

## LICENSING CIRCUSES

There is no specific requirement for a circus to be licensed by the Council unless entertainment is provided that falls within the definition of 'regulated entertainment' under schedule 1 of the Licensing Act 2003.

Regulated entertainment is defined as: -

- (a) entertainment that consists of a performance of a play; an exhibition of a film; an indoor sporting event; a boxing or wrestling entertainment; a performance of live music, any playing of recorded music, a performance of dance, or entertainment of a similar description.
- (b) providing entertainment facilities to enable persons to take part in making music or dancing or entertainment of a similar description.

Regulated entertainment can be provided under a Premises Licence or a Temporary Event Notice.

Before a Premises Licence can be granted the applicant must send a copy of the application to the Council departments responsible for licensing, planning, environmental health and environmental protection, the Police, the Fire Service and ECC Child Protection Unit and Trading Standards Department. The application must also be published in a local newspaper and on the premises to be licensed.

The authorities above (the 'Responsible Authorities') and members of the public likely to be affected by the grant of the licence (the 'Interested Parties') may make representations in respect of the application on one or more of the grounds of the prevention of crime and disorder, the prevention of public nuisance, public safety or the protection of children from harm.

If representations are made, a hearing has to be held before a Licensing Committee, which may grant the application in full or in part and with or without conditions, or reject it.

The Council may review a Premises Licence upon application on one or more of the above grounds by any of the Responsible Authorities or Interested Parties.

A Temporary Event Notice can be issued in respect of premises (including land) for events lasting no more than 96 hours each and at which no more than 499 persons will attend at any one time. Only 12 notices may be issued for the same premises each year. Any person may issue a Temporary Event Notice on up to 5 times per year unless they also hold a Personal Licence under the Licensing Act 2003, in which case they may issue 50 such notices.

A copy of the Notice has to be sent to the Council's licensing department and the Police at least 10 working days before the event – there is no other form of publication or advertisement required. The Police are the only persons who may object to the issue of a Temporary Event Notice, which they must do within 48 hours of issue.