

LAOIS COUNTY COUNCIL

PLANNER'S REPORT

LICENCE NO.: LIC 20 - 01

APPLICANT NAME: EP Republic

PROPOSAL: Permission for a licence to hold an outdoor musical event under the terms of Part XVI of the Planning and Development Act 2000 (as amended)

ADDRESS: Stradbally Hall, Stradbally Estate, Stradbally

RECOMMENDATION Refusal of application

LEGISLATION:

In accordance with Article 183 of the Planning and Development Regulations 2001 (as amended) an event licence is required for events where the audience comprises 5,000 or more persons. The applicant is therefore seeking a licence in accordance with Section 230 "*Obligation to obtain a licence for holding of an event*" of Part XVI "*Events and Funfairs*" of the Planning and Development Act 2000 (as amended).

I refer to Circular Letter PL 02/2021 circulated on the 2nd March 2021 Re: Event licensing in 2021 in the context of the ongoing Covid-19 pandemic. This advised that

"it is not possible at this point in time to determine with any degree of certainty whether or not it will be possible or feasible for outdoor events regulated under Part XVI of the Planning and Development Act 2000, as amended, and Part 16 of the supplementary Planning and Development Regulations 2001, as amended, to be able to proceed in 2021".

"... no events requiring event licences which were scheduled to take place in 2020 proceeded as planned due to the pandemic. In light of the circumstances then prevailing and in order to provide certainty to event promoters, the Department issued advice to planning authorities that all licence applications on-hand in respect of events which it was proposed would take

place in 2020 could remain live and be rolled over to 2021 without requiring promoters to submit new event licence applications, subject to compliance with the requirements outlined in the advice note issued”.

These administrative arrangements were considered to be the most reasonable and pragmatic approach in the extenuating circumstances faced. In light of the ongoing impact of the Covid-19 pandemic and uncertainty with regard to whether or not it will be possible or feasible for events to be able proceed this year, the Department is further advising that licence applications originally submitted in 2020 may now be further rolled over to 2022 subject to compliance with the procedures and requirements”.

PROPOSED EVENT:

EP Republic has applied for a LICENCE APPLICATION for a Proposed Multi Stage Concert event to be held on 24th September, 25th September and 26th September 2021 at Stradbally Hall Estate, Stradbally, Co. Laois, with low key entertainment on 23rd September 2021. General camping facilities, family campervan, general campervan and early entry camping facilities from 23rd September to 27th September 2021 at Stradbally Hall, Stradbally, Co. Laois.

The anticipated number of people attending the event is a maximum of 70,000 people each day including children and guests. This does not include security personnel, construction teams, technicians, first aid, public authority personnel or artists.

SUBMISSIONS / OBSERVATIONS:

The following submissions have been received and noted:-

1	Anne Devitt	Irresponsible to hold the event this year due to the pandemic. References the outbreak in a local nursing home also.
2	Brendan Devoy	The picnic should not go ahead this year based on the Pandemic and the difficulty in enforcing safety standards.
3	Brian Rankin	Event should be cancelled based on Covid and the restrictions in place for other events/sectors.

4	Christine Holohan	Event should not be permitted this year. Questions the number of beds available in hospitals and the scale of the event proposed.
5	Conor Brady	The licence should not be granted based on health and safety grounds.
6	Daithi Hewitt	Objects to the event based on health concerns and the holding of the event is too soon.
7	Elizabeth Mulhall	Objects to the holding of the event based on the pandemic and the local resident's health and safety.
8	Kate Toomey	The event should not be permitted due to major health concerns.
9	Lisa Walshe Kemis	The event should not be permitted as nothing in the plans have adequately addressed covid and preventing the spread of the disease.
10	Mary Aherne Kelly	The event should not go ahead due to health concerns.
11	Mary Mullaly	Objects to the event based on concerns for the health and safety of the community.
12	Pat Devoy	Objects to the event based on Covid in Laois.
13	Pauline Harrison	Objects to the event based on the influx of people to the town and the possible spread of Covid.
14	Sandra Conlon	Would like the event to be cancelled for this year.
15	Sarah W	Objects to the event as it could be a super spreader and it should be postponed to 2022.

EXTERNAL REPORTS:

An Garda Siochana – No observations as per email on 08/07/2021

HSE EHO – report received - conditions recommended in the event of a grant of the licence

HSE - report received – In response to Laois County Councils request for observations, LIC2021-1 to be submitted by the 22nd of July 2021 on the application by Festival Republic to hold the Electric Picnic Festival in Stradbally Hall, Stradbally County Laois from 23th September – 27th September 2021.

"I wish to make the following observations on behalf of the HSE. At this time, due to the current government guidance for the management of COVID 19, events of this nature are restricted to only 500 people attending which include patrons, staff and artist.

Please see highlighted section to the government guidance Published on 29 June 2021c and last updated on 19 July 2021".

Organised indoor events (such as large conferences, concerts and shows)

These are controlled environments with a named event organiser, owner or manager.

They are not permitted right now.

Organised outdoor events

A maximum of 200 attendees can attend the majority of venues. A limit of 500 people is in place for venues with capacity greater than 5,000 with appropriate protective measures in place - including social distancing requirements.

"Should this guidance change prior to the proposed date of the event we would of course be available to discuss in line with any update the requirements in place that may facilitate the holding of this event".

Further correspondence was received from the HSE via e-mail which states that;

"There is probably going to be substantial pressure on hospitals, not just from a Covid perspective, but also in dealing with the challenges of expanding scheduled services, never mind dealing with unscheduled care. Also we will probably be moving into the Covid booster Programme which may impact on hospital services as it certainly will impact on Community services/staffing.

Together with other anticipated demands such as expanding scheduled services and a COVID vaccination booster programme - this amounts to considerable pressure on local health services, especially hospital services".

Laois County Council – Internal Reports

Chief Fire Officer – report received, and conditions recommended in the case of a grant of the licence.

Roads Report received on 13/07/21 - conditions recommended in the case of a grant of the licence.

Eastern Area office – report received - conditions recommended in the case of a grant of the licence.

Environment Section - Report received - conditions recommended in the case of a grant of the licence.

PRE-EVENT MEETING:

Statutory Pre-Event meetings were held before the licence application was lodged with all relevant stakeholders invited. No significant issues were raised by any of the stakeholders in attendance.

Assessment

The Electric Picnic event is proposed to commence on 23rd September 2021 “low key entertainment” and maximum attendance of 20,000. The main Multi Stage Concert event is proposed for 24th September, 25th September and 26th September 2021 with an attendance of 70,000. The event also includes general camping facilities, family campervan, general campervan and early entry camping facilities from 23rd September to 27th September 2021. In general, the event is similar to previous years in terms of layout, parking and camping. The main difference this year is the additional capacity proposed at 70,000 and the dates of the event are pushed back 3 weeks towards the end of September. For comparison purposes in 2019 the capacity applied for was 60,000.

Given that the start date is later than previous years , it should be noted that the build for the site will commence in late August or before in order to take into account the logistics of Public Health Guidelines as they relate to COVID vis-a -vis Event Management. This involves a large number of staff/crew attending the site weeks in advance of the show. Therefore, it is timely to make a decision on the application a number of weeks prior to the statutory deadline, which is 4 weeks before the event, (i.e. 26th August 2021).

Pursuant to section 231(3)(a) of the Planning and Development Act 2000, as amended, a planning Authority when considering a licence may decide to grant the licence, grant the licence subject to such conditions as it considers appropriate or refuse the licence.

The Council in considering a licence application under the Planning legislative framework and in particular Section 231 3(b) of the 2000 Act shall have regard to, amongst other provisions listed in the legislation, the following matters:

- (i) Any information relating to the application furnished to it by the applicant in accordance with subsection (2)(d) or g,
- (ii) Any consultations under subsection (2)(e)
- (iii) Any submissions or observations made to it in accordance with subsection (2)(f),
- (iv) Whether events have been held on the land concerned,
- (v) The matters referred to in subsection (4), and
- (vi) Any guidelines or codes of practice issued by the minister or any other Minister of the Government.

It is noted that the Dept of the Taoiseach and Dept of Health has issued a document entitled "Public Health measures in place right now" which the HSE has referred to in their statutory submission on the licence application. This states that events of the nature proposed are restricted to only 500 people attending which includes patrons, staff and artists.

The following is an excerpt from the document which was last updated on August 4th 2021;

Organised outdoor events

A maximum of 200 attendees can attend the majority of venues. A limit of 500 people is in place for venues with capacity greater than 5,000 with appropriate protective measures in place - including social distancing requirements.

This document is based on the existing public health legislative framework in respect of holding events during the COVID pandemic. The Health Act 1947 (Section 31 A-Temporary restrictions) COVID- 19(No.2) (Amendment) Regulations 2021 specify the type of events that can be legally held currently during this pandemic.

This licence application is for an event of 70,000 patrons including children and guests and will run over a weekend commencing on Thursday 23rd September 2021, (with 20,000 early bird attendees) and concluding on Monday 27th July 2021. **The numbers far exceed the numbers specified in the public health legislative measures currently.**

In light of the above, the Council is of the view that the Electric Picnic in the format specified within the application cannot currently be supported as to do so would contravene current public health measures.

Conclusions

It is not considered appropriate to grant this licence subject to conditions restricting the event to 500, the numbers required in the public health legislative measures outlined above. This is due to the scale and type of the event proposed and the vast difference from that which is currently allowed. Pursuant to section 231 (3)(a) of the Planning and Development Act, as amended, the Planning Authority considers it appropriate to refuse this licence application having regard to the following;

- the considered views of the aforementioned key statutory stakeholders;
- **the current public health legislative framework and Public health measures in place** From the Department of the Taoiseach ([/en/organisation/departement-of-the-taoiseach/](#)); and the Department of Health Published on 29 June 2021 last updated on 4th August 2021
- the submissions on file
- the application by the event promotor

Recommendation

It is recommended that this licence application be refused pursuant to section 231 (3)(a) and (b) of the Planning and Development Act, as amended for the following reason:

1. Having regard to the up to date advise from the Health Service Executive in their statutory submission
2. Having regard to government public health measures currently in place and made pursuant to the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 and the Health and Criminal Justice (Covid -19) (Amendment) Act 2021.



David O' Hara
SEP

4/8/21

