



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

**The Royal Borough of
Kensington and Chelsea**

c/o. Governance Services
First Floor (Purple Zone)
Kensington Town Hall
Hornton Street
London W8 7NX

[Licensing-
governance@rbkc.gov.uk](mailto:Licensing-governance@rbkc.gov.uk)

Wednesday, 8 May 2024

NOTICE OF LICENSING HEARING

Under sections 9(2) and 183(1) of the Licensing Act 2003 ("Act") and the Licensing Act 2003 (Hearings) Regulations 2005 (S.I.2005/44)

Please note the timings for hearings are only a guide and there is a possibility of delay if earlier cases take longer than scheduled.

Dear Sir/Madam,

**Re. Cinquecento, Basement and Ground Floor, 233 Portobello Road,
LONDON, W11 1LT (Colville)**

Application for a Variation of a Premises Licence

The licensing authority considers that relevant representations have been made concerning the above application and therefore gives you notice of the hearing which will be held before a Licensing Sub-Committee of three elected Councillors to determine whether the application should be granted and, if so, what conditions should be attached to the Licence.

This hearing will be held in public on **Thursday, 23 May 2024 at 10.00 am** in the **Council Chamber, Kensington Town Hall, Hornton Street W8 7NX** and the procedure to be followed is set out in the procedure document enclosed with this letter, which we would ask you to read carefully.

At the hearing all parties are entitled to address the Licensing Sub-Committee and be assisted or represented by any person. That person may or may not be legally qualified. It is recommended that the Applicant attends the hearing, even if they choose to be represented. Other parties who have made representations are also invited to attend to support their representations. Please note, a party will not normally be allowed to question another party, unless they have first requested and been given express permission to do so by the Licensing Sub-Committee.

WHAT YOU NEED TO DO NOW

You must send the following information to Governance Services at licensing-governance@rbkc.gov.uk to reach the licensing authority no later than **12 noon three working days** before the day of the hearing. You must confirm the following:

1. Whether you consider it is unnecessary to have a hearing. If you do, a hearing will only be dispensed with if all the other parties, including the licensing authority, agree with you.
2. Whether you intend to attend the hearing and if so, whether you intend to be represented. If you intend to be represented, please provide the name and address of the person who will be representing you.
3. Whether it is your intention or that of your representative to call any witnesses. If you intend to call witnesses, please provide:
 - the person's name.
 - a brief description of the point or points with which the witness (es) may be able to assist the Licensing Sub-Committee.
 - a request to allow the witness to speak at the hearing.

If you have any specific requirements regarding these papers or your participation in the hearing, please contact Governance Services by email on: licensing-governance@rbkc.gov.uk

DECLARATIONS OF INTEREST

Any Member of the Committee, or any other Member present in the meeting room, who has a disclosable pecuniary interest in a matter to be considered at the meeting is reminded to disclose the interest to the meeting and to leave the room while any discussion or vote on the matter takes place.

Members are also reminded that if they have any other significant interest in a matter to be considered at the meeting, which they feel should be declared in the public interest, such interests should be declared to the meeting. In such circumstances Members should consider whether their continued participation, in the matter relating to the interest, would be reasonable in the circumstances, particularly if the interest may give rise to a perception of a conflict of interests, or whether they should leave the room while any discussion or vote on the matter takes place.

LATE AMENDMENTS

Applicants must immediately notify both licensing-governance@rbkc.gov.uk and licensing@rbkc.gov.uk if they are seeking to make any amendments to their application. This must be done in sufficient time prior to the hearing to inform all parties of any changes to the application.

WITHDRAWAL OF REPRESENTATIONS

A party who wishes to withdraw their representation may do so by advising the Governance Services Section by email to licensing-governance@rbkc.gov.uk no later than 24 hours before the day the hearing is due to take place. In order to avoid unnecessary time and costs being wasted, parties are encouraged to advise the

Governance Services Section if they wish to withdraw their representation as soon as they have reached that decision.

GENERAL INFORMATION

Documentary Evidence

All documentary evidence in support of the application or the representation (as the case may be) should have been served with the application or the relevant representation. Generally **the licensing authority will not consider documentary evidence which has been served late**. However, it **may** exercise its discretion to consider late evidence depending upon the merits of the case, **provided that evidence has been served in advance and in sufficient time before the date of the hearing** on the Governance Services section of the Licensing Authority, the Applicant and any other parties to the application, of whom they are aware. The person serving the late evidence should ensure they have sufficient extra copies of that evidence available for the hearing.

You may only produce additional documentary evidence at the hearing itself with **the consent of all parties** attending the hearing, in which case you should supply sufficient copies of that evidence so that it can be circulated to all the other parties. Please be aware that there is a risk the other parties may not consent, in which case your additional documentary evidence may be inadmissible.

You should attempt to describe your case as fully as possible on paper because the time given for oral evidence at the hearing itself is limited, as described in the enclosed procedure note.

Failure to attend the Hearing

If you do not attend the hearing then the Licensing Sub-Committee has the discretion to proceed and to hear the application in your absence, in which case it will consider the application/ representations (as the case may be) and any papers you have submitted. The Licensing Sub-Committee may decide that it is in the public interest to adjourn the hearing to another date, in which case it will, without unreasonable delay, notify the parties of the date, time and place to which the hearing has been adjourned. However, the Licensing Sub-Committee is only likely to adjourn the case if there are justified reasons for an adjournment. It will not be able to adjourn the hearing if to do so would prevent the application from being determined within the time limits prescribed by the Act or the Regulations.

Governance Services Section

The quorum is two Councillors. (Part 5 10.2)