

LICENSING ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: Miscellaneous and Supplementary

Section 177 – Dancing and live music in certain small premises

270. This section provides that where
- a premises licence or club premises certificate authorises the sale of alcohol for consumption on the premises and the provision of “music entertainment” (live music or dancing),
 - the relevant premises are used primarily for the consumption of alcohol on the premises, and
 - the premises have a capacity limit of up to 200
- any conditions relating to the provision of the music entertainment imposed on the licence by the licensing authority, other than those set out by the licence or certificate holder in his operating schedule, will be suspended except where they were imposed as being necessary for public safety or the prevention of crime and disorder.
271. In addition, where
- a premises licence or club premises certificate authorises the provision of music entertainment, and
 - the premises have a capacity limit of 200
- then, during the hours of 8am and midnight, if the premises are being used for the provision of live unamplified music but no other description of regulated entertainment any conditions imposed on the licence by the licence authority, again other than those set out in the operating schedule, which relate to the provision of the music entertainment will be suspended.
272. This section can be disapplied in relation to any condition of a premises licence or club premises certificate following a review of the licence or certificate.