

# Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

APPLICATION FOR OUTDOOR EVENT LICENCE FOR A  
MULTI-STAGE MUSIC FESTIVAL AT MARLAY PARK  
BETWEEN JULY 5 TO JULY 7 2019 (INCLUSIVE)

**LEGISLATIVE CONTEXT**

- i) Part XVI (Events and Funfairs) of the Planning and Development Act, 2000 (as amended);
- ii) Planning and Development Regulations, 2001, as amended.

Part XVI (Events and Funfairs) of the Planning and Development Act, 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 in relation to applications and the granting of licences for events. 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 or retractable roof, a tent or similar 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; "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 Festival Republic Ltd., on behalf of MCD Productions on 19<sup>th</sup> March 2019. The proposed event is

known as Longitude. Longitude is described as a three day multi-stage music festival to be held between Friday 5<sup>th</sup> July and Sunday 7<sup>th</sup> July (inclusive) at Marlay Park.

The applicant has submitted a Draft Event Management Plan (DEMP).

The anticipated daily audience is 40,000. Gate openings are at 13.30, shows beginning at 14.00 and 'curfew' at 23.00. The anticipated attendance of 40,000 at each event/day is the same as Longitude 2018 and 2017. This is an increase on the 30,000 daily attendances in 2016 and the 21,000 daily attendances in 2014 and 2015. There were two single stage concerts in 2018 (40,000 people each day), two single-stage concerts in 2016 (40,000 people each day), two in 2015 (36,000 each day) and five in 2014 (41,000 people each day).

The DEMP submitted notes that it "has been drafted in accordance with the Planning and Development Regulations 2001 (as amended) and the appropriate codes of practice" covering Event Management Structure and Responsibilities, Event Safety Strategy, Medical Provision and Facilities, Site Security and Stewarding, Traffic Management Plan, Emergency Plans, and an environment monitoring programme for before, during and after the proposed event as well as provision for the full clean-up of the area and for any remedial works arising from any damage associated with the event.

The DEMP has the following sections:

1. Summary of Festival
2. Public Safety – Includes crowd management, capacity management, evacuation and emergency access, fire safety, structures, lighting, electrics, medical provision and facilities, alcohol, health and safety, accident and incident reporting and competencies of personnel.
3. Security
4. Environmental – Includes sanitary facilities, noise, litter, liaison with local residents and environmental impact and monitoring.
5. Management Structure.
6. Communications.
7. Site Plan and Site Design.
8. Traffic.

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

**NOTIFICATION PROCESS**

The Planning and Development (Amendment) Regulations 2015 came into operation on 1<sup>st</sup> October 2015. Article 186 (1) of the Regulations provides as follows: -

“An application must be made at least 13 weeks prior to the date of 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.”

The application was received by the Planning Authority on the 19<sup>th</sup> March 2018, i.e. in excess of 13 weeks prior to the date of the first proposed event on the 5<sup>th</sup> July 2018.

**DECISION ON APPLICATION**

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

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“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 such conditions as it considers appropriate or refuse the licence.”

**MARLAY PARK, MARLAY HOUSE & ENVIRONS**

Marlay Park is a major public park located in the administrative county of Dún Laoghaire-Rathdown, c.1km west of Ballinteer. The park is situated between Grange Road to the north and east and College Road/the M50 motorway to the south. The administrative boundary of South Dublin County Council (Grange Golf Course) adjoins the park to the west. There are two road accesses to Marlay Park - via Grange Road to the north of Marlay House and via College Road to the south of the Park. Beyond Grange Road to the north and east there are extensive residential areas. Marlay Park and House are in the ownership of Dún Laoghaire-Rathdown County Council.

The park serves the local community but is also used on a regional basis by the wider population. The main activities for which the park is used include walking, running, children’s play, team sports on allocated pitches, golf, markets at weekends and tourist type activities associated with the House and walled gardens.

The park has accommodated significant music events in recent years with a maximum daily attendance of approximately 41,000 persons. For example, in 2014 there were a total of 8 days of events with capacity being between 21,000 and 41,000 persons.

### **DEVELOPMENT PLAN**

On Map 5 of the Dún Laoghaire-Rathdown County Development 2016-2022, the event site is zoned 'Objective 'F'; to preserve and provide for open space with ancillary active recreational amenities' with an objective indicated throughout Marlay Park 'to protect and preserve Trees and Woodlands'. There is a Specific Local Objective (No. 23) identified; 'To progress the Masterplan for Marlay Demesne with a focus on the conservation of the heritage of Marlay Park, the provision of quality recreational facilities, maintaining the highest standard of horticultural and landscape presentation and increasing accessibility of the Park, Marlay House and its amenities'. The Wicklow Way walking route traverses the Park. Marlay Park House is a Protected Structure which includes the house and stable yard/craft area (RPS No. 1518). Laurelmere House is also a Protected Structure (RPS No. 1592).

Table 8.3.10 of the County Development Plan 2016-2022 outlines the land uses that are permitted in principle and open for consideration. 'Cultural use' is identified as 'permitted in principle'. Cultural use is defined under Section 8.3.12 of the Plan as "Use of a building or part thereof or land for cultural purposes to which the public may be admitted on payment of a charge or free of charge".

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 & Development Regulations, 2001 (as amended) requires that the licence application be circulated to the prescribed bodies. The Council sent copies of the application to:

1. An Garda Síochána
2. Irish Water
3. Air Pollution and Noise Control Unit, Fingal County Council
4. HSE
5. Irish Rail

6. Dublin Fire Brigade
7. South Dublin County Council
8. National Transport Authority

An Garda Siochána

A written response was received dated 28.05.2019 and makes comments including in relation to a policing plan which requires approx. 240 no. Garda members per day. The submission also requests that Conditions 4 and 5 of the 2018 Event Licence, which relates to policing and its associated costs, be applied to any licence issued.

Irish Water

A written response was received dated 01.04.2019. This states that Irish Water has "no objection in principle from a water services perspective, to the proposed event at Marlay Park". Additional comments are also provided.

Air Pollution and Noise Control Unit, Fingal County Council

A written response was received dated 04.04.2019 which states that the application is acceptable subject to 6 no. conditions.

HSE Environmental Health Service, Silverstone House, Ballymoss Road, Sandyford Industrial Estate, Sandyford

A written response was received dated 08.04.2019 which states that the application is acceptable subject to conditions relating to sanitary accommodation, drinking water, tobacco control, food control and noise control.

Irish Rail

No submission received.

Dublin Fire Brigade HQ

A written response was received dated 03.04.2019 and indicates no objection to the granting of the licence subject to compliance with conditions.

South Dublin County Council

A written response was received dated 08.04.2019 and details a number of observations.

National Transport Authority

No submission received.

**Planning Authority Response** – The issues raised in the submissions received from the prescribed bodies can be incorporated into conditions where appropriate. The submission from An Garda Síochána relates to the number of Garda members required to safely and effectively police the events and requests that certain conditions applied in 2018 (which relate to the requirements of An Garda Síochána taking precedence over the promoters in the event of a dispute and that Garda costs are defrayed by the promoter) are again included as conditions. This can be done.

**PRE-APPLICATION CONSULTATION**

Article 186 (1A) of the Planning & 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 14.11.2018.

**THIRD PARTY WRITTEN SUBMISSIONS / OBSERVATIONS**

280 no. submissions were received within the statutory time period including the submissions from the statutory bodies. 1 no. submission was subsequently removed as it was unauthorised as one person contacted the Local Authority on foot of acknowledgement of receipt stating that they had not made a submission. Submissions were received from addresses in the local Ballinteer/Rathfarnham areas, elsewhere in the city, country and internationally. 1 no. submission was received outside the statutory time period. This has not been taken into consideration. 3 no. submissions were in favour of granting the event licence.

**MAIN ISSUES RAISED (grouped for ease of reference):**

- 1. **IMPACT TO MARLAY PARK**
  - i. Impact on the ha ha
  - ii. Impact of pontoons on the pond/bankside degradation

- iii. Damage to woodland and grassland
  - iv. Impact on the Brownian landscape around Marlay House
2. IMPACT TO WILDLIFE
- i. Impact of pontoons on nesting wildlife
  - ii. Impact on bats
  - iii. Impact on otters and badgers
  - iv. Impact on the little grebe
  - v. Noise and light impact and pollution
3. OPERATION OF THE CONCERTS
- i. No transparency in revenue to DLR
  - ii. No public consultation meeting held
  - iii. Marlay Park should not be used as a business
  - iv. Inappropriate for the Council to support alcohol-sponsored events and where alcohol is consumed
  - v. Bye-laws should not be suspended re: alcohol consumption
  - vi. Marlay Park is an unsuitable location
  - vii. Concerts finish too late
  - viii. There is too high an attendance at the concerts
  - ix. There is an inadequate number of medical points
  - x. Adequate CCTV should be provided
  - xi. Adequate sanitary facilities should be provided
4. DISTURBANCE IN THE LOCAL AREA
- i. Impact of road closures
  - ii. Concern about emergency vehicle access
  - iii. General inconvenience and disruption to local residents
  - iv. Traffic congestion
  - v. Noise levels
  - vi. Disruption in normal access to the park during the concert 'season'
  - vii. Anti-social activity e.g. public urination, littering, drunkenness (including underage)
  - viii. Noise and light pollution/pyrotechnics
  - ix. Inadequate clean-up during and after events
  - x. A complaints procedure should be clear

## 5. MISCELLANEOUS

- i. The park is unsafe during construction and take-down periods.
- ii. The Wicklow Way trail head is inaccessible.
- iii. References to behavior of busses e.g. verbal abuse, inappropriate parking
- iv. Inadequate stewarding e.g. leaving posts early, not authoritative enough
- v. Recycling/use of bio-degradable should be required
- vi. There was incomplete documentation in the application/documentation was in an unsearchable format/the legend was unreadable
- vii. It is inappropriate for the Council to grant a licence for an event the Council is promoting
- viii. Inadequate time for making submissions
- ix. There is inadequate reference to water hazard in the application

The comments raised in the submissions are noted and are taken into consideration in the responses below.

## RESPONSES

### 1. IMPACT TO MARLAY PARK

- The Conservation Section of DLR has no major concerns in relation to the impact of the events on the heritage and special character of Marlay Park. The events are temporary in nature and are of a similar character to many events in Ireland which are held in the grounds of Protected Structures.

### 2. IMPACT TO WILDLIFE

- The Local Authority has been proactive in addressing the concerns raised in relation to the protection of protected species and wildlife within the Park during and outside of concert times. An Ecologist was employed in 2015, 2016, 2017 and 2018 to carry out extensive surveys and to advise the Local Authority on the impact the concerts would have on the wildlife population and any steps that could be taken to improve habitats and the protection of wildlife throughout the year. Services which have been sought include installation of bat boxes in core areas of woodland to supplement roosting opportunities for existing population, checks for locations of nesting waterfowl (March/April), surveys of properties to identify maternity roosts



in the Park, pre-installation of pontoon checks for nestling fledglings and also monitoring of bird species during the concerts, monitoring bat activity before, during and after the concert period to record any changes in activity to supplement data collected in 2015, 2016, 2018 and 2018, installation of static bat detectors, meeting with DLR and licensee re: lighting controls in woodland, manual surveys on nights of concerts including infra-red video footage of bat behaviour at pontoon to supplement data collected in 2015, 2016, 2017 and 2018, survey post-event activity and mapping of potential tree roosts to inform park staff of precautions during felling. The results of the 2015, 2016, 2017 and 2018 surveys are available on [www.dlrcoco.ie](http://www.dlrcoco.ie) and formed part of the reports to the Dundrum Area Committee in 2015, 2016, 2017 and 2018. The provision of screening of pontoons and concert goers from nesting birds will aim to reduce the potential for disturbance on birds using the areas around the pontoons.

### 3. OPERATION OF THE CONCERTS

- The income generated from these concerts is invested in Parks and Recreation and has contributed towards vast improvements in Marlay Park, such as playgrounds, hospitality facilities, sports facilities, parking facilities and some of the free events held (e.g. Samhain and Movies in the Park) as well as public realm improvements around Marlay Park. The 2018 Concerts in Marlay Park yielded €641,660 in income to the Council. Funds have been invested in the restoration of the Marlay Craft Courtyard, the redevelopment of the College Road Car Park, the removal of breton slabs from the Marlay Ha-Ha, improvements to Marlay Estate railings and improvements to footpaths in the Grange Road area. Pitch renewal, which is ongoing at the moment, is also part-funded from concert income.
- The consultation process has been carried out as required under legislation relating to Event Licences. Newspaper notices were issued as per Article 186(1) of the Planning and Development Regulations, 2001 (as amended). A public meeting does not form part of the requirements under the Planning and Development Act 2000 (as amended), or the Planning and Development Regulations 2001 (as amended). Notwithstanding this, meetings have been held between the Local Authority and Residents Associations and also with the event promoter.
- Pre-planning consultation minutes are made public following a decision on the event licence application as per the Planning and Development Regulations 2001 (as amended).
- Marlay Park is considered to be a suitable venue by both the Local Authority and the statutory agencies.

- Pre-concert meetings are held with 13 Residents' Associations that provide an opportunity to residents to give feedback on the management of the concerts in the previous year and to feed into the management of the external environment for the current concert production.
- Event opening times, finishing times, and attendance numbers are considered to be acceptable by both the Local Authority and the statutory agencies.
- A detailed medical operational plan will be provided to and agreed with the HSE.
- Additional CCTV monitoring will be in place for the 2019 events.
- Sanitation facilities are provided in compliance with Chapter 20 of the Code of Practice for Safety at Outdoor Pop Concerts and Other Musical Events, 1996.

#### 4. DISTURBANCE IN THE LOCAL AREA

- Disturbance to the local area is kept to a minimum and is provided for in the draft Event Management Plan.
- The Traffic Management Plan is agreed with all relevant statutory bodies.
- The Traffic Section of Municipal Services Department DLR have stated that the traffic management plan worked very well last year and DLR continue to engage with the prescribed bodies to improve its implementation and workings.
- DLR in conjunction with An Garda Síochána and the concert promoters have developed a robust policing, security and stewarding plan which endeavours to minimise disruption caused by the concerts.
- Sound levels are monitored and measured by the appointed noise control consultant. The Environmental Health Officer has access to the results of the monitoring and a copy of these is sent to the EHO within three working days of the event. Sanctions are applied where there is found to be a breach of the noise level restrictions.
- The Noise and Air Pollution Unit also advises that there is a permanent monitor within Marlay Park and the Unit will also carry out monitoring throughout the concert from the nearest noise sensitive locations. Levels are set at 72db at the nearest noise sensitive location, averaged over a fifteen minute period. The Local Authority act on advice from the Noise and Air Pollution Unit as specialists in this area and noise reports for previous years are available to view on [www.dlrcoco.ie](http://www.dlrcoco.ie) Decibel level restrictions have not been exceeded in the preceding three years.
- The access arrangements will be the same as last year. The location of the stages will be broadly similar to last year in order to give as much access as possible to park users on concert days. There will be full access to the playground, fairy tree, and miniature railway outside concert days. The CoCo Markets will not operate for the weekends of the concerts.

- On concert days a circulation route around the park will be maintained until 12 noon. Following this, access will be restricted until the park closes at 6pm or earlier should An Garda Síochána consider that this is necessary.
- There will be some restrictions to the Grange Road Car Park and lawn area from 26 June to 12 July, with the car park closed on concert days, but restrictions will be kept to a minimum.
- Cleaning teams work during the shows and the next morning to ensure that no litter remains inside or outside the venue. The DLR Litter Wardens also monitor the situation.
- Dedicated hotline numbers are made available to local residents to allow effective handling of complaints and concerns.

## 5. MISCELLANEOUS

- Contractors, Partners and Staff employed on the site will be provided with detailed health and safety information via the health and safety documentation in advance of the build.
- There is disruption to access to the trail head and the initial stretch of the Wicklow Way during the concert period, which is necessary for the safety of park users. The circulation route to the back of the Park is maintained on all days and until 12 noon on concert days.
- Free parking for buses and coaches was provided on site at the College Road entrance to the Park last year and will be provided again this year.
- DLR in conjunction with An Garda Síochána and the concert promoters have developed a robust policing, security and stewarding plan which endeavours to minimise disruption caused by the concerts.
- All traders have been advised on acceptable packaging used. Strictly no glass bottles/glasses will be allowed, all cups, food containers, napkins etc are compostable, along with food waste. Traders will dispose of waste generated into 3 bins (recyclables, residual & compostable waste streams).
- In accordance with the Planning & Development Act 2000 (as amended) and Part 16 of the Planning and Development Regulations 2001 (as amended), Dún Laoghaire-Rathdown County Council is the licencing authority for Outdoor Events in its jurisdiction.
- Under the Planning and Development (Licensing of Outdoor Events) Regulations, 2001 (as amended) Article 190 of the Regulations, any person may make a submission or observation in writing to the local authority in respect of the application within 3 weeks of receipt of the application by the local authority.

**PROVISION OF INFORMATION REGARDING APPROPRIATE ASSESSMENT**

The Local Authority sought and received documentation in relation to the provision of information regarding Appropriate Assessment for the proposed Outdoor Event Licence. The report contains information for the competent authority i.e. Dun Laoghaire-Rathdown County Council, to undertake a screening exercise for Appropriate Assessment for the concerts and set up/take down periods. The conclusion states as follows;

"This stage 1 screening for AA of the proposed event licence for the Longitude Festival 2019 event in Marlay Park, Rathfarnham, Co. Dublin shows that implementation of the proposed event is not foreseen to have any likely significant effects on any European site.

The proposed event is not located within 3.3 km of any European site. The AA screening process has considered potential effects which may arise during the construction, operational and decommissioning phases as a result of the implementation of the proposed event. The proposed event is connected to a number of European sites in Dublin Bay via an indirect hydrological pathway through an existing surface water network. Through an assessment of the pathways for effects and an evaluation of the project characteristics, taking account of the processes involved and the distance of separation from European sites, it has been evaluated that there are no likely significant adverse effects on the qualifying interests, special conservation interest or the conservation objectives of any designated European site. The ecological integrity of the European sites is not foreseen to be significantly affected by the project.

Given the nature of the proposed event, it's scale, the localised and temporary nature of the construction and operational effects identified as potential sources, the proposed development will not lead to a significant in-combination effect with any other plans or projects.

It is concluded that the proposed event is not foreseen to give rise to any significant adverse effects on any designated European sites, alone or in combination with other plans or projects<sup>7</sup>. This evaluation is made in view of the conservation objectives of the habitats or species for which these sites have been designated. Consequently, a Stage Two is not required for the project."

Based on the documentation received it is reasonable to conclude that the activities involved with the Outdoor Event Licence, individually or in combination with other plans or projects, would not be likely to have a significant effect on any European Site, in view

of the sites Conservation Objectives, and a Stage 2 Appropriate Assessment is not required.

**SUMMARY AND RECOMMENDATION**

The Local Authority has had regard to the pre-application consultation, the information relating to the application furnished to it by the applicant 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 Act and Regulations. The proposed event is less intensive than permitted in 2018 in terms of the number of events and combined attendance. The reports from Dublin Fire Brigade and the HSE do not raise any concerns in principle. It is recommended that the outdoor event licence is granted, subject to the following conditions, which accord with Section 231 (3) and (4) of the Planning & Development Act 2000, (as amended).

1. The Outdoor Event Licence shall be for one weekend-long event, 'Longitude', which shall be held on the following dates: Friday 5<sup>th</sup> July, Saturday 6<sup>th</sup> July and Sunday 7<sup>th</sup> July 2019. The Outdoor Event Licence shall be for a maximum capacity of 40,000 people each day. 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. A Final Event Management Plan shall be formally agreed with Dún Laoghaire-Rathdown County Council, Dublin Fire Brigade H.Q., Health Service Executive and An Garda Síochána a minimum of two weeks (10 working days) before the first event and written confirmation of agreement shall be submitted to the Council prior to commencement of the event. Subsequently, the agreed Final Event Management Plan shall be implemented in full.
3. Road closure times cited in the Draft Traffic Management Plan may vary depending on the circumstances of the day and if public duty dictates. An Garda Síochána shall make any decision in this regard.

4. In the event of a dispute between An Garda Síochána and the promoter regarding any aspect of the concerts the requirements of the Chief Superintendent DMR South shall take precedence.
  
5. Sufficient Garda personnel numbers as determined by the Chief Superintendent DMR South shall be employed at the events to ensure that they are properly policed. All Garda costs associated with the Policing Plan shall be defrayed by the event promoter. The number of members of An Garda Síochána to be deployed shall be decided by the relevant Chief Superintendent, DMR South.
  
6. (a) The numbers of sanitary accommodation (including 2 no. disabled toilets per toilet block) shall comply with the standards set out in the Code of Practice for Safety at Outdoor Events (Department of Education 1996). The following is required:  
 Females: 10 WCs per 1,000.  
 Males: 2 WCs per 1,000/ Urinals – 8 per 1,000 or 3.6 metres per 1,000.
  
- (b) Toilet blocks shall be placed at all stage areas.
  
- (c) Signage of sufficient size stating 'Sanitary Accommodation' or 'Toilets' shall be erected in areas where the public can clearly view.
  
- (d) All sanitary accommodation units must be in-situ and in proper working order 24 hours prior to the commencement of the outdoor event and shall be accessible for inspection by the Environmental Health Service.
  
- (e) A suitable non-slip surface, adequately drained, shall be provided at all sanitary accommodation areas.
  
- (f) No non-flush chemical toilets shall be used.
  
- (g) There shall be wall-mounted receptacles which dispense liquid antibacterial gel. These shall be supplied in sufficient numbers outside each block of toilets. They shall be in proper working order for the duration of the events. The gel shall be replaced as required. Signs of sufficient size stating 'anti-bactericidal gel' shall be erected in areas where the public can see.

(h) The Event Organiser shall ensure all sanitary facilities are maintained in a clean and hygienic condition. Record keeping of the cleaning programme shall be maintained and be available for inspection by the Environmental Health Service.

(i) Separate sanitary facilities (including wash hand basins and hand drying facilities) for food workers shall be provided in addition to and separate from sanitary facilities for other users.

(j) Waste water collected from the temporary sanitary facilities shall be disposed of in an appropriately licenced waste or waste water treatment facility.

7. (a) Drinking water must be in compliance with the European Union (Drinking Water) Regulations 2014 (as amended). A Drinking Water Safety Management Plan must be contained within the Final Event Management Plan. The Drinking Water Safety Management Plan shall include microbiological and chlorine sampling of the proposed water source. Microbiological sampling must be carried out on the mains water public supply to confirm that the drinking water complies with the above regulations. Sampling must be taken a minimum of fourteen days before the date of the first event.

(b) Microbiological sampling must also be taken from the drinking water outlets (after the pipework/distribution system has been flushed) prior to the commencement of the outdoor events. The water distribution network shall be superchlorinated and flushed prior to use in order to ensure that the network is sanitised and suitable for the distribution of potable water and a record of this shall be maintained by the Event Organiser. Results of all water analyses shall be sent to the Environmental Health Service prior to the commencement of the outdoor events.

(c) A Drinking Water Contingency (Emergency) Plan shall be prepared and implemented in the event of drinking water contamination or an insufficient supply of drinking water. Any serious incidents shall be notified immediately to Irish Water and Dun Laoghaire Rathdown County Council. The use of emergency potable water storage back up tank is advised. Such storage tank must be capable of supplying enough water to the event in the case of an emergency and water must be in compliance with the aforementioned regulations. Adequate disinfection of the emergency supply must be undertaken prior to use.

- (d) A map of all drinking water pipe connections (permanent and temporary) and the location of original water sources shall be drawn up and maintained by the Event Organiser.
  - (e) Chlorine testing shall be taken throughout each day of the events at the point of use locations around the site to ensure that adequate levels of chlorine are reaching all areas of the site. The chlorine results shall be documented and maintained by the Event Organiser. If inadequate levels of chlorine are recorded then appropriate remedial action should be taken as a matter of priority.
  - (f) A minimum of one drinking water supply point shall be provided per thousand persons attending each event. The drinking water facilities should be dispensed through spring-loaded taps and have adequate waste drainage. Drinking water points must be located near the main stage areas and adequate signage must be in place to indicate all drinking water supply points. The drinking water points must be thoroughly cleaned and sanitised prior to the commencement of the outdoor events and also during each day of the events. A suitable non-slip surface that is adequately drained must be provided at each location.
8. (a) All internal areas/enclosed structures shall have comprehensive no smoking signs displayed including the name of the event organiser and an on-site name, telephone number and email address that the public can contact in case of complaints. This includes all temporary structures such as tents, prefabs and vehicles i.e. catering tents, food vans, vehicles, first-aid tents, administration offices, pop-up dance/disco areas, bars, kiosks, stalls etc.
- (b) Any area used for smoking must be verified by the Environmental Health Service as suitable for exemption 48 hours before the outdoor events start. The event organiser shall contact the Tobacco Control Environmental Health Officers to arrange a pre-event inspection and make any necessary modifications within that time frame to the structure before the start of the concert. Areas/structures that are deemed



- exempted under current legislation and acceptable for use as smoking areas are to be clearly indicated and signage directing people to these areas clearly displayed.
- (c) All working personnel, including casual labour, are to be briefed regarding their responsibilities under the Tobacco Acts.
  - (d) All visiting artists, performers and staff shall be informed of their responsibility under the Tobacco Acts.
  - (e) Any marquee style tent where concerts are to be held shall have allocated security staff in that area to prevent smoking occurring in that area and to ensure that the persons smoking does not contravene the Tobacco Acts.
  - (f) Tobacco control responsibility and duties shall be incorporated into the Final Event Management Plan.
  - (g) Any stall, shop or kiosk shall be registered for the sale of tobacco products and comply with all current legislation regarding display, offering for sale and age checks.
9. The requirements of the Principal Environmental Health Officer, Food Control, located at the Environmental Health Service, Silverstone House, Ballymoss Road, Sandyford Industrial Estate, Dublin 18, with regard to food control, shall be complied with.
10. A Final Event Management Plan, as set out in Condition 2, shall be submitted to Dublin Fire Brigade a minimum of two weeks (10 working days) in advance of the first event.
11. The following shall be submitted to Dublin Fire Brigade a minimum of two weeks in advance of the event:
- (a) Site layout plans to a minimum scale of 1:500.
  - (b) A list of key personnel (event controller, event safety officer etc.) and their telephone and mobile telephone numbers shall be included on the site layout plan.

- (c) Stage barriers including the sightline barriers shall be clearly indicated on the drawings, complying with Section 8 of the *Code of Practice for Safety of Outdoor Pop Concerts and Other Outdoor Musical Events*, 1996.
- (d) The access and egress routes including the occupant capacities and exit width dimensions shall be clearly indicated for the different areas in use e.g. stages, tented structures, guest areas etc. and the total occupant capacity for the overall venue.
- (e) The estimated peak occupancies for the general standing/seating areas shall be clearly indicated.
- (f) Gridlined drawings clearly indicating the designated emergency access and egress routes for fire appliances including the location of fire hydrants, water supplies to be used for firefighting operations, places of special risks, control room location etc.
- (g) There shall be one site plan with gridlines, exit widths, contact details (event controller and event safety officer), emergency access routes, hazards and control centre marked so all parties can easily reference information and communicate same.
12. (a) Exit routes and means of escape shall comply with the requirements of Chapter 15, *Code of Practice for Safety of Outdoor Pop Concerts and Other Outdoor Musical Events*, 1996.
- (b) At all times while the premises is in use the ground surfaces, including exit routes, must be maintained in a safe condition free from slip or trip hazards etc. This may necessitate the installing of suitable ground coverings. Exit routes must be available for immediate use and capable of safely evacuating the capacity crowd regardless of weather conditions.
13. (a) Sign design and size shall be consistent throughout the venue (refer to S.I. No. 132/1995 and BS5499-4: 2000).
- (b) All exit signs shall be illuminated. The green figure on signs is preferred for externally illuminated signs. The white figure is preferred for internally illuminated signs (BS5499-4: 2000).

- (c) Directional arrows shall be as per standards referred.
  - (d) Exits to be labeled e.g. 'Exit #', etc.
  - (e) Exit signage shall be separated from signage for other facilities i.e. toilets, drinking water etc.
14. Stewards are to be trained in emergency and evacuation procedures. In particular the duties and responsibilities of stewards shall be in accordance with Section 13.6 – 13.12 (inclusive) of the *Code of Practice for Safety of Outdoor Pop Concerts and Other Musical Events, 1996*.
15. Concession Units and Staff Training:
- (a) Concession units using gas fired cooking equipment to be sited at least 6 metres from any other unit in accordance with Section 22.5 of the *Code of Practice for Safety of Outdoor Pop Concerts and Other Outdoor Musical Events, 1996* and shall comply with Dublin Fire Brigade's Guide to Gas at Events.
  - (b) The gas supply to the above units (including all associated safety cages, chains for securing etc.) shall be provided by a suitably qualified and competent expert in line with Dublin Fire Brigade's Guide to Gas at events.
  - (c) All concession units, if non-cooking units, must have 1 x 2kg dry powder extinguisher and 1 x 2kg CO fire extinguisher as a minimum. Hot food units must have 1 x 4kg dry powder extinguisher and 1 x 1sqm light duty fire blanket as a minimum. Deep fat frying units must have a 6 litre wet chemical extinguisher, 2 x 2kg ABC dry powder fire extinguisher, 1 x 2kg CO2 fire extinguisher and a 1.8sqm heavy duty fire blanket as a minimum. Portable fire extinguishers shall be in accordance with the recommendations of IS 291 2015 and are to be manufactured to the appropriate standards such as IS EN3-7. Fire blankets shall be to BS EN 1869:1997 (light) and BS 7944:1999 (heavy) as appropriate.
  - (d) All concessionary staff shall be fully trained in emergency and evacuation procedures, fire hazards and the use of fire extinguishers by a suitably qualified and

competent expert. This must be completed prior to the site opening to the general public. Records of such training shall be kept on site and available for inspection. Concessionary units unable to produce such records shall not be permitted to open for business.

(e) All concessionary units shall be provided with a conspicuously located emergency knock-off switch, for shutting off the gas/electricity in the event of an emergency. All staff shall be aware of its location.

(f) Generators are to be provided with a minimum of 3 metres spacing from any concession unit/tented structure/stage etc.

16. The layout of the proposed bar facilities shall be such that all bar counters afford a minimum of two means of escape for staff, generally located at opposite ends of the counter.

17. The layout of the proposed stages shall be such that they afford a minimum of two means of escape, generally located at opposite ends of such stages.

18. Vehicle parking shall not obstruct exit routes, fire brigade access routes or facilities for firefighting. Vehicles shall be parked in designated parking areas only and are not to be parked within 3 metres separation distance of concession units.

19. Certification shall be kept on site in the safety file and available for inspection for:

- Staff training,
- LPG (liquefied petroleum gas) Installation,
- Electrical Installation,
- Emergency Lighting,
- Lining Materials/Marquees in the last 5 years, to the appropriate standard and in English,
- First Aid Fire Fighting Equipment (fire extinguishers, fire blankets etc.),
- Fireworks/Pyrotechnics.
- Etc.

All certification shall note when the item was serviced or if this is not possible it should note that they have been fully serviced in the last 11 months (as applicable).

20. The promoter/event licence holder is responsible for appointing a Fire Safety Consultant, who must be a qualified independent professional with experience and competency in fire prevention and safety in the event of fire with regard to large concerts.
21. The Fire Safety Consultant must be assigned to check and certify the fire safety of the concert site. Such checking and certification must be completed at least 2 hours before the opening of the site to the public or 2 hours before the scheduled opening (whichever is earlier).
22. The Fire Safety Consultant must certify in advance the fire safety precautions of any proposed pyrotechnic display and certify that the display is prepared for in accordance with Guidance Document on Organised Pyrotechnic Displays – 2011, published by the Department of Justice.
23. Certification related to fire safety by other parties must also be checked by the Fire Safety Consultant for example with regard to:
  - Staff training,
  - LPG (Liquefied petroleum gas) Installation,
  - Electrical Installation,
  - Emergency Lighting,
  - Lining Materials,
  - First Aid Fire Fighting Equipment (fire extinguishers, fire blankets etc.),
  - Fireworks/Pyrotechnics.

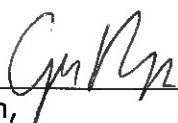
All certification shall be kept on site in the safety file, available for inspection. A copy of any certificate must be submitted on request.

24. The Event Safety Officer and/or the Event Controller or their deputies shall make themselves available to meet with Dublin Fire Brigade approximately two weeks prior to the first event to discuss the event and answer any questions from the Fire Brigade.
25. The music noise level shall not exceed 72dB LAeq over a fifteen minute period, at 1 metre from the façade of any noise sensitive location during rehearsals, sound checks and the event.
26. A qualified and experienced noise control consultant shall be appointed 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.
27. 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 the monitoring at any time and a copy of these shall be forwarded to the Environmental Health Officer(s) within 3 working days after the event.
28. (a) All events to finish no later than 23.00 hours.
- (b) No activity shall be carried out that is likely to cause a noise nuisance to residents after 23.00 hours, such as dismantling the stage, movement of equipment etc. Details of the times during which the above mentioned activities will be carried out shall be included in the Final Event Management Plan as required under condition number 2.
29. The Event Traffic Management Plan, including detail of signage to be provided, shall be agreed with An Garda Síochána in consultation with Dún Laoghaire Rathdown County Council and a copy of same shall be provided to South Dublin County Council.

30. The Final Event Management Plan shall include a Litter Management Plan with regard to off-site litter management to include a map of the strategic locations of bin placement in the local area including areas within the South Dublin County Council administrative area.

31. A suitably qualified ecologist(s) shall be engaged to carry out environmental monitoring of the park area with regard to wildlife, bats, birds etc. during the period from construction to take down of the concert structures including during the concerts themselves. All costs associated with this monitoring shall be defrayed by the event promoter. Detail in relation to this environmental monitoring shall be agreed with the Local Authority at least one week prior to the first concert. Monitoring information and results/comments following this monitoring shall be submitted to the County Council for their information within twelve weeks of the date of the final concert.

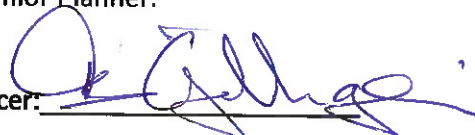
32. Non-compliance with any of the above conditions shall result in a fine not exceeding €10,000 for each and every occurrence.

  
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 Ger Ryan,  
 Senior Planner,  
 Planning and Organisational Innovation

5/6/19  
 05.06.2019

**Order:-**

The granting of a Licence to MCD Productions under Section 231 of the Planning and Development Act, 2000 (as amended) for the holding of concerts which shall be held between the following dates between 5<sup>th</sup> July to 7<sup>th</sup> July 2019 (inclusive) in Marlay Park is hereby approved subject to the 32 conditions contained on the foregoing report of the Senior Planner.

Date:- 5/6/19 Approved Officer: 

Thereunto empowered by order of Príomhfheidhmeánach, Comhairle Contae Dhún Laoghaire-Ráth An Dúin, Order No. 2228, dated 4/6/19, delegating to me all her powers, functions and duties in relation to the County Council of Dún Laoghaire-Rathdown in respect of this matter.

