

Licensable activities

Premises Licences and Temporary Event Notices (TEN)

July 2015

Activities that need a premises licence or TEN

- Supply of alcohol*
- Provision of late night refreshment
- Indoor sporting events
- Boxing or wrestling entertainment
- Performance of plays
- Exhibition of films
- Performance of live music
- Playing of recorded music
- Performance of a dance
- Entertainment of a similar description to that of the performance of live music, playing of recorded music and performance of dance

*All premises where there are retail sales/supplies of alcohol must have a premises licence or a TEN permitting the sale/supply. There are no exemptions to this requirement.

Regulated entertainments that do not need a premises licence or TEN (exemptions)

Live Music

No licence/TEN is required for:

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

Recorded Music

No licence/TEN is required for any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

Plays

No licence/TEN is required for performances on any premises held between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.

Dancing

No licence/TEN is required for dancing by the public on any premises between 08.00 and 23.00 on any day, provided that those present do not exceed 500. Dancing by performers or staff for the benefit/enjoyment of the public is not exempt.

Indoor sporting events

No licence/TEN is required for any premises for an indoor sporting event held between 08.00 and 23.00 on any day, provided that those present do not exceed 1000.

Boxing or wrestling entertainment

No licence/TEN is required for any premises for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling held between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. All other boxing and wrestling performances need a licence.

Specific types of premises that do not need a licence or TEN for regulated entertainment

Local authority, school, and hospital premises – exemptions

a) When the entertainment is provided by them or on their behalf

- Any entertainment taking place on the premises of the Newham Council where the entertainment is provided by or on behalf of Newham Council
- Any entertainment taking place on hospital premises where the entertainment is provided by or on behalf of the hospital.
- Any entertainment taking place on the premises of a school where the entertainment is provided by or on behalf of the school proprietor is exempt.

b) When the entertainment is provided by a 3rd party (e.g. premises let out),

Any performance of amplified live music and /or the playing of recorded music will not need a licence or TEN between 08.00 and 23.00 on any day, at the non-residential premises of

- Newham Council, or
- a school, or
- a hospital

provided that (a) the audience does not exceed 500, and (b) the organiser gets the consent for the performance from Newham Council or the school proprietor or the hospital, as appropriate.

Circuses - exemptions

Any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Church halls, village hall, community hall, or other similar community premises – exemptions

Live music and recorded music

No licence/TEN is required between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence 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.

Films

No licence/TEN is required for 'not-for-profit' film exhibitions held in community premises between 08.00 and 23.00 on any day 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 the age classification ratings for the films to be shown.

Miscellaneous exemptions – regulated entertainments

There are a number of other exemptions that mean that a licence or a TEN for regulated entertainment is not required. Examples of such exemptions are: -

- incidental music – the performance of live music or the playing of recorded music if they are incidental to an unlicensable activity.
- activities which involve participation as acts of worship in a religious context;
- activities in places of public religious worship;
- education – teaching students to perform music or to dance;
- the demonstration of a product – for example, a guitar – in a music shop;
- the rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;
- Morris dancing (or similar dancing);
- a spontaneous performance of music, singing or dancing;
- garden fetes – or similar if not being promoted or held for purposes of private gain;
- films for advertisement, information, and education or in museums or art galleries;
- television or radio broadcasts – as long as the programme is live and simultaneous;
- stand-up comedy;
- provision of entertainment facilities (e.g. dance floors).