

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA**

**LICENSING SUB-COMMITTEE – 16 MAY 2024**

**REPORT BY THE INTERIM DIRECTOR OF TRANSPORT AND  
REGULATORY SERVICES**

**NOTICE GIVEN BY MISS NAGOURI TO HOLD A TEMPORARY  
LICENSABLE EVENT AT KENSINGTON MEMORIAL PARK, ST MARK'S  
ROAD, LONDON, W10**

**INTRODUCTION**

The purpose of this report is to consider an objection to notice to hold a temporary licensable event.

**FOR DECISION**

Persons who give notice of a temporary licensable event are required to complete the prescribed form in duplicate and serve it on the licensing authority no later than ten working days before the day on which the event period begins. Unless the notification is submitted via an on-line facility, the premises user must also serve a copy of the Temporary Event Notice on the Metropolitan Police and the Environmental Health Department for the area in which the premises are situated no later than ten working days before the day on which the event period begins. Where the application is submitted via an on-line facility the licensing authority is responsible for notifying these authorities. *(Where the premises are located in more than one licensing authority the notice giver is required to submit a copy of the notice with the prescribed fee to each licensing authority, and to provide copies of the notice to each Police and Environmental Health Department).* The premises user and/or licensing authority has complied with these requirements.

The only "relevant persons" able to object to a Temporary Event Notice are the Chief Officer of Police or the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice is situated. Where a "relevant person" is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective, they must give a notice stating the reasons why they are so satisfied (an objection notice) (a) to the relevant licensing authority, (b) to the premises user and (c) to every other "relevant person".

The licensing authority must take into account any relevant objection from a "relevant person". Where an objection is made to a Temporary Event Notice, the premises user is recommended to attend an oral hearing, even if he/she chooses to be represented by counsel, a solicitor or some other authorised person. The "relevant person" who submitted the objection notice is also invited to attend to support the contents of their objection.

## **A. THE NOTICE**

Premises user: Miss Bouchra Nagouri

Premises: Kensington Memorial Park, St Mark's Road, London, W10

### **The Premises**

Miss Bouchra Nagouri has submitted a Temporary Event Notice for Sunday 23 June 2024 to use Kensington Memorial Park for a community Eid party and has confirmed the maximum number of persons at any one time will be 499.

A copy of the notice and plan are attached as Appendix A.

### **Temporary Event relevant licensable activities:**

- Provision of Regulated Entertainment

### **Hours of licensable activities:**

Sunday 23 June 2024 from 13:00 to 21:00

## **B. Relevant Persons**

Noise and Nuisance Team  
on behalf of the Interim  
Director of Transport and  
Regulatory Services

Mr Keith Mehaffy has raised an objection on behalf of the Environmental Health Noise & Nuisance Team on the grounds of public safety.

Mr Mehaffy has raised concerns that the notice was submitted without prior consultation with the Events team and Parks department and therefore, no relevant permissions were sought. It is Mr Mehaffy's understanding that the parks were used for the same event last year without the appropriate permissions and therefore, no Risk Assessment (RA) and Event Management plans (EMP) were submitted to enable permission to be granted. The lack of a RA and EMP amounts to a lack of promotion in the public safety key objective.

Mr Mehaffy has advised the applicant to liaise with the Events team and Parks department to obtain permission to use the park and provide the necessary documentation.

A copy of the objection and applicant responses are attached as Appendix B.

## **C. Observations**

In determining this matter, the committee must have regard to the objection notice(s) from the relevant person(s) and take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) Issue a counter notice if it considers it necessary for the promotion of any of the licensing objectives to do so,
- (b) Take no action, and allow the notice to have effect, or
- (c) If the premises has the benefit of a premises licence or club premises certificate impose one or more conditions which are specified on the premises licence or club premises certificate which the committee considers are not inconsistent with the carrying out of the licensable activities under the temporary event notice.

Extracts from the Council's Statement of Licensing Policy are attached as Appendix C.

The premises are located in Dalgarno ward at the junction of Oakworth Road and St Mark's Road and surrounded by residential dwellings. A map of the area is attached as Appendix D.

This is to consider an objection to a Temporary Event Notice served on the licensing authority under section 100 of the Licensing Act 2003.

### **The Decision of the Licensing Sub Committee is Requested**

**ANDREW BURTON  
INTERIM DIRECTOR OF TRANSPORT AND REGULATORY  
SERVICES**

### **Background Papers used in the preparation of this Report:**

Licensing files

### **Officer Contact:**

Any person wishing to inspect the above documents should contact Miss S Dyball, Directorate of Environmental Health, telephone 020 7341 5711

LSC0516.Kensington Memorial Park