

**REPORT OF THE DIVISIONAL OFFICER LICENSING, FOOD AND
SAFETY**

STATUTORY LICENSING COMMITTEE - 6th MARCH 2015

FOR INFORMATION

**LICENSING ACT 2003
THE LEGISLATIVE REFORM (ENTERTAINMENT LICENSING) ORDER
2014**

1.0 Background

- 1.1 The Licensing Act 2003 (“the Act”) established a unified system of regulation for:
- § the sale and supply of alcohol
 - § the provision of regulated entertainment, which includes live and recorded music, dance, plays, films, indoor sporting events and boxing and wrestling
 - § the provision of late night refreshment which is the sale of hot food and hot drinks between the hours of 11.00 pm and 05.00 am.

Schedule 1 of “the Act” further describes the provision of regulated entertainment.

- 1.2 Since the introduction of “the Act”, there have been a number of changes, particularly in respect of regulated entertainment, which has involved a deregulation of certain activities.
- 1.3 The most significant change to date was the introduction of the Live Music Act 2012. This removed licensing controls for live amplified music in venues with an audience of up to 200 persons, and live non amplified music in venues, with no restriction on audience size. In both cases, however, the exemption is only allowed between 08.00 and 23.00 hours.

- 1.4 Further amendments to schedule 1 were made by The Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013. This Order also removed licensing requirements for plays and performances of dance, with audiences of up to 500 persons, and indoor sporting events with audiences of up to 1000 persons. These activities are also subject to operating times of 08.00 to 23.00 hours.

2.0 Changes

- 2.1 Further changes to schedule 1 will be made by the introduction of the Legislative Reform (Entertainment Licensing) Order 2014 (the "LRO") which will come into force on 6th April 2015.
- 2.2 The circumstances where the "LRO" will have effect on deregulating certain types of entertainment are summarised as below:

§ **Entertainment by Trusted Providers**

Trusted Providers include local authorities, health care providers and schools. The provision of regulated entertainment by a Trusted Provider, on their own premises, will be exempt from entertainment licensing between 08.00-23.00 with no audience limit.

The sale or supply of alcohol is still subject to an authorisation, under "the Act" which is a premises licence or Temporary Event Notice.

§ **Live music in alcohol licensed premises**

The audience limit for a performance of live amplified music in alcohol licensed premises or in a place of work, where alcohol is not sold or supplied, between 08.00-23.00, will be raised from 200 to 500 persons.

§ **Recorded music in alcohol licensed premises**

Any playing of recorded music in alcohol licensed premises will be deregulated when it takes place between 08.00-23.00 for audiences of up to 500.

§ **Live and recorded music exemptions**

Trusted Providers, outlined above, will be exempt from entertainment licensing when making their own premises available to third parties for live and recorded music activities between 08.00-23.00 for audiences of up to 500.

Community premises, that is, church halls, chapel halls, village halls, parish halls, community halls and other similar buildings that are not licensed to supply alcohol will be exempt from entertainment licensing requirements for live and recorded music between 08.00-23.00 for audiences of up to 500.

§ **Travelling circuses**

Travelling circuses will be exempt from entertainment licensing in respect of all descriptions of entertainment, except an exhibition of a film or a boxing or wrestling entertainment, where the entertainment or sport takes place between 08.00-23.00 with no audience limit.

§ **Greco-Roman and freestyle wrestling**

Greco-Roman and freestyle wrestling will be deregulated between 08.00-23.00 for audiences of up to 1000.

Greco-Roman and freestyle wrestling are ancient combat sports and are Olympic sports which are governed by a national body – British Wrestling.

§ **Incidental film**

An exhibition of a film, that is incidental to another activity, is exempt from licensing but only where the other activity is not an entertainment set out in schedule 1.

3.0 Implementation

- 3.1 As previously stated the “LRO” will come into force on 6th April 2015. An explanatory document has been published and can be found by the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/328492/Entertainment_Licensing_Legislative_Reform_Order_Explanatory_Document.pdf