



Subject:	Application to provide outdoor musical entertainment beyond 11.00 pm at Falls Park
Date:	19 th June, 2019
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Darren McCamphill, Senior Building Control Surveyor, ext. 2444

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 the organisers of Féile an Phobail to hold a 3-day music event within Falls Park, running from Thursday 8 August to Sunday 11 August 2018, and to permit the entertainment to run beyond 11.00 pm on all 3 occasions.
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 any or all 3 of the events should be permitted to take place beyond the standard hours of licence to 1.00 am; or2. Refuse to extend any or all of 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 Falls Park and both have been used to hold numerous events in the past; primarily for this event. 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> <ul style="list-style-type: none"> • Maximum numbers will be agreed at the discretion of the Building Control Service and will vary depending upon individual concert set up proposals. • 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. • 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. • 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 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. However, Boyzone has been identified as the headline act to perform on 10th August. Musical performances are also scheduled for 8th, and 11th August.
3.5	<p>The People and Communities Committee, at their meeting on 4th June 2019, agreed the use of the park for this event 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 may recall that last year you agreed to grant the organisers permission to operate all of their four nights of the event at the venue beyond the standard hours of 11.00 pm to 1.00 am.
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 Cathedral Quarter Arts Festival and events in Lower Crescent Park.
	<u>Rationale for additional hours</u>
3.11	The event has been run for a period in excess of 30 years as a community festival. The event has grown over the years from being held for 2-3 days to a full 10-11 day internationally acclaimed festival offering an eclectic mix of arts and cultural events, ranging from headline music concerts, comedy, tours and walks, debates and discussions, exhibitions / visual arts, theatre, youth and community and sporting events. This year's festival will run from Thursday 1st to Sunday 11th August.
3.12	For 2018 the event organisers consolidated the entertainment events at Falls Park from 11 nights to 4 nights. This decision was motivated by a desire to limit disruption to the community in close proximity to Falls Park. The event organisers have sought to adopt a similar strategy for this year's festival.
3.13	The event organisers have also indicated that although the application is to provide 3 nights of entertainment to 1.00 am, it is envisaged that entertainment will only run to 1.00 am on Thursday 8th August. Entertainment on the 2 remaining evenings will finish before this time.
3.14	The ability to operate beyond the permitted hours to 1.00 am is a continuation of the organiser's strategy to mitigate against antisocial behavior in the greater Belfast area. The organisers have cited that last year's festival was successful in avoidance of such activity in areas of the city beyond the traditional catchment area of west Belfast.
3.15	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. A significant addition to this year's festival is a televised international boxing event which is to be hosted in Falls Parks. The outdoor boxing event is scheduled for Saturday 3 rd August. Members should be aware this activity falls outside the scope of the Outdoor Entertainments Licence.
3.16	Acts for this year's festival are still being finalised but a number of international artists that will appeal to all age groups are booked and a full running order should be completed during the month of June.
3.17	A copy of the letter from the organisers outlining the background to the festival and reasons for requesting the extended hours to 1.00 am is attached as Appendix 1.
3.18	A representative of the event organiser will be available at your meeting should you wish to seek further information about the event.
3.19	A Location Map is attached as Appendix 2.
	<u>PSNI</u>
3.20	The PSNI have been contacted by the Service in relation to the event. At the time of writing of this report the Service have not received a response to this request, we will update Committee at your meeting.

	<p><u>Health, safety and welfare issues</u></p>
3.21	Officers have engaged with the organisers and Officers of the Parks Service in relation to the festival. Officers have also participated in a multi-agency meeting held in respect of the outdoor musical entertainment but await receipt of the Event Management Plan.
3.22	Event organisers continue to engage with the Service as the proposals in relation to the events develop.
3.23	Officers from the Service have carried out during performance inspections at previous events organised by Féile an Phobail and found that the organisers have adhered to the health, safety and welfare management requirements during that time.
	<p><u>Noise issues</u></p>
3.24	The event organiser has engaged with an independent acoustic consultant to develop a noise mitigation strategy. Once received by the Service this strategy will be provided to Environmental Protection Unit (EPU) for appraisal.
3.25	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.
3.26	A significant matter of concern for EPU is the proposal to provide entertainment after 11.00pm. 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.
3.27	Prior to last year's festival officers expressed concern regarding the potential for disturbance to residents in close proximity to the park. At the conclusion of the festival there were in excess of 20 noise complaints attributed to the events.
3.28	The complaints were brought to the attention of the event organisers and their acoustic consultant both at the time of the events and in discussions with the organisers in preparation for this year's festival. No formal action was undertaken in respect of the noise complaints.
3.29	When all reports and supporting information have been developed for the event they will be considered by Officers to ensure the technical requirements are in accordance with all relevant legislation and guidance. The noise mitigation strategy must demonstrate that noise from the event will not cause unreasonable disturbance to commercial and residential premises. The event organisers have been advised of the standard licence condition that significant complaints may lead to further late nights being curtailed.
3.30	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.
	<p><u>Financial and Resource Implications</u></p>
3.31	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/Rural Needs Assessment</u>
3.32	There are no 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