



Subject:	Application for the Grant of a 14-Day Occasional Outdoor Entertainments Licence for Wedderburn Playing Fields
Date:	18 August, 2021
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 <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
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	<p>To consider an application for the grant of a 14-Day Occasional Outdoor Entertainments Licence and for permission to provide entertainment after 11.00 pm in respect of Wedderburn Playing Fields based on the Council's standard conditions to provide outdoor musical entertainment.</p> <table><tr><td>Area and Location</td><td>Ref. No.</td><td>Applicant</td></tr><tr><td>Wedderburn Playing Fields 5 Wedderburn Gardens Belfast BT10 0FZ</td><td>WK/2020/01494</td><td>Mr Ryan Black City and Neighbourhood Services Department Belfast City Council</td></tr></table>	Area and Location	Ref. No.	Applicant	Wedderburn Playing Fields 5 Wedderburn Gardens Belfast BT10 0FZ	WK/2020/01494	Mr Ryan Black City and Neighbourhood Services Department Belfast City Council
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1.2	A location map is attached as Appendix 1.						

1.3	Given the recent restrictions under the Health Protection (Coronavirus, Restrictions) Regulations there remained significant uncertainty as to whether live outdoor music events would be permitted in August and, if they were, whether mitigation measures would be such that it would have rendered the provision of the event unviable.
1.4	The uncertainty meant that event organisers were reluctant to make a financial commitment to preparing event management information that would normally be provided to the Service prior to a report being brought to Committee.
1.5	The proposed dates of the forthcoming Finaghy Residents event are such that this is the only Committee meeting at which this matter can be considered.
2.0	Recommendations
2.1	Taking into account the information presented Members of the Committee are asked to recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive exercise her delegated authority, subject to no representations being received, a satisfactory response from statutory consultees and all technical requirements being met, and either: <ul style="list-style-type: none"> a) Approve the application for the grant of the 14-Day Occasional Outdoor Entertainments Licence, or b) Approve the application for the grant with special conditions, or c) Refuse the application for the grant of the 14-Day Occasional Outdoor Entertainments Licence.
2.2	Should you recommend approval of the application you may then recommend that: <ul style="list-style-type: none"> d) Either or both of the events should be permitted to take place beyond the standard hours of licence to 11.30 pm; or e) Refuse to extend either or both of the hours of the events as requested.
2.3	If an application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the County Court. In the case that the applicant subsequently decides to appeal, outdoor entertainment may not be provided until any such appeal is determined.
3.0	Main report
	<u>Key Issues</u>
3.1	As for all licences associated with Council parks the applicant is Ryan Black, Director of Neighbourhood Services.
3.2	The standard days and hours for an Outdoor Entertainments Licence are: <ul style="list-style-type: none"> • Monday to Sunday: 11.30am to 11.00pm.
3.3	In addition, the following Special Conditions are attached to Outdoor Entertainments Licences: <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 applicant for the additional hours past 11.00 pm is Lynda Courtney on behalf of the Finaghy Residents Group. The Residents' Group has applied to provide outdoor entertainment on the playing fields for a community cultural festival running from Friday 27 to Sunday 29 August.

3.5 The residents group proposes to provide entertainment in the form of live music on Friday 27 August and to provide traditional music and live singers on Saturday 28 August until 11.30 pm. The Sunday event ends at 5 pm.

3.6 The meeting of the Members of the People and Communities Committee on 8 June 2021, agreed to recommend that the Chief Executive use her delegated powers to authorise the use of the park for this event subject to satisfactory terms being agreed with the Director of City and Neighbourhood Services including:

- 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

Rationale for additional hours

3.7 The residents group indicated that their community cohesion has suffered greatly over the past 17 months and the three-day event aims to help build stronger relationships and help bring all the community together.

3.8 As the main evening event is not commencing until 9.00pm, the residents group believe it would benefit their program of events if they could have the extra half an hour on each of the two nights, Friday 27 and Saturday 28 August.

3.9 A Supporting statement from Finaghy Residents Group requesting the additional hours is attached as Appendix 2.

3.10 Members are reminded that all applications for the grant of Outdoor Entertainments Licences and requests to provide outdoor entertainment beyond 11.00pm are subject to consideration by Committee.

Representations

3.11 Public notice of the application has been placed and to date no written representation has been lodged as a result of the advertisement. However, the 28-day statutory period has not yet expired. Should Members be minded to recommend that the licence be granted this

should be subject to there being no written representation received as a result of the advertisement.

PSNI

- 3.12 The Police Service of Northern Ireland has been consulted in relation to the application. At the time of writing this report the Service have not received a response. An update will be provided for Members at your meeting.

NIFRS

- 3.13 The Northern Ireland Fire and Rescue Service has been consulted in relation to the application. When additional fire safety information is available to permit an assessment being made the NIFRS will provide a consultation response.

Health, safety and welfare

- 3.14 Given the current restrictions under the Health Protection (Coronavirus, Restrictions) Regulations there remained significant uncertainty as to whether live outdoor music events would be permitted in August.

- 3.15 Officers from the Service will engage with the applicant and event organisers in the lead up to the event to ensure all documentation and technical information is in place.

- 3.16 When received, the Service will provide a copy of the applicant's proposals to mitigate the spread of COVID-19 to the Health and Safety section of City and Neighbourhood Services for their consideration.

- 3.17 Additionally, officers will inspect the site during the build of the event space and following its completion to ensure they are satisfied all safety and management procedures are in place.

Noise

- 3.18 The applicant has been requested to provide the Service with an acoustic report for the event. When received, it will be provided to the Environmental Protection Unit (EPU) for evaluation.

- 3.19 A consideration for EPU will be the proposal to provide outdoor entertainment after 11.00pm. Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives the council additional powers in relation to the control of entertainment noise after 11.00 pm.

- 3.20 When a report has been developed for the event it 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.

- 3.21 The organisers will also be required to produce a suitable neighbourhood notification letter and officers will agree the extent of its distribution prior to the event taking place.

Applicant

- 3.22 The applicant, and/or their representatives, for both the licence and the event will be available at your meeting to answer any queries you may have in relation to the application.

3.23	<p><u>Financial & Resource Implications</u></p> <p>None.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>
3.24	<p>There are no issues associated with this report.</p>
4.0	<p>Appendices – Documents Attached</p> <ul style="list-style-type: none"> • Appendix 1 – Location map • Appendix 2 – Supporting statement from Finaghy Residents Group