

Licensing Sub-Committee Report

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| Item No: | |
| Date: | 1 March 2018 |
| Licensing Ref No: | 17/14880/LIPN - New Premises Licence |
| Title of Report: | Belgrave Square Garden Open Space Belgrave Square London SW1X 8PS |
| Report of: | Director of Public Protection and Licensing |
| Wards involved: | Knightsbridge And Belgravia |
| Policy context: | City of Westminster Statement of Licensing Policy |
| Financial summary: | None |
| Report Author: | Ms Daisy Gadd Senior Licensing Officer |
| Contact details | Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk |

1. Application

| 1-A Applicant and premises | | | |
|-----------------------------------|--|--------------------------------|-----------------------------|
| Application Type: | New Premises Licence, Licensing Act 2003 | | |
| Application received date: | 19 December 2017 | | |
| Applicant: | Belgrave Square Garden Events Committee | | |
| Premises: | Belgrave Square Garden | | |
| Premises address: | Open Space Belgrave Square London SW1X 8PS | Ward: | Knightsbridge and Belgravia |
| | | Cumulative Impact Area: | None |
| Premises description: | This application is for a new premises licence for Belgrave Square Garden. | | |
| Premises licence history: | The premises has never had a benefit of a premises licence. However, it has operated under Temporary Events Notices. The full premises licence history can be found at Appendix 2. | | |
| Applicant submissions: | None | | |
| Plans: | Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee. | | |

| 1-B Proposed licensable activities and hours | | | | | | | |
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| Late Night Refreshment: | | | | Indoors, outdoors or both | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 23:00 | 23:00 | 23:00 | 23:00 | 23:00 | 23:00 | |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | |
| Seasonal variations/ Non-standard timings: | | | On a maximum of 5 occasions per calendar year late night refreshment may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests. | | | | |

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| Sale by retail of alcohol | | | | On or off sales or both: | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 12:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | On a maximum of 5 occasions per calendar year sale of alcohol may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests. | | | | |

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| Plays: | | | | Indoors, outdoors or both | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | On a maximum of 5 occasions per calendar year performances of plays may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests. | | | | |

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| Films: | | | | Indoors, outdoors or both | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | On a maximum of 5 occasions per calendar year exhibition of film may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests. | | | | |

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| Live music: | | | | Indoors, outdoors or both | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | On a maximum of 5 occasions per calendar year performances of live music may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests. | | | | |

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| Recorded music: | | | | Indoors, outdoors or both | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | On a maximum of 5 occasions per calendar year performances of recorded music may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests. | | | | |

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| Performance of dance: | | | | Indoors, outdoors or both | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | On a maximum of 5 occasions per calendar year performances of dance may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests. | | | | |

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| Anything of a similar description: | | | | Indoors, outdoors or both | | | Both |
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End: | 23:30 | 23:30 | 23:30 | 23:30 | 00:00 | 00:00 | 22:30 |
| Seasonal variations/ Non-standard timings: | | | On a maximum of 5 occasions per calendar year performances of plays may take place until 01:30. | | | | |

| Hours premises are open to the public | | | | | | | |
|---|--|-------|-------|-------|-------|-------|-------|
| Day: | Mon | Tues | Wed | Thur | Fri | Sat | Sun |
| Start: | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End: | 00:00 | 00:00 | 00:00 | 00:00 | 00:30 | 00:30 | 23:00 |
| Seasonal variations/ Non-standard timings: | On a maximum of 5 occasions per calendar year the premises may remain open to the public until 02:00 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests. | | | | | | |
| Adult Entertainment: | None | | | | | | |

2. Representations

| 2-A Responsible Authorities | |
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| Responsible Authority: | Metropolitan Police Service |
| Representative: | PC Reaz Guerra |
| Received: | 11 January 2018 |
| <p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the problems already experienced in this area.</p> <p>It is for these reasons that we are objecting to the application.</p> | |
| Responsible Authority: | Environmental Health Consultation Team |
| Representative: | Mr David Nevitt |
| Received: | 16 January 2018 |
| <p>I refer to the recent application for a New Premises Licence which seeks the following:</p> <p>Regulated Entertainment:</p> <p><i>The exhibition of Films – Mon-Thurs 0900hrs-2330hrs, Fri & Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs</i>, and: 'On a maximum of 5 occasions per calendar year exhibition of film may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests'.</p> <p><i>Live Music - Mon-Thurs 0900hrs-2330hrs, Fri & Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs</i>, and: 'On a maximum of 5 occasions per calendar year performances of live music may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests'.</p> <p><i>Recorded Music - Mon-Thurs 0900hrs-2330hrs, Fri & Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs</i>, and: 'On a maximum of 5 occasions per calendar year performances</p> | |

of recorded music may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.

Performance of Dance - **Mon-Thurs 0900hrs-2330hrs, Fri & Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs**, and: ‘On a maximum of 5 occasions per calendar year performances of dance may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.

Anything of a similar description to that falling within (e), (f), or (g) - **Mon-Thurs 0900hrs-2330hrs, Fri & Sat 0900hrs-0000hrs, Sun 0900hrs-2230hrs**, and: ‘On a maximum of five occasions during a calendar year performances may take place until 01:30’.

Late Night Refreshment:

Mon-Thurs until 2330hrs, and until 0000hrs on Saturday, and: ‘On a maximum of 5 occasions per calendar year late night refreshment may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.

Supply of Alcohol:

‘On’ and ‘Off’ the premises

Mon-Thurs 1000hrs-2330hrs

Fri-sat 1000hrs-0000hrs

Sunday 1200hrs-2230hrs

And: ‘On a maximum of 5 occasions per calendar year sale of alcohol may take place until 01:30 to facilitate community events such as the annual BBQ held on behalf of Belgrave Square Garden keyholders and their guests’.

The applicant has submitted a drawing showing a plan of Belgrave Square Ref: **BelgSqPa-E02** dated 22nd August 2011 and a ‘Belgrave Square Gardens Operating Schedule’.

This representation is based on the plans and operating schedule submitted.

I make the following Representation:

1.The hours sought for the Provision of Regulated Entertainment are likely to increase the risk of Public Nuisance in the area and may impact on Public Safety.

2.The hours sought for the Provision of Late Night Refreshment are likely to increase the risk of Public Nuisance in the area and may impact on Public Safety.

3.The hours sought for the Supply of Alcohol are likely to increase the risk of Public Nuisance in the Area and may impact on Public Safety.

4.The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety.

The application does not appear to have sufficiently addressed Appendix 11 of the City Council's Licensing Policy with respect to the possible impact of noise.

2-B Other Persons

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| Received: | 17 January 2018 |
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| Support or Objection | Objection |
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The application is ill-conceived and unlawful. Belgrave Square has always been a private square for the use of the residents in the area.

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| Received: | 2 January 2018 |
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| Support or Objection | Objection |
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I object to the above application because of the additional noise and traffic and people in the vicinity of the square which will detract from the residents quiet of the tranquil amenities if the square garden. I am certain that this licence application is contrary to the London Squares Act of 1931.

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| Received: | 16 January 2018 |
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| Support or Objection | Objection |
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What was wrong with the previous Garden Committee which has existed for about 100 years? If Events can be held and permissions obtained, the existing Garden committee could have done it. The Application is by an anonymous "Chairman" at 66 Chester Row, who is head of a committee which apparently does not exist with no explanation as to how such members would be voted into office, with a "Premises Supervisor" who is hiding behind a Mail Box address in Crawford Street, off Edgware Road. When i visited this address last week and asked if the named "Robert Dudley" actually lives in/near Birmingham (according to my own investigations) i was told this was confidential and i would have to write a letter. If there was a problem at one of these proposed events and a bit of a riot it is ridiculous to pretend it could be resolved by writing a letter to a mailbox. The cancellation of the Garden Committee and creation of an Events Committee is clearly trying to circumvent local interests. At a meeting this evening, Nigel Hughes of Grosvenor was unable to give me a reply as to why 1) the existing Garden Committee had to be circumvented and an "Events

Committee" had to be created apart from a weak explanation about previous Temporary Permits 2) why the Chairman of the proposed "Events Committee" is anonymous, 3) why the "Premises Supervisor" has to hide behind a mailbox in a side street off Edgware Road where there are 1084 companies using the same address. He also could not explain how peace might prevail in the area if there are 8 different categories in the Application for which 5 might run until 01:30 in the morning. In other words, at the extreme, $8 \times 5 = 40$ events until 01:30 in the morning. Is this what Belgravia residents and small business really want? This would appear to be a crafty smoke-and-mirrors job by a hastily created "Events Committee" by anonymous people and the application should be rejected outright. No further discussion.

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| Received: | 17 January 2018 |
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| Support or Objection | Objection |
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Belgrave Square Garden is a listed heritage garden with protections in place which excludes holding events, specifically because events in this small garden would cause noise within a protected residential community where causing of noise and disruption is not tolerated, and results in severe penalty.

Westminster Council is there to protect its residents from noise, disruption, antisocial behavior, etc. not to encourage it. It is a fact, that where alcohol is consumed antisocial behaviour follows. Westminster Council is already experiencing and struggling to control the mounting antisocial behaviour associated with alcohol in its licensed restaurants, bars and nightclubs which hold liquor licenses, and the ongoing problems of revellers in open spaces using unlicensed vehicles late at night to take them to and from these establishments, plus all the noisy drunks on the public streets late at night causing huge distress to residents. It would be nothing less than a travesty of justice if Westminster Council was even to consider allowing a protected, unique small garden haven to be allowed to hold events on any day or any night at all, and to have a liquor licence of any sort whatever. As a resident of Westminster, I strongly object to this application, which if it was allowed, would cause a highly prejudicial precedence for all other secluded private residential gardens for a few people to make commercial remuneration at the expense of all the surrounding residents not only because of the noise, distress, and antisocial behaviour, but denying the residents access to their own private garden.

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| Received: | 9 January 2018 |
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| Support or Objection | Objection |
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I would like to oppose the granting of this licence on the grounds that it will lead to Residents being prevented from using Belgrave Square Garden, their Garden when an 'event' is held.

Access to Belgrave Square Garden comes under the 1851 Communal Gardens Act, where the open space is for the use of ALL residents. Special interests are not catered for.

Belgrave Square is also Grade II listed, with statutory protections, which the granting of a licence are likely to threaten.

The holding of 'events' will disrupt the environment, create wear on the lawns and interfere with fauna, flora and birds. Large lorries bringing marquees, catering equipment and paraphernalia cannot but impact the Square adversely. The Square is an oasis.

Belgrave Square is the greatest Neoclassical square in London, with wonderful open space framed by palatial houses. Events will do nothing to maintain the environment, rather they will pollute it.

Please refuse this application for a Licence, so that we can maintain the protection of the Square as much as is possible in the 21st century.

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| Received: | 16 January 2018 |
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| Support or Objection | Objection |
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I cannot object more strongly to this disconcerting and inappropriate application.

Belgrave Square is a beautiful green haven for residents and key holders. An extraordinary space that is enjoyed by my family, my neighbour's families including pets, where we have a small slice of greenery to convene as a community. It is not intended for special interest groups but for all neighbours and key holders.

The holding of events will undermine all the conservation work of the gardeners, damage the lawns, flora, and fauna. the environment would be impacted by the amounts of rubbish such as food waste, alcohol bottles and related detritus to be dealt with and removed.

This cannot do anything other adversely affect the gardens and surrounding environment of the square.

The most disheartening part of this, is the loss to residents and key holders, of the square, for approximately 30 days in Summer months where we will now be excluded. This is some of the most beautiful times to enjoy this community treasure.

Another major concern is anti-social behaviour due to alcohol use.

We have already experienced increased numbers of noisy, unruly revellers at night with the expansion of Winter Wonderland.

I personally had my front window boxes vandalised by two drunks this winter for the first time in the 12 years I have lived here.

Finally, it is disheartening that we have no protection for community green spaces being commandeered for commercial use. Leaving us all living in an outdoor bar/club with all the associated problems that come with that.

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| Received: | 16 January 2018 |
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| Support or Objection | Objection |
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I wish to object to the licence application in the strongest terms.

The application does not specify the number events that could take place, leaving the possibility of endless days of events. This is an open ended application.

Last night, Nigel Hughes of Grosvenor, told a residents meeting that the intention of the application was to give 'comfort' to residents over the planning of events. I do not have any discomfort over the way the current events are planned and see no reason to disrupt the status quo.

Events disrupt the square's environment. They will create wear on the lawns and disturb birds, dog walking, etc.

The square is currently a safe environment for children, elderly, etc. I feel the safety of any registered user would be compromised by the coming and going of contractors.

Users will not be able to use the square when events are on, this contravenes their rights.

Under the 1931 Square Act, the square is for exclusive use of all the key holders. This application contravenes that act and is therefore unlawful.

The application will result in excessive development of the Square along the lines of Hyde Park Winter Wonderland. I recall going to the first Winter Wonderland and it is entirely different on a very large scale. I see no difference in the potential scale of development at Belgrave Square, particularly given that there is no limit to events given in the application.

A one-day event may be one day, but in reality will take several days due to set up/take down, causing disruption for the registered users.

The summer months will be used for events making it unusable for users during the best time of the year.

Events will create unwanted noise/light pollution. I can hear the summer events in Hyde Park, and Winter Wonderland and will certainly be able to hear any noise from Belgrave Square. I don't wish for this disruption and wish for a right for quiet enjoyment of my home.

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| Received: | 2 January 2018 |
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| Support or Objection | Objection |
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I strongly object to the above application on the following grounds.

As it will detract from the residents quiet enjoyment of the square gardens and increase the noise levels in the vicinity and the conservation work to protect our wildlife and insects which are in decline.

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| Received: | 13 January 2018 |
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| Support or Objection | Objection |
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I object to this application going ahead as I am a local business and I am worried what impact this will have on my business and the possible anti social behaviour in the area.

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| Received: | 14 January 2018 |
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| Support or Objection | Objection |
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I would like to object to turning Belgrave Square into an events site where there will undoubtedly be loud music, excess traffic, excess alcohol, bad behaviour and all that that brings. To say that local residents will be disturbed is an understatement, and why, oh why does anyone wish to turn this peaceful little haven in Belgravia into a commercial enterprise when there are other sites available more suitable. I am

strongly against granting an alcohol license for these reasons. What's wrong with bigger open sites such as Hyde Park and Battersea Park where the disturbance to local residents is less. Why does the central area of Belgravia have to be spoilt thus - particularly as it is such a densely packed residential area. I fail to see what commercial advantages will follow.

Received: 16 January 2018

Support or Objection Objection

I object for reasons having to do with the following: access, traffic, conservation, the environment, wildlife, wear and tear of the garden, noise pollution and disorderly behaviour.

Received: 16 January 2018

Support or Objection Objection

I think it wholly inappropriate to grant any additional licence facilities to the square which could be extended until 1.30am in a wholly residential area. It is a garden square designed for residents and their families for use throughout the year. There are various functions held in the square already and I would strongly object to a licence being granted which could mean that the square became inaccessible to families and children for what could amount to a month of days during the one of the most advantageous periods of the year as far as garden use is concerned.

Received: 9 January 2018

Support or Objection Objection

Belgrave Square has a Grade II listing, and is protected under the terms of the London Squares Preservation Act of 1931. Permitted uses of the garden are defined in that Act. The applicant's description is clearly outside the description of permitted uses of the garden. In addition, the applicant is an unincorporated association with no principal named -- only an agent. Yet this unknown - and therefore unaccountable -- applicant intends to offer events that can very well adversely affect the neighborhood and the residents who are already enduring drunken, loutish behavior and late night noise from a recently-licensed private club. These and other attempts to exploit what has historically been a quiet residential neighborhood represent a cynical disregard for the rights, the safety and the peace of mind of Belgravia's residents for the sake of commercial profit, and we shall continue to oppose them.

Received: 17 January 2018

Support or Objection Objection

I have enjoyed access to this square as a local resident for several years, together with my four year old daughter. Its really delightful for local families and residents and is their park. Green communal space is so scarce in London and I think it is awful that it should effectively be turned into a commercial space. The Garden Square members also pay for the upkeep of the Square so it is quite unfair to turn it into a Grosvenor commercial space. It would be much more fair and I expect acceptable to residents to allow the local schools to have some access to the Square. There are lots of clubs, hotels and restaurants available to adult social entertainment but precious few places in London where children can run around freely and have space and fresh air. I think allowing this licence would set a very poor precedent and really would endanger all of London's garden squares. It is also surprising to me that a family owned and enormously wealthy firm should be prepared to trample on residents rights and risk destroying a public amenity originally developed by their ancestors to benefit local residents and families.

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| Received: | 13 January 2018 |
| Support or Objection | Objection |
| <p>It is entirely inappropriate that this fine neoclassical square should be licensed, resulting in events which will undermine its nature and environment. Damage will be caused not only by events which are held in the square but by the erection and dismantling of any temporary facilities as well as the associated transport and parking activity.</p> | |
| Received: | 9 January 2018 |
| Support or Objection | Objection |
| <p>I am writing as a garden user and near neighbour of the square garden, to object to the application for an alcohol licence by the unknown Belgravia Events committee on the grounds of conservation, disturbances to natural wildlife insect and birdlife. This could seriously disrupt and displace quality of life and in turn have a detrimental effect on preservation of habitats for local wildlife. Overuse and commercialisation by an unaccountable faceless garden committee also invites unnecessary noise pollution and threatens safety by possible late night revellers and promotes an unhealthy quality of life for local residents of Belgravia not to mention going against the London Squares Preservation Act. I therefore vehemently object to the above licensing proposal.</p> | |
| Received: | 16 January 2018 |
| Support or Objection | Objection |
| <p>Belgrave Square Gardens is not a suitable place for parties. It is an amenity for all who live in the area, and should not be exploited for commercial use, to the financial benefit of those whose will organise such activities.</p> | |
| Received: | 14 January 2018 |
| Support or Objection | Objection |
| <p>I object to the granting of the application on the following grounds:</p> <ol style="list-style-type: none"> 1. The operating schedule (OP) (not accessible) is only in support of the application. The number of specified events is therefore only the current intention and can be increased. 2. Even if it were binding, 15 events (mainly over the summer) is unacceptable. An event can last for multiple days and access will be denied the day before and the day after for set up and dismantling. Thus even if the operators do not change the OP (unlikely given profitability) there will be at least 60 days when the Square will not be available for access by residents and there will be disruption and late night drinking. 3. Other than the arguably illegal commercialisation of a London Square the residents pay for the upkeep of the Square and for access. Whatever is currently being said by those profiting from these events the profits will not be ploughed back into the Square. 4. The licensing hours are far too late. Revellers will not clear Belgravia until well after Midnight for most events and 2pm for the later events. 5. For those who are sober after 5 hours plus of drinking there will be significant traffic issues as they leave at midnight around the Square combined with a high risk of harm for revellers leaving on foot. 6. A number of residents have lodged objections with the BRA (as the named Parish association). However no evidence of an objection has been noted. <p>Please make sure that the BRA passes on to you the objections that they have received.</p> | |

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| Received: | 16 January 2018 |
| Support or Objection | Objection |
| <p>Worried about having a commercial activity in this private garden. Late night nuisance a concern with the potential increase in crime and traffic in the area. Police is stretched and understaffed in the area. There are so many other public places available in the area more suitable for this use, like Hyde Park for example. Very concerned about people damaging the garden.</p> | |
| Received: | 16 January 2018 |
| Support or Objection | Objection |
| <p>I strongly object to this garden square being given a licence for liquor. This is an environment for the quiet enjoyment of residents and those of us who pay an annual subscription towards the upkeep of the garden. It is used for walks and for a safe environment for children to play in. It should not be turned into a venue for events with liquor and all the problems that will ensue.</p> | |
| Received: | 16 January 2018 |
| Support or Objection | Objection |
| <p>This square is a garden for the enjoyment of those who pay for its upkeep and selling alcohol will adversely affect those who use the garden as well as adversely affecting the surrounding community. There is no doubt that there will inevitable be drunken behaviour and there is no way that it can be controlled. The extended length of time for these proposed events will curtail the use of the garden for those who normally enjoy its tranquillity, especially as most will take place in the few summer months. It is setting a precedent for making the garden squares of London commercial. I and my family strongly object.</p> | |
| Received: | 4 January 2018 |
| Support or Objection | Objection |
| <p>I wish to object to the above licencing application on the grounds of potential antisocial behaviour, disruption, potential traffic chaos and conservation.</p> <p>This application for an alcohol licence if granted, will impact on neighbouring streets - (I live in Chapel Street) - who would suffer the noise and worse from drunken, late-night revellers, antisocial behaviour, large lorries removing equipment, marquees and all the paraphernalia associated with events in the square etc.</p> <p>There is already a distressing example of this in Wilton Street, from residents suffering from late night noise and unpleasantness caused by people coming out of the Eaton Square restaurant nightclub. I should also like to point out that this would detract from the quiet enjoyment of the gardens and interfere with conservation aspects such as bird and insect life.</p> <p>Further submission</p> <p>04 Jan 2018 I wish to object to the above licencing application on the grounds of potential antisocial behaviour, disruption, potential traffic chaos and conservation.</p> <p>This application for an alcohol licence if granted, will impact on neighbouring streets - (I live in Chapel Street) - who would suffer the noise and worse from drunken, late-night revellers, antisocial behaviour, large lorries removing equipment, marquees</p> | |

and all the paraphernalia associated with events in the square etc.

The place already often smells of cannabis and youngsters. When one approaches them to complain, smell it themselves and are aggressive.

There is already a distressing example of this in Wilton Street, from residents suffering from late night noise and unpleasantness caused by people coming out of the Eaton Square restaurant & nightclub.

I should also like to point out that this would detract from the quiet enjoyment of the gardens and interfere with conservation aspects such as bird and insect life. As council tax payers we have rights to quiet enjoyment.

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| Received: | 10 January 2018 |
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| Support or Objection | Objection |
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As a resident of the neighbouring Eaton Square, I object strongly to and wish to make representations about the application made by the Belgrave Square Garden Committee for a new Premises Licence under Section 17 of the Licensing Act 2003.

This application is an outrageous abuse, by an Unincorporated Association, of the custodianship of the historic gardens which were designed and provided for the quiet enjoyment of local residents. As the application indicates, the area concerned is Grade II Listed. The Gardens have been restored in recent years and are highly valued by the residents. Many Embassies surround the Gardens and some of these have armed security guards outside their premises. The extensive proposals for a broad range of activities (only some of which may ostensibly be limited to five per annum) are completely inappropriate for the environment. The Gardens are only open to the public on a Sunday and are otherwise locked. The introduction of such extensive access would place the restored gardens at risk of abuse, even vandalism. What redress would the residents and neighbours have?

The application is deficient, in that the full details and contact information of the Applicants have not been provided. There is no indication of the membership of the Committee and no contact telephone number has been provided; nor has an e-mail address been offered. The title of Chairman is given, but no name. It is insufficient to name only the licensed supervisor- who I note is not a local resident and secured his license elsewhere. [It is puzzling that the premises supervisor is acting as the agent for the applicant according to page 16 of the Application, when the Chairman is described as the Applicant on page 4.] These deficiencies combine to undermine confidence in the purpose of, and motivation behind, this ambitious application: and are unacceptable. Furthermore, should a fine or other penalty for making a false statement be imposed under section 158 of the Licensing Act, on whom would it be imposed?

I object to the proposals to open the Gardens to the public every day from 9.00 a.m. This fundamentally alters the purpose and operation of the Gardens. I object most vehemently to the proposal to allow the gardens to remain open to the public until 2.00 a.m. on up to five occasions per annum. I am very concerned about the proposals to permit the sale of alcohol until 1.30 a.m. If approved, the clearing up time for those events would extend, easily, to 4.00 a.m. This extensive disruption and inevitable noise-disturbance is completely unacceptable. It is especially alarming when considered with the possibility of the next day's activities getting underway at

9.00a .m., just a few hours later.

I note that the proposed supervisor of the site is someone licenced by Birmingham City Council, rather than a person licenced by Westminster City Council. This adds to the sense that this speculative scheme is not to be overseen by responsible local residents with a vested interest in protecting the interests of the neighbourhood. The indication that this licence would facilitate a residents ' barbeque is a pretext, a 'Trojan Horse'. The proposals could be perceived as a scheme to profit unnamed individuals operating within 'an unincorporated association '. This would, of course, completely undermine the remit of such associations (see [https://www.gov.uk/unincorporated -associations](https://www.gov.uk/unincorporated-associations)).

I trust that the Committee will consider most carefully the numerous representations made by the people on whom this scheme would have the greatest impact: the residents of Belgravia. Were the Committee minded to permit this application, then I would urge you to determine that the nightly curfew should be 10.30 p.m. for all activities on Sunday to Thursday and 11.30 p.m . for Friday and Saturday nights. I would also ask that this first licence should be limited to one year's duration, in order that with any renewal application that might follow, the residents may have a further opportunity to make representations to the Licensing Authority in the light of experience.

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| Received: | 30 December 2017 |
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| Support or Objection | Objection |
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I should like to object, strenuously, to the planning application for a new premises licence for the Belgrave Square Garden Committee.

Belgrave Square is one of the historic squares of London and has a Grade II listing. It is protected under the terms of legislation by London Squares Preservation Act 1931 (the Act). Section 3 (1) states "Subject to the provisions of this Act a protected square shall not be used otherwise than for one or more of the following purposes (that is to say) the purpose of an ornamental garden pleasure ground or ground for play rest or recreation..." It is clear that the proposed uses are contrary to law as set out in the Act.

At present, the Belgrave Square Garden is reserved for quiet enjoyment of families, embassies and others who live in the qualifying area and who pay a fee towards its upkeep. It has provided my family, children and grandchildren with a very important green space where children can play safely, adults can exercise and both elderly and young can sit and enjoy nature. It has been an immeasurable asset for us both in health and when recovering from operations.

Belgrave Square Garden Rules provide strict guidelines as to how the garden may be used. I quote rule 6, no music is permitted.

Over recent years, there has been an annual party for residents and their guests who can attend an evening of good food, music and alcohol by payment of a large sum of money (around £100 per head). This is acceptable as it is a one off. There have also been one or two other events such as dog shows.

However, the annual party and other events do impinge very noticeably on the quiet and free use of the gardens. There is inevitable disturbance over weeks with the

putting up and taking down of marquees; damage to the turf; and the reduction of space for residents to walk, sit and enjoy the gardens over a considerable period.

This is nothing when compared to the licence that is being sought. It is not clear whether a new building is proposed to enable the licence to operate from - maybe that is to be tried later. The licensable activities the application seeks is in 5 categories- Dance, Film, Live Music, Recorded Music and other similar activities on EVERY day of the week from around 9am - up to 11.30/midnight. It is for alcohol and food. Additionally, each of the categories appears to seek to EXTEND THE licence to serve entertainment, food and alcohol up to 1.30am on 5 nights, making 25 special nights a year.

The licence premises supervisor has been named as Mr Robert Dudley of The Fair, a large Events Organisation which specialises in large scale live and corporate events. It appears that this licence application, if granted, could see Belgrave Square turning from a wonderful historic garden square into a money making events venue such as we have seen in parts of Hyde Park. There are some grounds for using this type of event in a very large park, such as Hyde Park (though it does spoil the enjoyment for many park lovers) as it is extremely expensive to keep up and it an important public asset.

Belgrave Square is comparatively small for large entertainment events and would be ruined if they became regular fixtures. The keyholders who currently use the square pay an annual fee which covers the upkeep of it (as far as I am aware) and I doubt that any of them would seek to subsidise the cost of upkeep by putting on these events.

The square is used by very many local children on a daily basis (indeed, that is the reason many of the houses have been purchased - to have access) and it would be totally unsuitable to be serving alcohol there all day long. It would attract undesirable types and undesirable behaviour in what is currently a haven of safety and peace. Neither would it be suitable to sell alcohol there in the evenings. It is a place to escape for a peaceful walk. There is absolutely no need for an extra alcohol outlet in the area; there are many excellent pubs in close proximity, most of them having outside sitting areas. On the contrary, it is important to preserve some alcohol free spaces.

As residents of the area, we already have much disruption and disturbance from late night drinkers leaving licenced premises. They shout in the middle of the night, urinate on doorsteps, rev up cars and accelerate noisily and dangerously down the streets. It is inappropriate to add another licenced venue, especially to an outside space where the noise would not be contained and the availability of parking spaces and proximity of a busy road would add dangers to the area.

I note that this application was lodged on 16 December, 2017 and objections have to be submitted by 18/01/2018. A very large proportion of the residents are away during all or part of this period and it is unlikely that they will have seen the notice. We, as keyholders, have not been informed of it, and would expect that we should have been. I wonder who has been informed and under what authority this is all being done. It appears to me that this is an attempt to get an extraordinarily invasive and startlingly new project licenced 'under the radar' of most residents.

Accordingly, I would like to lodge the strongest objections to any licence being granted. If any occasional event requires a licence to sell alcohol, it should be on a one off basis as in the past.

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| Received: | 1 January 2018 |
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| Support or Objection | Objection |
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I understand that there is a licensing application in hand to allow drinking to take place at events in Belgrave Square. These squares are an important green oasis and tranquil space for all Londoners and licensing applications should not be granted in such cases. There are already many available licensed venues for parties in the area.

We would therefore object strongly to this proposal.

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| Received: | 15 January 2018 |
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| Support or Objection | Objection |
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1 Background

- 1.1 Belgrave Square was laid out in the 1820s as a garden to serve the houses surrounding the Square. These houses were built without gardens and apart from small yards have no outside space. The private garden square was built to provide a place for an garden to so the residents could enjoy the garden square in lieu of their own gardens. This provided space recreation space for adults and their children with their guests to use the garden which people would normally have with their houses.
- 1.2 We are uncertain as to when the Garden Committee for Belgrave Square was instituted. We that believe this to be in excess of a hundred years ago at least, having seen a Minute Book dating back to the 19th century. At that time residents who use the garden were entitled to choose members on a Garden Committee by annual election. That arrangement continued until it was abolished six or seven years ago by the landowner. The Events Committee, which has made the current application, is not a committee whose members are known. No constitution is offered. Members are not chosen or even known to the garden users. We know of no democratic arrangement to appoint them or to be accountable to anyone other than the freeholder of the garden. It was simply put in place by a landowner.
- 1.3 In the late 1920s a tennis court was introduced to the garden. Presumably, there were other proposals for other garden squares throughout London. It seems to us that this must have a motivating factor in the attempt to preserve the garden squares. In 1931 The London Squares Preservation Act was passed and section 3 (1) states
“Subject to the provisions of this Act are protected square shall not be used otherwise than for the purpose of an ornamental garden pleasure ground or ground for play rest or recreation...”

2 Application contrary to law, damage and disturbance to the surroundings and material encroachment

- 2.1 Belgrave Square is one of the historic squares of London and has a Grade II listing. It is protected under the terms of legislation by London Squares

Preservation Act 1931 (the Act). Section 3 is quoted above. It is clear that the proposed uses are contrary to law as set out in the Act.

- 2.2 The argument by the applicant's representatives, "The Fair", has sent us us claims "that the events would not cause any material encroachment or interfere with the amenity of the protected Square or enjoyment as an ornamental garden ground for play rest and recreation" is plainly wrong.
- 2.3 During the time required for assembly of the temporary structures, for the health and safety reasons users of the gardens will not be able to use it either fully or at all. They will not have free access to it. 15 events a year will probably mean some 30 days plus when the garden no longer is available to users. All health and safety procedures and risk assessments will not change that – but they will certainly increase the loss of amenity. The applicants and their representatives appear to have forgotten that Belgrave Square is not a vacant open space but a garden for the community of those who live round Belgrave Square and in Belgravia. Those who live in Belgrave Square are compelled to pay towards maintenance and others in Belgravia can pay a membership fee to have use of the garden and the money collected helps maintain the garden. The loss of amenity cannot be calculated in monetary terms, but in terms of the value of the amenity itself.
- 2.4 The applicant's representatives mentioned extensively in their Response to our Chairman's article in the Societies Newsletter (copy annexed), the events of the annual barbecue and the London Gardens Open Day as an attempt to illustrate events are carried out their regularly. The annual barbecue was instituted approximately six or seven years ago with the consent and approval of the Garden Committee (further details of this elsewhere in this Objection). The reason was to take the opportunity of Midsummer, when the barbecue is held, of having a pleasant evening party for the users of the Square to get together further the community spirit by social engagement. The annual barbecue ended then at approximately 10.30 to 11 o'clock. Only in the last couple of years has the licence been extended. This was not intended to set a precedent for more events in the garden.
- 2.5 The Open Day is part of an organised arrangement by London parks Gardens Trust. It's object is to arrange for community private gardens to be available for visits from members of the public who pay a fee which goes back to the charity. It aims to increase knowledge and appreciation of parks, squares and community gardens, cemeteries and churchyards, including that form London's open space network.
- 2.6 The visits to Belgrave Square have been going on for many years and is not an event. The Square itself is the place to be visited for the very reason that it was created – as an ornamental garden. Visitors can see how the garden is maintained and its 400 trees with the most important highlighted in written handout.
- 2.7 It is self-evident from the above that 15 events in the Square will be very material encroachment and interference with the amenity which the garden is there to provide. It will almost certainly damage to the plants, trees and

possibly the ornamental structures in the garden. It will have an adverse on the Square and the surrounding area and the residents living in proximity.

3 Effect on the neighbourhood, noise and disruption

- 3.1 The continual intrusion into the Square of late night events or indeed events at all will have adverse effect on the character of the neighbourhood. It is completely out of scale and character of the area and it must be remembered that surrounding area is for the most part residential and all of it is a conservation area and many of the buildings are listed as is the garden itself. The activities proposed will have an adverse effect changing the character of the area.
- 3.2 Sadly drinking until the late evening and early hours of the morning is likely to produce antisocial behaviour of noise, people urinating in the garden and in the surrounding roads and on pavements and generally misbehaving themselves. The square provides something in the region of nearly 5 acres of land and it will prove very difficult to police it all and keep it secure.

4 Traffic and road safety

- 4.1 There are also possibilities of road traffic accidents surrounding the Square when revelers leave it without care and attention as well might happen after imbibing alcohol until 1:30 AM in the morning. It is not so much a question of if there will be an accident, but how soon it will happen.
- 4.2 In addition, little late night transport is available. There will be additional cars parked. Residents will hear people leaving the Square and car doors will be slammed well into the early hours of the morning.

5 Supervision and Accountability

- 5.1 There is no democratic or other accountability to the users of the Square as there has been historically. The Chairman of the Events Committee is unnamed as is any member of the Events Committee. The only person named in the application is Robert Dudley. His address is a mailbox shop which we understand has 1084 businesses registered there as well as handling parcels for collection and distribution. Little seems to be offered by the way of a mechanism for dealing with improper conduct whatever the applicants might claim.
- 5.2 It is difficult for the Society to understand how it is possible to apply for a licence with virtually anonymous and unknown individuals who can be accountable to the Licensing Committee, the Police and above all Community.
- 5.3 If the licence is granted will enable the licensee to further encroach on the garden by having other events which we understand would be possible because of the nature of the licence granted.

6 Conclusion

The application is ill-conceived and unlawful. It fails virtually all the usual tests to justify granting a licence. In the circumstances we repeat our objection and hope this application will be rejected.

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| Received: | 12 January 2018 |
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| Support or Objection | Objection |
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I am writing to object strongly to the above licence application. The reason is that this seems to be the beginning of a process of commercialising not only Belgrave Square but using any licence granted as a precedent for similar applications in the other garden squares in Belgravia. These are currently havens of peace and quiet and are predominantly very well looked after by garden committees, although there is a worrying precedent of such committees being disbanded by the landlord.

Apart from the disturbances to neighbours likely to be caused by the activities to be undertaken, such as loud music, a licence, if granted, is certain to lead to the consumption of alcohol with the consequent unpleasantness and risk to local residents in surrounding streets from drunken participants.

Surely the Council does not want to be the body which opens the door to an increasing decline in the quality of life currently enjoyed by the residents of Belgravia?

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| Received: | 16 January 2018 |
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| Support or Objection | Objection |
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I write as a local resident – my daughter and I have lived at 50 Sloane Street, which is perhaps around a hundred yards from the ingress to Belgrave Square from West Halkin Street, for almost 25 years. We are active members of the community, including our membership of St. Paul's Knightsbridge, inter alia.

I also write as Chair of the South Knightsbridge Group and, further, as Chair of the 50 Sloane Street Residents Group.

We object vehemently to the application by the Belgrave Events Committee for a License for alcohol and extended hours for events in the Square as described in their application.

While we live in the Royal Borough of Kensington and Chelsea, we are very close to the border of Westminster and RBKC, which stretches down the middle of Lowndes Square, which is less than 50 yards away from our residential block. Such boundaries do not preclude the shared impact of licensing laws.

Many of our local Members live in Westminster, while some of us, as stated, live on the very borders of RBKC/Westminster. A significant change in the use of Belgrave Square will immediately affect us all.

Our concerns are manifold:

This is a highly residential area which is already under significant pressure owing to the high volumes of traffic, general pollution and increasing crime. Our Garden Squares (to which we contribute financially) provide a welcome oasis in an ever more hectic environment, as indeed they were created to do.

Increasingly often we see attempts to extend Licensing Hours and use of amenities in nearby commercial ventures. Many of these have been seen to pose a significant threat to the daily life of residents and our environment: perhaps, however, none more than this application.

It is perhaps ironic that one of the very reasons that Knightsbridge is such a magnet for investment and for residents and visitors (its environment, its tranquillity, its diversity, its attractions) should now engender such a threat.

We note the applicant 'Rob Dudley. Rob has over 16 years of Live Events experience..... His experience in managing and producing both large scale live and corporate events, festivals and exhibitions spans across the UK, Europe and the US. In addition to ...' (Source: Google).

This rightly concerns us.

We believe it to be incumbent upon the Council to consider exactly what the longer term plan is from an individual who appears to have been successful in arranging such 'large scale events' . It is very difficult to see how such event management could chime with the reasonable hopes of local residents to go about their everyday lives and the nature of the area.

As an aside, we have been unable to find a resident of 66 Chester Row on the Electoral Roll.

However none of these clearly considerable concerns change the fact that opening up Belgrave Square, as the application clearly states, to alcohol fuelled events extending to the early hours of the morning will impact on our local environment and our residents way of life.

We note that the application is very broad and covers dance, plays, films, live music, the playing of recorded music and other entertainment.

We also wish to draw the Council's attention in particular to the comment in sections L and M where it is stated that late night refreshments including alcohol may be provided both in the Square and outside it.

We object most strongly to this listed Garden Square being opened to such events. We do not believe that this application conforms to any of the Licensing objectives.

- In general any event as proposed will lead to hugely increased footfall with its attendant issues for traffic, parking, other transport and public safety. No attempt appears to have been made to explain how events may be supervised nor the impact on local policing. No attention seems to have been paid to the effect that setting up and taking down the event will have on the local environment and daily life. We already have immense traffic issues and are amongst the most highly polluted areas in London.
- There is significant evidence to support the view that crime increases where such events occur in what are seen as 'wealthy areas'. In this area we already experience any number of attacks: acid, mugging, burglary, aggressive begging, pickpockets and other petty crime. Any events as described will only attract more miscreants to the area and endanger the populace, in particular the more vulnerable (This area is notably one highly populated by an ageing generation).
- Staging such events and providing alcohol until 1.30am is guaranteed to ensure that there will be a huge increase in noise and disruption.

- This is an area where children come to school. Detritus on the streets so often found following revelries will inevitably be visible: we have long fought for the rights of children not to encounter discarded bottles of alcohol, syringes and worse.

One of our greatest concerns is that granting such a License will inevitably provide a precedent in our area.

We therefore ask the Council to take our views into consideration. We are happy to present our objections in person should this be deemed appropriate.

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| Received: | 9 January 2018 |
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| Support or Objection | Objection |
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I would like to oppose the granting of this licence on the grounds that it will lead to Residents being prevented from using Belgrave Square Garden, their Garden when an 'event' is held.

Access to Belgrave Square Garden comes under the 1851 Communal Gardens Act, where the open space is for the use of ALL residents. Special interests are not catered for.

Belgrave Square is also Grade II listed, with statutory protections, which the granting of a licence are likely to threaten.

The holding of 'events' will disrupt the environment, create wear on the lawns and interfere with fauna, flora and birds. Large lorries bringing marquees, catering equipment and paraphernalia cannot but impact the Square adversely. The Square is an oasis.

Belgrave Square is the greatest Neoclassical square in London, with wonderful open space framed by palatial houses. Events will do nothing to maintain the environment, rather they will pollute it.

Please refuse this application for a Licence, so that we can maintain the protection of the Square as much as is possible in the 21st century.

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| Received: | 11 January 2018 |
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| Support or Objection | Objection |
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We are horrified at both the principle and the extent of the proposed New Premises Licence Application. For what possible reason, apart from profit for the licence applicant, would such an approval be acceptable? Surely the interests of the residents of Belgravia must be the primary consideration. Whilst the occasional summer film show offering is acceptable, abusing the quiet residential, small business and embassy hub, and the surrounding area, in the manner proposed is totally unacceptable. We are aware that the Applicant has stated elsewhere that they do not intend to hold more functions than now; however, the Licence, if granted, would provide no block to a massive extension of the use of the Square. If the Applicant does not intend to do this why not leave matters as they are – individual applications for the few functions that are held now?

What right has this Applicant to commence the destruction of such a valuable and historically relevant “village” community?

Additionally, there are practical considerations. Belgravia is already feeling the increasing pressures of noise, pollution, vagrancy and crime. Such an extension of the licensed activities will inevitably bring to this beautiful Square the problems existing now in the area near the coach station. For the Applicant to propose later finishing times than are available for existing outside arrangement at public houses and restaurants, should not even be contemplated.

We have to assume that Westminster City Council treasures the beauty and residential features of Belgravia. To permit even a partial or substantially reduced New premises Licence cannot be reconciled with the history, the present or the future of Belgravia. We would request that you totally reject this Application.

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| Received: | 11 January 2018 |
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| Support or Objection | Objection |
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We are writing as keyholders of the Belgrave Square garden which is the subject of the above licence application. We are writing to lodge our very strong objection to this licence application.

We are regular users of the garden and take our grandchildren there to play in the play area. As such, we have a direct interest in the garden's future.

Our principle reasons for strongly objecting to this licence application are:

- 1 We believe that with large commercial and other events being held regularly in the garden, particularly over the summer period, it is likely that large parts of the central area of the garden will be taken over with equipment, machinery, marquees etc which will deny use of the garden for possibly some days before and after the actual event. The net effect could be that during the summer months the number of occasions on which we could use the garden with our grandchildren could be drastically reduced.
- 2 This application if granted would produce a dramatic change from the way the garden has been used hitherto. To date, use has been confined, with possibly the very occasional exception, to infrequent functions of fewer than 50 people. Events on the scale envisaged by the licence application would represent a wholly different use of the garden and would we believe contravene the London Squares Act 1931.
- 3 Another major concern which arises out of this licence application is the likely effect on streets adjoining Belgrave Square. Streets such as Chapel Street, Chester Street and Wilton Street are residential streets. Under the licence application, events can carry on until as late as 1.30 am, with alcohol being served. It is highly likely that these residential side streets would be disturbed in the middle of the night by party and event goers, possibly having had a good deal to drink, making a lot of noise as they leave the Belgrave Square area. We already have an example of such a problem in Wilton Street, which is regularly being severely disturbed in the night by customers of the Eaton Square Restaurant nightclub creating a great deal of noise and disturbance in Wilton Street as they leave.
- 4 As well as the noise generated by leaving event goers, there is also likely to

be a lot of noise and disturbance from heavy lorries and trucks removing equipment from the event late at night or early in the morning.

5 Belgrave Square carried a lot of traffic at all times and therefore one must assume that leaving event goers and motorists alike could be at risk from collisions between vehicles and pedestrians. We believe that this licence application, if granted, would therefore give rise to serious road traffic safety issues.

6 Our broader objection is that this licence application represents an attempt to embark upon an effort to commercialise Belgravia and its garden squares in a way that is completely inappropriate for a residential area. Hyde Park lies within a stone's throw and is the appropriate venue, if indeed any venue is, for the sort of events that the licence application appears to envisage holding in Belgrave Square.

7 We have paid over £350 to have access to the garden for this year and will pay ongoing charges of £270 per annum. We therefore feel we are entitled to be able to enjoy the garden in its current condition and that the licence application, if granted, would inevitably lead to greatly increased wear and tear in the garden, damage to lawns, walkways, flowerbeds etc leading to a general loss of amenity value and a degradation of the garden environment. We therefore feel we would no longer be getting proper value.

In summary, we urge you to reject and refuse this application licence, which we believe would have a seriously detrimental effect on Belgrave Square and indeed the Belgravia environment generally.

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| Received: | 14 January 2018 |
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| Support or Objection | Objection |
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Note: My wife, Mrs Sally Lescher, has made separate representations. In the interests of brevity, I have avoided simply repeating her representations, however, to avoid misunderstanding, I wish to make it clear that I agree with and endorse each and every representation she has made.

Representations:

- Lack of transparency regarding the applicant

The Application says it is made by "Belgrave Square Garden Events Committee". The Applicant says it is an unincorporated association. I have never heard of this association before today. I believe that the term "unincorporated association" is meant to cover recognised entities such as charitable trusts, which may have no legal personality, but which are registered with the Charities Commission and who can be held responsible by the public. Indeed, I note the form itself asks for a registration number. I do not believe "unincorporated association" is meant to include any old group of individuals who I have never heard of which appears to be registered nowhere and which withholds the names of its chairman and members. The issue of licences by local authorities is an important function. This is because these licences affect third parties' property and other rights. It is not acceptable that the application should contain no information as to the individuals or legal persons behind the Application.

I have seen a communication from something called “The Fair Part of the Big Cat Group” which may have been an email sent to Mr. White of the Belgravia Society. It is unclear from the communication whether this is a commercial corporation or some form of unincorporated association. It states: “We Are The Fair (WATF) were appointed by Grosvenor in September 2016 to advise and lead on the planning, management and supervision of Grosvenor led events, or events held on Grosvenor properties across the UK. Thus, the real applicant may be the Big Cat Group, or a subsidiary, or one of its employees, or persons otherwise associated with the Big Cat Group. The communication from Big Cat does nothing to clarify who is Belgrave Square Garden Events Committee.

- Lack of consultation

Until the Application was made public by the licensing authority neither my wife (who has sent her own representations separately from me) nor I received any notification of this highly objectionable plan to commercialize Belgrave Square.

I note that the application was made when many residents have gone away for Christmas and the New Year. This is a stratagem frequently used by those who wish to slip through applications when nobody is looking.

The communication from Big Cat stated that in June 2017 they sent letters to 600 garden key holders. Since neither my wife nor I received a letter I disbelieve this assertion. I also disbelieve (for the same reasons) Big Cat’s statement that a further letter was sent in December.

- Character of the area

Belgrave Square is an oasis of peace in Belgravia. Its users include children, families, tennis players and those using the exercise area. There are occasionally events such as the “Open Gardens” one but nothing happens at the moment that would change the character of the area:

We now are faced with an application to alter all this. The notice speaks for itself so I set it out in full in red below:

Performance of Dance Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Exhibition of a Film Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Performance of Live Music Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Playing of Recorded Music Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Anything of a similar description to Live Music, Recorded Music or Performance of Dance Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Performance of a Play Monday to Thursday: 09:00 to 23:30 Friday to Saturday: 09:00 to 00:00 Sunday: 09:00 to 22:30

Late Night Refreshment Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00

Supply of Alcohol Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30.

It is obvious that the grant of a licence for all this would permit activities which would fundamentally alter the character of the area. It is no use for Big Cat to say that they will not make full use of the licence and/or they will hold risk assessments etc. If they do not intend to alter the character of the area why is it necessary to obtain a licence which would permit them to do so? Not does it help to say they will hold risk assessments etc. Nobody who seeks consent for music and dancing etc. from dawn to dusk should be permitted to do so without risk assessments etc.

The extra numbers of people attending the events will damage the garden, the plants and the wildlife while restricting the key-holders' access. As is well known the area already has enough pubs and restaurants to cater for demand. Events are held in Hyde Park (which is much bigger and therefore less affected by these events than Belgrave Square would be. Nobody has put forward a good case for Belgrave Square to be turned into an Events Centre.

- Licences

In their communication sent to Mr. White Big Cat say they will have: Emergency and Evacuation procedures, crowd management and stewarding arrangements, overnight security arrangements, a detailed site plan showing all permanent and temporary structures and access and egress points, capacity at any one time etc. If they alter the character of Belgrave Square to the extent that their application would lead one to suppose that all these things will be necessary.

Currently events require individual licensing per event. That seems to me to be perfectly satisfactory. If those holding the events should damage the character of Belgrave Square then it is open to key holders to object when the next application is made. That is the purpose of the licensing laws! The current event-by-event licensing practice safeguards Belgrave Square, its character and the amenity of key holders. The Application should be seen for what it, that is to say, an attempt to commercialize Belgrave Square to the detriment of the key holders and the environment of the Square.

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|------------------|-----------------|
| Received: | 16 January 2018 |
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|-----------------------------|-----------|
| Support or Objection | Objection |
|-----------------------------|-----------|

I object to the application for the new premises licence. The basis of my objections are three-fold:

- 1) This application is not for the benefit of the residents of the Square
- 2) The central garden is a place of recreation not a place of entertainment
- 3) The Square is a comparatively 'secluded' place, with enjoyment of relative peace and quiet, which would not be the case if it was turned into a place of entertainment. Therefore the application is a detriment to the residents.

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| Received: | 15 January 2018 |
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| Support or Objection | Objection |
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The application seeks permission for:

- Music and dancing;
- Sale of alcohol;
- Other licensable activities;
- Which will start in the morning and extend late into the evening.

This will alter the character of Belgrave Square by turning what had been a peaceful

haven into a noisy and crowded events centre for much of the time. There will be damage to the environment, the flowers and grass and the wildlife. I am disabled and enjoy the peace and quiet of the Square where I can walk. My ability to benefit from the square will be reduced to the extent to which it is turned into an events centre.

The application says that there will be all sorts of safeguards such as pointing loudspeakers away from noise sensitive houses. I think it is better not to have the nuisance in the first place.

I believe that:

- If usage is to continue much as before it is unnecessary to grant the application?
- If usage is not to continue much as before so the Square becomes an events centre this will destroy the character of the Square
- The best way to preserve the character of the Square is for all future events organisers to apply for licences on a case by case basis

Finally, why does the application not list the individuals or corporations who stand behind the applicant?

| | |
|--|-----------------|
| Received: | 15 January 2018 |
| Support or Objection | Support |
| Please note my support for the Garden Committee's application for a license. | |
| Received: | 16 January 2018 |
| Support or Objection | Support |
| This application makes perfect sense. A single Premises Licence will cut down on administration and facilitate the use and enjoyment the gardens bring. | |
| Received: | 16 January 2018 |
| Support or Objection | Support |
| I completely support the application for a full licence for the garden in Belgrave Square. I think it'd be a great idea and really assist us in our events, which will benefit a huge variety of people. | |
| My support is definitely to grant a full licence for the Belgrave Square garden. | |
| Received: | 17 January 2018 |
| Support or Objection | Support |
| I attended last years event and enjoyed it very much, and would like to support any application they may make. | |
| Received: | 17 January 2018 |
| Support or Objection | Support |
| We have a business just around the corner and our restaurant UNI do a wonderful array of sushi at the Belgrave BBQ each year which is a superb and exciting way to get the neighbourhood talking about local business. We feel the garden is maintained perfectly and events only add to the joy of this marvellous space. Furthermore, we have been using the garden for some time personally and our family is in support of the events that are put on in the garden. | |

| | |
|--|-----------------|
| Received: | 13 January 2018 |
| Support or Objection | Support |
| <p>I have attended multiple events held in Belgrave Square, all of which have been impeccably organised and run. Therefore I fully support the permanent license application.</p> | |
| Received: | 15 January 2018 |
| Support or Objection | Support |
| <p>I wanted to register my support for the well run events that take place over the summer in Belgrave Square, in particular the classic car show.</p> <p>The event was well planned and run from start to finish, it created no traffic disruption and minimal disturbance to those in the immediate area, whilst bringing in a host of visitors to the show. I think it raised a lot of money for charity, and it was great to see so many children enjoying the spectacle in the Square.</p> <p>I look forward to the same event this year.</p> | |
| Received: | 13 January 2018 |
| Support or Objection | Support |
| <p>I fully support the application for a licence in the garden. The residents and members have been asked and I have asked many involved in the area who are in full support. The garden holds venues during the year for which we apply for a TEN and so far as is known, there has never been a breach of rules or complaints of disturbance. Venues inviting the public into the area/garden are beneficial. All events are tightly controlled and obey all health and safety and police and council requirements. I believe the events bring a great deal of joy and happiness to the residents and also to the general public who are given an opportunity to visit one of London's most beautiful gardens.</p> | |
| Received: | 17 January 2018 |
| Support or Objection | Support |
| <p>Wonderfull to see these green spaces used for the broader public interest and from my perspective when done well can enhance London life and bring the public into contact with some very special parts of London.</p> <p>As I understand the owners of the land intend to do this in a sensitive and inclusive event for all.</p> | |
| Received: | 14 January 2018 |
| Support or Objection | Support |
| <p>I've moved to London a few years ago, and have attended the Belgrave Square summer BBQs and other events, for the past 6 years. Some of my favourite memories of the city were built there, it would be a shame for them to cease to exist. I fully support the permanent license.</p> | |
| Received: | 16 January 2018 |
| Support or Objection | Support |
| <p>Please note my support for the Garden Committee's application for a license.</p> | |

| | |
|---|-----------------|
| Received: | 17 January 2018 |
| Support or Objection | Support |
| A great use of the space to bring the area to life. | |
| Received: | 17 January 2018 |
| Support or Objection | Support |
| It is high time that local councils take on board the opinion of ordinary people. Belgrave Square has to be a prime example, owned by a company who are actively trying to share an asset and make it available not just the super often snobby rich. Belgrave Square is a wonderful asset and if it can be made into a destination for common people more often I will be delighted. | |
| Received: | 16 January 2018 |
| Support or Objection | Support |
| This is a great London event which deserves all the support it can get. | |
| Received: | 16 January 2018 |
| Support or Objection | Support |
| I am in support of this application. | |
| Received: | 18 January 2018 |
| | Support |
| I have attended several events hosted at the garden in Belgrave Square and they have all been excellent; well-organised and well-attended, and have had little or no impact on the garden infrastructure. | |
| I fully support the application by the Grosvenor for a full licence for the garden in Belgrave Square. | |
| Received: | 15 January 2018 |
| Support or Objection | Support |
| Please note my support for the Garden Committee's application for a license. | |
| Received: | 16 January 2018 |
| Support or Objection | Support |
| I am writing to you in support for the application of a full licence for the garden in Belgrave Square for Grosvenor/Committee. | |
| Giving them a full license will allow more of the public to enjoy the wonderful gardens. | |
| Received: | 15 January 2018 |
| Support or Objection | Support |
| I have been to an event in Belgrave Square and thought it was wonderful and could not have caused a problem for the neighbours. | |
| Received: | 15 January 2018 |
| Support or Objection | Support |
| The various annual events held at Belgrave Square have not only given local residents and businesses opportunities to build and enhance their community but have also been well publicised, successful events, attracting visitors from all over the | |

country.

Always a safe environment and never an issue of noise, litter, or disruption of any kind, there does not seem to be any logical reason to withhold a licence that would help the organisers of these events and the pillars of the local community to keep doing their fantastic work.

| | |
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| Received: | 16 January 2018 |
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| Support or Objection | Support |
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London's squares are a vital part of the heritage of the city and they must be kept alive and used in a way that ensures their quality remains for future generations. Opening up the larger square such as Belgrave to events brings fresh life to the areas and ensures they are maintained better. I support the events run in Belgrave Square and believe that should be encouraged to continue with sensible licensing that does not create unnecessary hurdles for the organisers.

| | |
|------------------|-----------------|
| Received: | 16 January 2018 |
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|-----------------------------|---------|
| Support or Objection | Support |
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Please note my support for the Garden Committee's application for a license.

| | |
|------------------|-----------------|
| Received: | 15 January 2018 |
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| Support or Objection | Support |
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As a local resident I would be grateful if you were able to please add my name to the list of those who support the Belgrave Square Garden Committee's application for a license.

I have attended various events in Belgrave Square Garden over the last few years; these events are both well-organised and respectful of the local community.

These are the only events organised by, and for, local people in Knightsbridge and Belgravia. I am mystified why anyone would object to events in the Square; a space that is almost exclusively used for dog walking purposes for the entire rest of the year.

| | |
|------------------|-----------------|
| Received: | 16 January 2018 |
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| Support or Objection | Support |
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I am writing in support of a permanent license being offered to the Grosvenor Estates and Events Committee so that Grosvenor Square's gardens can be used for its car shows without having to apply annually for one.

I am part of the "96 Club" and a keen participator in its events and a local resident.

3. Policy & Guidance

| | |
|--|---|
| The following policies within the City Of Westminster Statement of Licensing Policy apply: | |
| Policy PB1 applies: | Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1. |
| Policy HRS1 applies: | <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> |
| Policy COMB1 applies: | <p>(i) Where a premises proposes to operate as a combined use premises applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1 CH1 CIP1 and HRS1.</p> <p>(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies.</p> <p>It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).</p> <p>(iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1&PB2, FFP1 & FFP2, MD1 & MD2.</p> |
| Policy MD1 applies: | Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1. |
| Policy PVC1 applies: | Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1. |

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

| | |
|-------------------|--|
| Appendix 1 | Applicant supporting documents showing photos of previous events |
| Appendix 2 | Premises history |
| Appendix 3 | Proposed conditions |
| Appendix 4 | Residential map and list of premises in the vicinity |
| Appendix 5 | Pre-application advice report |

| | |
|-----------------------|---|
| Report author: | Ms Daisy Gadd Senior Licensing Officer |
| Contact: | Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk |

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

| | | |
|-----------|---|------------------------------|
| 1 | Licensing Act 2003 | N/A |
| 2 | City of Westminster Statement of Licensing Policy | 7 th January 2016 |
| 3 | Amended Guidance issued under section 182 of the Licensing Act 2003 | April 2017 |
| 4 | Representation Metropolitan Police Service | 11 January 2018 |
| 5 | Representation Environmental Health | 16 January 2018 |
| 6 | Representation resident | 30 December 2017 |
| 7 | Representation resident | 1 January 2018 |
| 8 | Representation resident | 2 January 2018 |
| 9 | Representation resident | 2 January 2018 |
| 10 | Representation resident | 4 January 2018 |
| 11 | Representation resident | 9 January 2018 |
| 12 | Representation resident | 9 January 2018 |
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| 62 | Representation resident | 17 January 2018 |
| 63 | Representation resident | 18 January 2018 |

Photos of previous events



















Response to the Belgravia Society



In response to Belgravia Society regarding the Belgrave Square Garden Licence Application

Dear Mr Waite,

We are getting in touch regarding your recent objections to the Belgrave Square Garden Premises Licence application, published in the Winter 2017 edition of 'The Belgravia Society'.

We Are The Fair (WATF) were appointed by Grosvenor in September 2016 to advise and lead on the planning, management and supervision of Grosvenor led events, or events held on Grosvenor properties, across the UK. The purpose of this instruction was to ensure that all Grosvenor events are managed to the highest possible standards in respect of licencing, statutory consents and health & safety. One of our recommendations to Grosvenor has been that where a number of events are being held at one venue under Temporary Event Notices, as in Belgrave Square Garden, that serious consideration should be given to applying for a Premises Licence which would ensure a consistency of approach to each event and a greater transparency with both the Local Authority and local residents.

As part of the premises licence application for Belgrave Square Garden, we have undertaken extensive pre-consultations. This started with the ward councillors in April last year as a result of which we amended our proposals slightly and was followed by letters to over 600 garden key holders, including all the residents and businesses in Belgrave Square, in June 2017. A further letter was sent in early December 2017 (copies of both letters attached). These letters invited an open dialogue with residents who were interested in understanding further detail about the premises licence. We have had 6 responses in total – 1 objection on the grounds of general construction nuisance in the area, 2 raising queries about the licence and 3 offering their help and support.

We would be happy to meet with The Belgravia Society and any other residents or stakeholders who would like to discuss their concerns over the Belgrave Square Garden premises licence application.

We have written a response to each of your objections and these are outlined below.

Please do not hesitate to get in touch with us to arrange a meeting or clarify anything further.

Best wishes,

Rob Dudley

rob@wearethefair.com

The Application is open to interpretation and we cannot be certain of permitted events.

As part of the licence application we have created an Operating Schedule listing a series of 'conditions' and restrictive guidelines that all event organisers will have to follow in order to meet the requirements of the licence. The Operating Schedule states that there will be a maximum of 15 events featuring licensed activity per year and that all events taking place in the garden will be subject to an individual Risk Assessment. It also states that all events will be either private events or ticketed public events. We have submitted the application with the interest of Belgrave Square residents and occupiers front of mind and we are not proposing a significant increase in the number of events held in the garden, but we do want to ensure that we are able to appropriately manage and licence our events with a premises licence rather than under a Temporary Event Notice (TEN).

The Application covers a variety of events including plays, films, live music, recorded music, performance of dance, and anything of similar nature all to be supported by late-night refreshments which will include the sale of alcohol. Times are unclear apart from the annual barbeque which would go on to 1.30AM plus clear up time. Other events, we are told, being similar to the barbeque also will not finish until 1.30AM.

Within the Licence Application we have stated the timings for events in Belgrave Square Garden which are as follows: Monday-Thursday 09:00-23:30, Friday and Saturday 09:00-00:00 and Sunday 09:00-22:30. On a maximum of 5 occasions per calendar year community events, including the annual barbeque, may last until 01.30am. The Operating Schedule also states that the sale of alcohol at the premises will be ancillary to the primary use of the premises as an event space. There will be a maximum of 15 events featuring licensed activity per calendar year.

The rules of Belgrave Gardens for users state that parties must be finished by 9PM, numbers must not exceed 50, no marquees may be erected and no ball games or barbeques are allowed. No music is permitted.

The general rules and conditions of hosting a private party in Belgrave Square Garden state these items for the protection of the gardens against damage and the disturbance of uncontrolled events. There are often exceptions to these rules, for example the annual barbecue and some small private events. On these occasions measures are put in place to ensure that marquee erection is conducted safely and without permanent damage to the grounds, that music is played without causing disturbance and that the higher capacities are licensed under a TEN. The Operating Schedule outlines the measures in place to ensure that there is safeguarding against disruption to the gardens and the garden users.

Belgrave Square itself is one of the historic squares of London and has a Grade II listing. It is protected under the terms of legislation by the London Squares Preservation Act 1931 (the Act).

Section 3 (1) states:

"Subject to the provisions of this Act a protected square shall not be used otherwise than for one or more of the following purposes (that is to say) the purpose of an ornamental garden pleasure ground or ground for play rest or recreation..."

The London Squares Preservation Act 1931 does not prohibit the occasional use of registered parks and gardens for entertainment and/or other activities. In considering any applications under the Act, the City Council would need to consider whether the events would cause any material encroachment or interfere with the amenity of the protected squares or its enjoyment as an ornamental garden pleasure ground or ground for play rest or recreation. The precedent of holding community events in registered gardens is well established and we don't believe that there is any conflict arising from the licence application with the Act.

An Events Procedure Manual will also act as guidance for robust procedures in event health and safety and event management, which will ensure that the events are run in accordance with Grosvenor and Westminster City Council standards. Both these documents will be written with the protection of the local community in mind.

All events taking place in the Gardens will be approved in writing by both Grosvenor and the Belgrave Square Garden Events Committee, and all events taking place in the Gardens will be subject to individual Risk Assessments. A suitable and sufficient Event Management Plan shall also be drawn up prior to an event and made available, if requested, to the Responsible Authorities. This shall be kept for at least one year and shall include where necessary, as a minimum, details on the following aspects:

- i: Emergency and Evacuation procedures
- ii: Crowd management and stewarding arrangements
- iii: Overnight security arrangements, a detailed site plan showing all permanent and temporary structures and all access and egress points
- iv: A detailed site plan showing all permanent and temporary structures and all access and egress points

- v: Capacity at any one time
- vi: Certificates from competent persons on Structures, Electrical Power Supply and Gas equipment (including LPG)
- vii: First Aid and Lost Children arrangements
- viii: Noise Management Plan
- ix: Risk Assessments
- x: A waste management plan
- xi: Sanitary accommodation
- xii: Public Liability Insurance

The applicant is named as the chairman of the Belgrave Square Garden Events Committee, but is not named. It is described as an unincorporated Association and no names of any members of the committee are given nor how they are appointed. There is no semblance of democratic accountability to the users of the Square.

The premises licence has been submitted in the name of the Belgrave Square Garden Events Committee as an organisation. The submission address includes the title of 'The Chairman' within it. The premises licence has been submitted under the name of the organisation so as to ensure that the licence is upheld by those who are directly involved with the Garden, rather than any individual who may not be involved in the gardens' affairs for a long duration of time.

It will have an adverse effect on the amenities of its immediate neighbours and the permitted users of the garden; unacceptable overuse of garden designed for residential users for the purposes set out in the Act; adverse effect on the conservation area with music and noise generated, as well as the unsightly and socially unacceptable behaviour associated with late-night drinking. This in turn might well have an adverse effect on highway safety with revellers crossing and re-crossing the wide road of Belgrave Square.

Large scale events, such as London Garden Squares Open Day and the Annual BBQ, have been undertaken for many years without a single 3rd party complaint and it is our intention that this unblemished record should continue. The Event Management Plan is put in place to ensure that events are effectively managed to ensure that they do not cause disruption to the local community or cause damage to the garden. Each Event Management Plan will consider the areas outlined previously. Through this plan we will be able to ensure that measures are put in place to manage egress and protect the safety of attendees and the local community. These measures may include positioning stewards/security personnel at the crossing point on the wide road of Belgrave Square.

When creating the Event Management Plan, reference will be made to the following publications: The Technical Standards for Places of Entertainment – District Surveyor's Association, The Event Safety Guide (purple guide), Guide to Safety at Sports Grounds (green guide), FRSA – Open Air Events and Venues.

To minimise any noise, all events featuring amplified music will give consideration to the positioning and directionality of PA systems and loudspeakers within the Gardens and PA Systems and loudspeakers will only be situated within the inner Garden. Events that include amplified music must be notified to the Environmental Health Consultation Team at least two weeks prior and the notification shall include the Noise Management Plan for the event. There shall be no noise audible at the nearest noise sensitive premises from any construction or similar works in association with the set up and dismantling of the site, outside the hours of: i. 08:00 - 18:00 Monday -Friday ii. 08:00 - 13:00 Saturday with no work permitted on Sundays or Bank Holidays.

While attendees at some events will be able to purchase alcohol, we do not expect this to result in unsightly or socially unacceptable behaviour. There will be substantial food and non-intoxicating beverages, including drinking water, available in all parts of the premises where alcohol is sold or supplied for consumption on the premises and there will be event stewards on site who will deal with any issues that might arise.

We Are The Fair would be happy to host a meeting to discuss concerns over the licence application in greater detail, should the information provided not allay existing concerns.

We Are The Fair, 4th Floor Relay Building, 114 Whitechapel High Street, London, E1 7PT | 020 8068 5232

WORKINGTOGETHER@WEARETHEFAIR.COM

Emails in support of application

Craig Baylis

From: Ben-Gacem, Hazem <HBENGACEM@investcorp.com>
Sent: 09 January 2018 15:01
To: GLMoffice
Subject: Re: Belgrave Square Garden

Hello. I did not raise any objection and to the contrary, I think such events being life and excitement to Belgravia.

Wish you good luck.

Hazem Ben-Gacem
22 Chester Square
London SW1W 9HS

On Tue, Jan 9, 2018 at 3:05 PM +0100, "GLMoffice"
<glm.office@grosvenor.com<mailto:glm.office@grosvenor.com>> wrote:

*** This is an external email ***

9 January 2018

Dear Belgrave Square Keyholder,

I hope you had a wonderful Christmas and New Year. Further to our communication in June and December of last year we are getting in touch again with regard to the Belgrave Square Garden Premises Licence application. From the outset we have been keen to encourage transparency and an open dialogue with residents regarding this application and following the publication of an article within the Winter edition of the Belgravia Society magazine citing their objections, we wanted to share our response.

Please find below a link to the Belgravia Society magazine with the article on page 4. Attached is the response from our agents, We Are The Fair, to each of their comments. We are keen to ensure that you are fully informed and re-assured about the purpose of this application – which is to ensure that events hosted in Belgrave Square Gardens are able to be managed to the highest possible standards in respect of licencing, statutory consents and health & safety.

Please do not hesitate to get in touch to clarify anything further.

Regards

Nigel Hughes and Amanda Bond Elliott

Link to

Belgravia Society Magazine<https://urldefense.proofpoint.com/v2/url?u=http-3A__pub.lucidpress.com_f35eaf14-2D0348-2D4420-2D89fa-2D245d8c5154a3_-3Fsrc-3Dem&d=DwMF-g&c=TyiYG_9ilkaRdP7y0mgKadgIgw5Xv8D4SFYpx7njPW4&r=W7xjANmr_1aucTpcHzsR68akNdUF12WApO9YqUo7vNc&m=-23XgSTcsW9j-5i6rQhPE0Oo-wuVrGOA8TeG_FOtMhI&s=IMh13fRgJmkQ0ATUCUxYrmKTK3twBC6YS2RcTqSd3T8&e=>

Craig Baylis

From: Mark Page <mark.page@gmx.net>
Sent: 09 January 2018 14:57
To: GLMoffice
Subject: Aw: Belgrave Square Garden

Thank you for sharing - extremely diplomatic wording from the agency!

Gesendet: Dienstag, 09. Januar 2018 um 14:04 Uhr
Von: GLMoffice <glm.office@grosvenor.com>
An: GLMoffice <glm.office@grosvenor.com>
Betreff: Belgrave Square Garden

9 January 2018

Dear Belgrave Square Keyholder,

I hope you had a wonderful Christmas and New Year. Further to our communication in June and December of last year we are getting in touch again with regard to the Belgrave Square Garden Premises Licence application. From the outset we have been keen to encourage transparency and an open dialogue with residents regarding this application and following the publication of an article within the Winter edition of the Belgravia Society magazine citing their objections, we wanted to share our response.

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Please do not hesitate to get in touch to clarify anything further.

Regards

Nigel Hughes and Amanda Bond Elliott

Link to

Craig Baylis

From: Aileen Richards <aileenrichards56@gmail.com>
Sent: 09 January 2018 16:58
To: GLMoffice
Subject: Re: Belgrave Square Garden

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks you for the sharing and the transparency. I was one of the key holders who had questions about the licence, but I am happy and reassured by the approach you are taking. Maybe you could put in place a formal review of the situation after a couple of years to ensure that the assurances are working.

Thanks for keeping us informed and good luck with the next steps.

Kind regards,

Aileen Richards

On Tue, Jan 9, 2018 at 7:04 PM, GLMoffice <glm.office@grosvenor.com> wrote:

9 January 2018

Dear Belgrave Square Keyholder,

I hope you had a wonderful Christmas and New Year. Further to our communication in June and December of last year we are getting in touch again with regard to the Belgrave Square Garden Premises Licence application. From the outset we have been keen to encourage transparency and an open dialogue with residents regarding this application and following the publication of an article within the Winter edition of the Belgravia Society magazine citing their objections, we wanted to share our response.

Please find below a link to the Belgravia Society magazine with the article on page 4. Attached is the response from our agents, We Are The Fair, to each of their comments. We are keen to ensure that you are fully informed and re-assured about the purpose of this application – which is to ensure that events hosted in Belgrave Square Gardens are able to be managed to the highest possible standards in respect of licencing, statutory consents and health & safety.

Please do not hesitate to get in touch to clarify anything further.

Regards

Nigel Hughes and Amanda Bond Elliott

Link to

[Belgravia Society Magazine](#)

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Response from Chairman of Belgravia Residents Association

From: James Wright
Sent: 09 January 2018 14:15
To: GLMoffice
Cc: Nigel Hughes;
Subject: Re: Belgrave Square Garden

Dear Nigel

When this issue first came to light I believe we supported the licencing application but I can see nowhere any evidence of that decision on behalf of the BRA, albeit Patricia who handles such matters on our behalf is still away on a New Year break.

In view the Belgravia Society have not been recognized by WCC this "in limbo" status is not helping any of us.

This group assume they are being responsible for the area at large and we conclude they are the exact opposite so think it best if they are simply ignored This stance is how the BRA has treated this group since our earlier troubles with this select group of residents who spread falsehoods in order to try and gain personal advantages to suit their own agenda which had little to do with enhancing the community for the good or its resident base.

They claim a membership exceeding a thousand, yet membership is free and open to everyone whether living in Belgravia or not and they also are operating seemingly as a charity which in itself surely is questionable as to why we need a charitable body to look after the needs of people living and or working in Belgravia ?

I reiterate we wholly support the aims and aspirations of those of you involved with Belgrave Square Gardens and applaud the good work carried out in hosting these events which many of our members partake and enjoy .

We all know the time and effort that goes into hosting such events and it is encouraging to see the many positive events proposed for the Gardens and the professionalism employed by you all is appreciated by those of us who only want the best for Belgravia.

Yours sincerely

James Wright
Chairman
Belgravia Residents Association
www.belgraviareidents.org.uk

From: GLMoffice
Sent: 09 January 2018 12:53
To: GLMoffice
Subject: Belgrave Square Garden

9 January 2018

Dear Belgrave Square Keyholder,

I hope you had a wonderful Christmas and New Year. Further to our communication in June and December of last year we are getting in touch again with regard to the Belgrave Square Garden Premises Licence application. From the outset we have been keen to encourage transparency and an open dialogue with residents regarding this application and following the publication of an article within the Winter edition of the Belgravia Society magazine citing their objections, we wanted to share our response.

Please find below a link to the Belgravia Society magazine with the article on page 4. Attached is the response from our agents, We Are The Fair, to each of their comments. We are keen to ensure that you are fully informed and re-assured about the purpose of this application – which is to ensure that events hosted in Belgrave Square Gardens are able to be managed to the highest possible standards in respect of licencing, statutory consents and health & safety.

Please do not hesitate to get in touch to clarify anything further.

Regards

Nigel Hughes and Amanda Bond Elliott

Link to
[Belgravia Society Magazine](#)



ALCOHOL MANAGEMENT POLICY

WE ARE THE FAIR LTD - Belgrave Square Garden

We Are The Fair (WATF) are an event production, and specialist licensing and health and safety agency based in East London. Each year we operate at over 100 events with capacities ranging from 500 to 20,000 per day.

With over 30 years' experience in venue and event management, we are industry leaders in providing bar solutions and event management for events and venues of all sizes. Our reputation is based on quality, accountability and a professional service.

The aim of this Alcohol Management Policy (AMP) is to work in conjunction, and to integrate with, the Event Safety Management Plan and any other event plans that Event Organisers, Police, Licensing Authorities or any other relevant parties have in place.

We are committed to the continual process of providing an enjoyable and safe environment for the public through effectively managing the sale of alcohol. Our responsible drinking policy is focused on meeting the 4 licensing objectives to ensure the consumption of alcohol is carried out responsibly at all times. We do this through the following methods;

Training

We will carry out briefings prior to each event opening for all bar staff on the licensing objectives and the measures in place meet them. The mechanics of how and where the initial briefings will take place will be decided on an individual event basis. Whenever possible, Personal License Holders will be engaged to act as Bar Managers.

Information

We communicate the issues regarding the responsible sale of alcohol in a number of ways including briefings at the beginning of every shift, operating a strict Challenge 25 policy as well as signage for both staff and the guests alike.

Recording of refusals

We will implement a system to record refusals that every member of staff is trained on and has access to. A refusals record will be on every bar or service station. An example of how the refusal registers will look like is attached as an appendix.



The Responsible sale of Alcohol

We do not offer any drinks promotions over the bar and we will ensure that drinks are priced appropriately as not to encourage large orders or heavy drinking by individuals. Wine and spirits will be sold according to the weights and measures act of 1985.

Designated Premises Supervisor (DPS)

The DPS for Belgrave Square Garden will be Robert Dudley. Robert has a wealth of experienced in the licensed trade, having worked in the industry for over 25 years in numerous senior positions both within venues and at temporary events.

Staff – recruitment, security & eligibility to work

Security will be a key consideration for all events taking place within Belgrave Square Garden (BSG). In order to maintain this the following procedures must be implemented by event organisers/staffing agencies working in the Garden:

- All staff will have to be registered pre-event on the staffing company's database
- Upon registering, all staff have to give contact details including NI number and identification to ensure their eligibility to work
- All staff, including bar managers, will be required to wear an appropriate staff uniform at all times whilst working in the Garden

Responsible Drinking Policy

WATF are committed to operating licensed premises responsibly, safely and within the law. We support the four prime objectives of the Licensing Act 2003:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

We seek always to work closely and constructively with the key authorities, including the Police, Fire, Environmental Health and Local Authorities, in pursuit of these objectives. We support regional Crime & Disorder partnerships and aim to participate fully in the drive against 'binge drinking' and its related effects, as outlined in the Alcohol Harm Reduction Strategy for England.

From October 1st 2010 the seven Mandatory Licensing Conditions Order in England and Wales under the Licensing Act 2003 will be complied with as follows:

1. No sale or supply of alcohol can be made without an appointed Designated Premises Supervisor (DPS).
2. Every sale or supply of alcohol must be made or authorised by a Personal License Holder.
3. Free potable water must be provided for customers (applies to all premises where alcohol is served for consumption on the premises).
4. No alcohol may be dispensed directly into the mouth of another person.
5. The responsible person must ensure that staff do not carry out, arrange or participate in any irresponsible promotions.
6. An Age Verification Policy must be in place.
7. The provision of smaller measures must be offered and a notice of their availability be given. (applies to all premises where alcohol is served for consumption on the premises)

WATF will at all times observe the law with regards to the sale of alcohol and all other products by:

- Not serving customers who are intoxicated
- Not serving alcohol to people who are under 18 years old and, where there is any doubt, following the Operational Guidelines (as listed below)
- Supporting 'test purchasing' as a way of helping to enforce the law, whilst recognising that under the law, the company cannot undertake test purchasing.
- Observing all other conditions of licensing law.

WATF is committed to educating, training and supporting event bar Managers and staff so that they are able to carry out their duties under this policy and the law.

Alcohol & Social Responsibility

Any promotional activity will avoid or limit the following:

- Association with anti-social behaviour.
- Appealing particularly to under-25's rather than to adults.
- Purchase by or sale to under-18's.
- Suggestion of sexual success or prowess.
- Association with illicit drugs.
- Encouragement of illegal, irresponsible or immoderate consumption.

Operational Guidelines for Under 18's

WATF will at all times observe the law and ensure that alcohol is not served to people who are under 18 years old. WATF will operate the 'Challenge 25' schemes at all events. Signage will be displayed in a prominent position in bar areas to demonstrate commitment to this scheme. If a guest appears to be under 25, then we require proof that he/she is over 18. In these circumstances staff will be required to:

- Explain that it is against the law to serve alcohol to Under 18's.
- Ask for identification. The only types that are acceptable:
 - 'PASS' hologram proof of age card
 - A Passport.
 - European Union or UK photograph driving licence
 - Military Identification Card

If a guest does not have identification they will be politely informed that they should return with an acceptable form of ID, whereupon we will be happy to serve them.

Staff will be informed to be polite and tactful, but firm, when asking for identification. They will be briefed not to antagonise the situation if a guest becomes aggressive and/or refuses to leave, but to inform a member of management.

In relation to the drinks available at events:

- Where possible and appropriate, we will communicate the unit alcoholic content.
- Designated driver and other anti-drink/drive activities will be encouraged and supported
- Drinking water will always be provided free when requested
- A combination of polycarbonate and glass will be used at events within the Garden. Where glass is used suitable methods for clearing breakages safely will be provided
- All event bars will offer a 125ml wine serve when wine is being dispensed from a 75cl bottle
- The standard spirit measure is a single 25ml, however on occasions a 35ml measure may be served or multiples of.
- Bottled water and other soft drinks will be available at all events.
- Beer and Cider will be available in half pint or third of a pint measures when available in a draught form.

Briefings

For each event taking place within the Garden where alcohol will be available, a daily bar manager briefing will be held with the DPS and Event Organiser. Topics covered include:

Event Overview, Times, Customer Demographic, Sponsor/Partnership Requirements, Opening and Closing times.

For each event a licensing briefing is required. Following the briefing, ensure that ALL staff sign the authorization to sell alcohol form

- Test Purchasing should be carried out during each event
- Refusals registers: have to be checked regularly as will need to be collected in at the end of each session

Staff Briefings

At the start of each event, the bar manager will brief all staff – the briefings cover general event information as well as specific bar details and a separate licensing briefing. Both are detailed below:

General Briefing

- Introduction to the DPS, Event Organiser, Event Team and Bar Management Team
- Explanation of how the bar will work including details on service (cash bar, complimentary bar, waiter service etc)
- Explanation of products and serves - menu, products and how to serve them. Free pouring is not allowed
- £50 notes accepted at manager's discretion
- Wastage - Make sure staff know how to record & what to do with it
- Tip Policy
- Signing in & out - make sure all staff are signed in & out.
- Staff Valuables - ALL BAGS are to be locked away from the start of the shift. There will be no access throughout shift. Staff can keep up to £10 on them plus any other important valuables such as; mobiles or medication.
- All bags plus anything else MUST be off the bar
- Mobile phones are not to be used whilst on the bar



- Health & Safety - Steel toe caps/ closed toe shoes to be worn for cellar work. Wash hands after breaks Don't leave rubbish lying around as someone could trip
- Fire Procedure – inform staff of the location of fire exits from the Garden and the designated muster point (South Lawn) and what to do in case of discovering a fire
- First Aid & Accident Reporting- If you need First Aid see your bar manager immediately, there will be a first aid kit on the bar for small injuries, otherwise see the Event Medic. (All injuries must be recorded in the accident book).
- Customer Welfare – Customer welfare is a priority to us and the event. Please be vigilant for any member of the public who requires assistance, this includes intoxication, distress or upset, lost children and disabled customers. Report immediately to the bar manager or DPS.
- Weights & Measures - Wine will be available in a 125ml measure when dispensed from a 75cl bottle. Spirits should be sold in measures of 25ml and 35ml or multiples thereof, Beer/Cider must be available in pints, half pints or third of a pint

Licensing Briefing

The 4 Licensing objectives are:

1. The prevention of crime and disorder
2. Public safety
3. Prevention of public nuisance
4. The protection of children from harm

In order to uphold these objectives, we have implemented various measures. As members of staff you are in a position of responsibility not only to uphold these measures but to fully understand the importance and the implications of not following these procedures. It is illegal to serve alcohol to: anyone that is under 18 years old, or to anyone that is intoxicated

- Today's date of birth is XX/XX/2000 – check this date on all identification
- Proxy Purchasing: It is an offence to purchase alcohol on behalf of someone who is under 18, it is your responsibility to make sure people are not buying for others
- How to spot Proxy Selling: Young people buying large rounds – ask to see everyone's ID, young people standing at the edge of the bar trying to get others to purchase
- Test Purchasing will be carried out on site at BSG. If you fail a test purchase for selling alcohol to anyone under 18, proxy selling or intoxication you will be liable for disciplinary procedures

THE FAIR

PART OF THE HUGO BOSS GROUP



- Challenge 25 - we challenge anyone for ID who looks under 25, we refuse service to anyone that looks under 25 and cannot produce valid ID
- The forms of ID that we accept are: Passport, UK/EU Photo Driving License, Military ID or "Prove It" cards featuring the PASS hologram
- How to spot a fake ID - Holograms, feel, UV Lights, correct photo. If you are still unsure ask for a secondary ID. If you think the ID is fake or are still unsure, tell your manager immediately
- Signs of Intoxication: staggering, slurring, fumbling, loud, aggressive, swaying, excessive sweating, gurning

Refusing Service - If you refuse service for either: No ID, no acceptable form of ID, Intoxication, Proxy Purchasing, you MUST record it. There is ROR (Registers of Refusals) placed on the back bar. You must fill this out for every refusal even if the bar is busy. If you can't find a ROR or all ROR's are full, please inform your manager. These registers are inspected by Police and Local Authorities so it is VITAL that they are completed correctly.

Quiz for bar staff:

What is today's date of birth for valid IDs?

What is challenge 25?

How do you spot a fake ID?

What is proxy selling?

Name some signs of intoxication?

CHILD WELFARE POLICY / VULNERABLE PERSONS POLICY

WE ARE THE FAIR LTD - Belgrave Square Garden

MISPER (Missing Persons):

All staff should be familiar with the three categories of MISPER and understand the levels of risk associated with each.

The following are minimum questions that will be asked initially upon the report of any missing person:

- Name
- Where last seen? / What time?
- Age
- Sex
- Colour
- Height
- Clothing

Details of all MISPER irrespective of status should be passed to the Event Manager / DPS and documented.

The person reporting a MISPER should be escorted to and encouraged to wait at the designated Info Point (to be determined on an event by event basis) where possible initially. They may wish to search and if so should be escorted by a member of event staff or security (if present).

Obtain a mobile contact number from the person reporting a MISPER for ease on on-going contact.

MISPER Action:

Adult MISPER:

The Event Manager / DPS will make a log entry and pass a description across all on-site radios. Staff should be vigilant for the missing person.

CHILD AND VULNERABLE ADULT MISPER:

The Event Manager / DPS will make a log entry and pass a description across all on-site radios. Staff should be vigilant for the missing person. Security (if present) should actively be searching for the missing child/vulnerable adult.

Use of staff will be appropriate to their skill-set and experiences and dynamically risk-assessed. No member of staff will complete roles that are unreasonably outside of their field of responsibility or level of training.

Due to the relatively small size of Belgrave Square Garden (BSG), should the missing child or vulnerable adult not be discovered within 15 minutes, then the Police should be notified.

Persons “self-reporting” as lost:

As well as receiving reports of missing people, staff will sometimes find a missing person - especially children - before it is realised that they have gone.

Any children or vulnerable persons presenting themselves as lost should be taken to the information point and enquiries made to reunite them with family / carers / friends.

Should the individual present apparent risks or display concerning behaviour, Police should be contacted. Any person encountering a potential ‘lost’ child, must inform the Event Manager / DPS and ensure that two members of staff are present at any time to avoid lone working with children.

Staff instructions for a possible Lost Child:

- First take some time to establish that a child is ‘Lost’ – consider their age
- Tell them your name and role and that you are there to help
- Assess any distress/fear -calm & reassure accordingly
- Ask them to tell you their name, but accept if they don’t/won’t
- Ask who they are with/ where they last saw them
- Stop and look around the area – are there any adults who appear to be searching/look worried
- If so attract their attention and check. It should be obvious if adult & child know each other, but check with the child. If you have any doubts, call for assistance
- If not, Stay in place, talk to the child, and continue to look around for at least 5 minutes
- After this, explain to the child what happens next, and ask them go with you to the designated Info Point (to be determined on a per event basis). If they won’t / can’t co-operate, call for assistance.
- Escort lost children to the designated point. Introduce them to any new staff. Give staff as much info as possible, including where you found the child
- Staff at the information point will then organise an announcement over the PA system. Do not use the name of children in any announcements. Staff at the info point should be DBS checked.

Definitions:

‘Children’ and ‘young people’ – children under the age of 18 years, or 19 if they have a disability.

'Adult at risk' - a person aged 18 or over who is at risk of abuse or neglect or is in receipt of need of community care services by reason of mental, physical or learning disability, age or illness; and who cannot always take care of them self or protect them self against significant harm or exploitation. A person can become 'at risk' if they are particularly drunk or distressed.

Underpinning Principles

It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people. Adults who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.

STAFF MUST:

- Discuss any uncertainties or confusion with their manager
- Maintain appropriate professional boundaries and avoid behaviour, which might be misinterpreted by others, and report and record any incident with this potential
- Report any concerns or allegations to their manager
- Be mindful of the need to avoid placing themselves in vulnerable situations
- Be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described
- Use physical contact only when absolutely necessary and avoid using it in one-to-one situations

Working with adults at risk

Principles are as above. Physical contact must be avoided. The Event Manager / DPS should be alerted if there are any concerns. Any unusual behaviours or incidents should be recorded. Any behaviour witnessed which presents a cause for concern should be reported to Event Manager / DPS.



DISPERSAL POLICY

WE ARE THE FAIR LTD – Belgrave Square Garden

We Are The Fair (WATF) plan to operate a 'good neighbour' policy with regards to events taking place within Belgrave Square Garden (BSG). The Event Manager and/or Designated Premises Supervisor (DPS) will aim to respond to any local resident complaints or concerns quickly and effectively. If this is not possible, the matter will be escalated to the Chair of the Belgrave Square Garden Events Committee.

Regular communication will take place with local Police and Environmental Protection Teams to ensure that we are aware of any particular local issues.

In relation to dispersal, WATF will ensure that the below following take place at BSG to ensure that events occur in a neighbourly fashion:

1. Effective management of guests whilst they are present at events in BSG. This will be achieved through:
 - A good ratio of staff to guests
 - Management and Event Organiser presence at 'Front of House' at all times
 - Robust Alcohol Management Policy
 - Where deemed necessary, a suitable number of SIA staff to be present at events
2. 30 minutes 'drinking up time' at the end of each event where there will be no regulated entertainment or sale of alcohol to allow a gradual egress of customers from the Garden
3. Signage will be deployed at the exits from the Garden reminding guests that the area is residential and to be mindful of neighbours when leaving
4. Event Organiser / DPS to oversee the dispersal of guests from events
5. Staff to be aware of local transport information, including local taxi details and suitable locations for PHV pick up
6. Chauffeurs and drivers to be communicated with by Event Organisers / DPS to remind them of the residential nature of the area – not to leave engines running and not to slam doors etc
7. Deliveries and collections should be coordinated by Event Organisers to ensure they do not cause nuisance
8. Emptying of bins / bottling should not take place between 22:00 – 08:00

Licence and Appeal history

| Application | Details of Application | Date Determined | Decision |
|--------------------|-------------------------------|------------------------|--------------------------|
| 09/03783/LITENN | Temporary Event Notice | 21.05.2009 | Event allowed to proceed |
| 10/03331/LITENN | Temporary Event Notice | 13.05.2010 | Event allowed to proceed |
| 10/03337/LITENN | Temporary Event Notice | 13.05.2010 | Event allowed to proceed |
| 11/02451/LITENN | Temporary Event Notice | 22.03.2011 | Event allowed to proceed |
| 11/05842/LITENN | Temporary Event Notice | 08.06.2011 | Event allowed to proceed |
| 14/04604/LITENN | Temporary Event Notice | 07.07.2014 | Event allowed to proceed |
| 14/10076/LITENN | Temporary Event Notice | 25.11.2014 | Event allowed to proceed |
| 16/05032/LITENN | Temporary Event Notice | 17.05.2016 | Event allowed to proceed |

There is no appeal history.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

9. The sale of alcohol at the premises will be ancillary to the primary use of the premises as an event space.
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. There will be a maximum of 15 events featuring licensed activity per calendar year. Each event may last for a maximum of 17 hours.
12. Events spanning across 2 days (where the event begins on the evening of one day and continues through until the following day) will count as one event. There will be a maximum of 5 events per year that may span 2 days.
13. All events taking place in the Gardens will be approved in writing by either Grosvenor or the Belgrave Square Garden Events Committee.
14. All events taking place in the Gardens will be subject to individual Risk Assessment.
15. A suitable and sufficient Event Management Plan shall be drawn up prior to an event and made available, if requested, to the Responsible Authorities. This shall be kept for at least one year and shall include where necessary, as a minimum, details on the following aspects:
- i) Emergency and evacuation procedures
 - ii) Crowd management and stewarding arrangements
 - iii) Overnight security arrangements
 - iv) A detailed site plan showing all permanent and temporary structures and all access and egress points
 - v) Capacity at any one time
 - vi) Certificates from competent persons on Structures, Electrical Power Supply and Gas equipment (including LPG)
 - vii) First Aid and Lost Children arrangements

- viii) Noise Management Plan
 - ix) Risk Assessments
 - x) A waste management plan
 - xi) Sanitary accommodation
 - xii) Public Liability Insurance
16. When creating the Event Management Plan, reference will be made to the following publications: *The Technical Standards for Places of Entertainment – District Surveyor’s Association*, *The Event Safety Guide (purple guide)*, *Guide To Safety At Sports Grounds (green guide)*, *FRSA – Open Air Events and Venues*.
 17. All events will be either private events or ticketed public events. None of the events taking place will be freely accessible to the public.
 18. Once events have been Risk Assessed they will be categorised as either Small Scale (no alcohol and attendance below 499) or Medium Scale (alcohol included, attendance below 499) or Large Scale (attendance in excess of 499).
 19. Large Scale events will be notified to the Licensing Authority and Met Police at least 28 days prior.
 20. The premises Licence holder shall comply with all reasonable requirements of Westminster Police Licensing Team, the London Fire and Emergency Planning Authority and Westminster City Council’s Environmental Health Consultation Team and Filming & Events Team.
 21. Once risk assessed, events deemed necessary will feature an appropriate number of SIA staff.
 22. Following Risk Assessment, where relevant, a separate Security Risk Assessment will be carried out and specialist advice sought from Grosvenor's approved security consultant.
 23. Alcohol for sale for consumption off the premises will only be made in sealed containers and customers will not be permitted to consume these products on the premises.
 24. All sales of alcohol for off sales will cease at 23:00 Mon - Sat and 22:30 Sun.
 25. Following Risk Assessment, certain events (Large Scale) will operate with a Safety Officer (NEBOSH) on duty.
 26. All contractors, suppliers, concessions and caterers will be audited for their suitability to provide services with the premises.
 27. In the absence of daylight there will be sufficient lighting installed whilst the premises are open to the public.
 28. All drinks sold, supplied or consumed shall only be in open polycarbonate or crushable vessels unless prior exemption has been obtained from the Environmental Health Consultation Team for a specific event in writing or by e-mail.

29. Where such exemption has been gained, events involving glassware on site will feature the following measures:
 - i: Cleaning/Back Bar staff to be on duty to clear any breakages promptly
 - ii: Spot Sweep (long handled dustpan and broom) to be available to facilitate safe clearing of breakages
30. Events featuring amplified music will give consideration to the positioning and directionality of PA systems and loudspeakers within the Gardens.
31. PA Systems and loudspeakers will only be situated within the inner Garden.
32. The Licensee must ensure that the LAeq (5 min) noise level does not exceed 75 dB(A) at the nearest noise sensitive premises from any amplified music provided during events.
33. Events that include amplified music must be notified to the Environmental Health Consultation Team at least two weeks prior and the notification shall include the Noise Management Plan for the event.
34. There shall be no noise audible at the nearest noise sensitive premises from any construction or similar works in association with the set up and dismantling of the site, outside the hours of:
 - i. 08:00 - 18:00 Monday -Saturday
 - ii. 08:00 - 13:00 Sunday
35. Unaccompanied children will not be permitted on site after 21:00 during any event.
36. In relation to the sale of alcohol, a Challenge 25 proof of age scheme shall be operated at the premises, where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
37. Challenge 25 signage will be on display at all alcohol service points.
38. A 'Lost and Found Child Policy' will be prepared and all key staff on duty will be aware of the policy.
39. Events operated by Grosvenor with children on site will feature an appropriate number of DBS checked staff. For events operated by approved third parties, similar assurances will be sought.

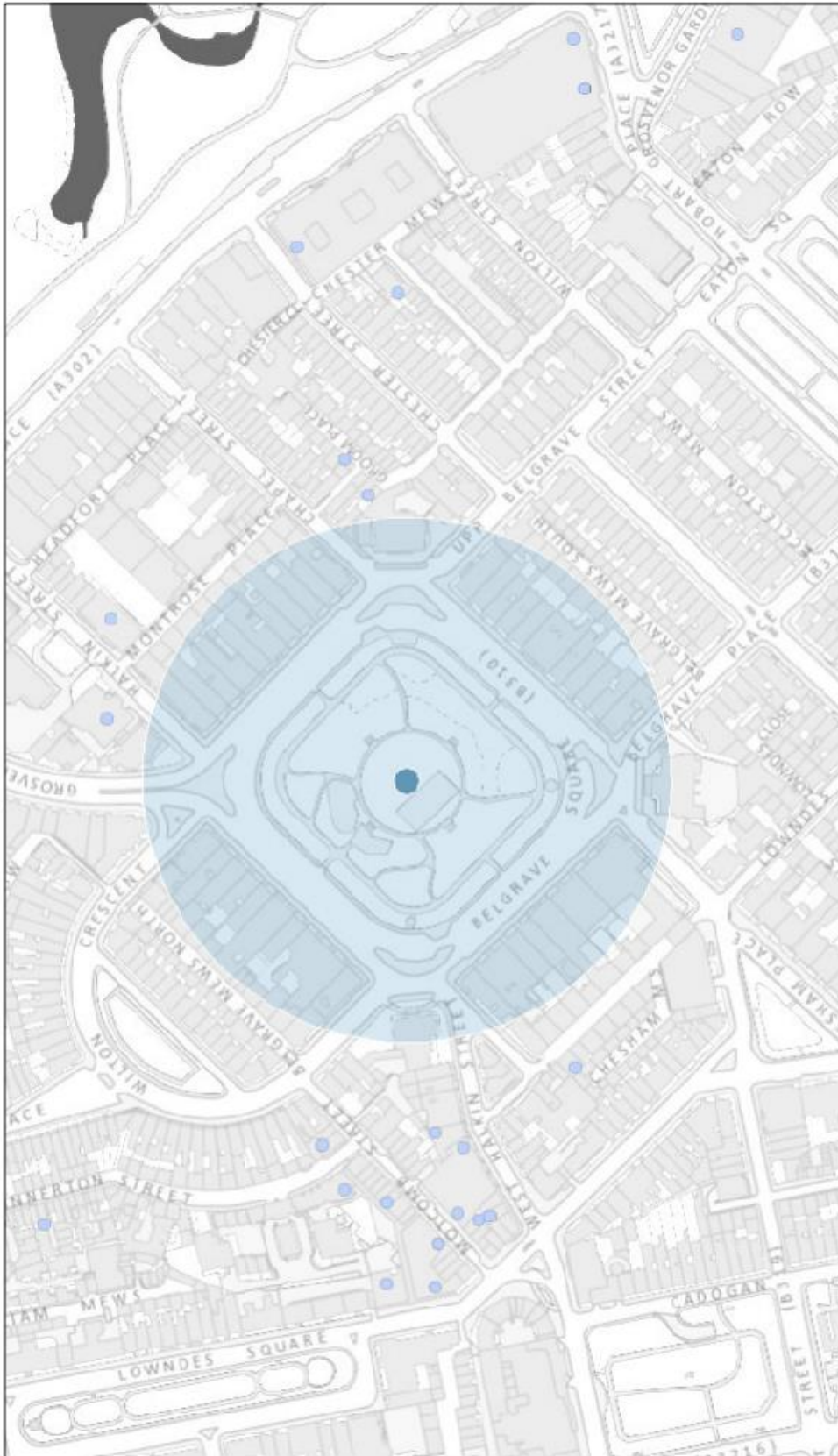
Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None

Belgrave Square



Resident count = 53



Office Names: Anil Drayan
 Designation: Environmental Health Officer
 Date: 14/12/17
 Contact number: 020 7641 1774
 Email: adrayan@westminster.gov.uk
 Application/Uniform Ref Number:
 17/12472/PREAPS

| | | |
|---|--|-----------------------------------|
| Address: Open Space, Belgrave Square, London, SW1X 8PS | | |
| Existing Licence: No Current Use: Private Garden | Applicant: Rob Dudley, We Are The Fair Ltd, Unruly, 15 Whitechapel High Street London | Cumulative Impact Area: No |
| <p>Advice Request:</p> <p>The application is for a Premises Licence for Belgrave Square Gardens on behalf of the Belgrave Square Garden Committee and Grosvenor.</p> <p>The licence will be restricted to a maximum of 15 events per year</p> | | |
| <p><u>Policy considerations</u></p> <p><u>1. Westminster’s Statement of Licensing policy.</u></p> <p>i. Environmental Health bases any recommendations on achieving compliance with Westminster’s Statement of Licensing Policy as well as being consistent with promoting the Licensing Objectives.</p> <p>The advice in this report should therefore be read in conjunction with the policy which can be found on the Council’s website at the following link:</p> <p style="text-align: center;">https://www.westminster.gov.uk/statement-licensing-policy</p> <p>ii. In addition this link gives access to the list of Model Conditions (MC) which should be used as the basis for any conditions that may be proposed in an operating schedule.</p> <p><u>2. Licensable activities requested</u></p> <p>The licensable activities being sought as I understand it are the following:</p> <ul style="list-style-type: none"> • provision of regulated entertainments (<i>in any application please apply for the specific activities required</i>) • sale of alcohol | | |

The principal policy consideration is policy PVC1 which states that *'applications will generally be granted subject to relevant criteria in policies CD1, PS1, PN1 and CH1' as the premises are not in a Cumulative Impact Area (CIA) and if the proposal also has the following main elements:*

- supply of alcohol is ancillary to an event
- operational hours within core hour policy HRS1

Environmental Health considerations:

PN1 – Prevention of Public Nuisance

PS1 – Promoting Public Safety

CH1 – Protection of Children from Harm

1. History:

A history check of the Environmental Health's nuisance database shows that events held at Belgrave Square, such as under Temporary Event Notices (TENs) have not generated nuisance complaints to the Council.

2. Event Management Plan (EMP)

All events staged at the premises (including any non- licensable events) should be carried out under a suitable and sufficient EMP. Such a plan should contain appropriate details on relevant aspects (see below under list of recommended conditions).

To help draw up an appropriate EMP you are advised to have regard to guidance provided by the Government for community events which is available at the following website:

<https://www.gov.uk/government/publications/can-do-guide-for-organisers-of-voluntary-events/the-can-do-guide-to-organising-and-running-voluntary-and-community-events>

3. Structure and Capacity

- Any calculations on the safe capacity shall be made with reference to *'The Technical Standards for Places of Entertainment – District Surveyor's Association'* and any guidance provided by the Fire Brigade.
- Westminster Building Control should be contacted if temporary structures are to be provided for an event to ascertain if temporary structures licences are required. In that situation full structural design details and calculations of all temporary structures must be submitted to Building Control and approval obtained prior to the event starting.

4. Noise Management Plan (NMP)

The NMP must contain the following information as a minimum:

- Any amplified music event is advised not to exceed 75dB(A) 5min Leq and detail how this will be achieved.
- Hours of operation and running order
- Details of prior notification particularly to residential premises eg leafletting with event and contact details at least 7 days prior to the event.
- The site plan shows Belgrave Square with numerous Embassies and special notification arrangements (and agreements) may be needed with these premises for events, such as any amplified music events, which have an impact beyond the Square's boundary.

5. Other matters to consider

i. Sale of Food and Goods:

Many community events include stall holders selling goods and food. For information please find attached to the e-mail containing this memo Environmental Health's Food and Trading Standards guidance for traders at events and markets.

ii. Planning Considerations:

- The licence request is for 15 events – does this mean 1 event equals 1 day or can the same event run over several days. This may be an important consideration in terms of Planning legislation (and also for the licence).
- As I understand it any use of a premises other than its designated planning use for more than 28 days and also the extent of the impact resulting from the non-normal use may also require Planning approval. Please note the non-normal use includes any days spent for the build and de-rig for an event.
- You are therefore recommended to seek advice from Westminster's Planning Department if planning approval is also needed.

Please also note the planning status of the premises will, however, not be a material consideration as to whether any Premises Licence should be granted. Conversely, under planning legislation, the approval of a Premises Licence does not provide automatic grounds for the planning status to also be changed.

6. Recommended Conditions to be submitted with an application

Environmental Health recommends the following conditions be submitted with any application:

1. The sale of alcohol at the premises will be ancillary to the primary use of the premises as an event space which shall be limited to 15 licensed events in any calendar year.
2. A suitable and sufficient Event Management Plan shall be drawn up prior to an event and made available, if requested, to the Responsible Authorities. This shall be kept for at least one year and shall include where necessary, as a minimum, details on the following aspects:
 - i. Emergency and Evacuation procedures
 - ii. Crowd management and stewarding arrangements
 - iii. Overnight security arrangements
 - iv. A detailed site plan showing all permanent and temporary structures and all access and egress points
 - v. Capacity at any one time
 - vi. Certificates from competent persons on Structures, Electrical Power Supply and Gas equipment (including LPG)
 - vii. First Aid and Lost Children arrangements
 - viii. Noise Management Plan
 - ix. Risk Assessments
 - x. A waste management plan
 - xi. Sanitary accommodation
 - xii. Public Liability Insurance
3. All drinks sold, supplied or consumed shall only be in open polycarbonate or crushable vessels unless prior exemption has been obtained from the Environmental Health Consultation Team for a specific event in writing or by e-mail.
4. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
5. In relation to the sale of alcohol, a Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
6. The Premises Licence holder shall comply with all reasonable requirements of Westminster Police Licensing Team, the London Fire and Emergency Planning Authority and Westminster City Council's Environmental Health Consultation Team and Filming & Events Team.
7. The Licensee must ensure that the LAeq (5 min) noise level does not exceed 75 dB(A) at the nearest noise sensitive premises from any amplified music provided during events.

8. Events that include amplified music must be notified to the Environmental Health Consultation Team at least two weeks prior and the notification shall include the Noise Management Plan for the event

9. There shall be no noise audible at the nearest noise sensitive premises from any construction or similar works in association with the set up and dismantling of the site, outside the hours of:

08:00 - 18:00 Monday -Saturday

08:00 - 13:00 Sunday

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

