



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

belgravesquare@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.