

SCHEDULE

CIRCUMSTANCES IN WHICH A LICENCE IS NOT REQUIRED UNDER THE 2004 ACT

1. In this Schedule—

“catering establishment” means—

- (a) a restaurant, canteen, club, public house, school kitchen, prison kitchen, hospital kitchen or similar establishment (including a vehicle or a fixed or mobile stall) where—
 - (i) food is cooked or made ready for consumption without further preparation; and
 - (ii) food is prepared for service to the consumer.
- (b) other premises used solely for the purpose of cooking or making food ready for consumption, without further preparation, after delivery to the consumer;

“distribution warehouse” means premises where produce is received prior to onward distribution to a wholesale or retail establishment and—

- (a) there is no change in the ownership of the produce concerned between receipt and onward distribution; and
- (b) the wholesale or retail establishment to which delivery is made is excluded under paragraph 2 of this Schedule; and
- (c) the premises are owned by the same company that owns the retail or wholesale establishment to which the produce is delivered;

“farmer” means a person—

- (a) who occupies land used for agricultural activities; or
- (b) who owns or operates a business that pursues agricultural activities in whole or in part; or
- (c) is an employed person with management responsibility for all or part of a business that pursues agricultural activities;

“produce” means produce derived from agricultural work, shellfish, fish or products derived from shellfish or fish;

“Seasonal Agricultural Workers Scheme” means a scheme operated by Work Permits UK, part of the Home Office, which allows farmers and growers in the United Kingdom to recruit overseas workers to undertake work that is both seasonal and agricultural;

“share farming agreement” means an agreement entered into between two or more persons to share the gross receipts of—

- (a) their separate business assets; or
- (b) services for carrying out specified farming operations,

as divided between them and paid to the businesses in agreed proportions;

“wholesale establishment” means a facility operated solely for the purpose of selling produce for the purposes of resale or to a catering establishment, and includes a cash and carry warehouse.