

Licensing Act 2003 Guidance: Circuses, Fairs and Street Arts

As a result of the changes, some forms of public entertainment now need licenses that may not have needed licensing before. Those involved with circuses and street art entertainments may find there is now a need to apply for licences, and this guide is written with those in mind.

The Licensing Act sets out a list of activities that constitute regulated entertainment and will require a licence before they can be provided.

WHEN LICENCES ARE NEEDED

Licences are needed if any regulated entertainment is performed in front of an audience or spectators. Regulated entertainment includes:

- performances and rehearsals of plays (including improvisations)
- live and recorded music (unless it is incidental)
- dance performances
- any entertainment similar to live music, recorded music, or dance
- films
- indoor sporting events
- boxing matches and wrestling.

Exemptions

A licence is not needed for:

- terrestrial, satellite and cable radio or television
- entertainment at places of religious public worship
- entertainment at religious meetings or services, or incidental to religious meetings or services
- entertainment being held at non-profit making garden fetes
- Morris dancing or any similar dancing
- entertainment on moving vehicles – mobile stages that are parked will need a licence.

STREET ART FESTIVALS, FAIRS AND CIRCUSES

Organizers and promoters of major events – whether or not a licence is needed – should contact the licensing authority at the earliest opportunity to discuss the proposals.

It is advisable to check at the earliest stage of event-planning what approach the local authority has taken in relation to the place that the performance is due to be held.

For some events, organizers may decide to seek a single premises licence to cover a wide variety of activities at a number of locations within the 'premises' – which could encompass a whole town centre, a showground or a park.

The statutory guidance says that for other events, applications for many connected premises may be made which when combined form a single festival. The licensing authority and the responsible authorities should be aware that the applications relate to a single festival and the organizers should appoint a coordinating committee to ensure a strategic approach is taken.

The statutory guidance also says that in the case of circuses and fairgrounds, much will depend on the content of any entertainment that is presented: at fairs, the main attraction will normally be the rides, which are not licensable; at circuses, the main attraction may be forms of regulated entertainment and so licensable.

Local authorities obtaining licences

It has been suggested in the statutory guidance that local authorities might decide to apply themselves to hold the premises licence for open spaces and community premises where regular arts and other performances may be held. Haringey have not elected to adopt this policy

The advice in this document should not be regarded as a definitive statement of the law – you are advised to seek your own legal advice. You can contact the Licensing Section by email at licensing@haringey.gov.uk .