

# Licensable activities

## Licensable activities

Individuals or organisations which provide certain licensable activities, such as selling alcohol, providing regulated entertainment (live or recorded music, films, plays etc), or supplying late-night refreshment, must hold licences to authorise these activities, under the Licensing Act 2003.

Where these activities are intended to take place within the district, we are responsible for issuing the licences required.

You will need a licence from us if you plan to carry on a licensable activity, as listed below. The legislation also sets out a number of exemptions, for situations in which licences will not be required, and we have outlined these on this page as well.

This area of regulation has become increasingly complex over the last few years. If you are unsure as to whether your event requires a licence, please contact the Technical Support Team for advice.

## Licensable activities

### Plays

You will need a licence if you are providing a performance of a play, to entertain an audience, if the play is open to the public, or if you are hoping to make a profit from admission fees.

However, no licence will be required for performances between 8am and 11pm if the audience consists of no more than 500 people.

### Films

You will need a licence to exhibit a film (or a similar display of moving pictures) in front of an audience, which is intended to entertain that audience.

However, no licence will be required if the film is part of an exhibit in an art gallery or museum, nor for films which demonstrate or advertise products, nor for educational or instructional films.

Films can be shown at non-profit events in community premises (church/chapel halls, village/parish halls, community halls, etc) without a licence, provided that the event has been given permission by the premises management committee, the showing is between 8am and 11pm, and no more than 500 people are present at the time.

You do not need a licence to show a film incidentally to some other activity which does not itself require a licence.

In all cases, admission of children to films must be restricted in accordance with the rating certificate issued by the [British Board of Film Classification \(BBFC\)](#), or any age restriction that we have placed on a particular film.

If you are showing a copyrighted film in public, you will need the permission of the copyright holder and distributor, in addition to any licence from us.

You do not need a licence from us to show television programmes, provided they are shown at the time of broadcast. However, recording programmes and playing them back later is licensable. To show or record any television programmes, you will need a [TV licence](#) for your premises, and for pay-TV channels a commercial contract with the broadcaster.

## **Indoor sporting events**

A display, demonstration or match involving any competitive sport or similar physical activity, which takes place in front of an audience in an enclosed venue, will need to be licensed by us.

However, you will not need a licence if the event takes place between 8am and 11pm, and the audience consists of less than 1,000 people.

## **Boxing and wrestling**

A boxing or wrestling match, or similar performance intended to entertain an audience, will require a licence. Matches involving combined fighting styles, such as mixed martial arts (MMA) or cage fights also fall within the category of entertainment.

Greco-Roman or freestyle wrestling matches (the Olympic wrestling disciplines) will not need licences, provided that they take place inside a building, between 8am and 11pm, in front of an audience of no more than 1,000 spectators.

## **Live music**

Performances of live music - including vocal, orchestral, acoustic and amplified performances, will need to be licensed if they are intended to entertain an audience.

However, no licence is required if the live music is entirely incidental to other activities which do not require licences, the live music is unamplified and takes place between 8am and 11pm or the live music takes place between 8am and 11pm for an audience of no more than 500 people, in:

- alcohol-licensed premises, while alcohol is being supplied and consumed
- a workplace
- a hospital, with prior written consent from the health care provider which operates that hospital
- a school, with prior written consent from the school proprietor
- community premises (such as a church/chapel hall, village/parish hall, or community hall), with prior written consent from the hall's management committee or person in control of the premises
- any non-domestic premises owned or occupied by a local authority, with prior written consent from that authority.

## **Recorded music**

Playing recorded music in front of an audience for entertainment purposes will usually require a licence from us. This might include tracks played by a DJ, background music played from a CD, or pre-recorded backing tracks for other activities.

However, you will not need a licence if the recorded music is entirely incidental to other activities which do not require licences or the recorded music takes place between 8am and 11pm for an audience of no more than 500 people, in:

- alcohol-licensed premises, while alcohol is being supplied and consumed
- a hospital, with prior written consent from the health care provider which operates that hospital
- a school, with prior written consent from the school proprietor
- community premises (such as a church/chapel hall, village/parish hall, or community hall), with prior written consent from the hall's management committee or person in control of the premises
- any non-domestic premises owned or occupied by a local authority, with prior written consent from that authority.

## **Performances of dance**

- If performances of dance have been arranged as part of an entertainment event, it is likely that a licence will be required. This might include dedicated performances of ballet, ballroom dancing, latin dancing or street dance, as well as cultural dances, and dancers in bars or nightclubs who are contracted to perform. However, it will not include any spontaneous dancing by attendees at the event.
- Performances of dance will be exempt from licensing if they take place in front of an audience with no more than 500 members, between 8am and 11pm.
- Performances of nude or sexual dancing, such as lap-dancing or pole-dancing, are not licensable under this Act but may require a sex establishment licence.

## **Entertainment similar to music or dance**

- Some entertainments may cross the boundaries between music and dance, but will still require licensing if provided to entertain an audience. Events involving karaoke, capoeira displays, poetry slams or other mixed performances, might fall within this category.

## Late night refreshment

You will need a licence if you are selling or supplying hot food or hot drinks between 11pm and 5am.

You do not need a licence for the following:

- hot food or drink supplied to club members, hotel guests, or employees (for example, at a staff canteen)
- hot alcoholic drinks (these are licensable as supplies of alcohol, however)
- hot drinks supplied by automated vending machines
- hot food or drink which is supplied free of charge, or by a registered charity
- hot food or drink supplied on a moving vehicle

## Sales and supplies of alcohol

- You will need a licence to sell alcohol by retail, or to supply alcohol to members of a club. This requirement will apply regardless of whether your customers will be consuming the alcohol on the premises where it was supplied to them, or off the premises (although you will need to make sure that the licence allows for this).
- Drinks with a strength of less than 0.5 per cent alcohol by volume (ABV) can be sold without a licence. Other substances which contain alcohol, including perfume, flavourings, essences, medicines, denatured alcohol and liqueur confectionery can also be supplied without a licence.
- Wholesalers who only sell alcohol to other licensed traders for resale under their own licences do not need to be licensed. However, any sales direct to customers will require the seller to obtain a licence. Mail, telephone and internet orders must also be fulfilled from licensed premises.

## General exemptions

In addition to the specific exemptions set out under each activity above, there are also a number of more general exemptions, which apply across multiple activities. Licences will not be required if you are only providing activities that fall within one of the following circumstances:

- entertainment provided for the purposes of, or for purposes incidental to, a religious meeting or service
- entertainment provided at a place of public religious worship
- use of television or radio equipment to receive and play programmes at the time of broadcast
- entertainment provided at a non-commercial garden fete (or similar function or event), where no part of the proceeds is taken as private gain
- music or dancing provided in connection with a display of morris dancing, or similar
- entertainment provided on a moving vehicle
- entertainment at travelling circuses (excluding films, boxing or wrestling) between 8am and 11pm only

Entertainment which is provided between 8am and 11pm in any of the following circumstances is also exempt from licensing requirements:

- entertainment provided by (or on behalf of) a health care provider, at a hospital owned or occupied by that provider
- entertainment provided by (or on behalf of) a school proprietor, on the school premises
- entertainment provided by (or on behalf of) county, district, town or parish councils at any non-domestic premises or land in which they have a legal or financial interest.