

# ALLERDALE BOROUGH COUNCIL



## GUIDANCE SHEET

### REGULATED ENTERTAINMENT AND EXEMPTIONS

#### Regulated Entertainment

The Licensing Act 2003 requires that a Premises Licence be obtained whenever a premises is used for “regulated entertainment” other than when carried out under a Temporary Event Notice

Under the Licensing Act 2003, the Operating Schedule for the premises must detail all regulated entertainment to be carried on at the premises. If regulated entertainment is not included in the Operating Schedule any such entertainment carried on at the premises will be in breach of the licence.

#### What is Regulated Entertainment?

Regulated entertainment covers the provision of entertainment or of entertainment facilities. The descriptions of entertainment in the Licensing Act are:

- the performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- boxing or wrestling entertainment;
- a performance of live music;
- any playing of recorded music;
- a performance of dance;
- or entertainment of a similar description to live music, recorded music or dance.

The holding of regulated entertainment or the provision of facilities for regulated entertainment only requires a licence if the entertainment is provided for:-

- Members of the public or a section of the public; or
- Members of a regulated club or their guests; or
- At a charge with the intention of making a profit.

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## How do I obtain a licence to provide entertainment?

Unless entertainment under a Temporary Event Notice is being provided or the entertainment or location is exempt under the Licensing Act, it will be necessary to apply for a Premises Licence or Club Premises Certificate from the relevant Licensing Authority.

In order to apply for a Premises Licence, or Club Premises Certificate, an application must be completed and be accompanied by an Operating Schedule, a plan of the premises and if the application is for a Premises Licence which includes authorisation for the supply of alcohol, a form of consent given by the individual whom the applicant wishes to have specified in the Premises Licence as the Designated Premises Supervisor.

## Premises Licence Exemptions

There are a number of exemptions from the requirement to hold a Premises Licence when providing regulated entertainment. However, it should be noted that if alcohol is to be sold or supplied, or late night refreshment provided, a licence will still be required for those activities.

The main exemptions are as follows:-

- Regulated entertainment in places of public religious worship;
- Morris dancing (or similar), or a performance of unamplified live music as an integral part of such dancing;
- Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity;
- Garden fetes – or similar if not being promoted or held for purposes of private gain;
- Film exhibitions for the purposes of advertisement, information, education, etc. – if the sole or main purpose of the exhibition of a film is to demonstrate any product; advertise any goods or services, or provide information, education or instruction;
- Film exhibitions at museums and art galleries – where the use of the film is part of the exhibit;
- Television or radio broadcasts – as long as the programme is live and simultaneous (showing prerecorded entertainment would require a licence);
- Vehicles in motion – at a time when the vehicle is not permanently or temporarily parked;