p><u>Financial and Resource Implications</u></p> <p>3.26 Officers will be required to carry out inspections at the event but this is catered for within existing Service budgets.</p> <p><u>Equality and Good Relations Implications</u></p> <p>3.27 There are no equality or good relations issues associated with this report.</p>
4.0	Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Location map • Appendix 2 – Rationale re Extended Hours • Appendix 3 – PSNI Correspondence