

NOTICE OF MEETING

CABINET MEMBER SIGNING

**Friday, 24th February, 2017, 11.30 am - Civic Centre, High Road,
Wood Green, N22 8LE**

Members: Councillor Peray Ahmet, Cabinet Member for Environment

Quorum: 1

1. FILMING AT MEETINGS

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on.

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The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2. URGENT BUSINESS

The Cabinet Member will advise of any items they have decided to take as urgent business.

3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

4. APPLICATION BY FESTIVAL REPUBLIC LTD TO HIRE FINSBURY PARK FOR THE WIRELESS FESTIVAL AND CONCERT 2017 (PAGES 1 - 20)

The report will seek Cabinet Member consideration of two applications made by Festival Republic Ltd to hire Finsbury Park over 3 days in July 2017 in order to stage the Wireless 2017 music festival, and to hold a one day concert on 1st July 2017.

5. MULTIPLE APPLICATIONS TO HIRE FINSBURY PARK FOR THE MAJOR EVENTS IN 2017 (PAGES 21 - 36)

The report will seek Cabinet Member consideration of three applications made by two event promoters to hire Finsbury Park to stage major events in 2017.

6. NEW ITEMS OF URGENT BUSINESS

To consider any items of urgent business admitted under Item 2 above.

7. EXCLUSION OF THE PRESS AND PUBLIC

That the press and public be excluded from the remainder of the meeting as the items below contain exempt information, as defined under Paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972

8. APPLICATION BY FESTIVAL REPUBLIC LTD TO HIRE FINSBURY PARK FOR THE WIRELESS FESTIVAL AND CONCERT 2017 (PAGES 37 - 38)

As per Item 4.

9. MULTIPLE APPLICATIONS TO HIRE FINSBURY PARK FOR THE MAJOR EVENTS IN 2017 (PAGES 39 - 40)

As per Item 5.

10. NEW ITEMS OF EXEMPT URGENT BUSINESS

As per Item 6.

Philip Slawther
Tel – 020 8489 2957
Fax – 020 8881 5218
Email: philip.slawther2@haringey.gov.uk

Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Thursday, 16 February 2017

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Report for: Cabinet Member decision – 24 February 2017

Item number: 4

Title: Application by Festival Republic Ltd to hire Finsbury Park for the Wireless Festival and Concert 2017

Report authorised by : Stephen McDonnell, Assistant Director – Commercial and Operations

Lead Officer: Zoe Robertson, Head of Commissioning & Client
zoe.robertson@haringey.gov.uk, 020 8489 2223

Ward(s) affected: Haringay and Stroud Green Wards

**Report for Key/
Non Key Decision:** Non Key Decision

1. Describe the issue under consideration

- 1.1 This report seeks a determination of two applications made by Festival Republic Ltd (1) to hire Finsbury Park over 3 days in July 2017 in order to stage the Wireless 2017 music festival, and (2) to hold a one day concert also in July 2017.
- 1.2 The applications are required to be determined pursuant to the Council's Outdoor Events Policy (the Policy), which was approved by Cabinet on 17th December 2013, and implemented on 7th January 2014.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

- 3.1 The Cabinet Member for Environment is recommended to:
 - (a) Consider, and take account of, the comments received from recognised stakeholders of Finsbury Park in response to the event notifications being sent as part of the decision making process (attached as Appendix 1).
 - (b) Authorise the Assistant Director – Commercial and Operations, to approve conditional in principle agreement to hire Finsbury Park to the event promoters for the events detailed in this report as set out in paragraph 6.4.

(c) Agree that the conditions which are to be attached to any final approval of authority are as set out in the comments of the Assistant Director, Corporate Governance at paragraph 8.2.7 below.

4. Reasons for decision

- 4.1. Under the terms of the Policy, applications of the type detailed in this report are required to be determined with the prior agreement of the Cabinet Member.
- 4.2. If authority is given, then officers will give in principle agreement to the applicant for the event applications to progress. The events will then be subject to lengthy discussions with relevant authorities, including licensing before final agreement is given.
- 4.3. The rejection of the applications would have implications for the Parks Service budget, and reduce the opportunity for reinvestment into Finsbury Park (the Park) and other parks. It would also mean that the wider cultural and economic benefits to the borough were lost.

5. Alternative options considered

- 5.1. In adopting the Policy, the Council established its commitment to using the Park for a limited number of major events each year. Accordingly, the only other alternative option which could be considered would be to reject the application. That option was rejected, on the grounds that the events did not fall within any of the grounds set out in paragraph 5.3 of the Policy for automatic refusal.

6. Background information

- 6.1. In January 2014, the Council adopted the Policy to recognise the value and benefit that a varied, and well managed, outdoor events programme can offer the residents of Haringey.
- 6.2. The Policy assists the decision making process behind building a sustainable and varied programme of events. It also seeks to protect the community and the parks and open space infrastructure and minimise or mitigate any negative impacts which events may cause.
- 6.3. Some of these restrictions as set out at paragraph 5.2.2 of the Policy specifically relate to the Park to ensure a balance of income generation and that of continued public use of the park through the busiest summer months is achieved. These restrictions include, but are not limited to, the following:
 - *“Major scale events [more than 10,000 attendance] will be ordinarily limited to 5 per year, save where there is demonstrable community support for additional events*
 - *Duration of major scale events will be of 1 – 3 days per event*
 - *No major scale events will take place during the school summer holidays”*

- 6.4 On 5th September 2016 and 15th December 2016, the Council received two applications from Festival Republic Ltd to hire the Park to stage the Wireless 2017 music festival on 7th, 8th and 9th July 2017, and to hold a one day concert on 1st July 2017. If approved, this would be the fourth successive year that the Wireless event has been held in the Park.
- 6.5 The Policy details the approval process for determining applications. Paragraph 5.2.3. of the Policy requires prior authority for the event to be given by the Cabinet Member as a non key decision before officers give in principle agreement whenever the following criteria applies:
- *“Expected attendance is over 10,000”*
 - *“Event lasts more than 2 days with 5,000 or more in attendance”*
- 6.6 Both of the criteria detailed above apply to these applications, and so hence this referral to the Cabinet Member.
- 6.7 As part of the approval process, the Policy stipulates the need for consultation on the applications to take place. Paragraph 5.1.6. of the Policy states *“Consultation will involve all stakeholders, including Friends Groups, Area Parks Managers, Ward Councillors, Cabinet Member for Environment and the members of the Haringey Safety Advisory Group. Other consultees may be added where appropriate to the specific park or open space”*.
- 6.8. In discharging the requirement to consult, officers sent details of the applications to 36 stakeholder groups by e-mail dated 11th January 2017. Details of the list of consultees appears at Appendix 2 to the report. Stakeholders including local resident associations, Hackney and Islington council officers, park user groups and leaseholders; councillors from 6 adjoining wards including in Hackney and Islington; internal council stakeholders including licensing and emergency planning; and statutory bodies including the Metropolitan Police and London Fire Brigade were given 10 working days to respond.
- 6.9. Of the list of consultees, only those highlighted in green at Appendix 2 provided a total of 6 responses broken down as follows:
- (a) 2 responses were received from a ward councillor in Harringay ward, submitted on behalf of constituents
 - (b) 1 response was received from a ward councillor in Hackney, Brownswood Ward
 - (c) 2 responses were received from residents’ associations: Stroud Green Residents’ Association and Highbury Community Association
 - (d) 1 response was received from Islington Council
- 6.10. The comments are set out at Appendix 1. However, they can be summarised as being concerns around the consultation process; set up and take down of the events; the size of the event area; disruption to park users and local residents; event management and park reinstatement issues.
- 6.11. Officer responses to the comments are as follows:
- (a) Consultation Process

The stakeholder consultation was carried out as set out in the Policy (paragraph 5.1.6) which was confirmed as being adequate by the High Court as part of the challenge brought by the Friends of Finsbury Park to the 2016 event.

(b) Event area / set up and take down / disruption

Every effort is made to ensure set up and take down periods are sufficient for the safe installation of an event area, while retaining as much public access as possible. Detailed discussions take place with event promoters months in advance of the event to agree how a phased closure of the event space is managed as build progresses and to ensure vehicle movement through the park during these times is managed and controlled. These plans are shared with the Finsbury Park Event Stakeholders Group with any comments for improvement being discussed in detail with promoters.

The event area proposed for the first event (the concert) would take up approximately 20% of the park. This area would then be increased to prepare the event space for the Wireless weekend, equating to 27% of the park. The remainder of the park, including all facilities, stay open to the public at all times.

This area of the park is attractive to event promoters due to the large sloping expanse forming the perfect outdoor arena, with the carriageway facilitating the build and break of infrastructure.

(c) Reinstatement works

Festival Republic will pay a £15,000 refundable grounds deposit before moving onto site. This would only be refunded after any associated costs / damages have been paid. If costs / damages incurred come to more than the deposit amount, the event organiser is obliged through the park hire agreement to pay all outstanding costs.

In 2016 the Parks Service invested in new equipment and machinery allowing faster restoration of grass areas after events.

(d) Local event information

In 2016 event and contact information was greatly publicised to residents by all three councils, through various resources. Complaints received during Wireless 2016 were down by nearly 50% overall on the previous year, and down over 80% on 2014 demonstrating that the improvements that have been made were successful and further improvements will be made in 2017.

(e) Working with the community

Festival Republic has worked closely with a number of community groups in the local area such as Mind in Haringey and the Manor House Development Trust offering opportunities for local organisations to benefit from their presence in the park.

In 2016 Mind in Haringey fundraised over the three day Wireless weekend, raising nearly £5k from donations while offering help and advise to event goers.

Volunteers from the Manor House Development Trust took part in the volunteer host programme based outside the event area, engaging with event goers offering advice and information on the local area.

Further community involvement opportunities will be explored in 2017 to see if schools can be engaged in potential art projects based around the event.

(f) Number of events

The Policy allows for up to 5 major events (more than 10,000 attendees) to take place in the Park in one year, for a duration of no more than 3 days at a time. This number will not be exceeded.

Both of the proposed events fall within the 'major' event criteria and both will be ticketed.

(g) Noise monitoring

The council is committed to working with event organisers to reduce the effects of noise from events on residents.

Noise and vibration complaints received in 2016 during Wireless were down nearly 50% on the previous year, and down 76% on 2014 indicating that new measures introduced to lessen the noise effects on residents, worked.

These measures included the introduction of extra sound buffering for Stage 3 to reduce noise emissions, and the use of new noise monitoring equipment and software enabling acoustic engineers to identify and isolate individual frequencies causing the most irritant to residents during the event, and adjust them accordingly.

(h) Anti social behaviour

Work will continue with partners to mitigate any anti social effects that may happen when so many people flux into an area, including the potential for LB Hackney to manage stewarding in their own residential streets.

Visitors to all events are aware they are not camping festivals. The campsite that was visible to park users during 2016 was completely separate to the events taking place and was dealt with by the relevant authorities, with the available powers.

(i) Capacity numbers

Festival Republic holds a premises licence for the Park to host events with capacity of up to 50,000. However, works to Finsbury Park station is taking place this year which will affect the ability to get event goers at that capacity away safely and within time to ensure roads are reopened as quickly as possible. Discussions have been ongoing with Festival Republic since their applications were received, which has resulted in attendance figures being decreased. These discussions will continue until all relevant authorities are satisfied with the proposed egress plan.

(j) Parking restrictions

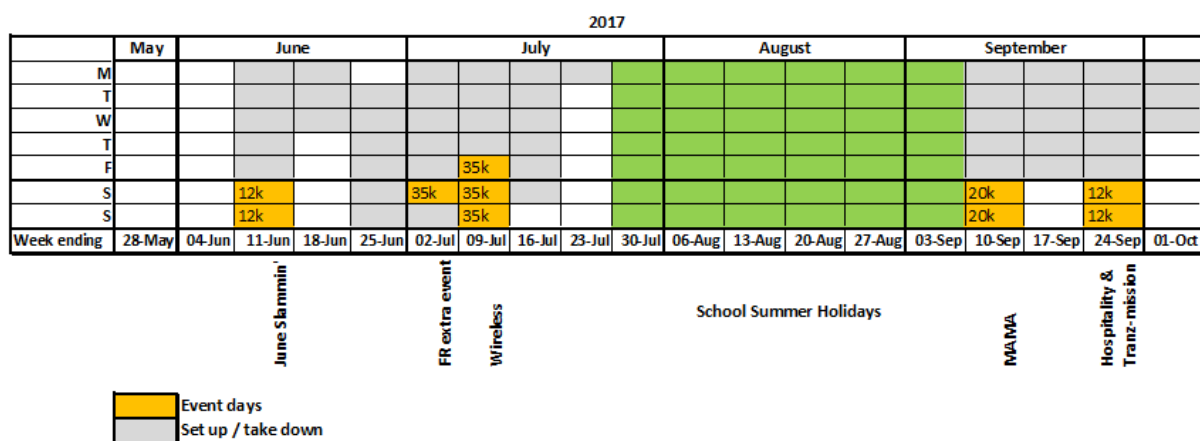
Over the last couple of years different parking restrictions have been implemented in some of the Haringey roads adjacent to the Park. A parking impact study was undertaken by officers during Wireless 2016 with a view to implementing sufficient restrictions in 2017, addressing any issues that occurred.

- 6.12. In order to further assist the Cabinet Member, details of the overall picture in relation to other applications to stage large or major events in the Park is as follows.
- 6.13. A total of ten hire applications were received in 2016 from event organisers wanting to host large or major events in the Park between May and September 2017. Eight of these events have a capacity of 20,000 attendees or less and the remaining two events, including Wireless, have a capacity of circa 35,000 attendees.
- 6.14. Four of the applications were looking to take place within July but realistically only two of these could be accommodated. One application is for a six week summer beach destination that would run throughout the summer holidays.
- 6.15. To date four applications have been withdrawn by the event organiser.
- 6.16. Five applications are now at a stage where Cabinet Member approval is to be sought in principle to allow the park hire applications to progress. These are:

Event	Date	Duration	Capacity	Event
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				Classification
June Slammin'	Saturday 10 & Sunday 11 June	2 days	12k	Major
Mama Group	Saturday 9 & Sunday 10 September	2 days	20k	Major
September Slammin' Hospitality & Tranz-mission	Saturday 23 & Sunday 24 September	2 days	12k	Major

6.17. If the above events were all to progress to fruition then the summer season would look like this:



7. Contribution to strategic outcomes

- 7.1. Hosting large music events within the Park contributes to supporting the local economy, developing the cultural offer in the borough and provides an opportunity for local people to enjoy this type of event with minimal travel.
- 7.2. The recommendations made will contribute to policy and practice primarily in relation to Priority 3 of the Corporate Plan: 'A clean, well maintained and safe borough where people are proud to live and work'.
- 7.3. In addition there are links to the Corporate Plan in relation to:
 Priority 2: 'Enable all adults to live healthy, long and fulfilling lives'
 Priority 4: 'Drive growth and employment from which everyone can benefit'
- 7.4. The Medium Term Financial Plan sets out a £600,000 increase in income during the period up to March 2018. All money raised by events is ring fenced back to the Parks budget to maintain and improve parks in the borough.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

8.1 Chief Finance Officer (including procurement)

This information is exempt and is attached as Part B of this report.

8.2 Legal

- 8.2.1 The Assistant Director, Corporate Governance has been consulted in the preparation of this report, and makes the following comments.
- 8.2.2 The law which governs the Council's powers to hire the Park in these circumstances was challenged in the High Court on an application for judicial review brought by the Friends of Finsbury Park against the decision to permit the application to stage Wireless 2016 in the Park.
- 8.2.3 The case was heard on 8th and 9th June 2016, and the judge delivered his judgment on 22nd June 2016. In summary, the judge ruled that the provisions of section 44 of the Public Health Amendment Act 1890; The Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967 and section 145 of the Local Government Act 1972 – all of which govern the ability to permit entertainment in open spaces such as the Park – *“creates different powers for different places subject to different limitations”*. Accordingly, the judge went on to rule that *“s145 of the 1972 Act, of itself and standing alone, provides the Council with the necessary power to permit Wireless 2016 to take place in the Park”*.
- 8.2.4 The significance of that ruling, was that the restriction placed on the amount of the Park which could be enclosed or set apart to facilitate the event, and the duration for such enclosure as prescribed under the 1890 and 1967 Acts – *“one acre or one tenth of the [Park] whichever is greater” / “12 days in any one year, nor four [six in London] consecutive days on any one occasion”* – simply did not apply.
- 8.2.5 Whilst it is understood that the duration restriction does not apply to these applications, the events proposed will all require more than 10% of the Park to be closed off to the public in order to stage each event. Accordingly, it is for that reason why it is important for the Cabinet Member to be made aware of the fact that on 19th December 2016, the Court of Appeal granted the Friends of Finsbury Park permission to appeal on the 'legal powers issue'. The basis for the decision was because the issue *“raises a point of considerable importance for London local authorities and ought to be considered by the Court of Appeal.”*
- 8.2.6 It is understood that the appeal could be heard on a date between *“May to November (not including August and September)”* 2017. Officers have challenged a date before October / November 2017, on the basis that the court refused an application made by solicitors acting for the Friends of Finsbury Park for a hearing before this year's event takes place. In coming to that view, the reasons given in support of the decision were *“for the reasons given in the letter from Haringey LBC dated the 18th January 2017.”* Central to the letter of opposition, was *“the adverse impact of a hearing before the event was staged in terms of “significant concern that promoters will not be prepared to enter into contracts, incur the large expenses and enter into the third party commitments involved in planning the event”* and the consequential risk of irremediable economic losses which would accrue to the Council were promoters to withdraw their applications. As at the date of publishing this report, a date has yet to be fixed.

8.2.7 Given the proximity of the appeal to the events, and the outstanding issue over the hearing date – and notwithstanding the fact that the law remains as found by the High Court unless or until it is overturned on appeal – it is important that the Council takes all necessary, proportionate and reasonable steps to protect its position when considering all applications in the interim. Accordingly, if the Cabinet Member is minded to adopt the recommendations in this report, then the following non exhaustive list of conditions should also be attached to any approval to permit these applications:

- (1) Approval is conditional on the outcome of the appeal to the Court of Appeal being to uphold the decision of the High Court
- (2) Approval is given subject to contract
- (3) Delegated authority is given to the Assistant Director, Commercial and Operations, acting on advice from the Assistant Director, Corporate Governance, to attach any other conditions as deemed appropriate

8.3 Equality

8.3.1 The Council has a public sector equality duty under the Equality Act (2010) to have due regard to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not.

8.3.2 An equality impact assessment was completed to accompany the decision in December 2013 to adopt Haringey's Outdoor Events Policy which governs the assessment of event applications to Finsbury Park. The policy does not permit events where the sole purpose is as a religious act of worship. The impact assessment acknowledged that this restriction could have the effect of discouraging religious or belief organisations from using the park for major worship based events. However, it reasoned that this restriction could be justified because such religious/belief based events by their very nature could exclude others who don't share that religion/belief from attending the event or using the park more generally.

8.3.3 The Policy aims to strike a balance between ensuring that parks, such as Finsbury Park, can be used as a community asset for all groups to access for the majority of the year, against the need to generate income from hosting major events and for these events to contribute to our borough's cultural and leisure offer.

8.3.4 The council is committed to working with event organisers to reduce the effects of noise from events on all residents living near the park, and will enforce the

individual conditions that accompany the event's permission including those related to reducing disruption, number of days (including set up) and maximum event space.

9. Use of Appendices

- 9.1 Appendix 1 – Finsbury Park stakeholders' full responses to large / major park hire applications
- 9.2 Appendix 2 – List of Finsbury Park stakeholders who were consulted
- 9.3 Park B – Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972

10. Local Government (Access to Information) Act 1985

10.1 Haringey Outdoor Events Policy -

<http://www.minutes.haringey.gov.uk/documents/s48887/OEP%20-%20CLEARED%20COVERING%20REPORT.pdf>

Appendix 1:

Finsbury Park stakeholders' full responses to large / major park hire applications

Received: Thursday 12 January 2017
From: Cllr Brian Bell
Councillor for Brownswood ward, Hackney

Dear Sarah, as at previous responses the major remaining issue for us is how effective or not, the promoters stewarding arrangements in our side streets were.

In brief, apart from one spirited individual in Queens Drive, they were useless.

Can you please ensure that responsibility for community safety on these nights is transferred, fully funded, to LB Hackney?

Thank you. Councillor Brian Bell.

Received: Monday 16 January 2017
From: Will Parkes
Highbury Community Association

We support the use of Finsbury Park for the benefit of all local residents and would be happy to see events organised that are accessible to all who want to use the Park; and promote the diversity and inclusion of the local community in a variety of different types of event. We do not support the use of the Park for events that are disproportionate in scale, cause annoyance, are not properly organised, involve a loss of amenity to local residents or prevent their enjoyment of the Park.

The HCA again opposes the London Borough (LB) of Haringey granting a licence for these proposed music concerts for a number of reasons, which we set out below.

Consultation Process

The HCA is disappointed that the consultation process is once again not open to local people, who will be most impacted by the proposed music concerts in this application. Whilst we are aware that LB Haringey has an Outdoor Events Policy, we do not believe it is fair to use this to deny individual residents the ability to share their views whether they are a resident of LB Haringey or a neighbouring Borough.

Secondly we believe the length of the consultation process - again just 10 days - is far too short. We are once again disappointed that the application again contravenes LB Haringey's own guidelines by being consulted on well within the 9 month period specified in the policy.

Length of Event, Including Preparation and Clean Up

The HCA believes that the proposed length of disruption/closure of a large section of the Park - for two and a half weeks - represents a significant loss of amenity over too long a time period. The HCA also believes that this proposed closure of a large section of the Park in the height of summer is a disproportionate inconvenience to local people.

It was proposed in 2016 to hold a 'community event' the weekend before the main event - in part in recognition of the inconvenience and disruption caused, but in the end that came to nothing. We are disappointed that this year there has been no attempt at all to offer a comparable event, but instead to add yet another date for a 40,000 capacity concert. The application HGY04877 is confusing as it says the event is not open to the public and is not ticketed, but is expected to have 40,000 people in attendance. Can you please clarify the arrangements for this event, as the application is confusing?

We oppose any concert being hosted that was not ticketed as the potential for crowds and anti-social behaviour would be extremely high without a controlled, ticketed event.

If this additional concert goes ahead, it means residents will be negatively impacted for two weekends in a row, meaning this year's inconvenience will be greater than in 2016 which only covered one weekend.

Noise

From previous experience local residents have to endure excessive noise not just during the concerts, but also in the preparation for the events. We would wish to see more stringent regulations in place to minimise the impact on local residents, including earlier finish times, fewer fireworks and ensuring adequate sound insulation directing noise away from residential areas is in place.

Damage to the Park

In previous years there has been significant damage to the grass where the event has taken place. We recall that stakeholders visited the Park following 2015's Wireless Festival to survey the damage caused, which covered a large expanse of the Park. We believe LB Haringey should consider rotating the area used for the concerts each year to give respite to those residents who are currently inconvenienced every year. We do not believe that adequate consideration has been given to this idea in previous years.

That said, the HCA believes this damage is always likely to happen and is a further reason why the event application should be rejected.

Anti-Social Behaviour

In previous years our residents have experienced anti-social behaviour due to the large number of people at the station (some with tickets for the events, some without). The HCA believes the risk of anti-social behaviour that comes with such a large-scale event taking place for many hours over several days outweighs the 'public benefit' of putting on the concerts. It is also obvious from previous years' experience that the event is not aimed at 'families' and 'older people' as your

consultation document again asserts. From previous years it is clear that the overwhelming majority of people are in your 'young people' category.

It is also evident that the vast majority of ticket holders do not live in Haringey, Hackney or Islington and so have no association with the area, but negatively impact on the local area for the duration of the events. Indeed the Wireless Festival is advertised on a national and European scale.

In the last year at least one illegal campsite was set up within the confines of the park. There is currently evidence of other people camping in the park. Whilst this was not associated with the Wireless concerts, the HCA would like reassurances as to what LB Haringey will do to avoid people taking advantage of the disruption caused by the concerts to illegally use the park as a makeshift campsite prior to, during and after the event has taken place.

Local information

Repeated last year the experience of HCA members has been that the provision of information has been poor with many local residents being unaware of the music concerts taking place - or knowing of a dedicated contact number that people can call. Feedback from local residents in prior years has reported that the contact numbers provided did not work and calls to complain about noise and anti-social behaviour were not answered or ignored. The HCA would like to see further improvements of the provision of local information should you decide to grant the application.

Conclusion

The HCA believes the residents of Hackney and Islington will once again be disproportionately affected by these concerts which are intentionally placed as far away from Haringey residents as possible. We believe LB Haringey should consider rotating the area used for the concerts each year to give respite to those residents who are currently inconvenienced every year.

We are also disappointed that there will be four days of concerts over two weekends, where there were three concerts over one weekend in 2016. It is also disappointing that the proposal in 2016 for a community concert has been dropped in favour of a further day's concert.

We do not believe that any potential 'public benefit' outweighs the damage and detriment caused to a large section of the Park for an excessive period of nearly three weeks. We believe the loss of amenity over this period will harm local people's enjoyment of the Park. We also do not support the assertion that one benefit of the event will be 'raising the profile of the park and area nationally as a venue' as this will only likely encourage more music concerts taking place.

The HCA further believes there will always be the risk of a repeat of the anti-social behaviour caused by concert-goers, the vast majority of whom have no connection whatsoever with the local community.

We also believe the consultation period of 10 days is too short and should be open to individuals as well as local community groups.

For all the reasons we have provided the HCA's considered and firm view is that the event application should be refused.

Received: Monday 16 January 2017
From: Jan Hart
Service Director – Public Protection, London Borough of Islington

We have seen many improvements to the management of Wireless, but Islington has serious reservations about the proposed capacities for both these concerts whilst Finsbury Park is operating at a reduced capacity.

We've reviewed the documentation sent to us previously regarding egress and queuing times into stations, specifically Finsbury Park. We did not believe that the promoter's second submission could be accepted as an improved offer as it was comparing Wireless attendees with compliant Arsenal fans who use Finsbury Park regularly and then concluding that a better entry flow than their original submission was possible following these observations. The promoters submission ignores that on the Saturday 8th July, Emirates is hosting an event for 55,000 where the start time will coincide with Wireless attendees arriving for the afternoon and, at the terminal hour for Emirates, see a clash of people leaving there with those arriving at Finsbury Park for the evening. Tickets and travel arrangements have already gone out to the Emirates attendees as it was booked over a year ago. We know from routine work days, that the station has to close frequently because of overcrowding and to expect festival goers to queue compliantly for at least an hour and a half is unrealistic.

It's our suggestion that an independent crowd safety report is commissioned to specifically look at crowd modelling, crowd flows and dynamics, with details on predicted customer behaviour during the egress model as proposed to give us all a final view. The wait time, likely crowd density, and nature of the audience gives us all very serious public safety concerns with the suggested capacity and no doubt that any ramifications would spill into Islington. It is normal to seek independent verification – for instance, we required it of TFL and Arsenal when dealing with queuing issues at Highbury and Islington station. We would also need to consider whether we would object to any road closure applications until we have received independent evidence in respect of egress and the final capacity.

Received: Tuesday 24 January 2017
From: Cllr Zena Brabazon
Councillor for Harringay ward, Haringey

Dear Officers

Please see the email below from Ms Carrie Anker and her 38 neighbours who live in Tancred, Venetia, Coningsby, and Lothair Rds North and South. I think this email/letter is self explanatory. In summary they are exercising their rights to object to the Wireless concert in Finsbury Park and have asked me, as ward councillor, to convey their written objection to you.

Dear Councillor Brabazon

I am writing on behalf of myself and 38 neighbours, all residents of Tancred, Venetia, Conningsby and Lothair Rds North and South (cc'd and below). We object to the Wireless 2017 event application in Finsbury Park, and, given the council has indicated it will not accept complaints from individuals, we would like you to raise/pass on our complaints, objections and concerns on our behalf, before the deadline, which we understand is Thursday 26th January.

Our main objection is that this type of event is way too big for a park in a highly residential area. The Wireless events over the past 3 years have caused extreme disruption to the area and residents, both during the events themselves, but also during set up and take down times (examples below). In addition, this year we understand there are 4 additional weekends of large scale commercial events planned over the summer, and this would mean large areas of the park would be inaccessible for the best part of 3 months, which is unacceptable. The increased number of large-scale events planned for 2017 also means the fabric of the park would not have time to recover in between events, and the inevitable damage would become more permanent. In this context it would be unreasonable for the council to grant Wireless permission to go ahead in 2017.

Sound levels are unreasonably high – in past years many of the residents in our streets couldn't hear the TV in our houses over the noise of the concert. Quite a few of us work from home, and this becomes difficult on concert days, as the noise is often too loud in our houses. We could live with this if the concerts were for one day, but when they are for 3 days or more, it is unacceptable. Similarly, if any students in our area need to revise for exams, this would be difficult to do from our homes as noise levels from the events are often too high inside our houses, even with the windows shut. Several of us have young children, who have afternoon naps, and early bed-times, and these routines are severely disrupted during concert days. In the past complaints about noise have been met with the response that the noise levels are within the permitted levels, but in practice this level is too high to comfortably spend long periods of time in our houses/gardens.

The events take up too much space in the park, and take over some of the most used areas. They also restrict access for too long a period of time. Several of us use the park every day – for pleasure/sport/children's activities/cycling to work and many of these activities are restricted by Wireless. There are several different sports groups who regularly use the grassy area parallel to Seven Sisters Road (football, rugby etc) – this is how the park should be used, but all these groups were forced to stop for the best part of 4 weeks whilst Wireless took over this area of the park last year.

The Wireless events are **forbidding for young children** – the big vehicles and extra pollution change the atmosphere in the park and make it unpleasant and at times threatening and dangerous, as not all the vehicles stick to the speed restrictions. In addition to this, in past years some of the lyrics of songs on the Friday afternoon, were crude and totally unsuitable for young children to hear. Also, often event goers hang around the cafe and playground areas and drink alcohol during the day time before the concerts have started, which make it an unpleasant area for young children (and indeed, I have noticed far fewer families in these areas during concert times).

Every year these big events have taken place there has been **damage to the park** caused by the events, be it in broken branches, damaged paths and road surfaces, damage to grassy areas, most of which take months to recover (or don't recover at

all, in the case of broken branches). The damage to grass resulting from the 2016 Wireless event was worse than ever, and large areas of grass were ruined for the whole summer (attached photos showing damage still evident in September), and even now some patches of grass still haven't grown back properly. If Wireless were to take place this year, after the concerts planned during May and June, and September, there would be no time for the grass to recover in between concerts, and the damage is likely to be far worse than previous years.

Another point is that last year there were no parking restrictions in our streets which meant that residents felt unable to leave the area for fear of losing a space on their return, and there were cars tripled parked, which made our usually quiet streets dangerous during the Wireless weekend.

In short, the Wireless events are too big, too loud, too long and too damaging for Finsbury Park. Something along the lines of the Fleadh, which used to take place in Finsbury Park, is far more suitable for our park.

It seems as if Harringey Council never listen to the concerns of residents (some of us have been to several meetings, where we've been told that they will learn from the mistakes made each year and 'mitigate' all the issues raised for the following year, but year on year these issues persist). We are not against all concerts in the park, but strongly feel Wireless is excessive, especially in the context of all the other concerts planned for 2017.

Please can you let us know what you're able to do to address our concerns.

Yours sincerely

Carrie Anker, 4 Tancred Road, N4 1EH
Mike Ash and Danny Ash, 4 Tancred Road, N4 1EH
Bob & Josie Ingram, 10 Coningsby Road, N4 1EG
Cora Kaplan and David Glover, 113 Lothair Rd North
Juliette and Roland Darby, 44 Lothair Rd North
Adrian Budd, 7 Venetia Rd, N4 1EJ
Richard Gay & Juliet Denison. 133 Lothair Road North, London N4 1ER
Matt and Natasha Armstrong, 12 Tancred Rd
Ben Swift and Indira Arnautovic. 47 Lothair Rd South N4 1EN
Frederick Guy and Simona Iammarino, 115 Lothair Road North, N4 1ER
Marian Broderick, 111 Lothair Road N4 1ER
Sarah and Leo Sudea, 3 Tancred Road, N4 1EH
Anna-Zohra Tikly and Karl Young, 8 Tancred Road, N4 1EH
Andy and Catherine Cheatle, 127 Lothair Road North
Ian and Debbie Shepherd, 11 Coningsby Road
Andy & Elinor Stone, 69 Lothair Road South, N4 1EN
Adam Banks and Caroline Bartlett of 6 Coningsby Rd, N4 1EG
Elizabeth and Austin Dorsett, Flat 1, 5 Tancred Road, N4 1EH.
Debby Potts, 38 Lothair Road North
Elizabeth Blunt, 14 Venetia Rd N4 1EJ
Roy Immanuel & Pamela Cardenas, 7 Tancred Road, N4 1EH
Sarah Caton & Ahmet Yener, 8 Lothair Rd, N4



Received: Thursday 26 January 2017
From: Cllr Zena Brabazon
Councillor for Harringay ward, Haringey

Dear Officers

I am writing further to my email of 24 January regarding objections to the proposed concerts in Finsbury Park. In addition to the objection received below from local residents, I have also received a letter from Mr Bruce Kent who lives at 11, Venetia Road, N4 1EJ. He has written to me setting out his objections to the concerts which in summary are:

- The extensive time a large section of the park will be out of bounds to park users
- Noise and traffic congestion
- That the park is being seen by Haringey Council as a source of revenue rather than as 'an open space for relaxation and enjoyment given to us by some far-seeing and civic minded Victorians'.

Please ensure that this objection is recorded and once again please confirm this in writing to me.

Received: Thursday 26 January 2017
From: Kit Greveson
Chair, Stroud Green Residents' Association

In reply to the Stakeholder Consultation re the above, Stroud Green Residents' Association finds it unacceptable that a large part of Finsbury Park would be unavailable to the general public, should the 2 applications by Live Nation be approved by Haringey Council. The period under consultation, viz from 20th June through to 15th July, would mean that over 4 weekends at the height of the summer, during months when the park is at its busiest, the area of the Finsbury Park available to local residents and park users would be greatly reduced.

As the applications under consultation are from the same company (Live Nation), SGRA finds difficulty in understanding the dates given for prep and clear up. Live

Nation is firstly applying to be on site on 20th June for a 1 day, 2-stage concert on 1st July, clearing up by 6th July. The second application is to be on site from 27th June when Live Nation will actually already be in the park. This is for the Wireless Festival taking place from 7th to 9th July on 3 stages, 2 days after the clear up date for the first application! Live Nation will actually only be completely off site on 15th July. Both events are being organised for up to 40,000 ticket holders on 2 consecutive weekends.

SGRA can only assume that Live Nation will not in fact be clearing up at all after the first concert but will be building yet another stage for the Wireless Festival. Is it therefore rather disingenuous of Live Nation to apply separately for these two events?

As the applications both mention a benefit to the local community as being “*work (sic) in partnerships with local organisations in need of support*”, SGRA would also be keen to know to which organisations this actually refers.

When added to the other applications from Rinse and Slammin, this could mean that large areas of the park would be out of bounds to local resident park users from 22nd May right through to 15th July, almost two months. There would only two days, 3rd and 4th June, and five days from 15th June to 19th June when no event activity would be taking place. Apart from the extreme physical wear and tear to Finsbury Park, these current applications ignore the fact that the park is well used by local residents during what are often the best months for outdoor activities.

A further negative aspect of these applications for residents in the immediate vicinity of the park is of course the noise which these events inevitably generate, meaning that summer weekends are to be dreaded not enjoyed, as well as possible anti-social behaviour which large scale events tend to promote.

Although aware of the income stream that events in Finsbury Park provide for the council, SGRA feels that the number of events is excessive and that, as the park is now hired out on a more commercial basis than previously, financial targets could surely be met by just 5 days instead of the proposed 12.

SGRA would urge Haringey Council to really consider its residents and the strain on their leisure time before agreeing to these applications.

Appendix 2:

List of Finsbury Park stakeholders who were consulted

Stakeholder consultation		
<p>As set out in the Outdoor Events Policy, stakeholders were emailed on Wednesday 11 January 2017 with details of the Festival Republic park hire applications received for Finsbury Park 2017. 36 stakeholder groups, plus internal council colleagues and statutory bodies including the police, fire, ambulance and transport providers were emailed giving ten days to respond to the application with comments.</p> <p>A full list of stakeholders is below. Those marked in green provided a response to the consultation.</p>		
External stakeholders	Internal council colleagues	Statutory bodies
Access to Sport	Cabinet Member for Environment	London Fire Brigade
Alpha Dog Club	Parks Service	Metropolitan Police Service
Ambler Primary School	Licensing	London Ambulance Service
British Military Fitness	Food Safety Team	Transport for London
Edible Landscapes	Emergency Planning Team	Govia Thameslink Railway
Finsbury Park Art Hut	Health & Safety Team	
Finsbury Park Boats	Highways	
Finsbury Park Bowls Club	Neighbourhood Action Team	
Finsbury Park Cafe	Parking Services	
Finsbury Park Sports Partnership	Veolia	
Finsbury Park Trust		
Furtherfield		
Harringay Green Lanes Traders Association		
Highbury Community Association		
Ladder Community Safety Partnership		
London Borough of Hackney		
London Borough of Islington		
London Mets Softball Club		
Manor House Development Trust		
Park View Cafe		
Parkrun		
Parkwood Primary School		
Pedal Power		
Regiment Fitness		
Saracens RFC		
Stroud Green Residents' Association		
Stroud Green School		
Stroud Green Traders Association		
The Friends of Finsbury Park		
Try Tag Rugby		
Harringay Ward Members x 3 (LB Haringey)		
Stroud Green Ward Members x 3 (LB Haringey)		
Seven Sisters Ward Members x 3 (LB Haringey)		
St Ann's Ward Members x 3 (LB Haringey)		
Brownswood Ward Members x 2 (LB Hackney)		
Finsbury Park Ward Members x 3 (LB Islington)		

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Report for: Cabinet Member decision – 24 February 2017

Item number: 5

Title: Multiple applications to hire Finsbury Park for the major events in 2017

Report authorised by : Stephen McDonnell, Assistant Director – Commercial and Operations

Lead Officer: Zoe Robertson, Head of Commissioning & Client
zoe.robertson@haringey.gov.uk, 020 8489 2223

Ward(s) affected: Harringay and Stroud Green Wards

**Report for Key/
Non Key Decision:** Non Key Decision

1. Describe the issue under consideration

- 1.1 This report seeks a determination of three applications made by two event promoters to hire Finsbury Park to stage major events in June and September 2017.
- 1.2 The applications are required to be determined pursuant to the Council's Outdoor Events Policy (the Policy), which was approved by Cabinet on 17th December 2013, and implemented on 7th January 2014.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

- 3.1 The Cabinet Member for Environment is recommended to:
- (a) Consider, and take account of, the comments received from recognised stakeholders of Finsbury Park in response to the event notifications being sent as part of the decision making process (attached as Appendix 1).
- (b) Authorise the Assistant Director – Commercial and Operations, to approve conditional in principle agreement to hire Finsbury Park to the event promoters for the events detailed in this report as set out in paragraph 6.4.

(c) Agree that the conditions which are to be attached to any final approval of authority are as set out in the comments of the Assistant Director, Corporate Governance at paragraph 8.2.8 below.

4. Reasons for decision

- 4.1. Under the terms of the Policy, applications of the type detailed in this report are required to be determined with the prior agreement of the Cabinet Member.
- 4.2. If authority is given, then officers will give in principle agreement to the applicant for the event applications to progress. The events will then be subject to lengthy discussions with relevant authorities, including licensing before final agreement is given.
- 4.3. The rejection of the applications would have implications for the Parks Service budget, and reduce the opportunity for reinvestment into Finsbury Park (the Park) and other parks. It would also mean that the wider cultural and economic benefits to the borough were lost.

5. Alternative options considered

- 5.1. In adopting the Policy, the Council established its commitment to using the Park for a limited number of major events each year. Accordingly, the only other alternative option which could be considered would be to reject the application. That option was rejected, on the grounds that the events did not fall within any of the grounds set out in paragraph 5.3 of the Policy for automatic refusal.

6. Background information

- 6.1. In January 2014, the Council adopted the Policy to recognise the value and benefit that a varied, and well managed, outdoor events programme can offer the residents of Haringey.
- 6.2. The Policy assists the decision making process behind building a sustainable and varied programme of events. It also seeks to protect the community and the parks and open space infrastructure and minimise or mitigate any negative impacts which events may cause.
- 6.3. Some of these restrictions as set out at paragraph 5.2.2 of the Policy specifically relate to the Park to ensure a balance of income generation and that of continued public use of the park through the busiest summer months is achieved. These restrictions include, but are not limited to, the following:
 - *“Major scale events [more than 10,000 attendance] will be ordinarily limited to 5 per year, save where there is demonstrable community support for additional events*
 - *Duration of major scale events will be of 1 – 3 days per event*
 - *No major scale events will take place during the school summer holidays”*
- 6.4. On 3rd October 2016, the Council received two applications from Slammin' Events to hire the Park to stage two, two day music events on the 10th & 11th

June and 23rd & 24th September 2017. If approved, this would be the fourth successive year that Slammin' Events has hosted a September event in the Park. On 14th October 2016, the Council received an application from Mama Festivals Ltd to stage a two day music event on 9th & 10th September. This is the first application received from Mama Festivals Ltd.

6.5 The Policy details the approval process for determining applications. Paragraph 5.2.3. of the Policy requires prior authority for the event to be given by the Cabinet Member as a non key decision before officers give in principle agreement whenever the following criteria applies:

- *“Expected attendance is over 10,000”*
- *“Event lasts more than 2 days with 5,000 or more in attendance”*

6.6 Both of the criteria detailed above apply to these applications, and so hence this referral to the Cabinet Member.

6.7 As part of the approval process, the Policy stipulates the need for consultation on the applications to take place. Paragraph 5.1.6. of the Policy states *“Consultation will involve all stakeholders, including Friends Groups, Area Parks Managers, Ward Councillors, Cabinet Member for Environment and the members of the Haringey Safety Advisory Group. Other consultees may be added where appropriate to the specific park or open space”*.

6.8. In discharging the requirement to consult, officers sent details of the applications to 36 stakeholder groups by e-mail dated 13th December 2016. Details of the list of consultees appears at Appendix 2 to the report. Stakeholders including local resident associations, Hackney and Islington council officers, park user groups and leaseholders; councillors from 6 adjoining wards including in Hackney and Islington; internal council stakeholders including licensing and emergency planning; and statutory bodies including the Metropolitan Police and London Fire Brigade were initially given 10 working days to respond, although this was increased to 16 days on request due to the Christmas/New Year period.

6.9. Of the list of consultees, only those highlighted in green at Appendix 2 provided a total of 3 responses broken down as follows:

- (a) 1 response was received from a ward councillor in Harringay ward
- (b) 1 response was received from a ward councillor in Stroud Green ward
- (c) 1 response was received from Stroud Green Residents' Association

6.10. The comments are set out at Appendix 1. However, they can be summarised as being concerns around the volume of events proposed, park reinstatement issues and noise.

6.11. Officer responses to the comments are as follows:

- (a) Number of events

The Policy allows for up to 5 major events (more than 10,000 attendees) to take place in the Park in one year, for a duration of no more than 3 days at a time. This number will not be exceeded.

All five of the proposed events fall within the 'major' event criteria and all are ticketed.

(b) Event area / set up and take down / disruption

Every effort is made to ensure set up and take down periods are sufficient for the safe installation of an event area, while retaining as much public access as possible. Detailed discussions take place with event promoters months in advance of the event to agree how a phased closure of the event space is managed as build progresses and to ensure vehicle movement through the park during these times is managed and controlled. These plans are shared with the Finsbury Park Event Stakeholders Group with any comments for improvement being discussed in detail with promoters.

The event area proposed for these events is the main bandstand field to the south of the Park. This space equates to approximately 12% of the park, with the remainder including all facilities staying open to the public at all times.

(c) Reinstatement works

Event promoters pay a £15,000 refundable grounds deposit before moving onto site. This would only be refunded after any associated costs / damages have been paid. If costs / damages incurred come to more than the deposit amount, the event organiser is obliged through the park hire agreement to pay all outstanding costs.

In 2016 the Parks Service invested in new equipment and machinery allowing faster restoration of grass areas after events.

(d) Noise monitoring

The council is committed to working with event organisers to reduce the effects of noise from events on residents.

Complaints received during Slammin's September event in 2016 resulted in one call being received during the two day event.

(e) Contractual obligations

All park hirers are bound by contractual obligations and all conditions are robustly enforced.

(f) Slammin' Events

The information shared as part of the stakeholder consultation was taken directly from EventApp, and the 27th October 2017 date for the event organiser to be off site was a typo made by the event organiser. This should have said 27th September 2017, and has now been corrected.

(g) Wireless

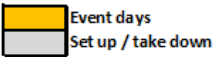
Two park hire applications have been received from Festival Republic Ltd. One to host the three day Wireless Festival on the 7th, 8th and 9th July and a one day concert the weekend before on 1st July, in Finsbury Park during 2017.

- 6.12. In order to further assist the Cabinet Member, details of the overall picture in relation to other applications to stage large or major events in the Park is as follows.
- 6.13. A total of ten hire applications were received in 2016 from event organisers wanting to host large or major events in the Park between May and September 2017. Eight of these events have a capacity of 20,000 attendees or less and the remaining two events including Wireless have a capacity of circa 35,000 attendees.
- 6.14. Four of the applications were looking to take place within July but realistically only two of these could be accommodated. One application is for a six week summer beach destination that would run throughout the summer holidays.
- 6.15. To date four applications have been withdrawn by the event organiser.
- 6.16. Five applications, including the three detailed in this report, are now at a stage where Cabinet Member approval is to be sought in principle to allow the park hire applications to progress. The other two events which are subject to separate Cabinet Member approval are as follows:

Event	Date	Duration	Capacity	Event Classification
Festival Republic Concert	Saturday 1 July	1 days	Circa 35k	Major
Wireless Festival	Friday 7, Saturday 8 & Sunday 9 July	3 days	Circa 35k	Major

- 6.17. If all proposed events were to progress to fruition then the summer season would look like this:

2017																			
	May	June				July				August				September					
M																			
T																			
W																			
T																			
F																			
S			12k				35k	35k							20k		12k		
S			12k				35k	35k							20k		12k		
Week ending	28-May	04-Jun	11-Jun	18-Jun	25-Jun	02-Jul	09-Jul	16-Jul	23-Jul	30-Jul	06-Aug	13-Aug	20-Aug	27-Aug	03-Sep	10-Sep	17-Sep	24-Sep	01-Oct
			June Slammin'			FF extra event	Wireless				School Summer Holidays				MAMA		Hospitality & Trans-mission		



7. Contribution to strategic outcomes

- 7.1. Hosting large music events within the Park contributes to supporting the local economy, developing the cultural offer in the borough and provides an opportunity for local people to enjoy this type of event with minimal travel.
- 7.2. The recommendations made will contribute to policy and practice primarily in relation to Priority 3 of the Corporate Plan: 'A clean, well maintained and safe borough where people are proud to live and work'.
- 7.3. In addition there are links to the Corporate Plan in relation to:
 Priority 2: 'Enable all adults to live healthy, long and fulfilling lives'
 Priority 4: 'Drive growth and employment from which everyone can benefit'
- 7.4. The Medium Term Financial Plan sets out a £600,000 increase in income during the period up to March 2018. All money raised by events is ring fenced back to the Parks budget to maintain and improve parks in the borough.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

8.1 Chief Finance Officer (including procurement)

This information is exempt and is attached as Part B of this report.

8.2 Legal

- 8.2.1 The Assistant Director, Corporate Governance has been consulted in the preparation of this report, and makes the following comments.
- 8.2.2 The law which governs the Council's powers to hire the Park in these circumstances was challenged in the High Court on an application for judicial review brought by the Friends of Finsbury Park against the decision to permit the application to stage Wireless 2016 in the Park.
- 8.2.3 The case was heard on 8th and 9th June 2016, and the judge delivered his judgment on 22nd June 2016. In summary, the judge ruled that the provisions of section 44 of the Public Health Amendment Act 1890; The Ministry of Housing

and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967 and section 145 of the Local Government Act 1972 – all of which govern the ability to permit entertainment in open spaces such as the Park – *“creates different powers for different places subject to different limitations”*. Accordingly, the judge went on to rule that *“s145 of the 1972 Act, of itself and standing alone, provides the Council with the necessary power to permit Wireless 2016 to take place in the Park”*.

- 8.2.4 The significance of that ruling, was that the restriction placed on the amount of the Park which could be enclosed or set apart to facilitate the event, and the duration for such enclosure as prescribed under the 1890 and 1967 Acts – *“one acre or one tenth of the [Park] whichever is greater” / “12 days in any one year, nor four [six in London] consecutive days on any one occasion”* – simply did not apply.
- 8.2.5 Whilst it is understood that the duration restriction does not apply to these applications, the events proposed will all require more than 10% of the Park to be closed off to the public in order to stage each event. Accordingly, it is for that reason why it is important for the Cabinet Member to be made aware of the fact that on 19th December 2016, the Court of Appeal granted the Friends of Finsbury Park permission to appeal on the ‘legal powers issue’. The basis for the decision was because the issue *“raises a point of considerable importance for London local authorities and ought to be considered by the Court of Appeal.”*
- 8.2.6 It is understood that the appeal could be heard on a date between *“May to November (not including August and September)”* 2017. Officers have challenged a date before October / November 2017, on the basis that the court refused an application made by solicitors acting for the Friends of Finsbury Park for a hearing before this year’s event takes place. In coming to that view, the reasons given in support of the decision were *“for the reasons given in the letter from Haringey LBC dated the 18th January 2017.”* Central to the letter of opposition, was *“the adverse impact of a hearing before the event was staged in terms of “significant concern that promoters will not be prepared to enter into contracts, incur the large expenses and enter into the third party commitments involved in planning the event”* and the consequential risk of irremediable economic losses which would accrue to the Council were promoters to withdraw their applications.
- 8.2.7. The letter also referred to four other applications to stage events in the Park from different promoters, all of which were affected by the issue raised in the Wireless appeal. These applications were amongst those referred to in the letter. As at the date of publishing this report, a date has yet to be fixed.
- 8.2.8 Given the proximity of the appeal to the events, and the outstanding issue over the hearing date – and notwithstanding the fact that the law remains as found by the High Court unless or until it is overturned on appeal – it is important that the Council takes all necessary, proportionate and reasonable steps to protect its position when considering all applications in the interim. Accordingly, if the Cabinet Member is minded to adopt the recommendations in this report, then the following non exhaustive list of conditions should also be attached to any approval to permit these applications:

- (1) Approval is conditional on the outcome of the appeal to the Court of Appeal being to uphold the decision of the High Court
- (2) Approval is given subject to contract
- (3) Delegated authority is given to the Assistant Director, Commercial and Operations, acting on advice from the Assistant Director, Corporate Governance, to attach any other conditions as deemed appropriate

8.3 Equality

8.3.1 The Council has a public sector equality duty under the Equality Act (2010) to have due regard to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not.

8.3.2 An equality impact assessment was completed to accompany the decision in December 2013 to adopt Haringey's Outdoor Events Policy which governs the assessment of event applications to Finsbury Park. The policy does not permit events where the sole purpose is as a religious act of worship. The impact assessment acknowledged that this restriction could have the effect of discouraging religious or belief organisations from using the park for major worship based events. However, it reasoned that this restriction could be justified because such religious/belief based events by their very nature could exclude others who don't share that religion/belief from attending the event or using the park more generally.

8.3.3 The Policy aims to strike a balance between ensuring that parks, such as Finsbury Park, can be used as a community asset for all groups to access for the majority of the year, against the need to generate income from hosting major events and for these events to contribute to our borough's cultural and leisure offer.

8.3.4 The council is committed to working with event organisers to reduce the effects of noise from events on all residents living near the park, and will enforce the individual conditions that accompany the event's permission including those related to reducing disruption, number of days (including set up) and maximum event space.

9. Use of Appendices

9.1 Appendix 1 – Finsbury Park stakeholders' full responses to large / major park hire applications

- 9.2 Appendix 2 – List of Finsbury Park stakeholders who were consulted
- 9.3 Park B – Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972

10. Local Government (Access to Information) Act 1985

10.1 Haringey Outdoor Events Policy -

<http://www.minutes.haringey.gov.uk/documents/s48887/OEP%20-%20CLEARED%20COVERING%20REPORT.pdf>

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Appendix 1:

Finsbury Park stakeholders' full responses to large / major park hire applications

Received: Monday 19 December 2016
From: Cllr Tim Gallagher
Councillor for Stroud Green Ward, Haringey

Overall, I am concerned about the volume of events proposed for 2017, particularly given the possibility of Wireless festival taking place as well. The total set-up/take-down time for these events is as follows:

Holi – 6 days
Mama – 12 days
Rinse - 11 days
Slammin Presents Hospitality – 9 days
Slammin Presents – 9 days

This is considerable, particularly as some are very close to each other. The disruption to the park can be significant throughout these periods, with large areas cut off from the public. If Wireless is added on to this, the total may be two months during the summer. With all these events the organisers need to do everything they can to make sure all the park remains accessible for the maximum possible time.

Secondly, organisers need to do much more to repair the park after the concerts. After Wireless last year the grass immediately north of the tennis courts was damaged and never repaired properly. This cannot be allowed. Please can utmost emphasis be placed during negotiations on ensuring organisers are liable for all damage, and are expected to return the park to the condition in which they found it.

Received: Wednesday 21 December 2016
From: Cllr Zena Brabazon
Councillor for Haringay Ward, Haringey

I have had a first look at them and want to let you know my initial thoughts. Looking at the dates it seems to me that the park will be a venue for big events for much of the summer period. Each event has setting u and taking down time, so they effectively last for a lot longer than the actual day(s) of the vent set out in your list below. Could you please produce an easy to read table which sets out the actual length of time the area of the park used for these events will be out of public use – i.e the setting up time, and the taking down time. I think that might give us a clearer idea of just how many weeks during the summer that the front of the park will be cordoned off.

I note that these are just the events booked as of now so presumably there will be further events you will be adding and notifying us about . Do you know, for example,

at this stage, if Wireless are returning to Finsbury Park, and if they are, what is the tentative date.

Finsbury Park is in my ward and I would welcome an opportunity for a discussion with ward councillors about these events for next year, and what, effectively is the increasing commercialisation of the park and the implications of that process.

Received: Sunday 8 January 2017
From: Kit Greveson
Chair, Stroud Green Residents' Association

With apologies for not having properly combined residents' responses last week into an overall reply from SGRA and with thanks for your understanding and time extension, I herewith submit a more formal response.

SGRA continues on behalf of residents to actively discourage the use of Finsbury Park for large-scale events as this is detrimental to the park and its users. However SGRA appreciates that there is a policy in place and therefore would like to comment on the applications in question as follows:

It would appear that the current four applications, should they be approved, represent a considerable increase over the last two years, resulting in a very limited access to a large part of Finsbury Park for almost continuous blocks of time. Presuming that Wireless will take place at the beginning of July, this will mean that in 2017 there will be at least five music events planned instead of the two in previous years. Should Wireless takes place, large areas of the park will be out of bounds to park users from 22nd May until 10th July, with probably only a week from 15th-22nd June when there is no event activity taking place. The same situation recurs in August/September from Tuesday, 29th August until Friday, 29th September (we assume Friday, 27 October is incorrect?).

SGRA would like to make the following observations:

1. Is there a possibility of a Wireless event at the beginning of July?
2. The number of events planned is excessive compared with previous years. Why is this?
3. The plans ignore the fact that local people use the park for recreational purposes and that large areas will be out of bounds for weeks at a time. How will Haringey address this issue so that park users will not be so inconvenienced?
4. The noise from these events is a nuisance to people who live locally. Can we be sure that the events organisers/Haringey will effectively monitor the noise levels during the course of these events, should the applications be successful?
5. Slammin off site on Friday, 27th October - is this correct or are other events planned?

6. SGRA would like reassurance that, should these events be approved, Haringey will robustly enforce any contractual conditions.

7. The SLAMMIN applications suggest a lack of concern for local residents, the area and its amenities. SGRA would urge Haringey to actively pursue a green and sustainable policy for Finsbury Park from events organisers.

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Appendix 2:

List of Finsbury Park stakeholders who were consulted

Stakeholder consultation		
<p>As set out in the Outdoor Events Policy, stakeholders were emailed on Tuesday 13 December 2016 with details of the large / major park hire applications received for Finsbury Park 2017. 36 stakeholder groups, plus internal council colleagues and statutory bodies including the police, fire, ambulance and transport providers were emailed giving ten days to respond to the application with comments.</p> <p>A full list of stakeholders is below. Those marked in green provided a response to the consultation.</p>		
External stakeholders	Internal council colleagues	Statutory bodies
Access to Sport	Cabinet Member for Environment	London Fire Brigade
Alpha Dog Club	Parks Service	Metropolitan Police Service
Ambler Primary School	Licensing	London Ambulance Service
British Military Fitness	Food Safety Team	Transport for London
Edible Landscapes	Emergency Planning Team	Govia Thameslink Railway
Finsbury Park Art Hut	Health & Safety Team	
Finsbury Park Boats	Highways	
Finsbury Park Bowls Club	Neighbourhood Action Team	
Finsbury Park Cafe	Parking Services	
Finsbury Park Sports Partnership	Veolia	
Finsbury Park Trust		
Furtherfield		
Harringay Green Lanes Traders Association		
Highbury Community Association		
Ladder Community Safety Partnership		
London Borough of Hackney		
London Borough of Islington		
London Mets Softball Club		
Manor House Development Trust		
Park View Cafe		
Parkrun		
Parkwood Primary School		
Pedal Power		
Regiment Fitness		
Saracens RFC		
Stroud Green Residents' Association		
Stroud Green School		
Stroud Green Traders Association		
The Friends of Finsbury Park		
Try Tag Rugby		
Harringay Ward Members x 3 (LB Haringey)		
Stroud Green Ward Members x 3 (LB Haringey)		
Seven Sisters Ward Members x 3 (LB Haringey)		
St Ann's Ward Members x 3 (LB Haringey)		
Brownswood Ward Members x 2 (LB Hackney)		
Finsbury Park Ward Members x 3 (LB Islington)		

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