

Licensing Act 2003

Enforcement of the Act by Three Rivers District Council
and the impact on live music

Welwyn Hatfield Live Music Forum

August 2010

1. Findings

This report examined the Three Rivers District Council premises licence register. Three groups of licence were analysed: pubs, restaurants and other (these include hotels, schools, cafes, village and church halls, and golf clubs).

Of the 118 premises identified in the survey, only 32 licensed premises in these groups have authorisation for live music. Many of these premises face further restrictions that prohibit performances of live music. One public house has conditions that restricts the number of performers to two, *and* bans amplification, *and* requires staff to monitor noise levels outside the building during live entertainment. Another pub has a condition restricting under-18s from the bar while live music is taking place (whereas they could attend broadcast sport or DJ events).

Of the 32 licensed premises, many of these do not stage live music. In 2007 DCMS reported that 43% of premises in England and Wales with music licences have never staged live music and have no plans to do so.

The total number of premises licences in force is 188 (including off-sales premises). Only 17% of all premises are authorised for live music – which is below the average for England and Wales of 26%.

The strict licensing regime has eliminated opportunities for small-scale music events in restaurants, cafes and public spaces, where there are now no premises with live music authorisation.

Consequently, Three Rivers District Council have significantly reduced the potential for cultural activities, reduced employment opportunities for professional musicians, and placed an unnecessary strain on the local economy particularly the licensed trade.

The survey identified 35 premises that have authorisation for live music but do not have authorised facilities for making music. In most cases, both the provision of entertainment and the provision of entertainment facilities would have to be licensed under the Licensing Act 2003 in order for licensable entertainment to take place, including performances of live music. Schedule 1, paragraph 1 of the Licensing Act states:

(1) For the purposes of this Act the “provision of regulated entertainment” means the provision of - (a) entertainment of a description falling within paragraph 2, or (b) entertainment facilities falling within paragraph 3.

Entertainment facilities may include the space made available for the regulated entertainment to take place. Specifically, DCMS guidance states that such facilities would include a dance floor in a nightclub, and musical instruments made available for use by the public to entertain others at licensed premises ('Licensing Guidance issued under s182 of the Licensing Act 2003', paras 3.10-3.14, p27). Stages or raised areas would certainly be included, as would in-house PAs and microphones.

Three Rivers DC have the lowest percentage of live music authorisations of Hertfordshire licensing authorities for which figures are available.

Percentage of live music authorisations for all premises
By Hertfordshire licensing authority

Licensing Authority	% ¹	Number of premises
North Hertfordshire	31.9%	392
East Herts	31.7%	479
St Albans	24.2%	393
Stevenage	22.8%	180
Hertsmere	17.4%	305
Three Rivers	17.0%	188

¹ the percentage of licensed premises with authorised facilities for making music.

Source: DCMS Alcohol, Entertainment and Late Night Refreshment Bulletin March 2009 (Three Rivers did not respond to the survey. Broxbourne, Dacorum, Watford and Welwyn Hatfield provided incomplete data)

2. Live music authorisation by premises type

Source: The Three Rivers District Council premises licence register.

2.1 Restaurants

The survey identified 34 restaurants in Three Rivers area. None have authorisation for live music.

30 restaurants have no authorisation for live music:

Abbots Tandori - Langley Road, Abbots Langley
Aroma Kitchen - Katherine Place, Abbots Langley
Blue Lagoon - Prestwick Road, South Oxhey
Blue Saffron Restaurant - Uxbridge Road, Rickmansworth
Buon Cibo Restaurant - Station Road, Rickmansworth
Cafe Amici - Baldwins Lane, Croxley Green
Cinnamon Square Ltd - Church Street, Rickmansworth
Curry Garden Tandoori Restaurant - Uxbridge Road, Rickmansworth
Forest of India - High Street, Abbots Langley
Harvester (Two Bridges) - Watford Road, Croxley Green
¹Jia Oriental Cuisine - 10 New Parade, Chorleywood

Licensing Act 2003: Live music in Three Rivers

Maharaja Tandoori Restaurant - High Street, Rickmansworth
Mangiamo - High Street, Rickmansworth
Marcello's Restaurant - Heronsgate Road, Chorleywood
Maurizio's Ristorante - Church Street, Rickmansworth
Peking Garden - Main Avenue, Moor Park
Pizza Express - High Street, Rickmansworth
Rasal Brasserie - High Street, Rickmansworth
Roberto's Restaurant - Uxbridge Road, Rickmansworth
Sathi Dine Ltd - Lower Road, Chorleywood
Standard Tandoori - Watford Road, Croxley Green
Sujoy Tandoori Restaurant - Main Parade, Chorleywood
Tamarind Thai Cafe - Station Road, Rickmansworth
Tangs - Station Road, Rickmansworth
Thai George - Church Street, Rickmansworth
The Sweet Spot - Oxhey
Tims Table - Uxbridge Road, Rickmansworth
Viceroy of India - High Street, Abbots Langley
Villa Romana & Globe Bar - High Street, Rickmansworth
Woks Cookin - Uxbridge Road, Rickmansworth
Zaza Restaurant - Church Street, Rickmansworth

Notes

¹ Jia Oriental Cuisine has authorisation for facilities for making music but does not have live music authorisation.

Four restaurants have authorisation for live music, but do not have authorised facilities for making music. Even if a premises is authorised for performances of live music, without the additional permission for facilities, actual performances are likely to be illegal.

Exchange Bar And Grill - Victoria Close, Rickmansworth
Peppermill - New Parade, Chorleywood ¹
Pin Wei Restaurant - High Street, Abbots Langley ²
Thai Orchid - Moneyhill Parade, Rickmansworth

Notes

¹ Peppermill – performances restricted to Tuesdays between 19:30 and 22:30

² Pin Wei – performances restricted to a singer accompanied by a single instrumentalist i.e. guitar

2.2 Pubs

The survey identified 54 pubs in Three Rivers area.

14 pubs have no authorisation for live music.

Boot (The) - The Green, Sarratt
Coach and Horses (The) - High Street, Rickmansworth
Coy Carp (The) - Coppermill Lane, Harefield
Cricketers (The) - The Green, Sarratt
Druids - High Street, Rickmansworth
Kings Lodge Hotel - Bridge Road, Hunton Bridge
No. 27 Wine Bar & Restaurant - Church Street, Rickmansworth
Old Shepherd (The) - Chorleywood Bottom, Chorleywood
Pennsylvanian (The) - High Street, Rickmansworth
Plough (The) - Belsize, Sarratt
Rose and Crown (The) - Common Road, Chorleywood
Ye Olde Greene Manne - Batchworth Heath, Rickmansworth
Fox and Hounds (The) - High Street, Rickmansworth
Gate (The) - Rickmansworth Road, Chorleywood

22 pubs have authorisation for live music, but do not have authorised facilities for making music. See note for restaurants above.

Artichoke (The) - The Green, Croxley Green
Coach and Horses (The) - The Green, Croxley Green
Dick Whittington (The) - Prestwick Road, South Oxhey
Feathers (The) - Church Street, Rickmansworth
Halfway House (The) - Uxbridge Road, Rickmansworth
Land of Liberty (The) - Long Lane, Heronsgate
Pavilion (The) - Green Lane, Oxhey
Whip and Collar (The) - Uxbridge Road, Rickmansworth
White Horse (The) - Rickmansworth Road, Chorleywood
Black Horse - Dog Kennel Lane, Chorleywood
Cart and Horses - Quickmoor Lane, Commonwood
Dumb Bell (The) - Old Shire Lane, Gerrards Cross
Fairway Inn - Rickmansworth Golf Course, Moor Lane, Rickmansworth
Fox and Hounds - New Road, Croxley Green
Prince of Wales - Batchworth Heath, Rickmansworth
Red House - Watford Road, Croxley Green
Royal Oak (The) - Kitters Green, Abbots Langley
Sportsman (The) - Scots Hill, Croxley Green
Swan (The) - College Road, Abbots Langley
Tree (The) - Uxbridge Road, Rickmansworth
Urban Vine - High Street, Rickmansworth
White Bear (The) - Church Street, Rickmansworth

Licensing Act 2003: Live music in Three Rivers

Of these 22 pubs without authorised facilities for making music, many also have restrictions on the performances.

Artichoke (The) - The Green, Croxley Green: *maximum of two performers*

Coach and Horses (The) - The Green, Croxley Green: *maximum of two performers, the majority of customers are local people.*

Dick Whittington (The) - Prestwick Road, South Oxhey: *Live music and karaoke will generally only take place on Fridays and Saturdays*

Feathers (The) - Church Street, Rickmansworth: *Live music to be without amplification.*

Halfway House (The) - Uxbridge Road, Rickmansworth: *All windows and external doors to be kept shut during the performance of live and recorded music; and that sound proofing, acoustic lobbies and a music sound limiter be installed before any such performance takes place.*

Land of Liberty (The) - Long Lane, Heronsgate: *All such live entertainments to be non-amplified*

Pavilion (The) - Green Lane, Oxhey: *maximum of two performers*

Whip and Collar (The) - Uxbridge Road, Rickmansworth: *To be unamplified and by no more than two entertainers. Staff check noise levels outside the building, especially on the occasions when live music is provided.*

White Horse (The) - Rickmansworth Road, Chorleywood: *maximum of two performers. No children in bars during entertainment.*

18 pubs have live music authorisation. 5 of these have restrictions in force.

Bell (The) - High Street, Bedmond: *maximum of two performers, music not allowed Tue-Thu. Restricted to two hours on Sunday.*

Compasses (The) - Tibbs Hill Road, Abbots Langley: *Live music limited to 30 days per year and recorded music limited to another 12 days per year (42 days in total).*

Dog and Partridge (The) - Old Mill Road, Hunton Bridge: *maximum of two performers*

Stag (The) - Long Lane, Heronsgate: *In the event that live entertainment is provided the number of performers will be limited to a maximum of two at any one time. The premises may continue to play incidental music until closing time. Any Live Music to be non-amplified.*

Unicorn (The) - Gallows Hill, Kings Langley: *The performance of live and recorded music shall be limited to a maximum of 3 three days each week apart from December.*

The remaining 13 pubs have no restrictions

Bell (The) - Primrose Hill, Kings Langley
Boys Home (The) - High Street, Abbots Langley
Clarendon (The) - Redhall Lane, Chandlers Cross
Cock Inn (The) - Church Lane, Sarratt
Globe Bar & Villa Romana - High Street, Rickmansworth
Oaks (The) - Coppermill Lane, West Hyde
Ox (The) - Bridlington Road, South Oxhey
Partridge (The) - St Georges Drive, Carpenders Park
Rose and Crown (The) - Woodcock Hill, Rickmansworth
Scotsbridge Mill - Park Road, Rickmansworth
The Grapevine - Prestwick Road, South Oxhey
Waterside- Bridge Road, Hunton Bridge
Watersmeet - High Street, Rickmansworth

2.3 Other Premises

The survey identified 30 'other' premises in the Three Rivers area.

7 have no authorisation for live music

Albert Narrowboat - Batchworth Lock Canal Centre, Rickmansworth
Bloc 4 Cafe - Hatters Lane, Croxley Green
Cafe in the Park - The Aquadrome, Rickmansworth
Cafe Loco - Main Avenue, Moor Park
Henderson Memorial Hall - High Street, Abbots Langley
Hollybush Hall - Rear of Memorial Hall, Common Road, Chorleywood
St Saviours Church Hall - The Crescent, Abbots Langley

9 have authorisation for live music, but do not have authorised facilities for making music.

Micklefield Hall - Sarratt Road, Sarratt
Garston Manor - High Elms Lane, Garston
Circus Field - Watford Road, Hunton Bridge
Crescent Club (The) - Hallows Crescent, South Oxhey
Manor House Sports & Social Centre - Gallows Hill Lane, Abbots Langley
Maple Cross Club - Longcroft Road, Maple Cross
Moor Park Mansion - Moor Park, Rickmansworth
St Oswald's Church - Malvern Way, Croxley Green
Sunrise of Chorleywood - High View, Chorleywood

14 'other' premises have authorisation for live music

Barbirolli Hall (The) - St Clement Danes School, Chorleywood
Croxley Revels - The Green, Croxley Green¹
Rickmansworth School - Scots Hill, Croxley Green
South Oxhey Playing Fields (The Choir) (expired)²
Batchworth Park Golf Club - London Road, Rickmansworth
Bullisland Hall - Bullisland Lane, Chorleywood
Chorleywood Memorial Hall - Common Road, Chorleywood
Durrants Club - Lincoln Way, Croxley Green
Grove Hotel (The) - Chandlers Cross
Royal Masonic School for Girls - Rickmansworth Park, Rickmansworth
Sandy Lodge Golf Club - Sandy Lodge Lane, Northwood
Sarratt Village Hall - The Green, Sarratt
Verve Venues Ltd - Hunton Park, Hunton Bridge
William Morris Hall - Henbury Way, South Oxhey

Notes

¹ Croxley Revels restricted to one day per year

² The licence for Gareth Malone's community choir was restricted to one date

Discounting the licences for South Oxhey Playing Fields and Croxley Revels, the survey could not identify any premises licences for public spaces in the Three Rivers area. Three Rivers DC have not abided by DCMS advice to licence public spaces in order to encourage community events, hence the low number of 'other' premises licensed for live music.

2.4 Summary of Live Music Restrictions

- None of the 34 restaurants are authorised for live music and facilities for making music.
- 18 of the 54 pubs are authorised for live music and facilities for making music (although some have restrictions which render the authorisation of no practical use)
- 14 of the 30 'other' premises are authorised for live music and facilities for making music (one licence was for one day only)
- There are no public spaces authorised for live music

Prior to the Licensing Act 2003 coming into force in November 2005, all licensed premises would have been able to provide live music under the 'two-in-a-bar' rule, and other exemptions from licensing.

As at August 2010, 83% of all licensed premises in Three Rivers are not now authorised to stage live music.