

# Licensing Act 2003 Entertainment Deregulation & other changes

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# Entertainment Licensing

- A performance of a play
- An exhibition of a film
- An indoor sporting event
- A boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance
- Entertainment of a similar description to live music, recorded music or dance

# Why deregulation?

- Manifesto Commitments: Removing unnecessary regulations and burdens on business and the voluntary sector
- Coalition Agreement: “cut red tape to encourage the performance of more live music.”
- Plan for Growth: “reduce licensing burdens on other forms of entertainment

# Why deregulation? (cont.)

- Post 2011 consultation – Striking the right balance between the management of risk and regulatory burden
- Safeguards in other legislation
- 500 people – audience upper limit, read across to TENs
- 23:00 – night time protection
- Trusted providers – local authorities, schools, hospitals

# Phased approach

- Live Music Act 2012 – Government supported Private Members Bill
- Deregulation of plays, dance and indoor sport – Licensing Act (Descriptions of Entertainment) (Amendment) Order 2013
- Most complex – Legislative Reform (Entertainment Licensing Order 2014)
- Deregulation of film exhibitions in community premises – Deregulation Act 2015

# Live Music – from 06 April 2015

- Live unamplified music deregulated between 08:00 – 23:00 on any premises
- Live amplified music deregulated between 08:00 – 23:00 provided the audience **does not exceed 500**
- However live music can become licensable in on-licensable premises if the licensing authority removes the effect of the deregulation following a licence review (“licence review mechanism”)

# Recorded Music – from 06 April 2015

- Recorded music deregulated between 08:00 and 23:00 in on-licensed premises provided the audience does not exceed 500
- However recorded music can become licensable if the licensing authority removes the effect of the deregulation following a licence review (“licence review mechanism”)
- Unlike live music – **deregulation of recorded music does not apply to workplaces**

# New exemptions - 06 April 2015

- Local Authorities
- Schools
- Hospitals
  
- Community Premises
- Circuses
- Greco-Roman or freestyle wrestling
- Incidental film



# Local Authority new exemptions – from 06 April 2015

- Live music or recorded music between **08:00 and 23:00** at the non – residential premises of a local authority provided that
  - (a) the audience **does not exceed 500**, and
  - (b) the organiser gets consent for the performance on the relevant premises from the local authority concerned
- Any entertainment provided by or on behalf of a local authority on their own premises between 08:00 and 23:00

# Health new exemptions – from 06 April 2015

- Live music or recorded music between 08:00 and 23:00 on hospital premises provided that
  - (a) the audience **does not exceed 500**, and
  - (b) the organiser gets consent for the performance on the hospital premises from the health care provider concerned
- Any entertainment provided by or on behalf of a health care provider on their own hospital premises between 08:00 and 23:00

# Schools new exemptions – from 06 April 2015

- Live music or recorded music between 08:00 and 23:00 on school premises provided that
  - (a) the audience **does not exceed 500**, and
  - (b) the organiser gets consent for the performance on the premises from the school proprietor concerned
- Any entertainment provided by or on behalf of a school proprietor on their own school premises between 08:00 and 23:00

# Community premises - new exemptions from 06 April 2015

- Live music or recorded music between 08:00 and 23:00 in a:
  - Church hall
  - Village hall
  - Community hall or other similar community premises **that is not licensed to sell alcohol** provided that:
    - (a) the audience **does not exceed 500**, and
    - (b) the organiser gets consent for the performance from a person who is responsible for the premises.

# Travelling circuses- new exemptions from 06 April 2015

Any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided:

- a) it takes place within a moveable structure, and
- b) It has not been located on the same site for more than 28 consecutive days

# Olympic wrestling disciplines – new exemption from 06 April 2015

- A contest, exhibition or display of **Greco-Roman wrestling, or freestyle wrestling** deregulated between **08:00 and 23:00**, provided that the audience **does not exceed 1000**

# Incidental Film

- Incidental film – an exhibition of moving pictures if it is incidental to some other entertainment activity
- Depends on the facts in each case
- Does the appearance of moving pictures within another activity, for which no licence is required undermine the promotion of the licensing objectives?

# Exhibition of films in community premises – from 06 April 2015

- No licence required for ‘**not-for-profit**’ film exhibition held in **community premises** between **08:00 and 23:00** provided that the audience **does not exceed 500** and the organiser:
  - a) gets consent to the screening from a person who is responsible for the premises; and
  - b) ensures that each such screening abides by **age classification ratings**



# Summary: What is still licensable?

- 06 April 2015
- Any entertainment activity after 23:00
- Most forms of entertainment activity in the presence of an audience of more than 500 people (with a few exceptions)
- Any sexual entertainment
- Late Night Refreshment
- Supply of alcohol

# Other changes

- Personal licences renewal
- Liqueur confectionery
- Temporary Event Notices
- Reporting loss of licence
- Suspension of premises licence (fees)
- Local residents say
- Licensing authorities are now ‘responsible authorities’



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