



| | |
|---------------------------|---|
| Subject: | Application for Extended Hours - Lower Crescent Park |
| Date: | 9th November, 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 Christmas event within Lower Crescent Park on the nights of Thursday 21st, Friday 22nd and Saturday 23rd December 2017, and to permit entertainment to run to 1.00 a.m. on each of those nights. |
| 2.0 | Recommendations |
| 2.1 | Taking into account the information presented and any representations received, the Committee is required to consider the request to extend the hours of entertainment and, subject to all technical requirements being met, either: 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 within the City and Neighbourhood Services Department, which currently holds a Seven-Day Annual Outdoor Entertainments Licence for the park. |
| 3.2 | The standard days and hours during which the park is currently licensed to provide entertainment are: |

- Monday to Sunday: 11.30 a.m. to 11.00 p.m.

3.3 In addition, the following special conditions are attached to the Entertainments Licence:

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 Members may recall, at your meeting in May, you granted an application to the FOCAL Festival for an event which ran to 12.00 a.m. on 30th June and 1st July 2017. This is a follow-on from that event and will be the first year of operating a Christmas themed event at the venue.

3.5 Focal Festival is an independent food and drink festival centred on the celebration and promotion of local food and drink incorporated within an outdoor festival.

3.6 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.

3.7 Members are reminded that the Committee has previously granted extensions for other similar events and venues across the City, including the Cathedral Quarter Arts Festival, the Belfast Beer Festival 2017 and Oktoberfest at Custom House Square, Feile an Phobail at Falls Park and the Belfast City Blues Festival at Writers' Square.

3.8 The Parks Service has also sought permission from the People and Communities Committee for the use of the venue for the event. This was granted approval on 10th October 2017.

Rationale for Additional Hours

3.9 The organisers wish to create a vibrant, interactive Christmas festival to showcase local independent food and beverages with a backdrop of live music from local acts to create a memorable experience.

3.10 They intend to operate a family day for the first day of the festival and show the 'The Snowman' and are working with the Northern Irish Film Board in this regard. A carol service will also be held as part of that day's entertainment in addition to live musical entertainment.

3.11 The organisers are of the view that the additional hours will help to promote and compliment the festival to maximise the experience that patrons will have when attending.

| | |
|------|---|
| 3.12 | As a result, they have requested that you give consideration to permitting all three of their nights to run beyond 11.00 p.m. to 1.00 a.m. the following morning on Thursday 21st, Friday 22nd and Saturday 23rd December, 2017. |
| 3.13 | As this is not an application to vary the terms and conditions 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. |
| 3.14 | Officers from the Service have engaged with the organisers and with officers of the Parks Service and are currently working with them to determine an appropriate occupancy for the venue and ensure other arrangements are in place to manage the event safely. |
| 3.15 | The event organiser will also be required to circulate a resident's notification letter which must be agreed with the Service. |
| 3.16 | Representatives of both the Parks Service and event organisers will be available at your meeting should you wish to seek further information about the event. |
| 3.17 | A copy of the letter from the event organisers about the festival and their rationale for the request to extend the hours is attached at Appendix 1. |
| 3.18 | A location map is attached at Appendix 2. |
| 3.19 | <p><u>PSNI</u></p> <p>The PSNI has been consulted regarding the festival and the request to operate all three nights of their festival to 1.00 a.m. and has confirmed that it has no objections to this festival. A copy of its comments is attached at Appendix 3.</p> |
| 3.20 | <p><u>NIFRS</u></p> <p>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.</p> |
| 3.21 | <p><u>Health, Safety and Welfare Issues</u></p> <p>Having worked with the event organisers for their June festival we are satisfied that the space can accommodate the proposed festival and, to date, the organisers have co-operated fully regarding measures to protect public safety and the surrounding area.</p> |
| 3.22 | <p><u>Noise Issues</u></p> <p>The venue is surrounded by commercial businesses, offices and licensed premises and a noise report will be drafted for the Environmental Protection Unit (EPU) to assess once submitted.</p> |
| 3.23 | At the festival in June, one complaint was received which related to music noise at the end of the night when patrons were vacating the venue. Officers of the Night Time Noise Team attended but did not consider that the levels warranted any formal action. |
| 3.24 | Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives councils additional powers in relation to the control of entertainment noise after 11.00 p.m. |

| | |
|------|--|
| 3.25 | <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> |
| 3.26 | <p><u>Equality and Good Relations Implications</u></p> <p>There are no equality or good relations issues associated with this report.</p> |
| 4.0 | <p>Documents Attached</p> |
| | <p>Appendix 1 – Applicant’s Rationale</p> <p>Appendix 2 – Location Map</p> <p>Appendix 3 – PSNI Response</p> |