

Appendix F7

I, REDACTED, make this statement on 20th April 2024 of my own free will and confirm that it is true -

1. I am the youngest son of REDACTED who live at REDACTED. I am currently 43 years of age and live at REDACTED with my wife and baby daughter.
2. I am employed [REDACTED] by Bank of America in Hong Kong with a team of six lawyers and negotiators reporting to me. I have been with the firm since 2013 having moved to Hong Kong from London to assume my current post in October 2018.
3. Many of the transactions in which I am involved concern large scale investments and both these and my role as a manager involve a considerable degree of professionalism and integrity. Following my undergraduate degree I went on to study at the College of Law in London and obtained the Graduate Diploma in Law and Legal Practice Course. I then moved to a legal team within a bank in London in 2007.
4. Throughout my adult life I have enjoyed visiting pubs with friends and family. Within London I have lived within relatively close proximity to pubs in the Marylebone, Chelsea, Battersea and Notting Hill areas all of which I enjoyed. These are all areas within which many pubs coexist largely peacefully within residential streets.
5. My parents moved to live full time at their present address in REDACTED. They had bought the house in REDACTED and used it as a holiday and weekend home. Throughout the years, I have visited them on many occasions and when doing so I sleep in the front bedroom of the house on the second floor. Sometimes I would stay there on my own and on others I would be with my then girlfriend.
6. Prior to the early hours of New Year's Day 2019 - including during other prior public celebrations and public holidays - I had never been disturbed at night when sleeping in this bedroom to an extent that I would consider completely unreasonable. Shortly prior to New Year's Eve 2018, I had returned to the UK from Hong Kong as I wished to celebrate the New Year with my family and friends. I left my parents' house at about 8pm on New Year's Eve and went on to several different pubs in Brighton and Hove. My parents were not with us that night and as far as I recall they stayed at home that evening.
7. I returned to their home between 2-3am having consumed a reasonable amount of alcohol over a seven-hour period. I had interspersed this with food and banter with my companions so it was not of such an amount that made me drunk. On arriving home, I was surprised to see that The Paris House on the corner of my parents' road still appeared to be open. There was music being played inside, people were going in and out and there were customers drinking, smoking and chatting both on Western Road and on Brunswick Street East. It looked like they were all having a good time. I had had a good evening and it being New Year's Eve, I thought this seemed well enough albeit getting late for a pub rather than a club. My parents were asleep in their bedroom at the back of their house when I returned.
8. I made myself a sandwich and glass of milk and then crept upstairs to the second-floor bedroom at the front of the house where I was staying, got in to bed and read my book while eating my sandwich. I could still hear the music and people chatting but having recently travelled a long distance from Hong Kong I knew this was not something that would prevent me from falling asleep.

9. Somewhere between 4-5am, I was woken up by what I considered to be loud music and the noise of people shouting and talking. I got up and looked out of the front bedroom window to see where the noise was coming from. I opened the window to get a better view and immediately identified the source of the noise as coming from the Paris House. I watched for a minute or so and could see the lights were on inside the pub and could clearly make out people inside and outside the pub.
10. I am all in favour of people having a good time whether this be on New Year's Eve or any other celebratory occasion but this seemed to me to be excessive and thoughtless by those making the noise and completely irresponsible of those in charge of the licensed establishment that should have been supervising and enforcing compliance with their licensing obligations in a residential area.
11. I closed the window, went back to bed and tried to sleep but it proved impossible. I gave up and read my book and intermittently got up to see what was going on and whether there were any signs the noise would end but it did not. There was no other party or any other place from which noise was coming and there were very few pedestrians apart from those outside this pub. I could very clearly see them talking loudly and occasionally shouting and so have no doubt where the noise was coming from. I did think about shouting down across the street or going down to complain but determined against doing so as there were many people and they were all drunk and rowdy. I feared my doing so may simply exacerbate the situation.
12. I tried to continue reading but was unable to concentrate as the noise did not abate. As my parents appeared to be asleep in their bedroom I initially didn't wish to do anything to disturb them or make them feel as if a guest were uncomfortable in their home. However, the noise continued to persist. I became increasingly irritated both because it was ruining my own New Year's Day and also because my parents had previously commented that some of their friends did not visit as often as they used to and I felt as if the noise in the guest room may be the cause.
13. As I knew my parents had not been out and that my father often gets up early in the morning, I eventually went down to their bedroom at about 5.30am. To do that I had to go down a flight of stairs, open an internal door, walk along a landing towards the rear of their house and open the door into their bedroom. They were both asleep when I went in. I woke them up and complained about the loud noise coming from the pub up the road. I was shocked that they hadn't been disturbed too but then noticed that the noise in their bedroom was much quieter than in mine.
14. I can recall saying that I could not understand how such a level of noise was allowed or how it could be considered lawful, adding that I had never heard anything like it in London nor that it would be allowed in a similar area. My experience of living in London was that the police and/or the local authority were very proactive so far as licensed premises were concerned and neither the residents nor the enforcement authorities would not have tolerated that level of noise no matter the occasion.
15. I asked my father to come and listen to it for himself and we went to the first floor shower room which is at the front of their house. He opened the window and we both looked out. The situation remained unchanged with noise still emanating from the pub and with the people outside. All the lights in the pub were on and so were those outside it. Both my father and I took videos on our phones, and he agreed with me that the noise was far too loud and that we should complain about it.
16. My father has contacted me recently about this incident and asked me to make a statement about what I can remember of it. I saw the two videos he took on his phone a short time after he captured them and he has recently sent them to me to look at again in connection with this case. He tells me they were taken at 5.50am and 5.54am and that fits with my recollection of the time. In connection with

that I have now also gone through the videos stored on my own phone and have recovered my own videos recorded at 5.48am and 5.51am. In all of these, it is clear that the people haven't just arrived for an early breakfast.

17. I last saw my parents in October 2023. Our daughter was born in February 2023 but because my mother has been unwell she has been unable to travel and so they are yet to meet her. I speak to my parents regularly via Zoom so I know they and other residents have applied for the licence of this pub to be reviewed. They have spoken to me a number of times about the problems they have experienced and following my experience on New Year's Day 2019, I have every sympathy with them and other residents.
18. I do not now recall the exact dates but I do know I have visited them a number of times since January 2019 and excessive noise from the Paris House late at night (by which I mean after 10pm until any time up to about 3am) is consistently an issue. I know that I am unlikely to get a good night's sleep, particularly if I visit between Thursday – Saturday.
19. Like most people of my age I have enjoyed and still enjoy a good night life first as a student and later as a professional. I have been in many pubs, bars and clubs and at all times of day and night when they were open. I even lived above a busy student pub in Manchester for a year, so I would certainly not consider myself to fall within the category of an intolerant or inexperienced bystander. I have visited most of the pubs in the area close to my parents house (and many in other parts of the city) and confidently say this is the noisiest I have experienced at such late hours in such close proximity to a residential area.
20. I should make it plain that I have an excellent relationship with my parents and know how the problem of noise and bad behaviour associated with this pub has affected them. However, no matter how good our relationship may be, I would never tell lies or untruths on their behalf in relation to a matter such as this. I understand the management of the pub claim that it had been closed for some time prior to my father taking his videos. So far as I am concerned and based solely on what I saw and heard throughout the early hours of that morning a number of times that is simply not so.

Yours faithfully

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