



Subject:	Application to provide outdoor musical entertainment beyond 11.00 pm at Woodvale Park
Date:	19 th June, 2019
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Moira Dougherty, Senior Building Control Surveyor, ext. 2458

Restricted Reports

Is this report restricted?

Yes

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No

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If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Some time in the future

Never

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☐

Call-in

Is the decision eligible for Call-in?

Yes

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No

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1.0	Purpose of Report or Summary of main Issues
1.1	To consider a request from Twaddell and Woodvale Residents Association, to hold an outdoor musical event at Woodvale Park on the 9 th to 11 th July 2019 and to permit entertainment to run beyond 11.00 pm on the 9 th and 11 th July 2019.
2.0	Recommendations
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 the events on the 9th and 11th July 2019 should be permitted to take place beyond the standard hours of licence to 1.00 am or;

	2. Refuse to extend the hours as requested.
3.0	Main report
	<u>Key Issues</u>
3.1	Members are advised that a 7-Day Annual Outdoor Entertainments Licence and a 7-Day Annual Indoor Licence for a Marquee has been granted for Woodvale Park and both have been used to hold events in the past. The Licences are held by the City and Neighbourhood Services Department and are transferred to the organisers for the duration of their event.
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.
3.3	<p>In addition, the following Special Conditions are attached to both the Marquee and Outdoor Entertainments Licences:</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 11.00 pm must be considered by the Licensing Committee and therefore must be made at least 3 months in advance of the proposed event. 4. Should an application to provide entertainment beyond 11.00 pm be granted and the Council then receive a significant number of complaints regarding noise or the complaint is of such significant impact, authority is granted to the Director of Planning and Building Control, in consultation with the City Solicitor, to reduce the finishing time for any subsequent nights of the event, in which case the promoter will be required to make contingency arrangements.
3.4	The Twaddell and Woodvale Residents' Association have been an active participant in the bonfire programme for a number of years. In 2007 they were involved in the design of the Bonfire Beacon as an alternative to the traditional 11th July bonfire and they have successfully run this event from 2008, attracting over 1000 people.
3.5	<p>The People and Communities Committee, at their meeting on 4 June 2019, granted authority to Twaddell and Woodvale Residents' Association to hold a three-day festival in Woodvale Park in July 2019. The use of the park for this event is subject to satisfactory terms being agreed with the Director of City and Neighbourhood Services including:</p> <ul style="list-style-type: none"> • The completion of an appropriate event management plan • Satisfying all statutory licensing responsibilities • Relevant consultation and agreement of satisfactory terms by the Director for City and Neighbourhood Services
3.6	This will be subject to ratification by Council at their meeting of 1 July 2019.
3.7	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.

3.8	As this is not an application to vary the terms of the Outdoor 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.
3.9	Members are reminded that last year the Committee considered an extension beyond the standard hours of 11.00 pm to 1.00 am for this event at Woodvale Park and, after consideration, you agreed to grant the request to extend the hours.
3.10	Members will be aware that the Committee has granted extensions beyond the standard hours of 11.00 pm for other events and festivals including the Feile An Phobail, events in Lower Crescent Park and Cathedral Quarter Arts Festival.
	<u>Rationale for additional hours</u>
3.11	The organisers have not yet finalised the details for the event but they have confirmed that Woodvale Festival will provide a three-day programme of workshops, lectures, exhibitions, family activities and live concerts from 9th to 11th July. The live concerts are designed to bring mainstream artists to one of Belfast's most disadvantaged areas as well as provide proactive diversionary activities at a time of potential heightened tensions.
3.12	The organisers have requested that you consider permitting entertainment on Tuesday 9th and the last night of their programme of celebrations on the 11th July 2019 to run beyond 11.00 pm to a maximum of 1.00 am.
3.13	A copy of the letter from the organisers outlining the background to the festival and reasons for requesting the extended hours beyond 11.00 pm is attached as Appendix 1.
3.14	A representative of the event organiser will be available at your meeting should you wish to seek further information about the event.
3.15	A Location Map is attached as Appendix 2.
	<u>PSNI</u>
3.16	The PSNI have been consulted regarding the event and their request to operate on the 9th and 11th July to 1.00 am and they have no objections to this proposal.
3.17	A copy of their correspondence is attached as Appendix 3.
	<u>Health, safety and welfare issues</u>
3.18	Officers have engaged with the organisers and Officers of the Parks Service on previous events and will work with them again this year to agree an Event Management Plan and the layout plan for the site. Through this work, we will determine an appropriate occupancy for the event and ensure other arrangements are in place to manage the event safely.
3.19	Officers from the Service have carried out inspections for previous events and have found that the organisers have adhered to the health, safety and welfare management requirements during that time.
	<u>Noise issues</u>
3.20	The Environmental Protection Unit (EPU) has been consulted in relation to the event and the request to operate to beyond 11.00 pm on two nights. They have confirmed that five

	complaints were received in relation to last year's event for the night of the 9 th July. Four complaints were in relation to excessive patron noise from the park and the other complaint was in relation to loud entertainment music emanating from the park at 22.00 hrs. No formal action was taken in respect of the noise complaints.
3.21	EPU is supportive of all events aimed at improving the attractiveness and diversity of the City and communities. They are committed to working with organisers to ensure events are successful and to achieve a balance between the rights of residents, the event, the promotion of the city and the wider benefits to the local economy.
3.22	An appropriate noise report will be developed in conjunction with the Council's Parks Service and EPU will work with the organiser to ensure noise break out and disturbance is kept to a minimum and that the agreed noise limit is in line with the relevant Code of Practice.
3.23	Members are reminded that the Clean Neighbourhood and Environment Act 2011 (amendments to Noise Act 1996) gives council's additional powers in relation to the control of entertainment noise after 11.00 pm.
3.24	Furthermore, The Code of Practice on Environmental Noise Control at Concerts advises that for events continuing after 11pm the music noise should not be audible within noise sensitive premises with windows open. It is noted that in the event of excessive noise disturbance, the finish time may be brought forward.
3.25	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.
	<u>Financial and Resource Implications</u>
3.26	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>
3.27	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 – Rationale for requesting the extended hours • Appendix 2 – Location Map • Appendix 3 – PSNI Correspondence