



<b>Subject:</b>	<b>Application for Extended Hours - Féile An Phobail, Falls Park</b>
<b>Date:</b>	18th May, 2016
<b>Reporting Officer:</b>	Mr. Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Mr. Patrick Cunningham, Assistant Building Control Manager, ext. 6446

<b>Is this report restricted?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<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>
1.1	To consider a request from the organisers of Féile An Phobail to hold an 11-day music event within a marquee at Falls Park, running from Thursday 4th August to Sunday 14th August 2016, and to permit the entertainment to run beyond 11.00 pm to 12.00am on each night.
1.2	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.
1.3	A copy of the letter from the organisers outlining the background to the festival and the reasons for requesting the extended hours to 12.00 am is attached at Appendix 1.
1.4	A location map is attached at Appendix 2.
<b>2.0</b>	<b>Recommendations</b>
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"><li>1. agree if any or all of the eleven events should be permitted to take place beyond the standard hours of licence to 12.00am or;</li><li>2. refuse to extend any or all of the hours as requested.</li></ol>

<b>3.0</b>	<b>Main report</b>
	<p data-bbox="226 226 384 255"><b><u>Key Issues</u></b></p> <p data-bbox="137 282 1465 450">3.1 Members are advised that a Seven-day Annual Outdoor Entertainments Licence and a Fourteen-day Occasional Licence for a Marquee has been granted for Falls Park and both have been used to hold numerous events in the past, primarily for this event. The licences are held by the Parks Service of the City and Neighbourhoods Department and are transferred to the promoter for the duration of their event.</p> <p data-bbox="137 477 1465 544">3.2 The days and hours during which entertainment may be provided both outdoors and in a marquee are Monday to Sunday from 11.30 am to 11.00 pm.</p> <p data-bbox="137 571 1465 638">3.3 In addition, the following special conditions are attached to both the Marquee and Outdoor licence:</p> <ol data-bbox="248 665 1378 1205" style="list-style-type: none"> <li>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> <li>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> <li>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> <li>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.</li> </ol> <p data-bbox="137 1238 1465 1339">3.4 The organisers have not yet finalised the artists to perform at this year's event but they have confirmed that the genre and type of entertainments will be similar to previous years. These include traditional Irish music, rock, indie rock, folk and ska music.</p> <p data-bbox="137 1373 1465 1440">3.5 The organisers have requested that you give consideration to permitting eleven nights of entertainment to run beyond 11.00 pm to 12.00 am.</p> <p data-bbox="137 1473 1465 1574">3.6 As this is not an application to vary the terms of the marquee 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.</p> <p data-bbox="137 1608 1465 1675">3.7 Members may recall that last year you agreed to grant the organisers permission to operate on eight nights of the event at the venue beyond the standard hours of 11.00 pm to 12.00 am.</p> <p data-bbox="137 1709 1465 1843">3.8 The Committee has granted extensions beyond the standard hours of 11.00 pm for other events and most recently at your April meeting for the Belfast City Blues Festival at Writer's Square and at your March meeting for the Cathedral Quarter Arts Festival and the Belfast Brewing and Distilling Festival.</p> <p data-bbox="137 1877 1465 1977">3.9 Whilst recognising that such 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>

3.10 However, 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 11.00pm in order to reduce the impact the event may have upon them.

#### **Event Documentation**

3.10 The Service has received a draft copy of the Event Management Plan and a proposed site plan. Officers are currently liaising with the organisers to ensure that all technical requirements will be met and work is ongoing in this regard.

3.11 The event organisers have provided a detailed list of contacts who they will engage with closer to the event taking place. The contacts comprise of Resident Associations and local community representatives in the area. In previous years the organisers have engaged with the local community prior to the event taking place in the form of consultation meetings and by means of a resident's notification letter.

3.12 Representatives of Féile An Phobail will be available at your meeting should you wish to seek further information about their event.

#### **PSNI**

3.13 The PSNI has been consulted in relation to the event and has confirmed that the organisers have already been in contact with them about this year's proposals. The Police is also aware of their request to operate all nights beyond the permitted hours to 12.00 am and has no objections to the request. A copy of its comments is attached at Appendix 3.

3.14 Members are advised that, as with all such events, a series of detailed planning meetings will be held, some of which have begun, to look at traffic management, transport and any wider operational policing issues.

#### **Health, Safety and Welfare Issues**

3.15 Officers from the Service have carried out during performance inspections over previous years events organised by Féile An Phobail 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 the events during that time.

3.16 Officers will continue to work with the organisers of the event and coordinate the relevant agencies and personnel required to be involved for the event.

#### **Noise issues**

3.17 The Environmental Protection Unit (EPU) has been consulted in relation to the request for late night entertainment to run to 12.00 am on each night of the event at Falls Park.

3.18 Given the cumulative impact of several late consecutive nights and the potential for sleep disturbance to nearby residents, officers are concerned that there is a greater potential for complaints after 11.00 pm. 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.

3.19	Last year a total of 2 complaints were received over the course of the 10 day event, neither complaint resulted in any formal action being taken by the Council. In 2014 a total of 2 complaints were also received and in 2013 a total of 22 noise complaints were received to the event which was also held over 10 days.
3.20	As in previous years, officers are currently working with the organisers and their representatives regarding a suitable noise assessment and noise management plan for the festival. The noise assessment must demonstrate that noise from the event will not cause unreasonable disturbance to commercial and residential premises.
3.21	Officers will consider all reports and supporting information to ensure the technical requirements are in accordance with all the relevant legislation and guidance.
<b><u>Applicant / Organisers</u></b>	
3.22	The applicant and organisers, and/or their representative, will be available at your meeting to answer any queries you may have in relation to the request.
<b><u>Financial and Resource Implications</u></b>	
3.23	Officers will be required to carry out inspections at the event but this is catered for within existing budgets.
<b><u>Equality and Good Relations Implications</u></b>	
3.24	There are no equality or good relations issues associated with this report.

<b>4.0</b>	<p><b>Documents Attached</b></p> <ul style="list-style-type: none"> <li>• Appendix 1 – Rationale from the organiser regarding the extended hours</li> <li>• Appendix 2 – Location map</li> <li>• Appendix 3 – PSNI correspondence</li> </ul>
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