

Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

APPLICATION FOR OUTDOOR EVENT LICENCE FOR

STUDENT BALL (VARCITY BALL 2018) AT THE HARBOUR FERRY TERMINAL DÚN LAOGHAIRE HARBOUR On Friday April 27th 2018

LEGISLATIVE CONTEXT

- i) Planning and Development Act, 2000, as amended, Part XVI;
- ii) Planning and Development Regulations, 2001, as amended.

Part XVI of the Planning and Development Acts, 2000, as amended, provides for the requirement of a licence for the holding of outdoor events. Section 231 refers to Regulations relating to matters of procedure and administration for applications and the granting of licences. An event is defined in Section 229 of the Act as:

- (a) "a public performance which takes place wholly or mainly in the open air or in a structure with no roof or a partial, temporary structure and which is comprised of music, dancing, displays of public entertainment or any activity of a like kind, and"
- (b) "any other event as prescribed by the Minister under section 241".

Article 183 of the Planning and Development Regulations, 2001, as amended defines an event as being "an event at which the audience comprises 5,000 or more people shall be an event prescribed for the purposes of Section 230 of the Act."

APPLICATION

Dún Laoghaire-Rathdown County Council received an application for a licence from Jacobs Anderson Ltd. on the 25th January 2018. It is proposed that the event will comprise of a Student Ball with live entertainment performances for various colleges and universities in Dublin to be held on Friday 27th April 2018 at the Harbour Ferry Terminal area Dún Laoghaire.

The Applicant has submitted a Draft Event Management Plan, with respect to the proposed event.

INVOLVEMENT OF COLLEGES AND UNIVERSITIES

The Applicant has stated that the creation of The Ball 2017 came as a welcomed announcement to the third level institutions, who expressed value in the social and inclusive nature of the event.

The event for 2018 will be partnered with UCD, DIT and a number of other smaller Dublin based colleges who will all have an active role in the development of the event from a safety and student involvement point of view. Through an active partnership with each College's Student Union the

aim is to create an annual flagship event to close off the academic year. This unique partnership allows the promoters to work in tandem with each College's Student Union providing an unrivalled level of access for the four months leading up to the event. A key member from each partner College will be involved in the event planning and development process. These direct members as well as their extended 'Ents' teams will be involved in the artist selection and direction of the event.

Tickets will be sold exclusively to students enrolled in Irish third-level educational institutions and each person will be limited to two (2) tickets but both persons will have to be students i.e. have current student cards.

Tickets will be available from DIT and UCD Student Union Officers as these will be the biggest areas for sale. In addition to these three colleges, a number of the smaller colleges will be issued tickets on request. A dedicated website will be built for 'The Ball', which will host all event information as well as being a ticket portal.

EVENT DESCRIPTION

The event will be held in the grounds of the Dún Laoghaire Ferry Terminal and is the second year for this event. There will be a main stage and a small stage for the acts proposed on Friday 27th April 2018. The Applicant states that the maximum anticipated attendance number for the event is 7,000 people and the audience profile is over 18s only i.e. 18 – 25 years predominantly. The event will finish at 23:00hrs. The gates will open at 15:00hrs.

The proposed Acts include, 'All Tvvins', 'Disciples', 'Sean Kingston', 'Totally Enormous Extinct Dinosaurs', 'Yungen', 'Soule', 'EJECA', 'Wild Youth', 'Huxley', 'Boots & Kats', 'Frank Jez', 'Fabu D', 'Marcus O' Laoire', 'Peking Party' and 'DIT DJ Soc'.

There will be two bars – a large bar serving beer, wine and cider and a smaller one serving cocktails. There will also be food vendors within the site.

In order to encourage the students to leave the event area as soon as possible after the event, 'The Ball' will be partnered with a number of Dublin's student nightlife promoters and venues and transfer to these venues will be provided from the site after the event. These venues will act as designated after parties following the event with at least one of the artists performing at each designated after party venue to ensure festival attendees leave the site to continue on with their evening's entertainment. Tickets for after parties will be made available in the final weeks leading up to the event.

The Draft Event Management Plan submitted, noted that the following Codes of Practice and Publications were taken account of in the preparation of the Draft Event Management Plan:

1. *Code of Practice for Safety at Outdoor Pop Concerts and Other Outdoor Musical Events.*
2. *Code of Practice for Safety at Sports Grounds.*
3. *Code of Practice for Management of Fire Safety in Places of Assembly, Department of Environment.*
4. *Fire Safety in Places of Assembly (Ease of Escape) Regulations.*

5. *Code of Practice for Fire Safety of Furnishings and Fittings in Places of Assembly*, Department of Environment.
6. *Fire Services Act 1981, as amended in 2003.*
7. *A Framework for Major Emergency Management, PRN.A6/1509.*
8. *Health, Safety & Welfare at Work Act, 2005.*
9. *Health, Safety & Welfare at Work (Construction Regulations), 2013.*
10. *Health, Safety & Welfare at Work (General Applications) Regulations, 2007.*

The Draft Management Plan includes the following sections:

1. Introduction & General Arrangements
2. Event Management & Safety Strategy
3. Event Safety Measures
4. Health, Safety & Welfare Arrangements
5. Environmental Protection
6. Command, Control & Communications
7. Medical Facilities
8. Crowd Management & Security
9. Emergency Plans and Procedures
10. Traffic Management Plan.

Appendices:

Appendix 1: Contact Details.

Appendix 2: Venue Regulations.

Appendix 3: Duties of Security.

Appendix 4: Emergency Procedures.

Appendix 5: Event Specific Risk Assessment.

Appendix 6: Licence compliance.

A statement of compliance from the Applicant was submitted with the application. This statement is dated 15th January 2018.

It is considered that the application complies with requirements set out in Article 187 of the Planning and Development Regulations, 2001, as amended in relation to form and content of the application.

PRE-APPLICATION CONSULTATION

Article 186(1)(A) of the Planning and Development Regulations, 2001, as amended, states that 'A local authority shall not accept an application for a licence for a proposed event unless a pre-application consultation meeting under article 184 has taken place in relation to the event during the 12 month period prior to the date of the event to which the application relates or, in the case of an application for a number of events at a venue in a period not exceeding one year, 12 months prior to the holding of the first event'.

A pre-application meeting was held in accordance with the above Article in the offices of the Local Authority on 13th September 2017.

APPLICATION SUBMISSION

The Planning and Development (Amendment) Regulations, 2015, came into operation on 1 October 2015.

Therefore, with regard to the above amendment, Article 186 (1) of the Planning and Development Regulations, 2001, as amended provides as follows: -

"An application must be made at least 13 weeks prior to the date for the holding of the event to which the application relates or, in the case of an application for a number of events at a venue in a period not exceeding one year, at least 13 weeks prior to the holding of the first event."

Note: The application was lodged on the 25th January 2018, and is, therefore, in excess of 13 weeks prior to the date of the first proposed event on the 27th April 2018.

LOCATION OF EVENT

The event will be held in Dún Laoghaire Harbour in the centre of Dún Laoghaire town. The proposed site comprises land to the north of the disused Ferry Terminal Building and the associated car parking area. The site area comprises a hard surfaced area.

The wider Harbour area has accommodated a number of public events in recent years.

ZONING AND OBJECTIVES

In the Dún Laoghaire-Rathdown County Development, 2016-2022, the event site is zoned 'W', with a specific objective-"*To provide for waterfront development and harbour related uses*".

The subject site is also located within a Candidate Architectural Conservation Area and is subject to a proposed Dún Laoghaire and Environs Local Area Plan. The site is also located within the boundary of the Dún Laoghaire Urban Framework Plan.

There are a number of Specific Local Objectives on the subject site as follows:

- No. 13: *'To facilitate the continued development of the Harbour, ensuring at all times that the historic significance and natural beauty of this public amenity is protected, in advance of the preparation of the Dún Laoghaire and Environs Local Area Plan (LAP). Following the adoption of the Dún Laoghaire and Environs LAP, the future development of the Harbour will thereafter be guided by the principles and objectives of the Plan and that of Policy E14'.*
- No. 143: *'To encourage and support the Dún Laoghaire Harbour Company in the establishment of a diaspora centre within the Dún Laoghaire Harbour Area'.*
- No. 156: *'In accordance with National Policy, the Council shall, within the relevant planning frameworks, formulate and implement, where appropriate and applicable, a plan for the future development of Dún Laoghaire Harbour and its curtilage'.*

It is considered that the licence complies with the provisions and land use zoning as set out in the Dún Laoghaire-Rathdown County Development Plan, 2016-2022.

WRITTEN NOTIFICATION & CONSULTATION WITH PRESCRIBED BODIES

Article 189 (1) of the Planning and Development Regulations, 2001, as amended, requires that the licence application be circulated to certain prescribed bodies. The Council submitted copies of the application to:

1. Chief Superintendent, An Garda Síochána.
2. Fire Officer, Dublin Fire Brigade, HQ.
3. Senior Executive Engineer, Municipal Services Department, Dún Laoghaire-Rathdown County Council.
4. Environmental Health Officer, East Coast Area Health Board.
5. Environmental Health Officer, Air and Noise Unit, Fingal County Council.
6. Environmental Health Service, HSE Dublin Mid Leinster.
7. Emergency Management Officer, HSE Dublin North East.
8. Environmental Health Executive, HSE Environmental Health Department.
9. Iarnród Eireann – Irish Rail.
10. Dún Laoghaire Harbour Company.
11. Spatial Planning Strategy Specialist, Irish Water.

As per the Planning and Development Regulations, 2001, as amended, the Council gave notice of the both the pre-application consultation and the proposed Application for Outdoor Events Licence for the Proposed VarCity Ball 2017 to the aforementioned prescribed bodies on the 26th January 2018. It was indicated that submissions or observations would be accepted up to and including Thursday, 15th February 2018 for the proposed Outdoor Event Licence Application.

CONTACT DETAILS FOR PRESCRIBED BODIES:

Prescribed Bodies	Address	Telephone
1. Kevin Gralton, Chief Superintendent, An Garda Síochána.	34/35, Corrig Avenue, Dún Laoghaire, Co. Dublin.	(01) 666 5000
2. Keith Brunkard, Fire Officer, Dublin Fire Brigade.	Dublin Fire Brigade H.Q., 165-169 Townsend Street, Dublin 2.	(01) 673 4000
3. Bernard Egan, Senior Executive Engineer, Municipal Services Department.	Dún Laoghaire-Rathdown County Council, County Hall, Marine Road, Dún Laoghaire, Co. Dublin.	(01) 2054700
4. Sean Mrozek, Environmental Health Officer, Environmental Health Service, HSE Dublin Mid-Leinster.	8 Corrig Avenue, Dún Laoghaire, Co. Dublin.	(01) 280 2566
5. George Sharpson, Environmental Health Officer.	Air & Noise Unit, Fingal County Council, Grove Road, Blanchardstown, Dublin 15.	(01) 890 5982
6. Kieran Carberry, Principal Environmental Health Officer, Environmental Health Service, HSE Dublin Mid-Leinster.	8 Corrig Avenue, Dún Laoghaire, Co. Dublin.	(01) 280 2566
7. Brendan Lawlor, Chief Emergency Management Officer, HSE Dublin North East.	Phoenix Hall, St. Mary's Hospital Campus, Dublin 20.	(01) 625 0300
8. Linda McDonald, Health Service Executive, Environmental Health Department.	12 Northumberland Avenue, Dún Laoghaire, Co. Dublin.	(01) 2715007
9. Keith O'Connor, Iarnród Éireann – Irish Rail.	Head Office, Connolly Station, Dublin 1.	(01) 703 2358
10. Tim Ryan, Dún Laoghaire Harbour Company.	Harbour Lodge, Crofton Road, Dún Laoghaire, Co. Dublin.	(087) 4558576
11. Suzanne Dempsey, Spatial Planning Strategy Specialist.	Irish Water, P.O. Box 6000, Dublin 1.	(01) 892 5000

THE FOLLOWING COMMENTS WERE RECEIVED FROM THE PRESCRIBED BODIES:

1. HSE Dublin Mid-Leinster -Environmental Health Officer

A written response was received (dated 31st January 2018), which details a number of conditions on which the granting of a licence should be based.

2. Environmental Health Officer- Air and Noise Unit

A written response was received (dated 31st January 2018), which details a number of conditions on which the granting of a licence should be based.

3. Irish Water

A written response was received (dated 14th February 2018), which details a number of conditions on which the granting of a licence should be based.

4. Dublin Fire Brigade

A written response was received (dated 6th February 2018), which details a number of conditions on which the granting of a licence should be based.

NO SUBMISSIONS OR OBSERVATIONS WERE RECEIVED FROM THE FOLLOWING PRESCRIBED BODIES:

- An Garda Síochána.
- Municipal Services Department, Dún Laoghaire-Rathdown County Council.
- Environmental Health Officer, East Coast Area Health Board.
- Principal Environmental Health Officer, Environmental Health Service, HSE Dublin Mid-Leinster.
- Health Service Executive, Environmental Health Department.
- Iarnród Éireann – Irish Rail.
- Dún Laoghaire Harbour Company.

Dún Laoghaire-Rathdown County Council did not receive a submission from An Garda Síochána. In relation to this An Garda Síochána were requested by email (dated 29th March 2018) to confirm if they wish to make a submission. No further correspondence was received.

THIRD PARTY WRITTEN SUBMISSIONS / OBSERVATIONS

No third party submissions / observations were received within the statutory prescribed period.

DECISION ON APPLICATION

Section 231 (3) (a) of the Planning and Development Acts, 2000 (as amended) states that: -

"Where an application for a licence is made in accordance with regulations under this section, the local authority may decide to grant the licence, grant the licence subject to conditions as it considers appropriate or refuse the licence."

SUMMARY AND RECOMMENDATION

The Local Authority have had regard to the Pre-application Consultation, the information relating to the application furnished to it by the Applicant and the submissions received in accordance with the Planning and Development Act, 2000, as amended, and the Planning and Development Regulations, 2001, as amended. It is considered that the application for an event licence complies

with the requirements of the Planning and Development Act and Regulations. It is recommended that the outdoor event licence be granted, subject to the following conditions, which accord with Section 231, Sub Section 3 and 4 of the Planning & Development Act, 2000, as amended:-

CONDITONS

1. The Outdoor Events Licence shall be for a maximum of 1 day for the event 'VarCity Ball 2018', which shall be held from 15h00 to 23h00 on Friday 27th April 2018. The Outdoor Events Licence shall be for a maximum capacity of 7,000 people for the event 'VarCity Ball 2018'. All plans and proposals submitted, as part of the application shall be implemented in full save as may be required by other conditions attached hereto.

2. An Event Management Plan shall be formally agreed with Dún Laoghaire-Rathdown County Council, Dublin Fire Brigade H.Q., Health Service Executive, An Garda Síochána, Irish Rail and Dublin Bus - a minimum of two weeks before the event and written confirmation of agreement shall be submitted to the Council prior to commencement of the event. Subsequently, the agreed Event Management Plan shall be implemented in full.

HEALTH SERVICE EXECUTIVE (ENVIRONMENTAL HEALTH SERVICE)

3. Wind Management:

All portaloos/sanitary accommodation/urinals etc. to be properly secured against high winds and not placed in an area where they are potentially exposed to such winds.

4. Sanitary Accommodation:

(i) Sanitary facilities are to be checked the morning of the day prior to the start of the festival.

(ii) Repairs to be completed by that evening and checked and signed off.

(iii) Sanitary accommodation should be placed where it is easily accessed and of the most benefit.

(iv) Baby changing facilities and disposal for nappies, etc. should also be included and disabled units should also be placed at strategic locations. The disabled facilities should be provided for as per the Event Management Plan Section 4.4.

(v) Portable stand up urinal areas to be adequately screened and maintained and hand sanitisation provided within the area.

(vi) Signage and directional signage for the sanitary accommodation to be clearly visible at overhead height and if possible, temporary site maps with facilities clearly shown made available or included in promotional brochures.

(vii) Hand sanitation to be provided and maintained for the duration of the event beside each group of sanitary accommodation.

5. Tobacco Control

a) All stalls, indoor areas, tents, kiosks, vehicles etc. to comply with the Public Health (Tobacco) Acts, 2002-2009. This includes no smoking signage to be in place before the event is opened to the

Public. Security staff are to be properly briefed regarding the enforcement of this legislation for the event.

6. General Sanitary Requirements and Recommendations

a) With respect to Staffing levels and duties:

(i) Enough cleaning staff to maintain toilet facilities throughout the duration of the event.

(ii) Enough security staff to maintain order at sanitary facilities and prevent damage of facilities or other anti-social behaviour.

(iii) Cleaning staff to have assigned areas/sanitary accommodation blocks and to maintain them frequently or as needed.

(iv) Cleaning staff to have proper equipment for cleaning and protective clothing, gloves, etc. and a central supply location to obtain and store equipment.

(v) Contact mobile numbers and/or radios to be provided for supervisors of cleaning staff and key Council Personnel.

7. Drinking Water Supply for Patrons:

a) Drinking water supply points to be in place five (5) days prior to start of the event and tested for biological water supply. The results are to be supplied to the Environmental Health Officers when received.

b) A drinking water supply ratio of one (1) water supply point to every one thousand (1,000) patrons (estimated number) is to be provided.

c) All taps to be protected from contamination and disinfected prior to installation, as should all pipe/hoses carrying the water supply.

d) Cleaning equipment should be tagged immediately after cleansing/disinfecting and suitably protected.

e) Signage for water points must be clearly visible above head height.

HEALTH SERVICE EXECUTIVE (ENVIRONMENTAL HEALTH OFFICER, Air & Noise Unit)

8. Noise Control

a) The music noise level shall not exceed 72 Db LAeq over a fifteen – minute period, at one metre from the façade of any noise sensitive premises for the event being held.

b) The appointment of a qualified and experienced noise control consultant to liaise between the event promoter, the sound engineer and the Environmental Health Officer for Noise Pollution on all matters relating to the noise control prior to and during the event.

c) The appointed noise control consultant shall monitor the music noise levels at 30 minute intervals to ensure noise levels are not exceeded. The Environmental Health Officer (s) shall have

access to the results of all the monitoring at any time and a copy of these shall be forwarded to the Environmental Health Officer(s) within three (3) working days after the event.

d) Compliance with specific noise levels at the nearest noise sensitive area during rehearsals, sound checks and the event. The event shall be so operated that there will be no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit, or public place in the vicinity.

e) Compliance with the specified start and finish time for the event held:

- The event shall finish no later than 23:00hrs.
- No activity shall be carried out that is likely to cause a noise nuisance to residents such as dismantling the stage, movement of equipment, etc. after this time.

IRISH WATER

9. (i) Waste water collected at temporary sanitary facilities must be disposed of in an appropriately licensed waste or waste water treatment facility. If the intended disposal route is to import the waste water to an Irish Water waste water treatment plant then the Irish Water imported waste water application process must be adhered to by the Event Manager.

(ii) The Event Manager must apply to Irish Water a minimum of eight (8) weeks in advance of any imports being received. An application form can be requested by emailing imports@water.ie.

(iii) The Event Manager should endeavor to ensure that any temporary food outlets are operated appropriately in relation to the disposal of oils, fats and greases in order to minimise impacts on the waste water collection and/or treatment system.

DUBLIN FIRE BRIGADE

10. The location of the main stage shall be as per the pre-planning for 2018 Varcity Concert (dated 13th September 2017) Ref: PAC/OEL/05/17 and the means of escape and exiting shall be likewise.

11. The finalised Event Management Plan to be submitted to Dublin Fire Brigade a minimum of two weeks (10 working days) in advance of the event and finalised drawings to be submitted a minimum of two weeks (10 working days) in advance of the event.

HEALTH SERVICES EXECUTIVE – EMERGENCY MANAGEMENT OFFICER

12. The Event Organiser shall consult with the Chief Emergency Management Officer, Health Service Executive Dublin North East prior to the event in order to agree/ approve the event specific medical plan which will form part of the Event Management Plan and shall adhere to the requirements of the Health Service Executive in this regard.

TRAFFIC MANAGEMENT GENERAL

13. The Event Traffic Management Plan shall be agreed with An Garda Síochána in consultation with Dublin Bus, Irish Rail and Dún Laoghaire-Rathdown County Council.

14. Non-compliance with any of the above conditions shall result in a fine not exceeding €10,000 for each and every occurrence.

Prepared By:

Liam Walsh

Liam Walsh
A/Senior Planner.

29-3-18

Date

ORDER: The Granting of a Licence to Jacobs Anderson Ltd under Section 231 of the Planning and Development Act, 2000 (as amended) for the holding of a Live Entertainment Performance, to be held on 27th April, 2018 at Dún Laoghaire Harbour is hereby approved subject to the 14 conditions contained on the foregoing report of the A/Senior Planner.

Date: 29/3/18.

Approved Officer: M. J. O.

Thereunto empowered by order of Príomhfheidhmeannach, Comhairle Contae Dhún Laoghaire-Ráth An Dúin, Order No. 2108, dated 14 Sept 17, delegating to me all her powers, functions and duties in relation to the County Council of Dún Laoghaire-Rathdown in respect of this matter.