

Licensing Sub-Committee Report

Item No:	
Date:	11 October 2018
Licensing Ref No:	18/04177/LIPN - New Premises Licence
Title of Report:	Italian Garden Cafe Kensington Gardens Serpentine Road London W2 2UH
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:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	18 April 2018		
Applicant:	Ecsi		
Premises:	Italian Garden Cafe		
Premises address:	Kensington Gardens Serpentine Road London W2 2UH	Ward:	Knightsbridge and Belgravia
		Cumulative Impact Area:	None
Premises description:	The premises currently operates as café that serves hot and cold drinks, fresh deli items and cakes. The premises has 24 covers internally and an additional 30 covers outside the premises on the deck.		
Premises licence history:	This is a new premises licence application; however, the premises is currently licensed under reference 17/02512/LIPT which is owned by The Royal Parks. The full licence history can be found at Appendix 3.		
Applicant submissions:	The applicant operates the premises under a catering concession agreement with The Royal Parks and the applicant has received permission from The Royal Parks to apply for a new premises licence.		
Note:	The applicant has amended their application to withdraw their application for sales 'Off' the premises.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	19:30	19:30	19:30	19:30	19:30	19:30	19:30
Seasonal variations/ Non-standard timings:		None					

Amended: Sale by retail of alcohol							
On or off sales or both:				On sales			
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	19:30	19:30	19:30	19:30	19:30	19:30	19:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:30	06:30	06:30	06:30	06:30	06:30	06:30
End:	20:00	20:00	20:00	20:00	20:00	20:00	20:00
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service (<i>Withdrawn</i>)
Representative:	PC Caroline Cockshull
Received:	12 June 2018
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.</p> <p>It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder, as there are insufficient conditions within the operating schedule. We have concerns that this application will cause further policing problems in an already demanding area.</p> <p>The following conditions listed below are those that police would like you to attach to your operating schedule as I believe they will address police concerns in relation to crime and disorder. Some of the conditions you have touched on in your Application and I have re-worded these as necessary.</p> <p><i>Following the applicant's acceptance of the conditions proposed by the Police, they have withdrawn their representation.</i></p>	

2-B Other Persons	
Name:	Mr John Zamit
Address and/or Residents Association:	South East Bayswater Residents' Association (SEBRA)
Received:	17 June 2018
<p>We are looking into this mater and trying to download application form to look at application and conditions being offered etc</p> <p>We lodge an initial objection as need clarification on position on provision of toilets for customers of cafe purchasing alcohol etc</p>	

We know premises well and are aware no toilets for customers and one nearest toilet is next door at entrance by Marlborough Gate, Kensington Gardens where there is a Royal Parks public toilet where payment fee is at present 20p

Are operators of cafe proposing 'token' system where they offer customers, a 'token' to use adjacent toilet?

We have some concern also if toilets of RP out of order and closed and assume present opening hours of RP toilets are same or more than those of cafe.

Assume is toilet provision on premises for staff.

Also assume consumption of alcohol on the premises is ancillary to taking food

Need to check if 'Off sales' applied for.

As always SEBRA is very happy to meet up and discuss application with applicant or their advisors.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policy HRS1 applies	(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. (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.
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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

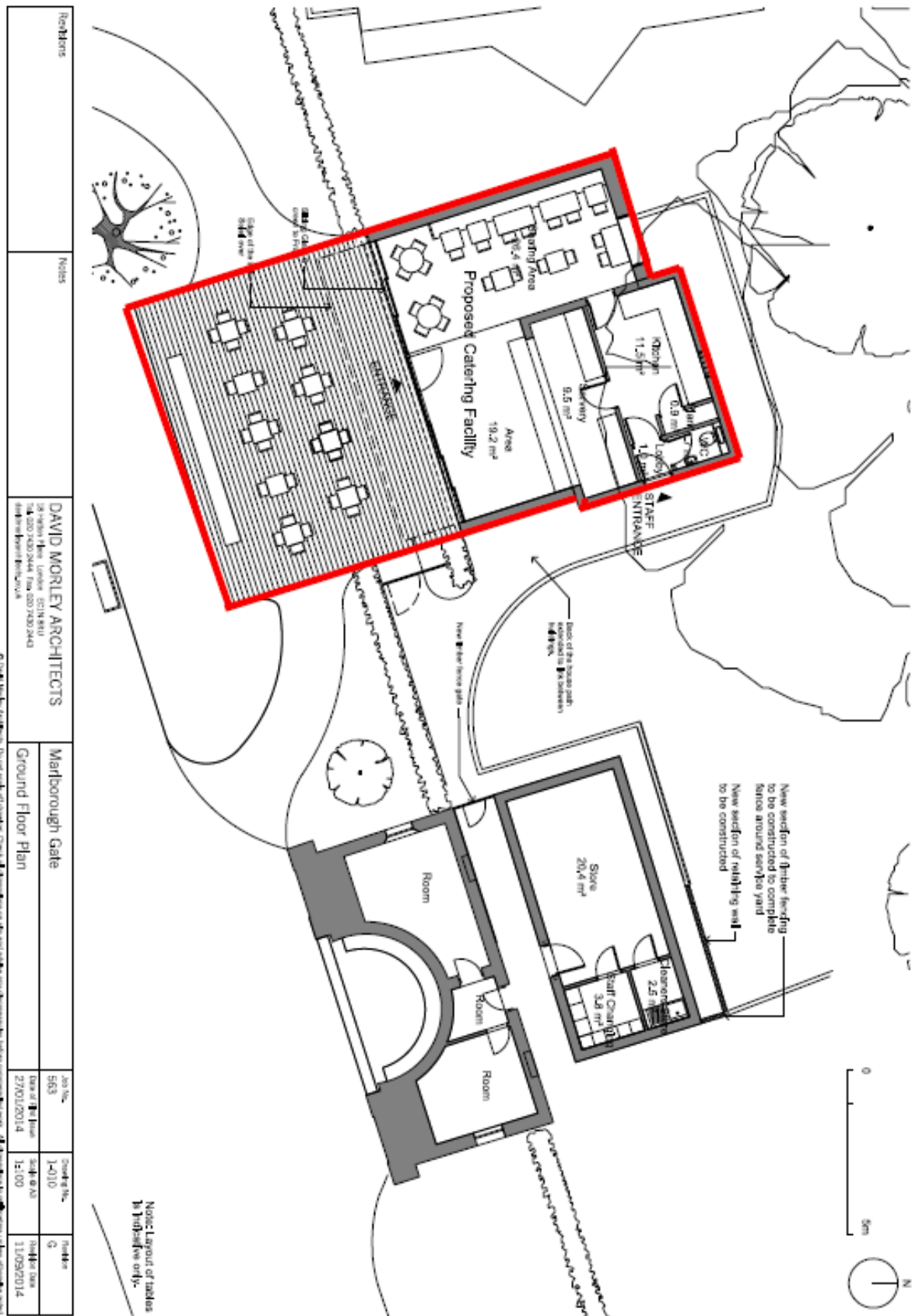
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Appendix 6	Premises licence 17/02512/LIPT
Appendix 6	Premises licence 17/02512/LIPT

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@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 2018
4	Metropolitan Police representation (withdrawn)	12 June 2018
5	SEBRA representation	17 June 2018



Neighbours	Notes	DAVID MORLEY ARCHITECTS 29 Church Lane, London, EC1N 8JH Tel: 0207 7302 2644 Fax: 0207 7302 2643 david@morley-architects.co.uk				
Marlborough Gate Ground Floor Plan		Plot No. 563	Drawing No. 1-010	Date 27/01/2014	Issue 1-100	Project No. 11/09/2014

© 2014 David Morley Architects. Do not scale off drawings. Check all dimensions and details in drawings for before commencing works. All dimensions to be taken unless otherwise stated.

Applicant Supporting Documents

Appendix 2

There are no supporting documents from the Applicant.

Premises Licence and Appeal History**Appendix 3**

Application	Details of Application	Date Determined	Decision
06/01221/LIPN	Application for a new premises licence	23/03/2006	Granted by Licensing Sub-Committee
06/06356/WCCMAP	Master licence – Premises licence	23/03/2006	Granted by Licensing Sub-Committee
17/02512/LIPT	Application to Transfer the Premises licence	22/06/2017	Granted under delegated authority

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. There will be management controls and effective staff training to ensure that all staff are aware of the premises licence and the requirements to meet the licensing objectives, paying particular attention to:
 - a) No selling of alcohol to underage people;
 - b) No violent and anti-social behaviour;
 - c) No drunk and disorderly behaviour on the premises ;
10. There will be a clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
11. Clear and conspicuous notices will be displayed warning customers of potential criminal activity, such as theft, that may target customers.
12. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
13. Staff will be trained to request that customers use the premises in an orderly and respectful manner.
14. All alcoholic drinks sold in the premises will be opened at the time of purchase, by the server, to discourage customers purchasing multiple alcoholic drinks and taking them into the park.
15. The premises will not operate beyond park opening times, the sale of alcohol will cease 30 minutes before closing time.

Police proposed amendment to Condition 15:

The premises will not operate beyond park opening hours.

Conditions proposed by the Environmental Health and agreed by the applicant to form part of the operating schedule

16. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

This condition has also been requested by the Police

17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

This condition has also been requested by the Police

18. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.

This condition has also been requested by the Police

19. 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.

This condition has also been requested by the Police

20. A Challenge 21 or 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.

Police proposed amendment to Condition 20:

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.

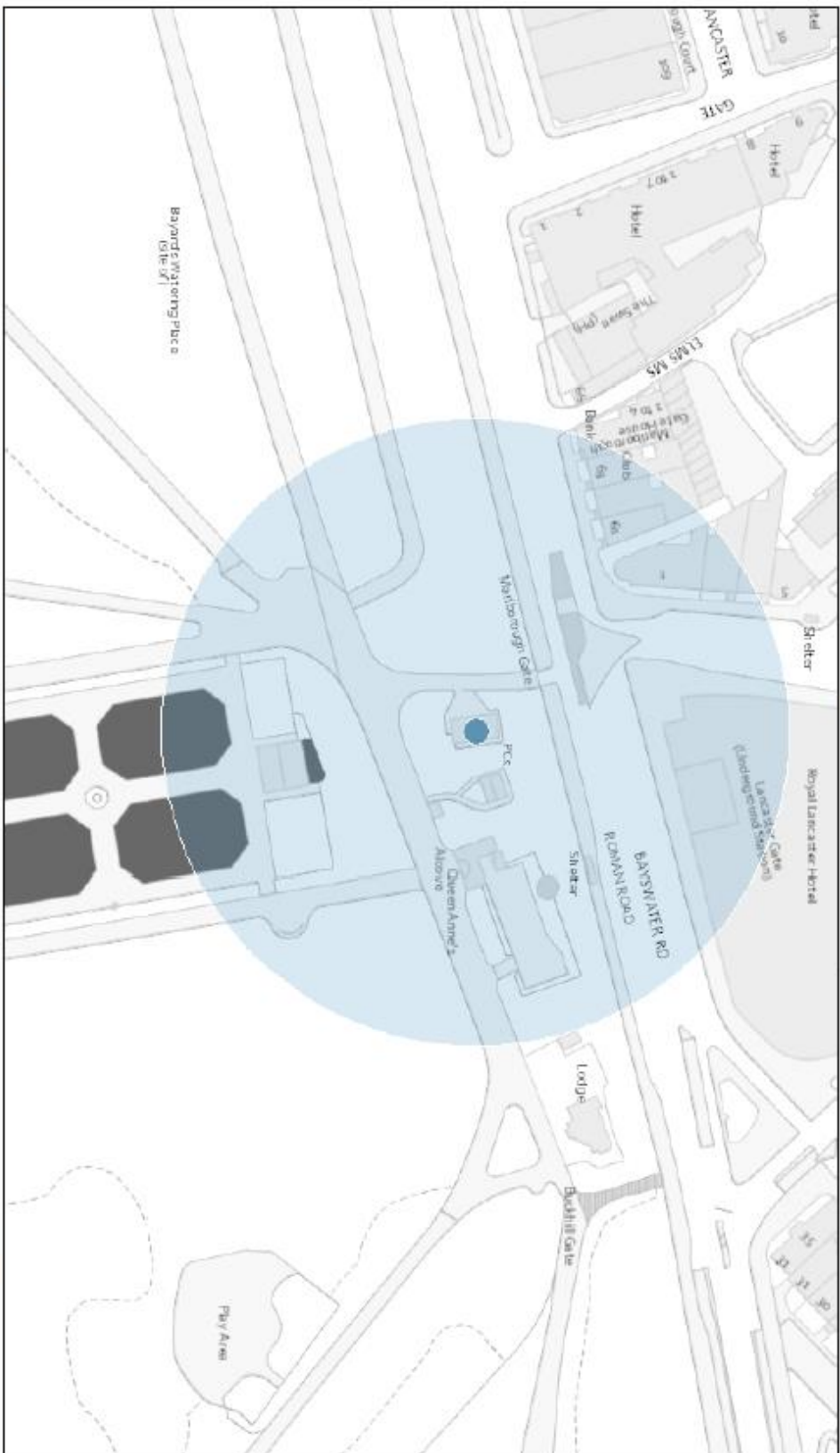
21. The consumption of alcohol at the premises shall only be by patrons who are seated.
22. If customer toilets are not provided at the premises the licence holder shall ensure that access to the nearby public toilets shall be free of charge to customers of the premises.

Conditions proposed by the Police and agreed by the applicant to form part of the operating schedule

23. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
24. No super strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
25. There shall be no self-service of alcohol on the premises.
26. There shall be no draught sales of alcohol.
27. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.

28. An incident shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder
 - e) any seizures of drugs or offensive weapons
 - f) any faults in the CCTV system, searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service
29. No more than 10% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
30. All cashiers will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and by the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
31. No alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.

Italian Garden Cafe, Kensington Gardens, Serpentine Road



Resident count: 7

**Licensed Premises within 75 metres of Italian Garden Café, Kensington Gardens,
Serpentine Road**

Licence Number	Trading Name	Address	Premises Type	Time Period
13/06073/LIPDPS	London Elizabeth Hotel	3 Lancaster Terrace London W2 3PF	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00
06/09845/WCCMAP	Soroptimist Club	63 Bayswater Road London W2 3PH	Club or institution	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Knightsbridge
And Belgravia
UPRN: 010033547202

Premises licence

Regulation 33, 34

Premises licence number:

17/02512/LIPT

Original Reference:

06/01221/LIPN

Part 1 – Premises details

Postal address of premises:

Kensington Gardens
Serpentine Road
London
W2 2UH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Performance of a Play

The times the licence authorises the carrying out of licensable activities:

Performance of Dance	
Monday to Sunday:	10:00 to 22:30
Provision of facilities for Dancing	
Monday to Sunday:	10:00 to 22:30
Exhibition of a Film	
Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:30
Sundays before Bank Holidays:	10:00 to 00:00

Provision of facilities for making Music	
Monday to Sunday:	10:00 to 22:30
Performance of Live Music	
Monday to Sunday:	10:00 to 22:30
Playing of Recorded Music	
Monday to Sunday:	10:00 to 22:30
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Sunday:	10:00 to 22:30
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	10:00 to 22:30
Performance of a Play	
Monday to Sunday:	10:00 to 22:30
5 Major Events per annum Events taking place between 18:30 – 22:00 are limited to 30 Minor Events (not defined as Major) per annum	

The opening hours of the premises:	
Monday to Sunday:	06:00 to 21:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
N/A

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
The Royal Parks Limited The Old Police House Hyde Park London W2 2UH

Registered number of holder, for example company number, charity number (where applicable)
10016100

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
N/A

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

N/A

Date: 22 June 2017

This licence has been authorised by Mrs Shannon Pring on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
2. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

General

3. Unless otherwise agreed, the total number of people to be accommodated for the purpose of this Licence, in any event site at any one time, is 14 999 (excluding security, staff, performers and employees).
4. Save for unanticipated occurrences or emergencies, and with the agreement of relevant officer(s) of the Kensington Gardens Park Licensing & Safety Advisory Group, the hours when the licensable activities will be carried out will be no later than the hours set out above / below.

Regulated Entertainment:
Performance of Play, Live Music, Recorded Music and Performance of Dance:
Monday to Sunday 10:00 – 22:30

Regulated Entertainment:
Anything of a similar description to Live Music or Recorded Music or Performance of Dance, Facilities for Making Music, Facilities for Dancing and Provision of facilities for entertainment of a similar description to Making Music or Dancing:
Monday to Saturday: 10:00 – 22:30

Regulated Entertainment:
Exhibition of Films: Monday to Thursday: 10:00 – 23:30
Friday to Saturday: 10:00 – 00:00
Sunday: 10:00 – 22:30
Sunday before Bank Holiday: 10:00 – 00:00
5. The Agency ("Licensee") shall ensure that risk assessments are produced for each event, and these shall be made available to the Environmental Health Consultation Team no less than 28 days before the event where practicable.
6. External organisers of events shall be referred to the relevant Guides issued by the Agency, copies of which have been deposited with the Licensing Authority.
7. The Licensee will ensure that external organisers are issued with an agreement for hire of the Park, or part thereof. This agreement shall include the conditions attached to the Premises Licence and, if relevant, those agreed as a result of meetings of the Kensington Gardens Park Licensing & Safety Advisory Group.
8. Save for events, to which condition 41 applies, the Licensee will take all reasonable steps to ensure that amplified music will not cause a nuisance.

Conditions applicable to Major Events

9. Unless the prior consent of the Environmental Health Consultation Team has been obtained, the premise may hold Major Events on no more than 5 days in any calendar year.

Major Event' is an event where:
 - a) The playing of live and / or recorded and/or the showing of films or recorded images, as defined by the Licensing Act 2003, is the principle reason for persons attending the Event; and
 - b) Where the number or persons predicted to attend the event (excluding security, staff, performers and employees) exceeds 4,999."

10. Save for events to which Condition 9 applies, licensable activities after 18:30 shall be restricted to no more than 30 days per annum and such activities shall cease no later than 22:00 with the exception of the showing of films where the hours above apply.
11. There will be no more than 4 Film events in any calendar year. "Film Events" means any showing of a film where the persons attending the event at any one time exceeds 4,999.
12. Any major events shall be notified to the Responsible Authorities and Kensington Gardens Park Licensing & Safety Advisory Group with a minimum 28 days notice, unless otherwise agreed. Any member of the Kensington Gardens Park Licensing & Safety Advisory Group may request a meeting for such other events not included in the definition of Major Events set out above.
13. Membership of the Kensington Gardens Park Licensing & Safety Advisory Group will include as a minimum; the Licensee, the event organiser (where the Licensee is not the event organiser), the Licensing Authority, Environmental Health Consultation Team, Westminster Special Events & Emergency Planning, Metropolitan Police Service, LFEPA, London Ambulance Service and Transport for London. Additional members will be invited as appropriate for each meeting.
14. An advertised 'hotline' telephone number to the Licensee shall be available to local residents.
15. Any queue which forms outside the premises shall be stewarded at all times to ensure that minimal disturbance is caused.
16. The Licensee will encourage patrons not to congregate outside the premises after the event has finished.
17. Promotional literature and tickets shall contain information regarding public transport options and public conveniences and shall request persons to leave the area quietly.
18. The Licensee must nominate one person for each Major Event to act as safety co-ordinator, who is authorised by the Licensee to act on his behalf to carry out all reasonable requests made by the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative.
19. The Licensee must provide the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative with the particulars of the nominated safety co-ordinator.
20. Unless otherwise agreed, no later than 28 days prior to the event the Licensee must ensure an Event Management Plan is presented to the Responsible Authorities and the Kensington Gardens Park Licensing & Safety Advisory Group, or their authorised representative for their comment and advice. The Event Management Plan will include, as a minimum:
 - a) Emergency and Evacuation procedures;
 - b) Crowd management and stewarding arrangements;
 - c) A detailed plan showing site layout and emergency egress points.
21. So far as is reasonably practicable the Event Organiser must ensure that the event is run in accordance with the Event Management Plan.
22. The Licensee shall ensure that there are adequate means of control to ensure that only permitted numbers of persons gain access to the event site.
23. Adequate stewarding within the licensed area must be provided at all times during the licensed event.

24. Upon reasonable request, authorised enforcement officers of the Responsible Authorities: Environmental Health Consultation Team, Metropolitan Police Service and London Fire Brigade, must be provided with security passes for full and free access at all times to each and every part of the licensed area.
25. A communication system must be provided to ensure the effective operation of the site under both normal and emergency evacuation conditions. The Licensee must provide an adequate incident control centre and a rendezvous point for the Police and other emergency services.
26. Adequate rigid barriers or fences designed to adequately resist right-angle and parallel loads commensurate with probable crowd pressure must be provided around any stage and other location where it is necessary to limit crowd pressure in the interests of safety.
27. Details of all marquees, tented structures and temporary structures should be provided including emergency exits and signage, fire warning and fire fighting equipment.
28. All fabric, including curtains and drapes used on stage for tents and marquees, or plastic and weather sheeting, shall be inherently or durably flame retardant to the relevant British Standards. Certificates of compliance must be available upon request by the Kensington Gardens Licensing & Safety Advisory Group or their authorised representative.
29. Full structural design details and calculations of all and any structures to be erected within the licensed area must be submitted to the Westminster City Council Building Control. A certificate from a competent person or engineer that a completed structure has been erected in accordance with the structural drawings and design specification must be available for inspection prior to a relevant structure being used during the licensed event.
30. Any moving flown equipment must contain a device or method whereby failure in the lifting system would not allow the load to fall. All hung scenery and equipment must be provided with a minimum of two securely fixed independent suspensions such that in the event of failure of one suspension the load will be safely sustained.
31. A sufficient number of easily identifiable, readily accessible receptacles for refuse must be provided, including provisions for concessions. Arrangements must be made for regular collection. Public areas must be kept clear of refuse and other combustible waste prior to and so far as reasonably practicable, during the licensed event.
32. After any event any litter remaining shall be collected and removed from the site as soon as physically possible, either overnight or starting daybreak the following day if it is considered impractical to collect the litter in darkness.
33. The Licensee must maintain a regular fire patrol at all times when the public are present in the licensed area to check for and guard against possible fire hazards. The area underneath the stage to be kept clear of flammable materials.
34. A schedule detailing types and locations of fire fighting equipment must be submitted to the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative as required.
35. The Licensee must ensure that competent persons are employed to assess the electrical requirements at the event and the compatibility of the electricity supply with the equipment to be used. Appropriate safety devices (such as 30mA Residual Current Devices at Source) must be used for electrical apparatus, particularly for any electrical equipment exposed to adverse conditions or electrical equipment to be used

in association with hand held devices (e.g. microphones). The competent person must make a certificate of inspection of the electrical installation available for inspection.

36. Emergency exits and entrances to the event are a must be kept clear at all times and must be provided with clearly visible signage.
37. All parts of the licensed area intended to be used in the absence of adequate daylight and all essential safety signage shall be suitably illuminable. Details of the locations and level of illumination must be submitted to the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative.
38. Electrical generators, where used, must be:
 - (a) Suitably located clear of buildings, marquees and structures, and free from flammable materials;
 - (b) Enclosed to prevent unauthorised access;
 - (c) Able to provide power for the duration of the event;
 - (d) Backed up electrical generators are to be provided to power essential communications, lighting and safety systems in the event of primary generator failure, unless otherwise agreed by LSAG.
39. All spare fuel, including LPG, must be kept and stored safely in accordance with relevant Health and Safety legislation and suitable safety signage and fire fighting equipment provided.
40. Unless otherwise agreed, details of any proposed use and storage of lasers, special effects, fireworks or pyrotechnics shall be presented to the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative, and the Environmental Health Consultation Team 28 days in advance of the event.
41. The following noise conditions shall apply:
 - (a) The Agency shall ensure that a noise control consultant shall be appointed, who shall liaise between all parties including the Agency, promoter, sound system supplier, sound engineer and the Environmental Health Consultation Team on all matters relating to noise control prior to the event.
 - (b) For the purposes of monitoring music noise levels during the event and sound check, the noise control consultant shall contact the Environmental Health Consultation Team and agree noise sensitive locations which are to be used to monitor compliance with conditions (d) and (e).
 - (c) A noise propagation test shall be undertaken in consultation with representative(s) of the Environmental Health Consultation Team prior to each Major Event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music likely to be produced during the event.
 - (d) The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not at 1 metre from the façade of any noise sensitive premises exceed the background noise level by more than 15 dB(A) over a 5 minute period.
 - (e) Rehearsal and sound check times will be limited between the hours of 10:00 and 20:00. Notification of the time(s) and duration of sound checks shall be provided to the Environmental Health Consultation Team at least 24 hours beforehand.

- (f) The Agency shall ensure that the promoter, system supplier and all individual sound engineers are informed of the sound control limits and that any instructions from the noise control consultant regarding noise levels shall be implemented.
 - (g) A communications link should be provided to enable condition (f) above to be complied with and any numbers / radios shall be made available to the Environmental Health Consultation Team prior to the event starting.
 - (h) The appointed noise control consultant shall continuously monitor noise levels at the sound mixer position and advise the sound engineer accordingly to ensure that the noise limits are not exceeded. The Environmental Health Consultation Team shall have access to the results of the noise monitoring at all times. The Environmental Health Consultation Team shall have access and facilities to enable them to carry out their own monitoring.
 - (i) No members of the audience shall be allowed within 3 metres of any speakers.
 - (j) The speakers must be located to the satisfaction of the Environmental Health Consultation Team.
 - (k) Residential properties and the relevant amenity group(s) in the immediate vicinity the Park will be contacted as soon as reasonably practicable (and in any event no later than 28 days) prior to any Major Event advising them of the times of the Event and any sound check or rehearsal times and giving them a telephone number to contact in the event that they have any complaints.
42. Adequate medical and first aid cover and facilities appropriate to the licensed event must be provided.
 43. Adequate drinking water points in suitable locations must be provided and maintained to the satisfaction of the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative.
 44. Adequate sanitary accommodation must be provided and maintained to serve the licensed event to at least the standards contained within the "Guide to Health Safety and Welfare at Pop Concerts and Similar Events", or as advised by the Environmental Health Consultation Team. Suitable arrangements must be made for the collection and disposal of used hand towels, sanitary towels and other refuse from the sanitary accommodation.
 45. Details of the proposed location, level of provision and means of effective maintenance and servicing of sanitary accommodation must be submitted to the Kensington Gardens Park Licensing & Safety Advisory Group or their authorised representative if requested.
 46. During the build up and break down of the events site, any activities that might cause noise to be audible outside the Park will be limited to the hours of 08:00 to 20:00 Monday - Friday and 10:00 to 18:00 Saturday - Sunday.
 47. Any generators, refrigerators or other machinery running overnight will be silenced, screened or sited so as not to be audible outside the Park.
 48. There shall be a welfare point (or equivalent area) for the reporting and management of lost children. The welfare point will be staffed by trained (and appropriately certified by the Criminal Records Bureau) members of staff who will be in radio contact with the head steward and the safety co-ordinator.
 49. The Event Organiser, contractor and any staff employed thereof shall comply with the Conditions of this Licence.

50. The Agency must ensure all reasonable endeavours to ensure that all functions relating to the setting up, the executions and dismantling of the event, the licensed area and all equipment are carried out in accordance with the Health and Safety at Work etc. Act 1974 and all related regulations, Codes of Practice and Guidance Notes. The Agency must afford all assistance for the necessary inspections relating to Health and Safety both prior to and during the licensed event. All documentation required by the Health and Safety at Work etc. Act 1974 relating to contractors and employees must be available for inspection by authorised officers at all times during the licensed event and must be kept at a location at the licensed area to the nominated by the Agency to the Kensington Gardens Licensing & Safety Advisory Group or their authorised representative.
51. The event organiser will comply with all reasonable requirements of the Environmental Health Consultation Team, Westminster City Council, the London fire and Emergency Planning Authority and the Metropolitan Police Service.



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

Premises licence
summary

WARD: Knightsbridge
And Belgravia
UPRN: 010033547202

Regulation 33, 34

Premises licence number:

17/02512/LIPT

Part 1 – Premises details

Postal address of premises:

Kensington Gardens
Serpentine Road
London
W2 2UH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Performance of a Play

The times the licence authorises the carrying out of licensable activities:

Performance of Dance	
Monday to Sunday:	10:00 to 22:30
Provision of facilities for Dancing	
Monday to Sunday:	10:00 to 22:30
Exhibition of a Film	
Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:30
Sundays before Bank Holidays:	10:00 to 00:00

Provision of facilities for making Music	
Monday to Sunday:	10:00 to 22:30
Performance of Live Music	
Monday to Sunday:	10:00 to 22:30
Playing of Recorded Music	
Monday to Sunday:	10:00 to 22:30
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Sunday:	10:00 to 22:30
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	10:00 to 22:30
Performance of a Play	
Monday to Sunday:	10:00 to 22:30
5 Major Events per annum Events taking place between 18:30 – 22:00 are limited to 30 Minor Events (not defined as Major) per annum	

The opening hours of the premises:	
Monday to Sunday:	06:00 to 21:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
N/A

Name and (registered) address of holder of premises licence:
The Royal Parks Limited The Old Police House Hyde Park London W2 2UH

Registered number of holder, for example company number, charity number (where applicable)
10016100

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:
N/A

State whether access to the premises by children is restricted or prohibited:
N/A

Date: 22 June 2017

This licence has been authorised by Mrs Shannon Pring on behalf of the Director -
Public Protection and Licensing.