



Subject:	Application for Extended Hours – FOCAL Festival, Lower Crescent Park
Date:	17th May, 2017
Reporting Officer:	Stephen Hewitt, Head of Building Control, ext. 2435
Contact Officer:	Patrick Cunningham, Building Control Manager, ext. 6446

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 the FOCAL Festival to operate an outdoor event over two nights within Lower Crescent Park, on Friday 30th June and Saturday 1st July 2017, and to permit entertainment to run beyond 11.00 pm to 12.00 am on each night.
2.0	Recommendation
2.1	<p>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:</p> <ol style="list-style-type: none">1. agree if any or each of the proposed nights 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
	<u>Key Issues</u>
3.1	Lower Crescent Park is the responsibility of the Parks Service of the City and Neighbourhood Services Department and it currently holds a Seven-Day Annual Outdoor Entertainments Licence for the park.
3.2	<p>The standard days and hours during which the park is currently licensed to provide entertainment are:</p> <ul style="list-style-type: none">• Monday to Sunday: 11.30 am to 11.00 pm.

3.3	<p>In addition, the following special conditions are attached to the Entertainments Licence:</p> <ol style="list-style-type: none"> 1. maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual concert set up proposals; 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; 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 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.
3.4	<p>This is the first year of the event operating in the Lower Crescent Park. It is an independent food and drink festival centred on the celebration and promotion of local food and drinks incorporated within an outdoor festival.</p>
3.5	<p>It is a standard condition of the outdoor Entertainments Licence that all requests to operate beyond the permitted hours of entertainment must be considered by the Licensing Committee.</p>
3.6	<p>Whilst this is the first event at the venue where a request to operate beyond the permitted hours has been received, Members will be aware that the Committee has previously granted extensions for other similar events and venues across the City, including the Cathedral Quarter Arts Festival at Custom House Square, Feile An Phobail at Falls Park and the Belfast City Blues Festival at Writers Square.</p>
3.7	<p>The Parks Service has sought permission from the People and Communities Committee for the use of the venue for the event. This was granted approval on 9th May 2017.</p>
	<p><u>Rationale for Additional Hours</u></p>
3.8	<p>The organisers wish to create a vibrant, interactive festival which showcases local independent food and beverages with a backdrop of live music from local acts to create a memorable experience.</p>
3.9	<p>The organisers have advised that they hope the additional hours will help to promote and compliment the festival to maximise the experience that patrons will have when attending.</p>
3.10	<p>As a result, they have requested that you give consideration to permitting both their two nights of entertainment to run beyond 11.00 pm on Friday 30TH June and Saturday 1st July 2017.</p>
3.11	<p>As this is not an application to vary the terms of the Outdoor 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.</p>

3.12	Officers have engaged with the organisers and officers of the Parks Service and are currently working with them to agree the details of their Event Management Plan and the layout plan for the site. We will continue this work to determine an appropriate occupancy for the event and ensure other arrangements are in place to manage the event safely.
3.13	Officers will also ensure the organiser produces a suitable resident's notification letter and will agree the extent of its distribution prior to the event taking place.
3.14	A representative of the Parks Service will be available at your meeting should you wish to seek further information about the event.
3.15	A copy of the letter from the organisers about the purpose of the festival and rationale for the request to extend the hours is attached at Appendix 1.
3.16	A location map is attached at Appendix 2.
<u>PSNI</u>	
3.17	The PSNI has been consulted regarding the festival and their request to operate both nights of their event to 12.00 am. It has confirmed that it has no objections to the operation of the event and is keen to work with the organisers regarding the extent of the proposed Liquor Licence. A copy of its comments is attached at Appendix 3.
<u>NIFRS</u>	
3.18	The Northern Ireland Fire and Rescue Service have also been consulted about the application and has confirmed that it has no concerns about the event.
3.19	As with all such events, a detailed planning meeting will be held, attended by officers of the PSNI and NIFRS, to look at public safety, traffic management, transport and any wider operational issues.
<u>Health, Safety and Welfare Issues</u>	
3.20	Officers from the Service have inspected the venue and are satisfied that the space can accommodate the event and, to date, the organisers have co-operated fully regarding measures to protect public safety.
<u>Noise issues</u>	
3.21	The Environmental Protection Unit (EPU) has been consulted in relation to the request for late night entertainment to run beyond 11.00 pm on both nights at the venue.
3.22	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 11.00 pm although the Clean Neighbourhood and Environment Act (Northern Ireland) 2011 gives councils additional powers in relation to entertainment noise after 11.00 pm.
3.23	Work is ongoing with the organisers on a noise management plan for the festival to demonstrate that noise from it will not cause unreasonable disturbance to both the commercial and residential premises of the area.

<p>3.24</p> <p>3.25</p>	<p><u>Financial and Resource Implications</u></p> <p>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>There are no equality or good relations issues associated with this report.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<p>Appendix 1 – Rationale for extended hours</p> <p>Appendix 2 – Location map</p> <p>Appendix 3 – PSNI Comments</p>