

Review application by Friends of Finsbury Park

HARRISON

SOLICITORS

GRANT

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Licensing Team
London Borough of Haringey
Level 6 – Alexandra House
10 Station Road
Wood Green
London N22 7TR
(by 1st class post)

Your ref: NEW CASE
Our ref: FRI0032/SR
Email: susanring@hglaw.co.uk

4 July 2018

Dear Sirs,

Premises Licence Number LN/000012182
Wireless Festival in Finsbury Park

We act for The Friends of Finsbury Park in this matter.

The above Premises Licence was granted to Live Nation on 16 December 2013 for the holding of the Wireless Festival. As you will know, the Wireless Festival in Finsbury Park has been and continues to be very controversial and has been the subject of many complaints by local residents.

We therefore enclose our client's application for a review of the premises licence comprising the following documents, as listed in the bundle index, namely:

- 1) Application for the review of a premises licence (the form was downloaded from your Council's website);
- 2) Noise report of Richard Vivian of Big Sky Acoustics Ltd;
- 3) Witness statements of:
 - i. Tom Palin plus exhibit TEP1
 - ii. Christian Bonoto plus exhibit CB1
 - iii. Lucie Cohen
 - iv. Robin Ganguly
 - v. Matthew Kiladis
 - vi. Alexis Skeates
 - vii. David Webster

Please acknowledge receipt.

We look forward to hearing from you as to your proposals for advertisement of the review and the hearing to consider our client's application.

Yours faithfully,


Harrison Grant

- c.c. Holder of the Premises Licence - Live Nation (Music) UK Limited (registered office 2nd Floor, Regent Arcade House, 19-25 Argyll Street, London W1F 7TS – by 1st class post)
Responsible Authorities (as set out in the Schedule attached, contact details having been derived from the Council's website – by 1st class post)

**IN THE MATTER OF AN APPLICATION FOR THE REVIEW
OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003**

BETWEEN:

THE FRIENDS OF FINSBURY PARK

Applicant

-and-

HARINGEY LONDON BOROUGH COUNCIL

Licensing Authority

-and-

LIVE NATION (MUSIC) UK LTD

Premises Licence Holder

INDEX TO APPLICATION TO REVIEW BUNDLE

1	Application form for the review of a premises licence
2	Noise report of Richard Vivian of Big Sky Acoustics
3	Witness statements in support of application
	(1) Tom Palin plus exhibit TEP1
	(2) Christian Bonato plus exhibit CB1
	(3) Lucie Cohen.....
	(4) Robin Ganguly
	(5) Matthew Kiladis.....
	(6) Alexis Skeates.....
	(7) David Webster

London Borough of Haringey, Licensing Team, Alexandra House, Level 6, 10 Station Road, Wood Green, London, N22 7TR

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I The Friends of Finsbury Park
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Post town <u>Finsbury Park, Seven Sisters Road</u>	Post code (if known) <u>N4 2AB</u>
---	---------------------------------------

Name of premises licence holder or club holding club premises certificate (if known) <u>LIVE NATION (MUSIC) UK LTD</u>

Number of premises licence or club premises certificate (if known) <u>LN/000012182</u>

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

THE FRIENDS OF FINSBURY PARK
(COMPANY NO. 04343874)
MANOR HOUSE LODGE
SEVEN SISTERS ROAD
LONDON N4 2DE

Telephone number (if any)

AS PER SOLICITOR 020 7826 8526

E-mail address (optional)

susarring@hglaw.co.uk

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

- 1) The wireless festival 2017 has caused very serious disturbance amounting to a public nuisance.
- 2) The wireless festival 2017 has given rise to crime and disorder.

Please provide as much information as possible to support the application (please read guidance note 3)

Please see the following:

(1) Noise Report of Richard Vivian of
Big Sky Acoustics Ltd

(2) Witness statements of:

(a) Thomas Palin + exhibit TEPI

(b) Chrislan Bonato + exhibit CB1

(c) Lucie Cohen

(d) Robin Ganguly

(e) Matthew Kiladis

(f) Alexis Skeates

(g) David Webster

Have you made an application for review relating to the premises before

Please tick ✓ yes

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to the premises please state what they were and when you made them

Letter of complaint dated 14 October 2016
from Harrison Grant solicitors to London
Borough of Haringey in relation to Wireless
2016, exhibited to witness statement of
Tom Palin.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

Harrison Grant

Date

4/7/18

Capacity

Applicant's solicitor

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

SUSAN RING
HARRISON GRANT SOLICITORS
45 BEECH STREET
LONDON

Post town

EC2Y 8AD LONDON

Post Code

EC2Y 8AD

Telephone number (if any)

020 7826 8526

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

susaring@hglaw.co.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Report.

Copies of witness statements and Wireless

FofFP

For: Applicant
Witness: Tom Palin
1st Witness statement
Made: 21 June 2018
Exhibit: TEP1

**IN THE MATTER OF AN APPLICATION FOR THE REVIEW
OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003**

BETWEEN:

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-and-

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LIVE NATION (MUSIC) UK LTD

Premises Licence Holder

WITNESS STATEMENT OF THOMAS EDWARD PALIN

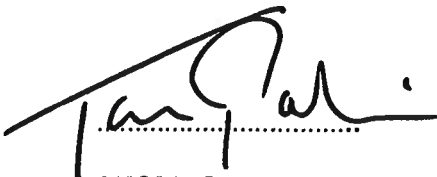
I, **THOMAS EDWARD PALIN**, committee member of the Friends of Finsbury Park charity ("the Friends") of Manor House Lodge, Seven Sisters Road, London N4 2DE, say as follows:

1. I make this witness statement in support of the Friends' application for a review under section 51 of the Licensing Act 2003 of premises licence number LN/000012182 held by Live Nation (Music) UK Ltd for the premises of Finsbury Park, Seven Sisters Road, London N4 2AB.
2. The Friends have been seriously concerned about the impact of the Wireless Festival on users of Finsbury Park and local residents since the first Wireless Festival in 2014. We have raised our concerns with Haringey London Borough Council ("the Council") on many occasions including in correspondence between

our solicitors and the Council, October to December 2016. However, our concerns have been dismissed by the Council.

3. Accordingly, the Friends instructed Richard Vivian to carry out an assessment of the impact of noise from Wireless Festival 2017 on nearby residential properties.
4. I have read and agree the resulting noise report 'Assessment of noise impact at residential properties Wireless Festival 2017' prepared by Richard Vivian of Big Sky Acoustics Ltd for the Friends.
5. In particular, I can confirm that I accompanied Mr Vivian throughout his visit to the area to carry out noise monitoring and observations on 8 July 2017. I met Mr Vivian just outside Finsbury Park at about 6 pm on Saturday 8 July 2017 and helped to carry his noise monitoring equipment to Flat 14, 384-386 Seven Sisters Road N4 2PQ. This is a third floor flat with frontage onto Seven Sisters Road and looks over Finsbury Park. We stayed in the area until about 9.30 pm, finally walking through Finsbury Park as crowds were coming out of the Wireless Festival.
6. I waited with Mr Vivian whilst he set up the noise monitoring and can confirm that the bass noise inside Flat 14, where Mr Vivian had set up the noise monitoring equipment, was very 'thumpy' and loud, even with the windows closed. This was about 18:15 until 19:00.
7. We then went to Wilberforce Road and were there between about 19:15 and 19:40. While there, we visited Vincent and Florence Poisson at their first floor one bedroom flat at 4 Wilberforce Road. I recall that inside their flat the sash windows were visibly vibrating and you could hear them shaking too with the deep bass noise coming from Wireless. I remember two glasses on the kitchen sideboard were touching, ringing and hitting each other with every thump of this bass. This was a major disturbance and nowhere in the flat seemed quiet. The Poissons have now moved back to France, but I exhibit the feedback that the Friends received from Vincent Poisson following Wireless Festival 2017.

8. As we left and stood outside the Poissons' flat I could hear other sash windows shaking in the houses on either side of the property.
9. We then walked along Adolphus Road where the bass surges and thumping noise was very loud.
10. As we reached Alexandra Grove the noise had quietened as they were changing for the last act, Skepta. This last act was quieter and the bass was less noticeable.
11. Finally, we walked through Finsbury Park to the children's playground at around 9pm. There were children still playing in the playground and the bass and general noise was very loud. Much too loud for young children in my opinion.
12. I take this opportunity to exhibit a report on Wireless 2017 compiled by the Friends and sent to the Council in early August 2017.
13. I believe that the facts stated in this witness statement are true, or in context, true to the best of my knowledge, information and belief.



THOMAS EDWARD PALIN

21 / June 2018

For: Applicant
Witness: Tom Palin
1st Witness statement
Made: 21 June 2018

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Premises Licence Holder

EXHIBIT TEP1

This exhibit marked "TP1" is the exhibit referred to in the witness statement of Tom Palin dated 21 June 2018

Contents

14.10.16	Letter from Harrison Grant solicitors ("HG") for the Friends to the Council
26.10.16	Email from Ms D Barrett of the Council to HG:
July 2017	Wireless Leaflet
	'My wireless experience' from Vincent Poisson
August 2017	Report on Wireless 2017 by the Friends