



Subject:	Application to provide entertainment beyond 11.00 pm within a Marquee at Custom House Square for the Cathedral Quarter Arts Festival
Date:	21 st March, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
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 or Summary of main Issues
1.1	The Cathedral Quarter Arts Festival will run their annual musical arts festival over eleven nights within a marquee at Custom House Square from Thursday 3 rd May to Sunday 13 th May 2018. This report is to consider a request from the organisers to permit entertainment to run beyond 11.00 pm to 12.00 am on two of those nights.
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 either or both of the two proposed nights should be permitted to take place beyond the standard hours of licence or;2. Refuse either or both of the extended hours as requested.
3.0	Main report
	<u>Key Issues</u>
3.1	Custom House Square is the responsibility of the Department for Communities and they currently hold both a 7-Day Annual Outdoor Entertainments Licence and a 7-Day Annual Marquee Entertainments Licence for the Square.
3.2	The standard days and hours during which the marquee is currently licensed to provide

entertainment are:

- Monday to Sunday: 11.30 am to 11.00 pm.

3.3 In addition, the following 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.
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 The Cathedral Quarter Arts festival has been taking place for the last 18 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.

3.5 Members will recall that in previous years the Committee has granted extensions beyond the standard hours of 11.00 pm for the Cathedral Quarter Arts Festival. This was last considered by the Committee at your meeting on the 15 March 2017 when the organisers requested that entertainment be permitted beyond 11.00 pm to 12.00 am on three nights of the event. After consideration you agreed to grant the request to extend the hours.

3.6 Members will also be aware that the Committee has previously granted extensions beyond the standard hours of 11.00 pm for other events and festivals at the venue. The last such request was in June 2017 when permission was granted for the Oktoberfest to operate its event beyond the permitted hours of 11.00 pm on each of their six nights.

3.7 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.

3.8 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.

3.9 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.

3.10 The organisers have requested that you give consideration to permitting two nights of the event to run beyond 11.00 pm as follows:

- Friday 4 May 12.00 am

- Saturday 5 May 12.00 am

Rationale for additional hours

- 3.11** 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 as Appendix 1.
- 3.12** A Location Map is attached as Appendix 2.
- 3.13** 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.
- 3.14** 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 other venues and local restaurants before attending the event.
- 3.15** 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 raise their profile and support a headline festival act.
- 3.16** 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.
- 3.17** Officers have also discussed the resident's notification and how this is essential to the success of events at the venue, particularly if hoping to operate beyond 11.00 pm. We will continue to liaise with organisers to ensure that the letter is issued to the correct addresses prior to the event taking place.
- 3.18** Representatives of the Cathedral Quarter Arts Festival will be available at your meeting should you wish to seek further information about the festival.

PSNI

- 3.19** The PSNI have been consulted regarding the event and their request to operate two nights of the event to 12.00 am. Their response will be reported at your meeting.

NIFRS

- 3.20** The Northern Ireland Fire and Rescue Service have also been consulted about the application and confirmed that they have no concerns about the event.

Health, safety and welfare issues

- 3.21** 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.
- 3.22** A pre-event planning meeting will be arranged with the organisers, PSNI and NIFRS to ensure that everything is being done to protect public safety, review traffic management and wider operational issues for the event.

Noise issues

3.23	The Environmental Protection Unit (EPU) has been consulted in relation to the request for late night entertainment to run beyond 11.00 pm on two of the eleven nights at the venue.
3.24	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. 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.
3.25	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.
3.26	Last year's festival did not generate any complaints.
3.27	Officers will work with the organisers and their representatives on appropriate noise management plans and procedures for the festival to ensure that noise from the event will not cause unreasonable disturbance to both the commercial and residential premises of the area.
<u>Financial and Resource Implications</u>	
3.28	Officers will be required to carry out inspections at the event but this is catered for within existing Service budgets.
<u>Equality and Good Relations Implications</u>	
3.29	There are no equality or good relations issues associated with this report.
4.0	Appendices – Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Location map • Appendix 2 – Rationale from the organiser outlining the reasons for requesting the extended hours