



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

**The Royal Borough of
Kensington and Chelsea**

c/o. Governance Services
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Kensington Town Hall
Hornton Street
London W8 7NX

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

Friday, 10 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. Kensington Memorial Park, Street Record, St Mark's Road,
LONDON (Notting Dale)**

Objection to Temporary Event Notice

Event scheduled for: Sunday 23 June 2024 (From 13.00 to 21:00)

The licensing authority has received objection notices from the relevant chief officer of police and/or the Noise and Nuisance Team to the temporary event notices and therefore gives you notice of the hearing which will be held before a Licensing Sub-Committee of three elected Councillors to consider the objection notices.

The Licensing Sub-Committee must give the premises user a counter notice if it considers it necessary for the promotion of the crime prevention/public nuisance prevention objectives to do so.

This hearing will be held in public on **Thursday 16 May 2024 at 10am** in the Council Chamber in the Kensington Town Hall 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 the premises user and the police and/or the Noise and Nuisance Team 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 both parties attend the hearing, even if they choose to be represented. 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 the Governance Services Section at the above email address to reach the licensing authority no later than one working day before the day of the hearing. You must confirm the following:-

1. 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.
2. If you do intend to attend the hearing you will need to let us know whether you will be connecting through a computer or through the phone so we are able to send you instructions.
3. If you have any final submissions, these should contain any key points, policies or conditions you wish the Sub-Committee to take account of in determining the application.
3. Whether it is your intention or that of your representative to call any witnesses. If you intend to call witnesses please provide:-
 - their 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 on e-mail licensing-governance@rbkc.gov.uk

DECLARATIONS OF INTEREST

Any Member of the Committee, or any other Member present in the meeting, 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 meeting 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 meeting while any discussion or vote on the matter takes place.

MODIFICATION OF NOTICE AND WITHDRAWAL

If the premises user agrees to the modification of the temporary event notice by the police and/or the Noise and Nuisance Team, the temporary event notice as modified must be sent or delivered to the licensing authority by the police and/or the Noise and Nuisance Team before the hearing.

A party who wishes to withdraw their notice may do so by advising the Governance Services Section (licensing-governance@rbkc.gov.uk). 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 notice or have reached agreement as soon as they have reached that decision.

If you have any queries regarding the hearing or the procedure to be adopted, please contact Governance Services on the email address above.

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 a sufficient number of 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 in your absence, in which case it will consider the objection notice. 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)