

Licensing Act 2003 Guidance for a Premises Licence Application

This document is intended to give general guidance on how to make a new application for a premises licence under the Licensing Act 2003 (the Act).

The Licensing team are unable to assist you with the detailed completion of the application form. We are able to offer comments, however if you require help to complete the form we recommend you seek your own independent advice.

Please read this guidance before completing the application form. The application forms and further information can be found on our website at www.wiltshire.gov.uk/licences-permits-premises

This information has been made as comprehensive as possible. However, in attempting to simplify the law, certain requirements have been omitted. Full details of what you must do are set out in the Act itself.

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Do I need a premises licence?

A premises licence will authorise licensable activities to take place on or from a specified premises. The Act defines premises as any place and includes a vehicle, vessel or moveable structure, however the licence will only cover the specified location of such moveable structure.

What are licensable activities?

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to a member or to the order of a member (you may need to apply for a Club Premises Certificate, there are separate guidance notes on this type of application)
- Provision of regulated entertainment
- Provision of late night refreshment

Please also refer to Annex D for further details of activities which do not require a licence. If you're unsure which of your activities may be exempt or must be licensed, please contact us at publicprotectionnorth@wiltshire.gov.uk.

What is regulated entertainment?

The provision of regulated entertainment is largely defined as an activity that is provided for the purpose of entertaining an audience and which takes place on premises which are made available for the purpose of enabling the activity. An activity which takes place in private is also licensable if it is subject to a charge which is intended to raise profit.

The descriptions of entertainment activities licensable under the Act are:

- Performance of a play;
- Exhibition of a film;
- Indoor sporting event;
- Boxing or wrestling entertainment;
- Performance of live music;
- Any playing of recorded music;
- Performance of dance;
- Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.

What is late night refreshment?

The supply of hot food or hot drinks between 23:00 at night and 05:00 in the morning for consumption on or off the premises. The Act affects premises such as late-night cafés and takeaway food outlets where people may gather to purchase hot food or hot drink. In this case, supply takes place when the hot food or hot drink is given to the customer and not when payment is made. For example, supply takes place when a table meal is served in a restaurant or when a takeaway is handed to a customer over the counter. Supplies made from a vehicle which is permanently or temporarily parked, such as from a mobile takeaway van will also require a licence.

How do I make an application?

An application can be made by using the forms on the Wiltshire Council website www.wiltshire.gov.uk/licences-permits-premises and emailing the documents to publicprotectionnorth@wiltshire.gov.uk. Alternatively, you can submit the application online via the government website - <https://www.gov.uk/apply-for-a-licence/premises-licence/wiltshire/apply-1>.

An application can also be made by post but please also see ‘What other organisations require copy of the application?’

The following must be provided:

- The completed application form;
- Application Fee (see Annex A);
- Consent form completed by the proposed Designated Premises Supervisor (only applicable if the premises licence application is to include the sale of alcohol);
- Plan of the premises which is clear and legible in all material respects; and
- Right to work documentation if applying as an individual or individuals (see the section ‘Immigration Act 2016 – right to work in the UK’).

You will also need to:

- Serve a copy of the application on the Responsible Authorities if you have submitted your application via post/hard copy (See Annex B)
- Advertise the application with a site notice/s at the premises, and in a local newspaper. There are specific requirements for these, please see the section ‘Advertising your application’ and the example notice Annex C for more details.

An application is not able to proceed if it is incorrectly advertised or there are significant errors. A fresh application and fee may be required as well as re-advertising.

Timelines

Day 0	Day 1 to 28	Within 10 working days	Day 28	Within 20 working days after day 28
<p>The working day the licensing authority has received the complete application.</p> <p>The application is served on all the responsible authorities. You must do this if you have submitted by post/hard copy. However, we will serve on the responsible authorities if you have submitted the application to us online or by email.</p>	<p>The consultation period.</p> <p>You must advertise the application at the premises (blue notice/s) throughout the period, from day 1 until the consultation has ended.</p> <p>The public and responsible authorities may submit a representation.</p>	<p>You must advertise a notice of your application in a locally circulating newspaper, providing the requisite details.</p>	<p>Consultation period ends (at midnight).</p> <p>If no representations are received, the licence is granted on the following day (or future date you have specified). You must check with us whether representations have been received before starting activities.</p>	<p>If representations are received and are not withdrawn, a licensing hearing must be held.</p> <p>Representations could be resolved between parties before this date, with an agreement for no requirement for a hearing.</p>

Completing the application form

If you submit an application which is incomplete, or incorrect, your application will not be valid. The consultation period will not begin until the issues are resolved.

Please use BLOCK CAPITALS and black ink if completing the form by hand. If the form is not legible, your application will not be valid.

Part 1 – Premises details

Complete the section with the details of your premises. You can find the non-domestic rateable value of the premises on the Valuation Office Agency's website www.voa.gov.uk. The rateable value of your premises determines the fee you will need to pay, you can find further information on fees in Annex A.

Part 2 – Applicant details

Complete the section to indicate what type of applicant you are, if you are applying as an individual you will need to complete section A (individual applicants), any other applicant will need to complete section B (other applicants).

Part 3 - Operating Schedule

You can indicate the date you wish the premises licence to start. If you wish the licence to be valid for a limited time only, then enter a specified end date.

If more than 5,000 people are expected to attend the premises at any one time (e.g. for a festival) specify the number of people expected here.

• Description of the Premises

Please describe the type of venue, its general situation and layout, and any other information relevant to the licensing objectives. Your description could include the following:

- Whether the club premises are detached, terraced etc and what they adjoin;
- Description of main use of premises;
- How many floors the premises consists of;
- Which areas are used for licensable activities;
- Which areas are you providing for consumption of alcohol (indoors and outdoors)
- Brief descriptions of what other parts of the premises are used for.

Please check the guidance notes at the end of the application form.

• Licensable Activities

You must state what licensable activities you intend to provide and whether these will be provided indoors, outdoors, or both. For the sale of alcohol, you must say if it will be provided for consumption on the premises, off the premises or both.

You must enter any seasonal variations to the hours sought. These must be specific and clearly defined. For example, you could state “one additional terminal hour for each Friday in December”.

You must state any non-standard timings to the hours sought. These must be specific and clearly defined, for example stating “longer hours on New Year’s Eve” would not be sufficient. However, specifying “one additional terminal hour on New Year’s Eve” would be acceptable. This would need to be entered in the non-standard timings box for each activity different hours were sought and for opening hours. This would normally be used for additional hours for bank and public holidays or sporting/national events.

If the application includes the supply of alcohol you must appoint a designated premises supervisor (DPS). In the relevant section; state the name, address, personal licence

number and the issuing authority of the personal licence. As mentioned earlier in this guidance, a consent form completed by the proposed DPS will need to accompany the application.

- **Part K – Adult Entertainment**

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

- **Part L – Opening hours**

These are the hours your premises can be open to the public. Many premises have the same opening hours as for licensable activities, however you need to consider what is appropriate for your premises. For example, you may wish to have a period of time for people to drink after the sale of alcohol has finished, or you may operate a delivery service from your premises where there is no access for the public at any time.

- **Part M - Steps you intend to take to promote the licensing objectives**

The licensing objectives are-

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

This section is an essential part of your application. You are expected to include positive proposals in your application on how you will manage any potential risks. You should have an understanding of the locality of the premises and include appropriate steps. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective.

You need to satisfy the responsible authorities and any other interested parties (e.g. local residents), that you can run the premises responsibly and in accordance with the licensing objectives. If they do not feel the steps you propose are adequate, they may object to the application being granted.

Careful consideration should be given to comments entered in this section as we are required to use these comments as the basis for conditions to be placed on the licence. You should not offer conditions which you are not capable of meeting. Breaches of conditions are an offence under the Act. Conditions should not duplicate other statutory requirements or other duties or responsibilities covered by other legislation e.g. fire safety.

As examples, depending on the type of premises, some considerations may be:

The prevention of crime and disorder:

- Use of CCTV with recordings made available to authorised officers on request
- SIA door supervisors on specific days/times/events
- Pubwatch membership and attendance of meetings

Public safety:

- Staff training on licensing requirements. Records to be kept in a bound book.
- Adequate staffing levels.
- Use of plastic glasses/bottles for certain events.

The protection of children from harm:

- Control of the admission of children.
- Challenge 21/25 policy

The prevention of public nuisance:

- Measures on managing potential nuisance.
- Close doors/windows after a certain time.
- Close outdoor space after a certain time.
- Notices/reminding customers to respect neighbours when leaving.
- Dispersal policy.

• **Part 4 – Signatures**

Signed by the individual/s making the application or if the application is made by a limited company, partnership or unincorporated association, someone who has the authority of the company or partnership should sign. Your agent (e.g. a solicitor) may sign providing he or she has actual authority to do so. Where there is more than one applicant, they must all sign the form.

Immigration Act 2016 – right to work in the UK

Individual applicants are required to provide documentation to prove your entitlement to work status, as well as applications from partnerships which are not limited liability partnerships:

A premises licence may not be held by an individual or an individual in a partnership who is resident in the UK who: does not have the right to live and work in the UK; or is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to live or work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with their application copies or scanned copies of documents which demonstrate their right to work within the UK. These documents do not need to be certified. Applicants are required to submit one of the documents listed at Annex A of the Home Office supporting guidance: [Right to work checks: an employer's guide \(GOV.UK\)](#) to show that they have permission to be in the UK and are permitted to undertake work in a licensable activity.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service. To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check. An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Plans

An application for a premises licence shall be accompanied by a plan of the premises to which the application relates, and which complies with the following.

The information contained in the plan must be clear and legible in all material respects.

The plan must show:

- a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- b) the location of points of access to and egress from the premises;

- c) if different from sub-paragraph (b), the location of escape routes from the premises;
- d) in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
- e) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- f) in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- g) in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- h) in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- i) the location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and
- j) the location of a kitchen, if any, on the premises.

The plan may include a legend through which the matters mentioned are sufficiently illustrated by the use of symbols on the plan.

Although the detail in the application must specify the areas for licensable activities and consumption of alcohol, it is advisable to have relevant areas detailed by using outlined areas and annotated plans for clarity.

What other organisations require copy of the application?

A copy of your application must be provided to all of the responsible authorities on the same day on which you make an application to the Licensing Authority.

If you apply online or by emailing publicprotectionnorth@wiltshire.gov.uk we will complete this step for you. If you apply by post/hard copy it is your responsibility to ensure the application is served on all parties.

A list of the responsible authorities can be found at Annex B at the end of this document.

Advertising your application

An application for the grant of a premises licence must be advertised with a notice/s on the site and within a locally circulating newspaper.

- **Site Notice**

The notice must be displayed throughout the 28 day consultation period, starting on the day after the day on which the application was given to the licensing authority. The notice must be:

- A4 sized or larger
- On pale blue
- Printed legibly or typed in black in a font size of point 16 or larger

The notice must in all cases be displayed prominently at or on the premises to which the application relates and where it can be conveniently read from the exterior of the premises and in the case of a premises covering an area of more than fifty metres square, a further notice in the same form and subject to the same requirements every fifty metres along the external perimeter of the premises abutting any highway.

The site notice must state the following:

- the name of the applicant for a premises licence;
- the postal address of the premises. If there is no postal address a description of the premises sufficient to enable the location and extent to be identified;
- a statement of the relevant licensable activities which it is proposed will be carried on or from the premises*
- the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected;
- The date by which an interested party or responsible authority may make representations to the Licensing Authority
- That representations shall be made in writing
- That it is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for such an offence.

*Describe the proposed application. The public must be able to make a properly informed decision as to whether or not to make representations, therefore you should include the proposed days and times of licensable activities, opening hours (if different) and the type of licensable activities proposed at the premises. You must also include any non-standard timings and any seasonal variations. For example:

“Plays, Films, Indoor Sporting Events on Monday to Sunday 10:00 to 23:30;

Live Music and Recorded Music (indoors) on Monday to Sunday 10:00 to 23:30;

Sale of Alcohol (for consumption on the premises) on Monday to Sunday from 10:00 to 00:00 (midnight)

Opening Hours on Monday to Sunday from 10:00 to 00:30.

Non-Standard Timings: New Years Eve – one extra hour for sale of alcohol and opening hours.”

A sample site notice format is attached as Annex C should you wish to use it. We would advise applicants to regularly take photographs of the site notices on display at the premises and make a note of when they have been displayed.

- **Newspaper notice**

The applicant must publish a notice in a locally circulating newspaper or, if there is none, in a local newsletter, circular or similar document circulating in the vicinity of the premises.

The newspaper notice must be published on at least one occasion during the period of ten working days, starting on the day after the day on which the application was served to the licensing authority. It is advisable to confirm the consultation period with us prior to organising the newspaper notice. Incorrect information may require the application to be re-advertised at your own further expense.

The newspaper notice must contain the same information as the site notice. The newspaper notice does not need to appear in size 16 font.

What happens if relevant representations are made?

Representations may be submitted by a responsible authority or interested party during the consultation period. All representations must relate to the impact the grant of the licence would have on the promotion of the licensing objectives.

If relevant representations are received, we will organise a hearing within 20 working days after the end of consultation to consider the representations, unless we, the applicant and those making representations all agree a full hearing is not necessary. This may be the case where all parties liaise prior to a hearing and resolve the issues that resulted in representations being made. In such circumstances the representations may be modified and a request made to the committee that the application be granted with amendments or conditions agreed between all parties. This is normally administrative with no need for parties to attend.

If no agreement is reached prior to the hearing then the Council's Licensing Sub-Committee will determine your application. The Sub-Committee will comprise of three elected members who are part of the Licensing Committee.

You will be invited to attend the hearing to present your application and answer questions. You are also permitted to nominate other parties to appear at the hearing if they may assist the committee in relation to the application. The Sub-Committee will listen to all parties before deciding whether to grant the application. They may grant the application as requested, grant with conditions (providing they are relevant to the licensing objectives), grant/refuse part of the application or refuse your application entirely.

If, as the applicant, you are unhappy with a hearing decision made by the Sub-Committee, you may appeal to the Magistrates' Court in which the premises are situated, within 21 days of being notified of the decision.

Other considerations

- **Food business registration**

If you run a food business, you must tell Wiltshire Council about any premises you use for storing, selling, distributing or preparing food (food business includes sale of alcohol) by formally registering the food business. You can do this online by following the link below. Notification must be received 28 days prior to the start of trading. You will receive automatic confirmation of your food business registration when you submit the form.

<http://www.wiltshire.gov.uk/communityandliving/publicprotection/foodsafety/foodsafetyinformationforbusinesses/foodbusinessregistration.htm>

- **Gaming machines**

Gaming machine notifications must be held by the premises licence holder and are non-transferable. A new application must be made if you wish to have gaming machines at the premises. If you need to apply for a notification of 2 or less gaming machines at the premises you can do this online by following the link below.

<https://www.wiltshire.gov.uk/licences-permits-gambling>

- **Planning permission**

You must ensure that you have the correct planning permission for the activities and hours you will be applying for in your premises licence application. If you are unsure, you can use the 'Do I Need Planning Permission' enquiry service via the website at <https://www.wiltshire.gov.uk/planning-advice>.

- **Business rates**

Ensure you have registered your business with the business rates team. This can be done online at <https://www.wiltshire.gov.uk/business-rates-non-domestic> . For more information about business rates please contact the business rates team on 01249 706290 or businessrates@wiltshire.gov.uk .

- **Fire safety**

It is a requirement of the Regulatory Reform (Fire Safety) Order 2005 that a Fire Risk Assessment is completed for all licensed venues and that the significant findings are recorded. For further guidance on your responsibilities under this legislation please refer to the Dorset and Wiltshire Fire and Rescue Service website www.dwfire.org.uk or contact the Fire Safety team on 01722 691717.

- **Community premises**

If your premises would be described as a community premises, such as a village hall, you could apply to remove the mandatory alcohol condition which requires a personal licence holder to be specified as the designated premises supervisor (DPS). If the application is granted, this will be replaced with a condition for every alcohol supply of alcohol to be made or authorised by the management committee. Please contact us to discuss further or see the information available on the website at

<https://www.wiltshire.gov.uk/licences-permits-premises>

Payment of the application fee

If you are using the government website <https://www.gov.uk/apply-for-a-licence/premises-licence/wiltshire/apply-1> to process the application you can also pay online.

If you are emailing the application to us at publicprotectionnorth@wiltshire.gov.uk you can process a payment using the following link: [Pay Online – Premises Licence Application](#)

If you are submitting the application by post (and sending a copy to all the responsible authorities) you can make payment by using the pay online link above or by way of cheque made payable to Wiltshire Council.

Should the application be granted, a premises licence requires an annual fee (due and payable on the anniversary of the start of the licence) unless the application is for a time limited period (e.g. a one-off event). The premises licence will be suspended if the fee is unpaid.

Please refer to Annex A for the required fees.

Annex A - Fees

The application fee for the grant of a premises licence is determined by the non-domestic rateable value of a premises. You can locate this by searching the premises on the Valuation Office's website at www.voa.gov.uk.

Where the premises are exclusively or primarily in the business of supplying alcohol for consumption on the premises, there will be a multiplier applied to premises in Bands D (two times the basic fee) and E (3 times the basic fee).

The values are divided into five bands:

Band	Non-domestic rateable value
A	No rateable value to £4,300
B	£4,301 to £33,000
C	£33,001 to £87,000
D	£87,001 to £125,000
E	£125,001 and above

The relevant fees required for each band are as follows:

Band	Application Fee	Annual Fee
A	£100	£70
B	£190	£180
C	£315	£295
D	£450	£320
D where primarily supplying alcohol for consumption on the premises	£900	£640
E	£635	£350
E where primarily supplying alcohol for consumption on the premises	£1905	£1,050

If more than 4,999 people will be on the premises at any one time an additional fee will be required for these capacities. This is in addition to the initial application fee. The additional fee which applies in these cases is:

Number of people on the premises	Additional Application fee	Additional Annual Fee
5,000 to 9,999	£1,000	£500
10,000 to 14,999	£2,000	£1,000
15,000 to 19,999	£4,000	£2,000
20,000 to 29,999	£8,000	£4,000
30,000 to 39,999	£16,000	£8,000
40,000 to 49,999	£24,000	£12,000
50,000 to 59,999	£32,000	£16,000
60,000 to 69,999	£40,000	£20,000
70,000 to 79,999	£48,000	£24,000
80,000 to 89,999	£56,000	£28,000
90,000 and over	£64,000	£32,000

Annex B – Responsible Authorities

Licensing Authority

The Licensing Officer, Public Protection, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN

Police

Divisional Licensing Officer, Wiltshire Police, Trowbridge Police Station, Polebarn Road, Trowbridge, BA14 7EP

Fire Authority

Dorset & Wiltshire Fire and Rescue Services, Five Rivers Health & Wellbeing Centre, Hulse Road, Salisbury, SP1 3NR

Trading Standards

Trading Standards, Public Protection, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN

Environmental Health

Environmental Protection, Public Protection, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN

Health & Safety

Food & Safety Team, Public Protection, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN

**Health & Safety for premises belonging to local authority, schools, town/parish councils only – Services Group, The Health & Safety Executive, The Pithay, Bristol, BS1 2ND*

Child Protection

Children & Families Brance, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN

Planning

Development Management, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN

Public Health

Substance Misuse Team, Public Health, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN

Home Office Immigration

Immigration Services Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY

LICENSING ACT 2003
APPLICATION FOR A PREMISES LICENCE
(Section 17 of the Act)

Name of applicant:

Postal address of premises:

The application, if granted, is to enable the following licensable activities on the Premises Licence:

List the licensable activities, days/hours applied for here, e.g. Sale of alcohol (On Sales) – Monday to Sunday 12:00–22:00 (Delete and insert your information)

A copy of the application may be inspected by visiting <https://www.wiltshire.gov.uk/licences-permits-new-premises-applications> or by emailing publicprotectionnorth@wiltshire.gov.uk

Any representations by a Responsible Authority/Interested Party or other persons must be received in writing within 28 days of this notice, by email to publicprotectionnorth@wiltshire.gov.uk or by writing to The Licensing Authority, Wiltshire Council, Public Protection, County Hall, Bythesea Road, Trowbridge, BA14 8JN.

Date of Notice:.....

End of Consultation:.....

It is an offence to knowingly or recklessly make a false statement in connection with an application, punishable on summary conviction with an unlimited fine.

Annex D – What activities don't require a licence?

Deregulatory changes which have amended the Act mean that no licence is required for the following activities:

- **Plays**, where the performance is between 08.00 and 23.00 on any day, and the audience does not exceed 500.
 - **Dance**, where the performance is between 08.00 and 23.00 on any day, and the audience does not exceed 500.
 - **Films**,
 - where it is 'not-for-profit' and the exhibition is held in a community premises between 08.00 and 23.00 on any day and the audience does not exceed 500; and the organiser
 - has consent from a person with responsibility for the premises; and
 - ensures that the screening abides by age classification ratings.
 - Where the purpose is to demonstrate any product, advertise any goods or services, or to provide information, education or instruction, or is part of an exhibit at a museum or art gallery.
 - Simultaneous live broadcast of television.
 - **Indoor sporting events**, where the event is between 08.00 and 23.00 on any day, and that those present does not exceed 1000.
 - **Boxing or wrestling entertainment**, where it is Greco-Roman and freestyle forms of wrestling held between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. All other forms of wrestling, including mixed martial arts, are licensable for contests, exhibitions and displays irrespective of the size of audience.
 - **Live Music**
 - Unamplified live music, between 08.00 and 23.00 on any day, on **any premises**.
 - Amplified live music, between 08.00 and 23.00 on any day on **premises which is authorised to sell alcohol to be consumed on-site** and for an audience that does not exceed 500 persons. The premises must be open for the sale of alcohol during the time that the live music is provided for the exemption(s) to take effect.
- Any condition attached to the premises licence relating to live music will cease to have effect in respect of the live music when offered between 08.00 and 23.00 unless such conditions have been reinstated by the Licensing Authority as part of a review hearing.
- **Live music in other venues**
 - **Workplaces**, when it takes place between 08.00 and 23:00 and in the presence of an audience of 500 persons or less.

- **Church hall, village hall, community hall, or other similar community premises**, when it takes place between 08.00 and 23.00 on any day and where there is no premises licence to sell alcohol provided that
 - the audience does not exceed 500, and
 - the organiser gets consent for the performance from a person who is responsible for the premises.
- **Non-residential local authority, school or hospital premises** when it takes place between 08.00 and 23.00 provided that
 - the audience does not exceed 500, and
 - the organiser gets consent for the performance on the relevant premises
- **Incidental music**, where the performance of live music or the playing or recorded music that is incidental to some other activity which is itself not an entertainment or the provision of entertainment facilities. For example recorded music played in a supermarket.
- **Recorded music**
 - Between 08.00 and 23.00 on any day on **premises which is authorised to sell alcohol to be consumed on-site** and for an audience that does not exceed 500 persons. The premises must be open for the sale of alcohol during the time that the live music is provided for the exemption(s) to take effect.
 - **Church hall, village hall, community hall, or other similar community premises** when it takes place between 08.00 and 23.00 on any day and where there is no premises licence to sell alcohol provided that
 - the audience does not exceed 500, and
 - the organiser gets consent for the performance from a person who is responsible for the premises.
 - **Non-residential local authority, school or hospital premises** when it takes place between 08.00 and 23.00 provided that
 - the audience does not exceed 500, and
 - the organiser gets consent for the performance on the relevant premises
- **Other regulated entertainment exemptions**
 - Religious Services and Places of Worship Entertainment or entertainment facilities for or incidental to a religious meeting or service or at a place of religious worship does not constitute regulated entertainment.
 - Garden Fetes, etc Garden fetes or functions or events of a similar nature do not constitute regulated entertainment provided that they are not conducted for private gain.
 - Morris Dancing, etc. A performance of Morris dancing or any dancing of a similar nature or a performance of un-amplified, live music as an integral part of such a performance, or facilities enabling people to take part shall not constitute regulated entertainment.
 - Circus, any entertainment as part of a circus performance except the showing of a film or boxing or wrestling, does not constitute regulated entertainment as

long as it takes place between 08.00 and 23.00 and is in a moveable structure which has not been on the same site for more than 28 days.

- **Late night refreshment**, the following activities would not be classed as late night refreshment:
 - Hot drink which consists of or contains alcohol (This requires a licence for the sale of alcohol)
 - Supply of hot drink by means of a vending machine
 - Hot food or hot drink that is free of charge
 - Supply of hot food or drink by a registered charity
 - The following premises where there is no admission to the public at the time of the supply of hot food or drink
 - a member of a recognised club supplied by the club;
 - persons staying overnight in a hotel, guest house, lodging house, hostel, a caravan or camping site or any other premises whose main purpose is providing overnight accommodation;
 - an employee of a particular employer (for example in a staff canteen);
 - a person who is engaged in a particular profession or who follows a particular vocation (for example, a tradesman carrying out work at particular premises);
 - a guest of any of the above.

- **Vehicles in motion**

The sale of alcohol, regulated entertainment and late night refreshment do not need a licence if they take place on:

- aircraft, hovercraft or railway vehicle engaged on a journey
- a vessel engaged on an international; journey
- at an approved wharf at a designated port or hoverport

The provision of entertainment or the provision on premises consisting of or forming part of a vehicle at a time when the vehicle is not permanently or temporarily parked is not regarded as regulated entertainment.

If you're unsure which of your activities may be exempt or must be licensed, please contact us at publicprotectionnorth@wiltshire.gov.uk.