

LONDON BOROUGH OF HARINGEY

LICENSING SUB-COMMITTEE

22ND FEBRUARY 2024

KRANKBROTHER LIMITED: APPLICATION FOR VARIATION OF PREMISES LICENCE

SKELETON ARGUMENT OF APPLICANT

Introduction

1. This is an application by Krankbrother Limited for a variation of its premises licences at Finsbury Park.
2. Krankbrother Limited are currently entitled to operate music events over two weekends - on Saturday and Sunday on one weekend, and Friday, Saturday and Sunday on another.
3. The applications are:
 - (1) to increase the capacity at the events from 8,000 to 9,999 persons;
 - (2) to add a second Friday evening, so that the events run Friday to Sunday on two weekends.
4. There is no application to add any licensable activities or to change the hours of such activities, which will terminate at 10 p.m. on each event day (9.30 p.m. on Sundays). Nor is there any intention to change the time for build up and derig of the site.
5. As the Sub-Committee is aware, a variation application does not trigger a general review of the licence. The Sub-Committee is concerned only with the proposed variation: Taylor v Manchester City Council [2012] EWHC 3467 (Admin) at para [77]. For the same reason, it is impermissible to add or modify conditions relating to the currently permitted events. The Sub-Committee's focus is solely on the variation sought.

6. Krankbrother has submitted a bundle of evidence. If it has time, the Sub-Committee may wish to pre-read:
 - Statement of Kieran Clancy, Director of Krankbrother (page 110 of the reports pack).
 - Statement of Simon Howard, Showsec London Area Manager (page 147 of the reports pack).
 - Statement of Dani Fiumicelli, Vanguardia Technical Director (page 149 of the reports pack).

Background

7. Krankbrother are experienced event operators, and have been running festivals in Finsbury Park since 2018. As such they are a known quantity to the Safety Advisory Group, with whom they work each year in order to stage successful events. Over time the events have grown in number and in terms of capacity, in collaboration with the Safety Advisory Group and the consent of the Council as landowner and licensing authority.
8. Their events are governed by two licences. These are thoroughly conditioned, with 50 conditions each, in order to ensure that the licensing objectives are promoted. It goes without saying that Krankbrother operate in compliance with their licences.
9. Krankbrother utilise the leading events consultants in the industry in order to ensure that their events are safely and professionally operated. In particular, they work with Showsec, who provide security, and Vanguardia who are their noise consultants. Their event safety lead, Mick Bowles, has 30 years experience of event production and safety management for large outdoor events.
10. Residents are properly notified in advance of the events, with over 10,000 letters delivered to local addresses, the employment of a dedicated community liaison officer, a community website containing information about the event, community engagement meetings before and after the event series, and the maintenance of a contact telephone number which is available from first arrival on site to the end of the derig process. 500 free tickets are given to local residents through a local draw. If noise complaints are made during the events, they are rapidly referred to the Vanguardia noise team who will attend to check that noise limits are being observed.

11. Crime levels have historically been very low. It is helpful that Manor House and Finsbury Park stations are nearby, with capacities to take far greater numbers than attend Krankbrother events, which aids rapid egress and dispersal – and TfL have expressly confirmed they had no issues with the events last year, and have no concerns regarding the proposed increase in capacity this year (see statement of Kieran Clancy, para 70, at page 121 of the reports pack, and the emails at page 168 of the reports pack). Stewards line the routes to both stations. Krankbrother use litter pickers to ensure that the wider environs are kept clean.
12. The overwhelming majority of attendees are Londoners, with 18% from Haringey and Hackney. The average age is 32, with a predominant age range of 25-40. It is therefore a mature crowd which causes very little trouble.

These applications

13. These events have proved popular, and the addition of one event and an extra 1,999 persons at all events is intended to respond to demand.
14. As the Sub-Committee knows, its main source of advice is the responsible authorities (see National Guidance paragraphs 2.1 and 9.12). This is even more so in the case of these events because the authorities actively work with the operator before the festival and are present during the festival itself.
15. Before the festival, the Advisory Group exercises close oversight and control over the events, with the licences containing the following condition:

“No licensable activities shall be permitted to take place under this licence unless the Event Management Plan, Fire Risk Assessment and Crowd Management Plan for that event have been approved by the Haringey Safety Advisory Group.”
16. During the festival, the authorities are stationed in an office on-site, co-located with the Event Management offices and the Event Control Room. If anything untoward were to happen, the authorities would know about it.
17. It is therefore important to note that no member of the Safety Advisory Group, or any other responsible authority, has made any representation in relation to this application.

18. *Crime.* It is right to say that not only have the Police not made a representation in relation to this application, but they have never submitted any representation against any of Krankbrother's applications at Finsbury Park. In relation to this application, the Police have expressly indicated that they have no concerns, and will continue to work with Krankbrother to ensure the event runs smoothly and as crime-free as possible (see statement of Kieran Clancy, para 62, at page 120 of the reports pack, and the emails at page 165 of the reports pack).
19. The security operation is described in the statement by Simon Howard of Showsec. The Sub-Committee will particularly note that Showsec have no concerns about this event from a safety and security perspective. The number of security staff will be up-rated in light of the proposed increased attendance.
20. *Noise.* The Sub-Committee is referred to the statement of Dani Fiumicelli, Technical Director of Vanguardia, who confirms that the increase in capacity requires no increase in noise levels. In other words, while there will be activity on 6 days rather than 5, there will be no increase in noise levels. Any complaints received during the event will be responded to promptly, as stated above.
21. *Ecology.* Although ecology is not a licensing matter, Krankbrother work in close co-operation with the Council's ecology officer, with site infrastructure signed off by the Council. This year it is employing its own on-site ecology consultant to protect the well-being of the Park.
22. *Other matters.* A number of other matters are raised by local residents, including concern that they are excluded from that part of the Park. The letting of the Park is not a licensing matter. However, Krankbrother are conscious that they must do all they can to maintain proper access. Amongst the steps taken is the creation of diversion routes, the laying and sweeping of trackway and erecting floodlights. As part of the plan, the Council also kindly use woodchips to prevent a path getting too muddy.
23. Krankbrother understands that some in the local community are opposed to their events, and also that there are strong views about the use of parks for events at all. It has set out to do all it can to be a good neighbour, to maintain effective engagement and to take appropriate steps to minimise impact on local residents. It will do so again this year, in concert with the Safety Advisory Group and in consultation with the local community.

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