

Status: Point in time view as at 01/05/1998.

Changes to legislation: There are currently no known outstanding effects for the London Government Act 1963, Cross Heading: Music and dancing licences. (See end of Document for details)

SCHEDULES

SCHEDULE 12

LICENSING OF PUBLIC ENTERTAINMENTS IN GREATER LONDON ON AND AFTER 1ST APRIL 1965

Modifications etc. (not altering text)

- C1** Sch. 12 extended by [Greater London Council \(General Powers\) Act 1978 \(c. xiii\), s. 3](#)
 Sch. 12 modified (20.9.2000) by [2000 c. vii, ss. 1\(1\), 22, Sch. 1](#)
 Sch. 12: functions of local authority not to be responsibility of an executive of the authority (E.)
 (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\), Sch. 1](#)

Music and dancing licences

- 1 (1) Subject to sub-paragraph (6) of this paragraph no ^{F1}premises in a London borough or the City of London], whether or not licensed for the sale of intoxicating liquor, shall be used for any of the following purposes, that is to say, public dancing or music and any other public entertainment of the like kind, except under and in accordance with the terms of a licence granted under this paragraph by ^{F1}the council of that borough or the Common Council, as the case may be, and that council or the Common Council is in this Schedule referred to as “the Council”].
- (2) The Council may grant to any applicant therefor and from time to time renew a licence for the use of any premises specified therein for all or any of the purposes aforesaid on such terms and conditions and subject to such restrictions as may be so specified.
- (3) Subject to the next following sub-paragraph and to paragraph 19(3) of this Schedule, a licence granted under this paragraph shall, unless previously cancelled under paragraph 8 or revoked under paragraph ^{F2}9A or 10(4) or (4A)] of this Schedule, remain in force for one year or for such shorter period specified in the licence as the Council may think fit.
- (4) The Council may grant a licence under this paragraph in respect of such one or more particular occasions only as may be specified in the licence, and a licence granted by virtue of this sub-paragraph is hereafter in this Schedule referred to as an ^{F3}“occasional licence”].
- (5) Where a licence has been granted under this paragraph to any person, the Council may, if they think fit, transfer that licence to any other person on the application of that other person or the holder of the licence.
- (6) Sub-paragraph (1) of this paragraph shall not apply to the Theatre Royal Drury Lane, the Royal Covent Garden Opera House, the Theatre Royal Haymarket . . . ^{F4} or to any entertainment lawfully held by virtue of letters patent or licence of the Crown . . . ^{F5}

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[^{F6}(7) In this paragraph “premises” includes any place.]

Textual Amendments

- F1** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, **Sch. 8 para. 1(1)(a)**
- F2** Words in [Sch. 12 para. 1\(3\)](#) substituted (1.5.1998) by [1997 c. 49, s. 2\(2\)](#); [S.I. 1998/1009, art. 2](#) (with art. 3)
- F3** Words in [Sch. 12 para. 1\(4\)](#) substituted (17.12.1996) by [1996 c. IX](#)
- F4** Words repealed by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 81:1\)](#), s. 49(1), **Sch. 4**
- F5** Words repealed by [Theatres Act 1968 \(c. 54\)](#), **Sch. 3**
- F6** [Sch. 12 para. 1\(7\)](#) inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 81:1\)](#), s. 42(2), **Sch. 3 para. 2**

Modifications etc. (not altering text)

- C1** [Sch. 12 para. 1\(2\)](#): functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\)](#), **Sch. 1**

- 2 (1) An applicant for the grant or transfer of a licence under paragraph 1 of this Schedule in respect of any premises shall give to the Council . . . ^{F7} to the commissioner of police in whose district the premises are situated [^{F8}and to the London Fire and Civil Defence Authority (in this Schedule referred to as “the fire authority”)] not less than twenty-one days’ notice of his intention to make the application and furnish such particulars and give such other notices as the Council may by regulations prescribe.
- (2) An applicant for the renewal of a licence under the said paragraph 1 shall give to the Council [^{F9}and the fire authority] twenty-eight days’ notice of his intention to make the application.
- (3) In relation to an application for the grant, renewal or transfer of an occasional music licence, the two foregoing sub-paragraphs shall have effect as if for the reference to twenty-one or, as the case may be, twenty-eight days’ notice there were substituted a reference to fourteen days’ notice and as if the requirement as to notice to the commissioner of police were omitted.

Textual Amendments

- F7** Word repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, **Sch. 8 para. 1(1)(b)**
- F8** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, **Sch. 8 para. 1(1)(b)**
- F9** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, **Sch. 8 para. 1(1)(c)**

- [^{F10}2A (1) This paragraph applies where the Council by whom a licence was granted under paragraph 1 of this Schedule in respect of any premises receive a report from the commissioner of police in whose district the premises are situated—
- (a) stating that there is a serious problem relating to the supply or use of controlled drugs at the premises or at any premises nearby which are controlled by the holder of the licence; and
 - (b) giving reasons for his view that there is such a problem.

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- (2) An application for the renewal or transfer of the licence may be refused by the Council on the ground that they are satisfied that not renewing or transferring it will significantly assist in dealing with the problem.
- (3) The Council shall give the reasons for their refusal of the application to—
 - (a) the holder of the licence; and
 - (b) in the case of an application for the transfer of the licence, the person to whom the licence would have been transferred if the application had been granted.
- (4) A person to whom reasons are given may make representations to the Council; and the Council shall consider any representations within the period of twenty-one days beginning with the day on which they receive them.
- (5) After considering any representations, the Council shall (unless the date of expiry of the licence has passed) either—
 - (a) confirm the refusal of the application; or
 - (b) grant the application.
- (6) The Council shall have regard in exercising their functions under this paragraph to such guidance as may be issued by the Secretary of State.
- (7) In this paragraph “premises” includes any place.]

Textual Amendments

F10 Sch. 12 para. 2A inserted (1.5.1998) by 1997 c. 49, s. 2(3); S.I. 1998/1009, art. 2 (with art. 3)

- 3 The person making an application for the grant, renewal or transfer of a licence under paragraph 1 of this Schedule shall (except where the licence is for an entertainment which in the opinion of the Council is of an educational or other like character or is given for a charitable or other like purpose) on making the application pay to the Council such fee as the Council may fix . . . ^{F11}

Textual Amendments

F11 Words repealed by Local Government Act 1974 (c. 7), s. 35, Sch. 6 para. 16, Sch. 8

Indoor sports licences

- [^{F12}3A (1) Subject to sub-paragraphs (2) and (3) below, no premises in a London borough or the City of London shall be used for any entertainment which consists of any sporting event to which the public are invited as spectators (a “sports entertainment”) except under and in accordance with the terms of a licence granted under this paragraph by the Council.
- (2) Sub-paragraph (1) above does not require a licence in respect of any occasion when the sporting event which constitutes the entertainment is not the principal purpose for which the premises are used on that occasion; but this provision does not apply in relation to a sports complex.

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- (3) Sub-paragraph (1) above does not apply to a sports entertainment held in a pleasure fair.
- (4) The Council may grant to any applicant, and from time to time renew, a licence for the use of any premises specified in it for any sports entertainment on such terms and conditions and subject to such restrictions as may be so specified.
- (5) Subject to the next following sub-paragraph and to paragraph 19(3) of this Schedule, a licence granted under this paragraph shall, unless previously cancelled under paragraph 8 or revoked under paragraph 10(4) of this Schedule, remain in force for one year or for such shorter period specified in the licence as the Council think fit.
- (6) The Council may grant a licence under this paragraph in respect of such one or more particular occasions only as may be specified in the licence, and a licence granted by virtue of this sub-paragraph is hereafter in this Schedule referred to as an “occasional sports licence”.
- (7) Where a licence has been granted under this paragraph to any person the Council may if they think fit transfer that licence to any other person on the application of that other person or the holder of the licence.
- (8) In this paragraph—
- “premises” means any permanent or temporary building and any tent or inflatable structure and includes a part of a building where the building is a sports complex but does not include a part of any other building;
- “sporting event” means any contest, exhibition or display of any sport;
- “sports complex” means a building—
- (a) which provides accommodation and facilities for both those engaging in sport and spectators, and
- (b) the parts of which are so arranged that one or more sports can be engaged in simultaneously in different parts of the building; and
- “sport” includes any game in which physical skill is the predominant factor and any form of physical recreation which is also engaged in for purposes of competition or display, except dancing (in any form).]

Textual Amendments

F12 Sch. 12 paras. 3A-3C inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 81:1\)](#), s. 42(1)

- [^{F13}3B (1) An applicant for the grant, renewal or transfer of a licence under paragraph 3A or the variation of such a licence under paragraph 18 of this Schedule shall, not later than the day the application is made, send a copy of the application to the Commissioner and to the fire authority and, subject to sub-paragraph (2) below, no such application shall be considered by the Council unless the applicant complies with this sub-paragraph.
- (2) Where an application for the grant, renewal, transfer or variation of a licence has been made and the applicant has failed to send a copy of the application in accordance with the requirement of sub-paragraph (1) above the Council may, in such cases as they think fit and after duly consulting with the party who was not supplied with a copy of the said application, waive such a requirement.

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- (3) In considering any such application the Council shall have regard to any observations submitted to them by the Commissioner and the fire authority within twenty-eight days of the making of the application and may have regard to any observation submitted by them thereafter.
- (4) An applicant for any such grant, renewal, transfer or variation of a licence shall furnish such particulars and give such other notices, including the public advertisement of the application, as the Council may by regulation prescribe.
- (5) Regulations under sub-paragraph (4) above may prescribe the procedure for determining applications.]

Textual Amendments

F13 Sch. 12 para. 3B substituted (17.12.1996) by 1996 c. IX, ss. 1(1), 20(3)

[^{F14}3C The person making an application for the grant, renewal or transfer of a licence under paragraph 3A of this Schedule shall on making the application pay to the Council such fee as the Council may fix.]

Textual Amendments

F14 Sch. 12 paras. 3A-3C inserted by Fire Safety and Safety of Places of Sport Act 1987 (c. 27, SIF 81:1), s. 42(1)

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