



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	13 July 2017
Licensing Ref No:	17/05302/LIPV - Premises Licence Variation
Title of Report:	Serpentine Gallery Serpentine Gallery Kensington Gardens Exhibition 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:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	18 May 2017		
Applicant:	Serpentine Gallery		
Premises:	Serpentine Gallery		
Premises address:	Serpentine Gallery Kensington Gardens Exhibition Road London W2 2UH	Ward:	Knightsbridge & Belgravia.
		Cumulative Impact Area:	None.
Premises description:	The premises is currently operating as an Art gallery.		
Variation description:	<p>An art gallery which showcases modern and contemporary art. The gallery is situated in Kensington Gardens, Exhibition Road, London, W2 2UH. The premises comprise of:</p> <ol style="list-style-type: none"> 1. The Main Gallery 2. The Marquee 3. The Pavillion 4. An Outside Area <p>This application is to vary the premises licence as follows:</p> <ol style="list-style-type: none"> 1. To extend the hours for the sale of alcohol to between the hours of 11:00 and 00:00 Monday to Saturday. 2. To extend the hours for the provision of regulated entertainment to between the hours of 1100 and 00:00 Monday to Saturday. 3. To include the provision of late night refreshment to between the hours of 2300 and 00:00 Monday to Saturday. 4. To remove condition 33 set out in Annex 2 of the premises licence. 5. To extend the opening hours. 		

Premises licence history:	<p>The premises has been licensed since July 2006.</p> <p>A copy of the current premises licence can be found at Appendix 6 (09/03038/LIPDPS).</p>
Applicant submissions:	<p>Following discuss with Royal Parks the applicant has agreed to the following:</p> <p>The terminal hour Monday to Saturday for all licensable activities to be amended to midnight which would then match the hours for The Magazine (17/05352/LIPV).</p>

1-B Current and proposed licensable activities, areas and hours					
Regulated Entertainment					
Live Music / Recorded Music / Performance of Dance / Anything of a Similar Description					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	11:00	23:00	11:00	00:00	Please see Plan at Appendix 1
Tuesday	11:00	23:00	11:00	00:00	
Wednesday	11:00	23:00	11:00	00:00	
Thursday	11:00	23:00	11:00	00:00	
Friday	11:00	23:00	11:00	00:00	
Saturday	11:00	23:00	11:00	00:00	
Sunday	11:00	22:30	11:00	22:30	
Seasonal variations:	Current:				
Non-standard timings:	Monday to Saturday 11:00 until 00:00 (Summer Events)				No Change

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:		
Monday			23:00	00:00	Please see Plan at Appendix 1	
Tuesday			23:00	00:00		
Wednesday			23:00	00:00		
Thursday			23:00	00:00		
Friday			23:00	00:00		
Saturday			23:00	00:00		
Sunday						
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Monday to Sunday : 23:00 until 00:00 (Summer Events)				

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On Sales		On Sales	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:		
Monday	11:00	23:00	11:00	00:00	Please see Plan at Appendix 1	
Tuesday	11:00	23:00	11:00	00:00		
Wednesday	11:00	23:00	11:00	00:00		
Thursday	11:00	23:00	11:00	00:00		
Friday	11:00	23:00	11:00	00:00		
Saturday	11:00	23:00	11:00	00:00		
Sunday	12:00	22:30	12:00	22:30		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Monday to Sunday: 23:00 until 00:00 (Summer Events).			No Change.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:00	10:00	00:00	Please see plan at Appendix 1	
Tuesday	10:00	23:00	10:00	00:00		
Wednesday	10:00	23:00	10:00	00:00		
Thursday	10:00	23:00	10:00	00:00		
Friday	10:00	23:00	10:00	00:00		
Saturday	10:00	23:00	10:00	00:00		
Sunday	10:00	22:30	10:00	22:30		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Monday to Sunday: 11:00 until 00:00 (Summer Events).				No Change.	

1-C Layout alteration
No change applied for.

1-D Conditions being varied, added or removed		
Condition		Proposed variation
<p><u>Condition 33</u></p> <p>The hours permitted for Sale of Alcohol, Live Music, Playing of Recorded Music, Provision of facilities for making music and Provision of facilities for dancing may be extended until 00:00 (midnight).</p>		<p>To be removed</p>
Adult entertainment:	Current position:	Proposed position:
	Not applicable	Not applicable.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team (Withdrawn)
Representative:	Mr Ian Watson
Received:	7 th June 2017

This representation is based on the operating schedule submitted.

The applicant is seeking the following

1. To increase the hours for the supply of alcohol 'On' the premises Monday to Saturday from 23.00 hours to 01.00 hours the following day.
2. To increase the hours for the provision of late night refreshment 'Indoors' and 'Outdoors' Monday to Saturday from 23.00 hours to 01.00 hours the following day.
3. To increase the hours for regulated entertainment 'Indoors' and 'Outdoors' Monday to Saturday from 09.00 hours to 01.00 hours the following day.
4. To remove condition 33 concerning the annual summer event.

I wish to make the following representation

1. The additional hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.
2. The additional hours requested for the provision of Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area.
3. The additional hours requested for the provision of regulated entertainment will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the area.
4. No objection.

The applicant has not provided any conditions in support of the application. A check on the noise history will be made to evaluate if the current conditions are sufficient.

Following a meeting with the applicant, Environmental Health have now withdrawn their representation.

Responsible Authority:	Metropolitan Police Service (Withdrawn)
Representative:	PC Michael Day
Received:	15 th June 2017

I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. It is our belief that if granted the application would undermine the Licensing Objectives.

Following discussions with the applicant, the Metropolitan Police Service have now withdrawn their representation.

2-B Other Persons

Name:	Mr John Zamit		
Address and/or Residents Association:	South East Bayswater Residents Association (SEBRA)		
Status:	Valid	In support or opposed:	Opposed
Received:	14 th June 2017		

The South East Bayswater Residents' Association (SEBRA) objects strongly to this variation application.

Current hours should be sufficient and we see no reason why any extended hours should be granted.

Kensington Gardens closes at dusk and adjoin Hyde Park road network closes at midnight to all traffic we understand. We know at Victoria Gate at j/w Bayswater Road the gate closes at midnight and believe same true on all other gates surrounding park.

We are concerned as to noise nuisance, additional traffic in surrounding areas late at night/ early hours of morning.

We are also concerned as effect of late night activity effecting wild life in both parks.

Name:	Mr Dennis Clark		
Address and/or Residents Association:	On behalf of The Royal Parks The Old police House Hyde Park London		
Status:	Valid	In support or opposed:	Opposed
Received:	15 th June 2017		

The Serpentine Gallery requires access along West Carriage Drive, within Hyde Park,

for its operations. This licence application will increase the regularity and scale of vehicular and other activity when the park is closed. The Royal Parks have no plans to extend park opening hours beyond the current midnight closure.

On this basis therefore The Royal Parks objects to this application.

Name:		Mr Paul Meitner – Licensing Representative	
Address and/or Residents Association		Knightsbridge Association	
Status:	Valid	In support of opposed:	Opposed
Received:	15 th June 2017		

I write to object to the grant the above application, on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance.

Background

Since 1961 the Knightsbridge Association (“KA”) has promoted the interests of residents, businesses and visitors of the Knightsbridge neighbourhood. Knightsbridge is not a well defined term but, roughly, it includes the area from Hyde Park Corner on the east to Queen’s Gate on the west and from Hyde Park on the north to Brompton Road on the south.

The Knightsbridge Association is a not for profit, non-political, voluntary organisation representing local interests on all residential and commercial planning applications and monitors licensing applications. It also monitors Street cleaning and lighting and liaises with the police on crime prevention.

Many of these residents have communicated their concerns to us and the Knightsbridge Association’s representation reflects these concerns. We understand that these residents are likely to make their own representations to the Premises Licensing Committee.

Prevention of public nuisance and protection of children

We are concerned about this particular application, on the grounds of prevention of public nuisance, specifically the additional noise and disruption to the lives of local residents as a result of the proposed extension of hours. The application envisages the extension to the hours for the sale of alcohol and regulated entertainment to between 10.00 a.m. and 1.00 a.m. Monday to Saturday and 12.00 to 1.00 a.m. on Sundays prior to a bank holiday, with an extension of closing time from 23.00 to 1.00 a.m. on Mondays to Saturdays and Sundays before a public holiday.

The above proposed hours are well outside “Core Hours” and will turn an oasis of piece into a a “Stress Area”. Kensington Gardens is not a destination for late night entertainment and should retain its current character. The residential apartments in Exhibition Road and Lancaster Gate will become subjected to late night disturbance resulting from the dispersal of clientele, up to and beyond 1 a.m. Nor is noise and

disturbance to hotel guests acceptable. KA has as a result received a number of strong objections.

There are already licensed premises at the location, but extended hours as envisaged will mean more people and more potential for night time disturbance. It is unclear why a significantly later finishing time is appropriate now when it was not when the original application was submitted.

Increased consumption of alcohol is usually accompanied by the playing of loud music and has the potential to cause nuisance. Given the location of the premises, increased consumption of alcohol will inevitably lead to greater risk of public nuisance well into the night.

Accordingly, we lodge our objection and ask the Sub-Committee to take this representation into account when considering the application. Please let me know the date of the application once it is known, so that either I or another representative of the KA can attend.

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.
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. 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	Current Premises Licence - 09/03038/LIPDPS

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@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	March 2015
4	Application Form	18 th May 2017
5	Representation – Environmental Health	7 th June 2017
6	Representation – MET Police	15 th June 2017
7	Representation – SEBRA	14 th June 2017
8	Representation – The Royal Parks	15 th June 2017
9	Representation – Knightsbridge Association	15 th June 2017



File Ref: FS/V/01/21979
Address: SERPENTINE GALLERY
MENSHINGTON GARDENS
LONDON
W2

Paper No: 1 D 2
 Drawn By: JAM mlt/CS
 Date: 9/11/98
 Update: 9/11/98/240

Approx Scale: 1:100
 Amend No:
 Amend Date:
 Acid Bag Size: 10-2579-301
 Sheet Size: A3

Directs users
direction of
storage.

BASEMENT



Bees Marquees

EXIT

BAR

CLEAR WALLS

EXIT

0 1M 2M 3M

Client	Serpentine Gallery	Event ref	068114	Drawn By	Tabo
Event title	Event Cleader - scale 1:100	Drawing number	068114	Date	17-10-2005
Vendor	Event date (to)	16-10-2005	Structure size		

Approved by: [Signature]



L F C D A
LONDON FIRE BRIGADE

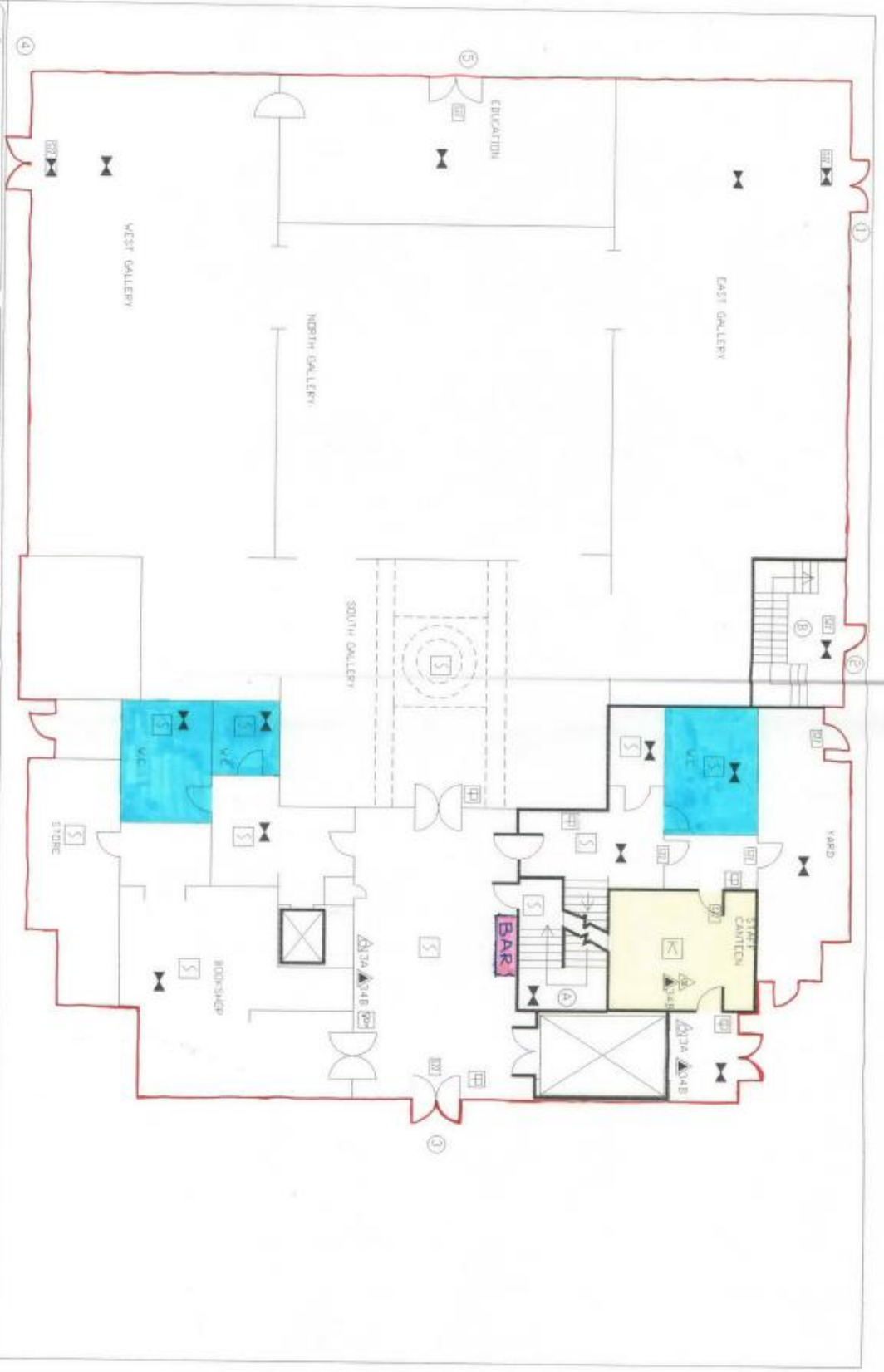
File Ref: 63/V/11/2/975
Address: SHERIDAN GALLERY
LONDON
W8

Plan No: 2 of 3
Drawn By: JH HHS
Date: 11/98
Update: 21/10/98

Approx Scale: 1:80
Drawing No: 100
Approved By: 10-21975-1/01
Sheet Size: A3

Do not use
without
approval

GROUND FLOOR



Applicant Supporting Documents

None submitted.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
06/04859/LIPN	Application for a new premises licence	20 th July 2006	Granted by Licensing Sub-Committee
06/08227/LIPV	<p>Application to vary the premises licence</p> <p>The Gallery also wish to apply to remove the condition on their existing licence which requires the use of plastic cups in serving alcohol. The Gallery wish to be able to use glass cups also in serving alcoholic drinks at private or sponsored events.</p>	26 th October 2006	Granted under Delegated Authority
07/04973/LIPV	<p>Application to vary the premises licence</p> <p>A one-off, invitation only annual fund-raising event. The event is to be held in the Gallery and a temporary structure in the area immediately adjacent to the Gallery. The applicant seeks an extension of hours until 00:00 for The Sale By Retail of Alcohol, Recorded Music & The Provision of Facilities for Making Music. The event is</p>	5 th July 2007	Granted under Delegated Authority

	scheduled to begin at 18:00		
08/06061/LIPV	Application to vary the premises licence	7 th August 2008	Granted under Delegated Authority
08/11407/LIPDPS	Application to Vary the Designated Premises Supervisor	31 st December 2008	Granted under Delegated Authority
09/03038/LIPDPS	Application to Vary the Designated Premises Supervisor	6 th May 2009	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 to vary a 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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate 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

Conditions: On Current Licence -

Mandatory:

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.

Annex 2 – Conditions consistent with the operating Schedule

9. SIA licensed security shall be used when over 150 attend a single event.
10. Guests who attend private events, sponsored events and gallery events shall be encouraged to leave quietly.
11. The immediate exterior shall be kept free of litter.
12. Professional licensed security guards shall secure the Summer Party.
13. Regulated Entertainment shall only be provided at private hire events and to invited guests and not general public.
14. Alcoholic drinks will be provided in glass cups only to persons attending the gallery for the purposes of private hire for sponsored events and ancillary to their attendance for such purposes.
15. Staffs shall be trained to ensure that glasses are kept behind the bar and the additional door supervisors shall ensure that no glasses are taken outside the premises.
16. All staff shall be trained to assist with fire safety. There shall be 14 First Aiders, 3 of who shall be present at every event.
17. Fire extinguishers and blankets shall be kept on the premises.
18. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986, (whether or not locally adopted), shall not be provided.
19. When Regulated Entertainment is carried out, the number of persons accommodated at any one time in the Gallery (excluding staff) shall not exceed

300. In order for this capacity to be permitted, a total of at least three fire exits at a width of no less than 1050mm shall be maintained at all times.

20. Accommodation figures for any temporary structures shall be set in line with the Technical Standards for Places of Entertainment, and agreed with the Environmental Health Consultation Team prior to the first event taking place.
21. The provision of Regulated Entertainment shall be restricted to pre-booked functions only
22. The provision of Live Music is limited to no more than 10 performers save with the prior consent of the Environmental Health Consultation Team.
23. No striptease, no nudity and all persons to be decently attired at all times
24. Upon the initial erection of any temporary structures (such as the Pavilion and Marquee), an inspection must be carried out (and/or if there are any changes to the structure and layout) by the Environmental Health Consultation Team prior to the first event taking place. The following information must be supplied to the Environmental Health Consultation Team 21 days prior to the first event taking place:
 - a) Risk assessments for the temporary structures are to be produced by the Designated Premises Supervisor, including those supplied from any contractors brought in.
 - b) Emergency exits and entrances to the event area must be provided with clearly visible signage.
 - c) Details of all marquees, tented structures and temporary structures should be provided including emergency exits and appropriate signage.
 - d) All temporary structures shall be stable, securely fixed to the floor and where appropriate suitably certified by the building control division.
 - e) The Designated Premises Supervisor 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). These should comply with the latest edition of BS 4293. The competent person must make a certificate of inspection of the electrical installation available for inspection.
 - f) When the exterior gardens are used for an event outside of daylight hours a suitable system of both primary and secondary lighting shall be provided.

- g) Prior to the installation of any temporary generator the following details shall be submitted by the Contractor to the Council for discussion and approval:-
 - i) Contact details of Person(s) responsible for the Generator(s) during the Event;
 - ii) Location of temporary Generator(s) with accompanying Map if appropriate and duration of installation;
 - iii) Type and Make of Generator(s) proposed;
 - iv) Operating Voltage;
 - v) Load(s) to be fed from Generator(s);
 - vi) Cable routing and termination arrangements such as fixings and connections and protective measures taken;
 - vii) Earthing arrangements, including supporting documentation such as Test Results for Earth Rods used;
 - viii) Supplementary Earthing arrangements, such as for fencing Cable Bridges, Viewing Stands, and/or Loads;
 - ix) Protection arrangements (e.g. fencing proposed to prevent unauthorised access);
 - x) Oil Supply Storage proposals and details of refuelling arrangements;
 - xi) Details and locations of all Extinguishers proposed.
 - h) Following the Generator(s) installation an Inspection shall be made by the Council to confirm the suitability of the Works. Any necessary corrections, alterations and/or additions required shall be communicated to the Person(s) responsible for the Generator(s) who shall complete these Works before the Generator(s) is used.
 - i) During the operation of the Generator(s) the Council shall make spot checks to confirm the continued safe working of the installation. Any unsafe operation shall again be communicated to the Person(s) responsible for remedial action.
 - j) All step hazards/nosings shall be clearly marked with high visibility paint or a suitable equivalent.
 - k) At all times while the public is present a sufficient number of trained stewards shall be available.
25. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
26. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
27. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

28. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
29. The certificates listed below shall be submitted to the Licensing Authority upon written request:
 - (a) Any emergency lighting battery or system
 - (b) Any electrical installation
 - (c) Any emergency warning system
30. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
31. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
32. Special effects of any type, or fireworks, shall not be permitted unless previously approved by the Council.
33. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
34. All staff shall be made aware of the procedure to be adopted in the event of an emergency.

The following conditions are only applicable to an annual summer event (‘The Summer Event’) to take place no earlier than June 1 and no later than 30 September each year, the actual date to be notified in advance to the Licensing Authority.

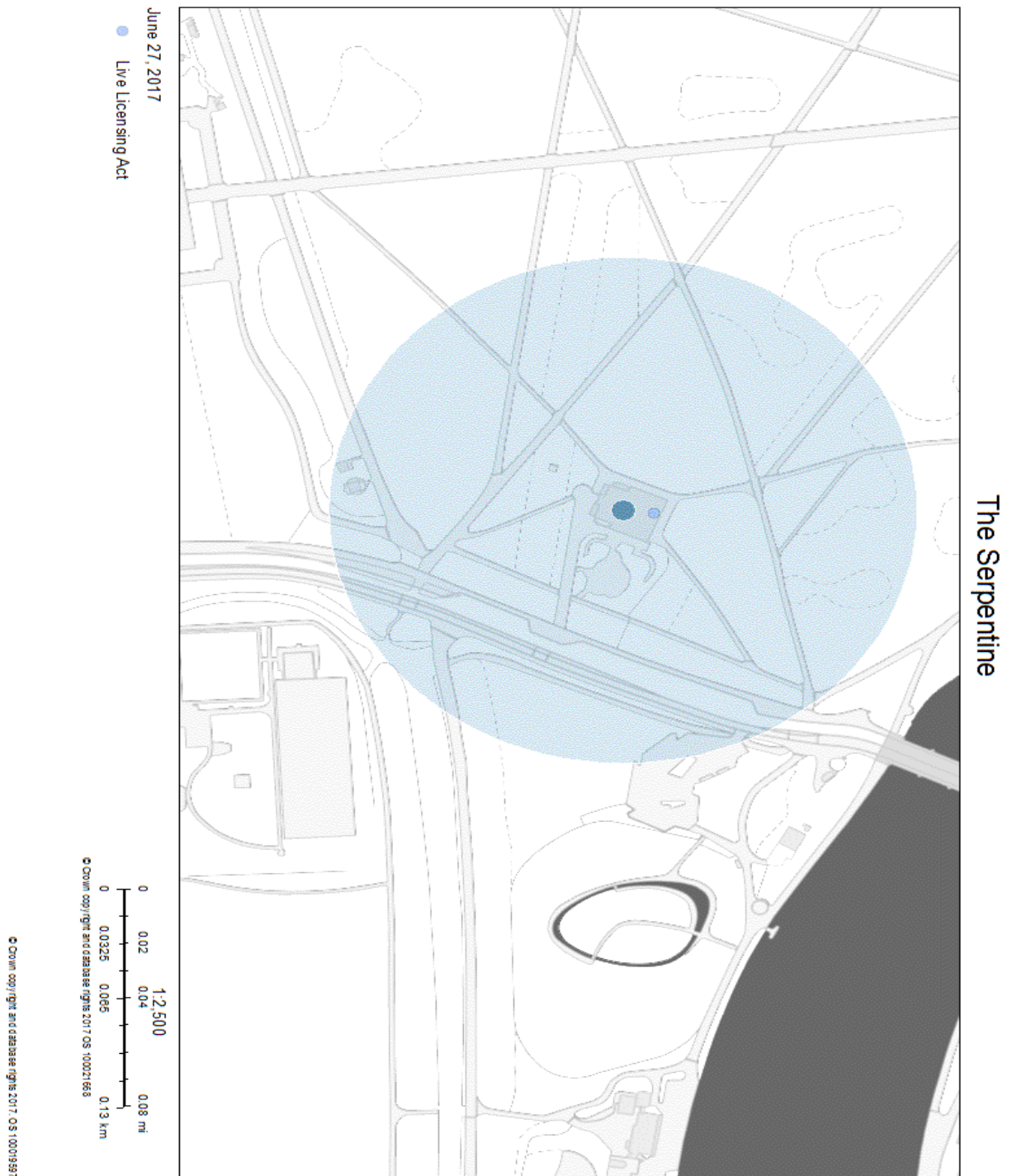
35. The hours permitted for Sale of Alcohol, Live Music, Playing of Recorded Music, Provision of facilities for making music and Provision of facilities for dancing may be extended until 00:00 (midnight).
36. Alcohol will be served only to persons attending by invitation and ancillary to their attendance at the event.
37. No persons will be allowed into the event without a pre-paid invitation.
38. The event shall not be opened to the public.
39. The maximum number of person allowed for the event shall not be more than permitted by the licence.

40. There shall be no less than 21 SIA licensed Security Guards in constant supervision of the perimeter fencing during the event.
41. Not less than One Security Guard shall be assigned to each gate and no gate shall be left unattended throughout the event.

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

42. Maximum number of persons on the premises at any one time shall be as follows (inclusive of staff):
The Main Gallery: 350
The Marquee : 520
The Pavillion : to be agreed annually with the Environmental Health Consultation Team
43. The supply of alcohol in the Gallery, Pavilion and Marquee shall be ancillary to Art Exhibitions and/ or for pre-booked events only.
44. Suitable beverages other than alcohol (including drinking water) and substantial refreshment shall be equally available during the permitted hours.
45. No noise shall emanate from the premises, which gives rise to a nuisance.
46. Children are to be restricted from the bar areas.
47. There may be up to 6 champagne breakfasts allowed per annum between 08:00 - 11:00 at which alcohol shall only be ancillary to food.

Residential Map and List of Premises in the Vicinity



Current Premises Licence - 09/03038/LIPDPS

City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

Premises licence

WARD: Knightsbridge
And Belgravia
UPRN: 999000042792

Regulation 33, 34

Premises licence number:

09/03038/LIPDPS

Original Reference:

06/04859/LIPN

Part 1 – Premises details

Postal address of premises:

Serpentine Gallery Kensington Gardens
Exhibition Road
London
W2 2UH

Telephone Number: 020 7402 6075

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Live Music
Playing of Recorded Music
Provision of facilities for Dancing
Provision of facilities for making Music
Sale by Retail of Alcohol

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

Performance of Live Music

Monday to Saturday: 11:00 to 23:00
Sunday: 11:00 to 22:30
Non-standard Timings: Monday to Saturday: 11:00 to 00:00 (The Summer Event)

Playing of Recorded Music

Monday to Saturday: 11:00 to 23:00
Sunday: 11:00 to 22:30
Non-standard Timings: Monday to Saturday: 11:00 to 00:00 (The Summer Event)

Provision of facilities for Dancing

Monday to Saturday: 11:00 to 23:00
Sunday: 11:00 to 22:30
Non-standard Timings: Monday to Saturday: 11:00 to 00:00 (The Summer Event)

Provision of facilities for making Music

Monday to Saturday: 11:00 to 23:00
Sunday: 11:00 to 22:30
Non-standard Timings: Monday to Saturday: 11:00 to 00:00 (The Summer Event)

Late Night Refreshment:

Non-standard Timings: Monday to Saturday:	23:00 to 00:00 (The Summer Event)
Sale by Retail of Alcohol	
Monday to Saturday:	11:00 to 23:00
Sunday:	12:00 to 22:30
Non-standard Timings: Monday to Saturday:	11:00 to 00:00 (The Summer Event)

The opening hours of the premises:	
Monday to Saturday:	10:00 to 23:00
Sunday:	10:00 to 22:30
Monday to Saturday:	11:00 to 00:00 (The Summer Event)

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:	
Alcohol is supplied for consumption on the Premises.	

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:	
Serpentine Gallery Kensington Gardens London W2 3XA Electronic Mail : julieb@serpentinegallery.org Telephone Number : 020 7402 6075	

Registered number of holder, for example company number, charity number (where applicable)	
298809	

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:	
Name:	Julie Bumell
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:	
Licence Number:	56033
Licensing Authority:	Luton Borough Council

Date: 14th July 2009
Signed: pp
Director of Community Protection

Annex 1 – 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. 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

5. SIA licensed security shall be used when over 150 attend a single event.
6. Guests who attend private events, sponsored events and gallery events shall be encouraged to leave quietly.
7. The immediate exterior shall be kept free of litter.
8. Professional licensed security guards shall secure the Summer Party.
9. Regulated Entertainment shall only be provided at private hire events and to invited guests and not general public.
10. Alcoholic drinks will be provided in glass cups only to persons attending the gallery for the purposes of private hire for sponsored events and ancillary to their attendance for such purposes.
12. Staffs shall be trained to ensure that glasses are kept behind the bar and the additional door supervisors shall ensure that no glasses are taken outside the premises.
13. All staff shall be trained to assist with fire safety. There shall be 14 First Aiders, 3 of who shall be present at every event.
14. Fire extinguishers and blankets shall be kept on the premises.
15. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1985, (whether or not locally adopted), shall not be provided.
16. When Regulated Entertainment is carried out, the number of persons accommodated at any one time in the Gallery (excluding staff) shall not exceed 300. In order for this capacity to be permitted, a total of at least three fire exits at a width of no less than 1050mm shall be maintained at all times.
17. Accommodation figures for any temporary structures shall be set in line with the Technical Standards for Places of Entertainment, and agreed with the Environmental Health Consultation Team prior to the first event taking place.
18. The provision of Regulated Entertainment shall be restricted to pre-booked functions only.
19. The provision of Live Music is limited to no more than 10 performers save with the prior consent of the Environmental Health Consultation Team.
20. No striptease, no nudity and all persons to be decently attired at all times.
21. Upon the initial erection of any temporary structures (such as the Pavilion and Marquee), an inspection must be carried out (and/or if there are any changes to the structure and layout) by the Environmental Health Consultation Team prior to the first event taking place. The following information must be supplied to the Environmental Health Consultation Team 21 days prior to the first event taking place:
 - a) Risk assessments for the temporary structures are to be produced by the Designated Premises Supervisor, including those supplied from any contractors brought in.

- b) Emergency exits and entrances to the event area must be provided with clearly visible signage.
- c) Details of all marquees, tented structures and temporary structures should be provided including emergency exits and appropriate signage.
- d) All temporary structures shall be stable, securely fixed to the floor and where appropriate suitably certified by the building control division.
- e) The Designated Premises Supervisor 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). These should comply with the latest edition of BS 4293. The competent person must make a certificate of inspection of the electrical installation available for inspection.
- f) When the exterior gardens are used for an event outside of daylight hours a suitable system of both primary and secondary lighting shall be provided.
- g) Prior to the installation of any temporary generator the following details shall be submitted by the Contractor to the Council for discussion and approval:-
 - i) Contact details of Person(s) responsible for the Generator(s) during the Event;
 - ii) Location of temporary Generator(s) with accompanying Map if appropriate and duration of installation;
 - iii) Type and Make of Generator(s) proposed;
 - iv) Operating Voltage;
 - v) Load(s) to be fed from Generator(s);
 - vi) Cable routing and termination arrangements such as fixings and connections and protective measures taken;
 - vii) Earthing arrangements, including supporting documentation such as Test Results for Earth Rods used;
 - viii) Supplementary Earthing arrangements, such as for fencing Cable Bridges, Viewing Stands, and/or Loads;
 - ix) Protection arrangements (e.g. fencing proposed to prevent unauthorised access);
 - x) Oil Supply Storage proposals and details of refuelling arrangements;
 - xi) Details and locations of all Extinguishers proposed.
- h) Following the Generator(s) installation an inspection shall be made by the Council to confirm the suitability of the Works. Any necessary corrections, alterations and/or additions required shall be communicated to the Person(s) responsible for the Generator(s) who shall complete these Works before the Generator(s) is used.
- i) During the operation of the Generator(s) the Council shall make spot checks to confirm the continued safe working of the installation. Any unsafe operation shall again be communicated to the Person(s) responsible for remedial action.
- j) All slip hazards/tripings shall be clearly marked with high visibility paint or a suitable equivalent.
- k) At all times while the public is present a sufficient number of trained stewards shall be available.

23. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
24. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
25. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

26. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
27. The certificates listed below shall be submitted to the Licensing Authority upon written request:
 - (a) Any emergency lighting battery or system
 - (b) Any electrical installation
 - (c) Any emergency warning system
28. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. Special effects of any type, or fireworks, shall not be permitted unless previously approved by the Council.
31. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
32. All staff shall be made aware of the procedure to be adopted in the event of an emergency.

The following conditions are only applicable to an annual summer event ("The Summer Event") to take place no earlier than June 1 and no later than 30 September each year, the actual date to be notified in advance to the Licensing Authority.

33. The hours permitted for Sale of Alcohol, Live Music, Playing of Recorded Music, Provision of facilities for making music and Provision of facilities for dancing may be extended until 00:00 (midnight).
34. Alcohol will be served only to persons attending by invitation and ancillary to their attendance at the event.
35. No persons will be allowed into the event without a pre-paid invitation.
36. The event shall not be opened to the public.
37. The maximum number of person allowed for the event shall not be more than permitted by the licence.

38. There shall be no less than 21 SIA licensed Security Guards in constant supervision of the perimeter fencing during the event.
39. Not less than One Security Guard shall be assigned to each gate and no gate shall be left unattended throughout the event.

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

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 - The Main Gallery – 350
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