

The Appellant will also state that as the building was being occupied as a home then no licence was required for a private house party.

- (5) WHETHER THE APPELLANT CONCEDES THAT FOR ANY OF THE RAVES IN WHICH HE WAS INVOLVED, WHETHERBY HELPING TO ARRANGE OR BY PROVIDING SOUND EQUIPMENT HE BELIEVED THE EVENT TO BE A LICENSED EVENT AND THEREFORE WAS AN INNOCENT SUPPLIER OF EQUIPMENT,AND IF SO FOR WHICH RAVE OR RAVES IN PARTICULAR.

The Appellant will state that he supplied equipment on one occasion only, in good faith to what he believed to be a private party. He did not attend the premises beforehand and therefore did not know the equipment would be used at a different place. The Appellant will state that his equipment was restored to him by police after they concluded he had no part in the event and had innocently hired out his equipment. The event the Appellant is referring to is Falcon Road.

The Appellant on no occasions cited in the Respondent's bundle hired out any sound equipment, audio equipment or organised any rave in the London Borough of Enfield on the dates cited in the original application.

PROPORTIONALITY:

The Appellant will state that the current ASBO was imposed by the District Judge after the police had failed to establish that the Appellant had engaged in any acts of anti-social behaviour.

The Appellant will also argue that the Respondent could not establish that the Appellant engaged in any illegal acts. The Appellant will state that the Respondent could not establish that any of the events cited came within the definition of an illegal rave as defined under section 63 of the CJPOA 1994.

The Appellant will state that the ASBO has significantly impacted his ability to run his Entertainment Company and also his future plans to hold an open air festival. The ASBO would significantly prevent his ability to apply for licences to run out-door festival events. No other entertainments company is subject to the same due diligence when hiring out equipment.

The Appellant will argue that the terms of the ASBO are too restrictive and the geographical restriction too broad, being that the ASBO was put in place for the whole of the UK. Also that the ASBO conditions have never been defined, and due to this does not know what he is allowed to do and what he is not, due to how broad the conditions have been set.

The Court did not take into consideration the fact that the Appellant was made subject an interim ASBO and the duration was not reduced accordingly.