



<b>Subject:</b>	<b>Application for Extended Hours – Féile an Phobail, Falls Park</b>
<b>Date:</b>	17th May, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, ext. 6446

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<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/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 3rd August to Sunday 13th August 2017, and to permit the entertainment to run beyond 11.00 pm to 12.00 am on each night.
<b>2.0</b>	<b>Recommendations</b>
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"><li>1. agree if any or all of the eleven events should be permitted to take place beyond the standard hours of licence to 12.00 am 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="272 226 427 255"><b><u>Key Issues</u></b></p> <p data-bbox="165 293 1474 456">3.1 Members are advised that a Seven-Day Annual Outdoor Entertainments Licence and a Seven-Day Occasional Licence for a Marquee have 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 Neighbourhood Services Department and are transferred to the organisers for the duration of their event.</p> <p data-bbox="165 495 1474 560">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="165 598 1474 663">3.3 In addition, the following special conditions are attached to both the Marquee and Outdoor Entertainments Licences:</p> <ol data-bbox="288 701 1390 1128" 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 23:00 hrs must be considered by the Licensing Committee and therefore must be made at least 3 months in advance of the proposed event.</li> <li>4. should the Council receive a significant number of noise complaints for any event which has successive nights of entertainment permitted beyond 23:00 hrs or if a complaint about an event beyond 23:00 hrs 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="165 1167 1474 1366">3.4 The organisers have not yet finalised all of 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. However, international band UB40 have been confirmed as one of the headline acts to perform. 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 4th April 2017.</p> <p data-bbox="165 1404 1474 1496">3.5 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> <p data-bbox="165 1534 1474 1626">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="165 1664 1474 1756">3.7 Members may recall that, last year, the Committee agreed to grant the organisers permission to operate all of their eleven nights of the event at the venue beyond the standard hours of 11.00 pm to 12.00 am.</p> <p data-bbox="165 1794 1474 1935">3.8 Members will be aware that the Committee has granted extensions beyond the standard hours of 11.00 pm for other events and festivals, most recently for the Belfast City Blues Festival at your April Meeting, the Cathedral Quarter Arts Festival at your March meeting and the Belfast Beer Festival at your February meeting, all at Custom House Square.</p>

### **Rationale for Additional Hours**

- 3.9 The organisers have confirmed that this is the 29th year of the event which has always been staged as a community event for the people. The event has grown over the years from being held over 2 to 3 days to a full festival running over 10 or 11 days offering a mixture of entertainments, social hubs, artistic performances, sports activities to multi-cultural and educational events.
- 3.10 The ability to operate beyond the permitted hours to 12.00 am allows the organisers to develop their plans around some of the diversionary activities which they propose to put in place to help with the ongoing antisocial behavior issues and to take kids off the streets by giving them somewhere safe to go to. In addition to the entertainment and social aspect of the event there are proposals to introduce activities involving sport and discussion for the youth to engage with. This is yet to be finalised but work is ongoing in this regard.
- 3.11 Acts for this year's festival are still being finalised but a number of international artists that will appeal to all age groups have been booked. A full running order should be completed for the end of May.
- 3.12 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.
- 3.13 Officers have engaged with the organisers and Officers of the Parks Service and they have provided a draft Event Management Plan and Site Plan, similar to last year's event. However, these may be subject to change and any necessary updated documents will be provided as plans progress.
- 3.14 The organisers will also be required to produce a suitable resident's notification letter and we will agree the extent of its distribution prior to the event taking place.
- 3.15 A representative of the Parks Service will be available at your meeting should you wish to seek further information about the event.
- 3.16 A copy of the letter from the organisers outlining the background to the festival and reasons for requesting the extended hours to 12.00 am is attached at Appendix 1.
- 3.17 A Location Map is attached at Appendix 2.

### **PSNI**

- 3.18 The PSNI has been consulted in relation to the event and has confirmed that the organisers have been in regular contact with it regarding the event and their proposal to operate each night beyond the permitted hours to 12.00 am. The Police Service has also been working with them regarding the traffic management and an Occasional Liquor Licence application.
- 3.19 As a result, the PSNI has offered no objection to the event and proposal to operate beyond the permitted hours. A copy of its comments is attached at Appendix 3.

### **NIFRS**

- 3.20 The Northern Ireland Fire and Rescue Service has also been consulted about the application and has confirmed that it has no concerns about the event and has requested to be kept involved with the planning for the event.

3.21	<p>Members are advised that, as with all such events, a planning meeting will be held in due course, and attended by officers of the PSNI and NIFRS to look at public safety, traffic management, transport and any wider operational issues.</p> <p><b><u>Health, Safety and Welfare Issues</u></b></p> <p>3.22 Officers from the Service have carried out during performance inspections over previous 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 events during that time.</p> <p>3.23 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 through pre-event planning meetings.</p> <p><b><u>Noise Issues</u></b></p> <p>3.24 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.</p> <p>3.25 Given the cumulative impact of several late consecutive nights and potential 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 11.00 pm.</p> <p>3.26 However, last year only one complaint was received over the course of the 11-day event. The complaint did not result in any formal action being taken by the Council. In 2015 and 2014, a total of 2 complaints were received as a result of the event being held over 11 days and, in 2013, a total of 22 noise complaints were received to the event, which was held over 10 days.</p> <p>3.27 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.</p> <p>3.28 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><b><u>Financial and Resource Implications</u></b></p> <p>3.29 Officers will be required to carry out inspections at the event but this is catered for within existing Service budgets.</p> <p><b><u>Equality and Good Relations Implications</u></b></p> <p>3.30 There are no equality or good relations issues associated with this report.</p>
<b>4.0</b>	<b>Documents Attached</b>
	<p>Appendix 1 – Rationale for extended hours</p> <p>Appendix 2 – Location map</p> <p>Appendix 3 – PSNI Comments</p>