

Licensing & regulations for events and fundraising activities

Information for community groups in Brighton & Hove about licensing and regulations for events and fundraising activities.

Contents

Raffles	1
Bingo, race nights & casino nights	3
Music, films and other entertainment	5
Alcohol	7
Events on public land	7
Food & drink	8
Street Collections	8
Street Closures	9
Crèches, children's activities and work with vulnerable adults	10
Useful contacts	10

Raffles

Many small raffles don't need to be registered. These are:

- ♦ Raffles run during the course of another event, such as a fête or party
- ♦ Raffles that are restricted to members of a group or club
- ♦ Raffles that are restricted to people who all live on the same premises or work for the same organisation
- ♦ Raffles that are restricted to customers of a business.

There are limitations to how these raffles can be run. See below for more information.

Raffles in which tickets are sold to members of the public in advance must be registered. See page 2 for more information.

An incidental non-commercial lottery

This is a raffle that takes place during the course of an event – e.g. the tickets are sold and the raffle drawn during a meeting, fête or party. They do not need to be registered. Tickets can only be sold at the event and the winners must be announced

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at the event. No more than £100 can be spent on organising costs, and no more than £500 can be spent on prizes. There are additional restrictions if you wish to have alcohol as prizes (see page 7).

A private society lottery

This includes raffles where the sale of tickets is restricted to members of your society (club, group or organisation). You can also sell tickets to non-members (guests) but only on your organisation's premises. Proceeds must go to the organisation or another charitable purpose (after organising costs and prizes are deducted). There are additional restrictions if you wish to have alcohol as prizes (see page 7).

A work lottery and a residents' lottery

These include raffles in which tickets are only sold to:

- ♦ people who all work on the same premises, or
- ♦ people who all live on the same premises.

If you are raising money for a good cause, you must promote this when selling the tickets. If you are not raising money for a good cause, all income must be spent on the costs of organising the lottery and buying prizes. There are additional restrictions if you wish to have alcohol as prizes (see page 7).

A customer lottery

Businesses can organise lotteries for their customers. Tickets must only be sold on the business' own premises, to its customers. Prizes must be worth less than £50.

Customer lotteries cannot be used for fundraising. All money raised must go towards buying the prizes and organising the lottery. Each ticket must state: the price of the ticket; the name and address of the promoters; who is entitled to buy a ticket; and that tickets are non-transferable once they have been sold.

Society lotteries

A raffle that is run by a non-commercial society (such as a charity or community group), in which tickets are sold to members of the public in advance, is called a 'Society Lottery'. These must be registered.

Small society lottery

If you sell less than £20,000 worth of tickets (and less than £250,000 worth over one year), your lottery is a "small society lottery". These must be registered with your local authority. There is a small annual fee.

In Brighton & Hove, contact the council's Health & Safety and Licensing Team¹. You can download a form from the council website or request that they send you one. You should do this at least 28 days before you want to run your lottery. They will assess your application, including a police check for relevant offences, and issue a certificate if they are satisfied that you meet the criteria. You cannot start your lottery until a certificate has been received.

You should keep clear records of all money spent, all money received, and how many tickets each individual has taken to sell. This is so that all money and tickets can be accounted for and you don't lose track of what you have sold. When your raffle is

finished you will need to complete another form showing how much money you collected, and how much you spent on expenses and prizes. You must do this within three months of running your raffle.

The main conditions for a small society lottery are:

- ♦ It can only be used to raise money to for a good cause. At least 20% of the proceeds must go to this. Up to 80% can be spent on prizes and expenses. There must be no private gain.
- ♦ No prize can be worth more than £25,000.
- ♦ A member of your committee must be named as the 'promoter' and this must be agreed in writing by the committee.
- ♦ Your raffle tickets can be paper or electronic, and must include the following information
 - ♦ the name of the group running the raffle
 - ♦ the name and address of the promoter (this can be the group's address)
 - ♦ the date the raffle will be drawn
 - ♦ the price of the ticket (which must be the same for all tickets)
 - ♦ confirmation that the raffle has been registered with Brighton and Hove City Council.
- ♦ Tickets can only be sold to those aged 16 or above.
- ♦ Tickets cannot be sold in the street, but can be sold in a kiosk, shop or door-to-door.

See page 7 for regulations about having alcohol as raffle prizes.

Large society lottery

If you are selling tickets worth over £20,000 for one lottery, or you sell more than £250,000 worth of tickets in one year (in separate lotteries), your lottery is a "large society lottery" and must be registered with the Gambling Commissionⁱⁱ.

Bingo, race nights & casino nights

Bingo, race nights & casino nights are forms of what the Gambling Commission calls "Gaming". There are two main types of gaming:

- ♦ Prize Gaming: all the prizes are put up in advance and are not dependent on the number of players or amount of money collected.
- ♦ Equal Chance Gaming: the amount of money paid out in prizes is dependent on how much is collected in admission charges and sale of tickets.

You need a licence to run Prize or Equal Chance gaming activities unless you are exclusively fundraising for a good cause ("non-commercial gaming") or the gaming is run for a specific group of people in private premises, such as employees at a workplace, residents at a housing scheme or members of a sports club ("private gaming").

Non-commercial gaming

- ♦ You do not need a licence to play bingo or run a race night or casino night if you are playing for 'good causes'. This is called "non-commercial gaming".
- ♦ For prize games, there is no limit on admission fees, ticket charges, or prize value.
- ♦ For equal chance games, you cannot charge more than £8 total admission fee and ticket sales, and the total value of prizes at one event cannot exceed £600.
- ♦ Players must be informed of the good cause that will benefit from the money raised.
- ♦ No proceeds from the game, or from the event itself, can be for private profit. If anybody is making private gain from the game, or from the event at which it is held, it is not "non-commercial" and is likely to need a licence.
- ♦ Non-commercial gaming cannot take place on premises which already has a Gambling Licence (such as a casino).

Private gaming

- ♦ Gaming is considered "private" if it takes place in a setting which does not have public access, such as a workplace, a housing scheme or for members of a society (such as a sports club or community group). You do not need a licence for private gaming.
- ♦ You cannot charge an admission fee.
- ♦ It cannot be open to the public.
- ♦ The game cannot take place on premises which are licensed for running commercial gambling activities (such as a casino or bingo hall).
- ♦ There must be no private gain – proceeds must either be given as prizes, given to the society running the event, or given to another good cause.
- ♦ In most private contexts, only equal chance gaming is permitted. You can only run prize gaming if:
 - ◇ The game is being run to raise money for a good cause or society (i.e. it is non-commercial gaming), and/or
 - ◇ the game is being run in someone's home, as part of a domestic activity,
 - ◇ or in a residential setting such as a housing scheme or halls of residence, (where it is not being run in the course of running a trade or business, and at least 50% participants are residents).

Other types of gaming

Gaming in other contexts usually requires a licence. This includes gaming on the premises of members' clubs (such as Working Men's Clubs).

Music, films and other entertainment

If you are providing entertainment you may need two different licences:

- ♦ A licence from the local council that entitles you to provide public entertainment (see below).
- ♦ A separate licence that gives you the right to perform copyrighted material or play recorded music and videos (see page 6).

Local council entertainment licences

Some types of entertainment require the premises to have an entertainment licence from the local authority.

In general, an event taking place at night between 11pm and 8am require an entertainment licence. In addition, the following types of activity generally require licences:

- ♦ amplified live or recorded music with an audience of more than 500 people;
- ♦ recorded music on premises not licensed for the sale or supply of alcohol;
- ♦ a performance of a play or a dance to an audience of more than 500 people;
- ♦ indoor sporting events with more than 1,000 spectators;
- ♦ boxing or wrestling;
- ♦ screening a film to an audience.

There are different types of local authority entertainment licence. These are:

- ♦ a Premises Licence,
- ♦ a Club Premises Certificate
- ♦ a Temporary Event Notice.

If your event needs an entertainment licence, check whether the venue has a Premises Licence or a Club Premises Certificate issued by the City Council. The licence must cover the activities you are organising, for example, some premises are licensed for music and dancing but not for stage and film shows. Your event will also have to take place in the premises' licensed opening hours.

If the venue does not have a suitable licence, you will need to serve a Temporary Event Notice (TEN) on the Council and the Police at least 10 days before the event. TENs can cover events that last up to 96 hours and involve no more than 499 people.

You can download a Temporary Event Notice Application Form from the Brighton & Hove City Council website¹.

If you want to organise an event outdoors, such as a street party (see page 9,) you need to contact the Council to find out if you should serve a Temporary Event Notice.

If you are in any doubt contact the Health & Safety and Licensing Team at Brighton and Hove City Councilⁱ.

¹ <http://www.brighton-hove.gov.uk/index.cfm?request=c1177835>

Who does not need an entertainment licence?

There are some situations in which you do not need an entertainment licence. Bear in mind that you may still need a separate licence to play copyrighted material (see below).

You do not need an entertainment licence for

- ♦ Unamplified live music events which take place between 8am and 11pm
- ♦ Events including live or recorded music with an audience of less than 500, which take place between 8am and 11pm, in a premises which is licensed to serve alcohol
- ♦ Events including live or recorded music, or not-for-profit film showings, with an audience of less than 500, which take place between 8am and 11pm in a community venue (such as a village hall or community centre)
- ♦ Events including live or recorded music, with an audience of less than 500, which are organised by a third party on a school, local authority or hospital premises and take place between 8am and 11pm.
- ♦ Events including any type of regulated entertainment, with any audience size, which are organised by a school, local authority or hospital on their own premises and take place between 8am and 11pm.
- ♦ Events including live or recorded music, with an audience of less than 500, which take place between 8am and 11pm in a workplace.

Performing or playing copyright material

Music

If you want to perform music written by someone else, or if you want to play recorded music or video, the premises you are using will need a licence to play copyrighted music.

If your event includes live music you must check the venue has a Performing Rights Society (PRS) licence. If you are playing recorded music you must check the venue has a PRS licence AND a Phonographic Performance Limited (PPL) licence. Community buildings run by voluntary organisations can buy a joint PRS and PPL licence.

For more information contact Phonographic Performance Limitedⁱⁱⁱ or PRS for Music^{iv}.

Film

If you wish to show a film in a place which is not a private home, you need a one-off licence giving you the right to show the film. You have to buy a new licence for every film. There are very few exceptions to this, one of which is that you do not need a licence to show a curriculum-based film in a state school.

To obtain a copyright licence to screen a film, contact Filmbank Distributors^v or Motion Picture Licensing Company (MPLC)^{vi} (copyright licensing distributors on behalf of all major film studios). Useful information about organising film showings is available on the BFI Neighbourhood Cinema website².

² <http://www.bfi.org.uk/neighbourhoodcinema/>

Alcohol

If you want to sell alcohol you should first check that the venue you are using has a Premises Licence and that there is a named 'supervisor' who holds a Personal Licence to sell alcohol. Alternatively, it may have a Club Premises Certificate which includes the sale of alcohol.

If the venue does not have either a Premises License or a Club Premises Certificate, you can serve a Temporary Event Notice on the Council and the Police at least 10 days before the event at a cost of £21. You can get an application form from Brighton & Hove City Council Health & Safety and Licensing Teamⁱ.

The provision of bottles of alcohol as prizes in raffles and tombolas is exempt from the licensing regulations, provided the raffle fulfils certain. These are:

- ♦ The raffle must be promoted as an incidental event (i.e. it's not the main event) within an 'exempt entertainment' – defined as a bazaar, sale of work, fete, dinner, dance, sporting or athletic event, or other entertainment of a similar character;
- ♦ after deduction of expenses, the whole proceeds of the entertainment are applied for purposes other than private gain;
- ♦ the alcohol is in a sealed container;
- ♦ no prize is a money prize;
- ♦ tickets are only issued when the entertainment takes place (i.e. tickets are not sold in advance);
- ♦ the raffle/lottery is not the main inducement to attend;
- ♦ it is NOT permissible to sell tickets which can then be exchanged for an alcoholic drink, or to ask for a donation in return for alcohol.

You can give away alcohol for free at most events, but it must be clear that this is not included in any ticket or entrance fee, and is not a way of trying to encourage people to buy something. You need a Club Premises Certificate if you want to give alcohol away on the premises of a members' club. If you are not sure whether you need a license, contact the council's Health & Safety and Licensing Team for adviceⁱ.

Events on public land

You have to apply to the council if you want to hold an event on public land. This includes, for example, public parks, streets, or the seafront. Permission needs to be arranged through the local authority Events Office^{vii} in advance. They can also help with advice and information about organising outdoor events. There is a charge for some events, but not all events. Your group will be required to have public liability insurance. See our information sheet *Public Liability*, and our list of providers of insurance for community groups³

³ www.resourcecentre.org.uk/service/insurance-suppliers

Food & drink

Non-profit organisations can sell or provide free food and non-alcoholic drinks as long as food is prepared in a hygienic manner and complies with the Food Safety Act.

If you are providing food occasionally (i.e. less than once a month) or the foods you are providing are low risk foods (e.g. tea, biscuits, packaged foods stored at room temperature), then you don't need to register or get any permission.

If your food activity is more regular, or you are providing higher risk foods (e.g. hot food or food that needs to be kept cold), then you may need to register with the Food Safety Team at Brighton & Hove City Council^{viii}.

The Food Standards Agency provide useful information about who needs to register⁴.

Brighton and Hove Food Partnership⁵ provide support and advice to community organisations organising food related activities.

Street Collections

You need a Street Collection Permit to collect money in the street or in other public places. Ask the Brighton & Hove City Council Health & Safety and Licensing team for an application formⁱ. There is no charge for a Street Collection Permit.

A Street Collection Permit will give you permission to collect money in a particular place, at a particular time. This means you need to know exactly where and when you wish to collect well in advance.

You will need to:

- ♦ Apply at least 28 days in advance. Bear in mind that some areas (such as the town centre) and times (such as near Christmas) are very popular, and you can apply well in advance.
- ♦ Complete a straightforward application form.
- ♦ Have a responsible person as the applicant for the licence.
- ♦ Label all your collection tins and buckets with the name of your organisation.
- ♦ Seal the collection tins with security labels.
- ♦ Supply the Council with a 'Form of Statement' within a month of the collection. They will give you the form you need to complete when you get your permit. It's important you complete it, or you might not get permission to collect again in future.

Collection tins and buckets are available for hire at the Resource Centre free of charge. We provide security seals if you require them. If you are using your own collection tins you can purchase security labels from Angal Ltd⁶.

⁴ www.food.gov.uk/sites/default/files/hall-provision-guidance.pdf

⁵ bhfood.org.uk/

⁶ www.angal.co.uk

Street Closures

Street Party

If you want close your street for a street party you need to get permission from the Council and apply for a temporary traffic regulation order. This is free for non-profit community groups.

The first step you need to take is to contact the local authority Highway Events Team^{ix} to find out if it is feasible for your road to be closed. Some roads are essential access routes for the emergency services and cannot be closed. If a nearby street is to be closed on the same day, the Council may not allow your street to close as well.

If it is feasible, you then need to find out if the majority of the people who live in the street are happy for it to be closed, and that no one has any strong objections. To do this you will need to take a petition door-to-door and get people to sign their names against their house number. The council's guidance is that it is desirable to get a good majority of residents to sign.

Once you've got your petition signed, and at least 28 days before the date of your street party, contact the Council to apply for permission to close the road.

You will need to put up signs before your event, and on the day, to notify road users of the road closure. You can print and laminate A3 posters and 290mmx1200mm banners at the Resource Centre. We also have a list of places where you can hire larger signs⁷.

On the day, you will also need to put up barriers to prevent vehicles from entering. You can hire these from Harman Hire⁸.

You are responsible for placing the barriers and signs and for removing them again at the end of the event.

Streets Alive provide useful guidance and information about running street parties⁹.

Street meet

If you are not able to close your road, you can still have an informal 'street meet' on a driveway, parking area, pavement, front garden or end of a cul-de-sac. This does not usually require permission from the council, but it's best to check with them first.

Then just pick a spot in the street to have your get-together.

Play Streets

You can apply for a regular (monthly) street closure for the purpose of street play. The procedure is the same as for a one-off street party, but you only need to apply once for dates up to a year ahead. The application form is available from the Highway Events team^{ix}.

⁷ www.resourcecentre.org.uk/equipment-types/signs/

⁸ www.harmanhire.co.uk

⁹ www.streetsalive.org.uk/

Parades

If you are holding a parade and it is necessary to close any roads to ensure the safety of the participants you need to apply to the council's Events Office^{vii} for a temporary traffic regulation order. Any costs associated with the closure, diversion signing and stewarding have to be borne by the event organisers.

Crèches, children's activities and work with vulnerable adults

Crèches and other childcare services are covered by the Children Act.

Most crèches need to be registered with Ofsted, but some small, one-off crèches don't. For more information see our sheet *Running a Crèche*.

Some people are legally barred from doing certain types of work with children and vulnerable adults. You can check whether someone is barred by doing an Enhanced DBS disclosure with barred list check. For more information see our page *Using the Disclosure and Barring Service*.

Useful contacts

i Brighton & Hove City Council Health & Safety Team

Bartholomew House
BN1 1JP
01273 294429
ehl.safety@brighton-hove.gov.uk
www.brighton-hove.gov.uk/content/business-and-trade/health-and-safety

ii Gambling Commission

www.gamblingcommission.gov.uk/Gambling-sectors/

iii Phonographic Performance Ltd (PPL)

1 Upper James Street
W1F 9DE
0207 534 1000
www.ppluk.com
info@ppluk.com

iv PRS for Music

2 Pancras Square
London
N1C 4AG
+44 (0) 20 7580 5544
www.prsformusic.com

v Filmbank Distributers

Warner House
98 Theobald's Road
London
WC1X 8WB
020 7984 5957
<http://www.filmbank.co.uk/>
info@filmbank.co.uk

vi Movie Picture Licensing Company (MPLC)

4 Saffrons Road
Eastbourne
BN21 1DG
01323 649 647
www.themplc.co.uk
ukinfo@mplc.com

vii Brighton & Hove City Council Events Office

The Flat
Brighton Centre
Kings Road
Brighton
BN1 2GR
01273 292712
<http://www.brighton-hove.gov.uk/content/leisure-and-libraries/events-and-filming/organising-event-council-land-eventsinfo@brighton-hove.gov.uk>

viii Brighton & Hove City Council Food Safety Team

Bartholomew House
Brighton
01273 294416 or 01273 294491
www.brighton-hove.gov.uk/content/business-and-trade/food-safety
ehl.food@brighton-hove.gov.uk

ix Brighton & Hove City Council Highway Events Team

Room 217
Hove Town Hall
Norton Road
Hove
01273 293366
www.brighton-hove.gov.uk/content/parking-and-travel/roads-and-highways/closing-a-road-event
highwayevents@brighton-hove.gov.uk