
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Legislative Reform (Entertainment Licensing) Order 2014

Amendments to section 177A of the Licensing Act 2003

- 2.—(1) Section 177A of the Act (licence review for live music)(1) is amended as follows.
- (2) In the heading, after “live” insert “and recorded”.
- (3) For subsection (1) substitute—
- “(1) Subsection (2) applies where—
- (a) music takes place on premises which are authorised by a premises licence or club premises certificate to be used for the supply of alcohol for consumption on the premises,
 - (b) at the time of the music, the premises are open for the purposes of being used for the supply of alcohol for consumption on the premises,
 - (c) if the music is amplified, it takes place in the presence of an audience of no more than 500 persons, and
 - (d) the music takes place between 8am and 11pm on the same day (or, where an order under section 172 has effect in relation to music, during any times specified under that order).”.

(4) In subsection (2) for “does not have effect in relation to the live music,”, substitute “, recorded music or both does not have effect in relation to the music”.

(5) In subsection (4) omit “live” in each place it occurs.

(6) After subsection (4) insert—

“(4A) This section does not apply to music which, by virtue of a provision other than paragraph 12A or 12C of Schedule 1(2), is not regarded as the provision of regulated entertainment for the purposes of this Act.”.

(7) In subsection (5), after the definition of “live music” insert—

““music” means live music or recorded music or both;

“recorded music” means entertainment of a description falling within, or of a similar description to that falling within, paragraph 2(1)(f) of Schedule 1; and”.

(1) Section 177A was inserted by the Live Music Act 2012 (c. 2), section 1(2).

(2) Paragraphs 12A and 12C of Schedule 1 were added by the Live Music Act 2012 (c. 2), section 3(1), (3) and (5).