

Status: Point in time view as at 06/04/2015.

Changes to legislation: Licensing Act 2003, Cross Heading: Music at community premises etc. is up to date with all changes known to be in force on or before 19 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

PROVISION OF REGULATED ENTERTAINMENT

PART 2

EXEMPTIONS

[^{F1}Music at community premises etc.

Textual Amendments

F1 Sch. 1 paras. 12ZA, 12ZB inserted (6.4.2015) by [The Legislative Reform \(Entertainment Licensing\) Order 2014 \(S.I. 2014/3253\)](#), arts. 1(1), **3(3)**

- 12ZB. (1) The provision of entertainment consisting of one or both of the following is not to be regarded as the provision of regulated entertainment for the purposes of this Act if the conditions in sub-paragraphs (2) to (6) are satisfied—
- (a) a performance of live music;
 - (b) the playing of recorded music.
- (2) The first condition is that the entertainment takes place at—
- (a) community premises that are not authorised, by a premises licence or club premises certificate, to be used for the supply of alcohol for consumption on the premises,
 - (b) the premises of a hospital,
 - (c) premises in which a local authority has a relevant property interest or which are lawfully occupied by a local authority, or
 - (d) the premises of a school.
- (3) The second condition is that the premises are not domestic premises (within the meaning of paragraph 12ZA(7)).
- (4) The third condition is that the entertainment takes place in the presence of an audience of no more than 500 persons.
- (5) The fourth condition is that the entertainment takes place between 8am and 11pm on the same day (or, where an order under section 172 has effect in relation to that entertainment, during any times specified under that order).
- (6) The fifth condition is that a person concerned in the organisation or management of the entertainment has obtained the prior written consent of a relevant person for the entertainment to take place.
- (7) In sub-paragraph (6), “relevant person” means—

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- (a) where the entertainment takes place at community premises—
 - (i) the management committee of the premises, or
 - (ii) if there is no management committee, a person who has control of the premises (as occupier or otherwise) in connection with the carrying on by that person of a trade, business or other undertaking (for profit or not) or (in the absence of such a person) a person with a relevant property interest in the premises;
 - (b) where the entertainment takes place at the premises of a hospital, a health care provider which has a relevant property interest in or lawfully occupies those premises;
 - (c) where the entertainment takes place at premises in which a local authority has a relevant property interest or which are lawfully occupied by a local authority, that authority;
 - (d) where the entertainment takes place at the premises of a school, the school proprietor.
- (8) Paragraph 12ZA(6) (meaning of “relevant property interest”) applies for the purposes of this paragraph as it applies for the purposes of paragraph 12ZA.]

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