

PopplestonAllen

A **guide to regulated
entertainment law**

Regulated Entertainment Law

Latest legislation as of 6th April 2015

Recent changes:

Live Music

Live amplified music in on-licensed premises authorised and open for the sale of alcohol does not require a licence for audiences up to 500 (a 300 increase) until 23:00. This includes beer gardens and terraces if they are included in the licensed premises. Live music related conditions do not apply unless they are re-imposed at a Review. If a beer garden is not shown on the licensed plans then it is likely to nevertheless be a workplace which benefits from a similar exemption. Karaoke is considered live music. Live unamplified music does not need a licence anywhere and with no audience limit between 08:00 to 23:00.

Entertainment Facilities

Entertainment facilities (stages, karaoke machines, microphone stands, even electrical sockets) have not been licensable since October 2012. You may still see these 'authorised' on your licence if it has not been amended but they are no longer relevant to licensing.

Recorded Music

Recorded music in on-licensed premises benefits from the same exemption as live music above, with the same audience limit. This covers DJs and discos and is a new development, as hitherto most recorded amplified music above background level has been licensable under the Act. There is no equivalent "workplace" exemption.

Background, live and recorded music continues to be exempt.

Performance of Plays, Indoor Sporting Events and Performances of Dance

'Plays' could include Noddy at a holiday camp but also a themed "ghost story- reading night" with paid actors at a pub. 'Performances of Dance' includes any non-customer dancing that is intended to entertain an audience. Since June 2013, for audiences up to 500 (and in the case of indoor sporting events, up to 1,000) from 08:00 until 23:00 none of these activities require authorisation under the Licensing Act. Lap-dancing and other forms of sexual entertainment on up to 11 occasions a year remain regulated under the 2003 Act (any more will usually require a Sexual Entertainment Venue licence).

Films

The showing of pre-recorded films which are incidental to some other activity (for example, drinking, eating or playing pool) is not licensable. This will very much be dependent on the facts of each case but the real test will be: is the showing of any pre-recorded film likely to undermine one of the licensing objectives?

Boxing & Wrestling

This activity remains regulated under the Act (and now explicitly includes mixed martial arts) apart from Greco-Roman and freestyle wrestling.

None of the exemptions affect the need to apply for copyright licensing or the requirement not to cause a noise nuisance. Regulated Entertainment is a complex area and there are other minor exemptions – we recommend you take legal advice if in any doubt.

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