

# Licensing and Regulations

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## Essential information for event organisers

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This information sheet gives the basic information about whether you need to register or apply for a licence for your event, and local contact details. We have more detailed information about the law in relation to community activities at the Resource Centre. If you are a Community Group based in Brighton and Hove please contact us if you can't find the information you need here.

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### Raffles & lotteries

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Schedule 11 of the Gambling Act 2005 outlines the conditions for running raffles or lotteries for clubs, societies, charities and other community organisations

You do *not* have to register a raffle or lottery if you are running:

#### A. An incidental non-commercial lottery

This is a raffle that takes place during the course of an event - eg the tickets are sold and the raffle drawn during a meeting, fête, dinner dance, or party. Tickets can only be sold at the event and the winners must be announced at the event. No more than £100 can be spent on organising costs, and no more than £500 can be spent on prizes.

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## **B. A private lottery**

This includes raffles where the sale of tickets is restricted to:

- members of your society (club, group or organisation).
- people who all work on the same premises.
- people who all live on the same premises.

You will need to comply with the following conditions:

- The entire proceeds of the lottery must be used for prizes and the benefit of the organisation, once any organising costs have been deducted.
- You can only advertise the raffle on the society's or club's premises, or the workplace or residential building where the raffle will take place.
- 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.

## **Registering a Raffle or Lottery**

A raffle where tickets are sold to members of the public in advance is called a 'Society Lottery'.

If the total proceeds of the raffle or lottery are below £20,000 it is called a 'small society lottery' and you only have to register with the local council. There is an annual fee of £40 (which is reduced to £20 if you re-register for a second year).

If you are selling tickets worth over £20,000 the lottery will be classed as a 'large society lottery' and you will also have to register with the Gambling Commission.

To register for a small society lottery you can download a form from the council website or request that they send you one. We suggest that you do this at least 28 days in advance. 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.

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.

The main conditions for a small society lottery are:

- A member of your committee must be named as the 'promoter' and this must be agreed in writing by the committee.

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*Brighton & Hove City Council  
Health & Safety Licensing  
Team  
Bartholomew House  
Bartholomew Square  
Brighton BN1 1JP  
01273 294429  
ehl.safety@brighton-  
hove.gov.uk  
www.brighton-hove.gov.uk/  
index.cfm?request=c1126741*

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*You can print draw tickets at the Resource Centre. Ask us for more details.*

- Your raffle tickets must include the following information
  - the name of the group running the raffle
  - the name of the promoter
  - the address of the promoter (this can be the group's address)
  - the date of the raffle
  - 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 must all be sold for the same amount, but there is no maximum ticket price.
- At least 20% of the proceeds must go to the charity or 'good cause'. This means that up to 80% can be spent on prizes and expenses. There can be no private gain.

It is sensible to keep clear records of all money spent, how many tickets individuals took, and all money received so everything can be accounted for.

See separate section about alcohol for regulations about having alcohol as raffle prizes.

## 2. Bingo, & other games of chance

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The Gambling Act 2005 states that you do **not** have to have a licence to play bingo, or run a race night as long as you are playing for 'good causes' or as members of a club.

### **Bingo for good causes**

- this can only take place at events when none of the proceeds are being used for private gain.
- players must be informed of the organisation or 'good cause' that will benefit from the money raised
- you can play either 'prize bingo' or equal chance' bingo.

### **Prize Bingo**

In prize bingo all the prizes are put up in advance and are not dependent on the number of players or amount of money collected. There are no limits on the amount of money you can collect for admission fees or ticket sales, or on the value of prizes paid out.

### **Equal chance bingo**

In equal chance bingo the amount of money paid out in prizes is dependent on how much is collected in admission charges and sale of tickets.

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*More details about non commercial and club bingo are given in Community Matters Information Sheet no.26 which is available at the Resource Centre*

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- you can charge each person up to £8 for admission and tickets
- the total value of prizes must not exceed £600

## Club Bingo

- only members and their guests can play
- the maximum admission fee is £1
- all expenses must be paid from the admission fee and not the fees charged for tickets
- the maximum amount of money that can be taken, or prizes paid out, is £2000. If you want a higher turnover you will need to apply for an operating license from the Gambling Commission

## Race Nights

The regulations for Race Nights are very similar to those for bingo. You can run a **Prize Race Night** following the guidelines for prize bingo above, or an **Equal Chance Race Night** following the guidelines for Equal chance bingo above.

## 3. Entertainment Licences

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*If you are in any doubt contact the Health and Safety Licensing Team at Brighton and Hove City Council or see their website at [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)*

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

- A licence from the local council that entitles you to provide public entertainment
- A separate licence that gives you the right to perform copyrighted material or play recorded music and videos.

### Local council entertainment licences

If you are holding a small private event that is not for profit and is not open to the public (for example a film showing in a sheltered housing scheme) you do not need a licence. This includes live music events so long as:

- it takes place between 8am and 11pm
- it takes place at a venue that has a 'Premises licence' or a 'Club Premises Certificate'
- the audience is less than 200 people

You also do not need a licence to show unamplified live music at any venue, so long as it takes place between 8am and 11pm.

For events open to the public, recorded music, dance or sporting events, plays and film or video shows, or live, amplified music where the audience is more than 200, premises generally do need to be licensed by the local authority.

If you are hiring a venue to put on an event, check that the venue has a 'Premises Licence' or a 'Club Premises Certificate' issued by the City

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For more information contact  
Phonographic Performance

Limited  
www.ppluk.com  
020 7534 1000

or  
Performing Rights Society  
www.prsformusic.com  
0800 068 4828

Filmbank Distributors  
www.filmbank.co.uk  
0207 984 5957  
licences@filmbank.co.uk

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**Community Matters** has a  
very useful information  
sheet on PPL and PRS  
licenses for organisations  
working with children,  
young people and families.  
www.communitymatters.org.uk

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**Community Matters** has a  
fact sheet about having  
alcohol as raffle prizes.  
www.communitymatters.org.uk

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Brighton & Hove City Council  
Health & Safety Licensing  
Team  
Bartholomew House  
Bartholomew Square  
Brighton BN1 1JP  
01273 294429

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 you are holding an event at a venue that does not have a 'Premises licence' or a 'Club Premises Certificate' that covers your activities, 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. They cost £21.

You can download a Temporary Event Notice Application Form from the Licensing section of the City Council website.

If you want to organise an event outdoors, eg a street party (see section 5 below) you need to contact the Council to find out if you should serve a 'Temporary Event Notice'.

## Performing or playing copyright material

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

## 4. Alcohol

You are not allowed to sell alcohol unless you have a licence or have served a Temporary Event Notice.

If you want to sell alcohol you should firstly 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 it does not have either of these 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.

The provision of bottles of alcohol as prizes in raffles and tombolas is exempt from the licensing regulations, provided the raffle/lottery fulfills certain conditions (The Licensing Act 2003 [Section 175]):

- 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, fête, dinner, dance, sporting or athletic event, or other entertainment of a similar character;

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- 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.

## 5. Events on public land

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You have to apply to the council if you want to hold an event on public land. Permission for this needs to be arranged through the Events Office at least a month in advance. They can also help with advice and information about organising outdoor events.

You can phone for an application form and background information or download it from the city council website: [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)

## 6. Food & drink

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You can sell or provide free food and non alcoholic drinks as long as:

- All profits go to the organisation
- You ensure food is prepared in a hygienic manner and complies with the Food Safety Act.

If you are providing food occasionally (ie less than once a month) or the foods you are providing are low risk foods (eg 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 (eg hot food or food that needs to be kept cold), or you are providing food to vulnerable people (eg older people, children, people who are ill), then you may need to register with the Food Safety Team at Brighton & Hove City Council.

## 7. Street collections

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You need to apply for a licence for a street collection or to collect money at events and in public places. Contact the Health and Safety Licensing Team at Brighton & Hove Council and they will advise what sort of licence you need for your event and send you the relevant forms.

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*Events Officer: Ian Taylor  
The Events Office  
Room 425  
Kings House  
Grand Avenue  
Hove BN3 2ST  
Tel. 292711*

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*For information about food  
hygiene contact  
Brighton & Hove City Council  
Food Safety Team on 292161*

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*The Food Standards agency has  
further guidance on when you  
need to register at  
<http://bit.ly/fsacommunity>*

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Brighton & Hove City Council  
Health and Safety Licensing  
Bartholomew House  
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01273 294429

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If you are using your own  
collection tins you can  
purchase security labels/  
ringseals from:  
Angal C, B and D Ltd,  
K2 Brookside Ave,  
Rustington,  
W Sussex, BN16 3LF  
Tel 01903 787978  
www.angal.co.uk

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The Argus:  
Newsroom 544516  
Or send your report online at  
www.theargus.co.uk

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Highway Events Team  
Brighton & Hove City Council  
highwayevents@  
brighton-hove.gov.uk  
Tel. 293366  
www.brighton-hove.gov.uk

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For more information on  
organising a street party,  
go to:  
www.communities.gov.uk/  
publications/communities/  
streetpartyguide

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Town centre collections are popular with many organisations, and so the Council takes bookings and will allocate you with a permit for a particular day, time and location in town. This avoids organisations competing with each other. The council advises that you book your street collection well in advance as they get very booked up – particularly for the summer months.

You will need to:

- Apply by 1st January for a collection in Brighton Town Centre that year (as collection dates for a whole year are scheduled at the beginning of that year).
- Apply at least 28 days in advance for collections in areas other than Brighton town centre.
- Complete a straightforward application form.
- Have a responsible person as the applicant for the licence - the Council will run a Police Check on this person.
- Seal the collection tins with security labels.
- Supply the Council with a 'return of expenses' form within a month of the collection
- Place an advert in the Argus after the collection to let the public know how much money was raised - the Argus will usually place an item in the editorial section free of charge.

There is no charge for a Street Collection Permit.

Collection tins are available for hire at the Resource Centre free of charge. We provide security seals if you require them.

## 8. Street Closures

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### Street Parties

If you want to have a street party you need to get permission from the Council and apply for a temporary traffic regulation order. There is no charge for this. However, if there is a commercial or business element to your event there is an admin fee of £300.

The first step you need to take is to contact the Council 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 you want to close are happy for you to do so, 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

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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. The council officer will then tell you what you need to do to proceed. They will contact the emergency services, bus companies and any other organisation who may need to be aware that your road is going to be closed for a day.

You will be supplied with a plan of signs you need to put up to notify road users of the road closure. You will also need to erect barriers to prevent vehicles from entering. The signs and barriers can be hired from the Events Team at the City Council at a small cost. If they are not available from the council you will have to hire them from a private hire company. You are responsible for placing the barriers and signs as shown on the Council's plans, and for removing them again at the end of the event.

## 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.

## 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 Events Team for a 'temporary traffic regulation order'. Any costs associated with the closure, diversion signing and stewarding have to be born by the event organisers.

## 9. Crèches & Childcare services

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Crèches and other childcare services are covered by the Children Act. Crèches are defined by National Standards as:

*“ facilities which provide **occasional** care for children under eight and which are provided on particular premises on more than five days a year. They need to be registered where they run for more than two hours a day, even when individual children attend for shorter periods. Some are in **permanent** premises and care for children while parents are engaged in particular activities, e.g. shopping or sport. Others are established on a **temporary** basis to care for children while their parents are engaged in time-limited activities, e.g. a conference or exhibition. “*

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Events Team  
Brighton and Hove City  
Council  
eventsinfo@brighton-  
hove.gov.uk  
Tel. 292712

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Highway Events Team  
Brighton & Hove City Council  
highwayevents@  
brighton-hove.gov.uk  
Tel. 293366  
www.brighton-hove.gov.uk

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For information about the  
registration process and  
advice on running a safe  
childcare facility, contact:  
Family Information Service  
Brighton and Hove  
City Council  
familyinfo@brighton-  
hove.gov.uk  
01273 293545



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As a rough guide, if your crèche...

- lasts for two hours or less in any one day, or
- is at a one-off event (lasting no more than 5 days)

... you do **not** have to register with Ofsted Early Years. For one-off events where the crèche will last more than two hours, you should contact the council's Children's Information Service in advance for guidance.

**All** other crèches have to be registered.

Even if your creche doesn't have to be registered it is still advisable to seek guidance about standards, staffing ratios and general good practice for running a safe crèche.

## 10. Trading activities and tax

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You do **not** have to pay tax on money raised at bazaars, concerts or other performances, carnivals, fire work displays, dinners and similar activities provided that all of the following conditions are satisfied:

- the event must be organised and promoted exclusively to raise money for the benefit of the charity or not-for-profit organisation
- you must not hold more than 15 events of the same kind at the same location during one financial year. However, this only applies if the weekly turnover exceeds £1000.

'Too small to bother about': in practise, a small amount of trading is ignored by the Inland Revenue, if the money raised is not significant.

## 11. Local contact details for Brighton & Hove Council

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### Health & Safety and Licensing Team

ehl.safety@brighton-hove.gov.uk  
Tel. 01273 294429

### Food Safety Team

ehl.food@brighton-hove.gov.uk  
Tel. 01273 294416 or 01273 294491

### Highway events Team

highwayevents@brighton-hove.gov.uk  
Tel. 293366

### Events Office

eventsinfo@brighton-hove.gov.uk  
Tel. 292712

### Family Information Service

familyinfo@brighton-hove.gov.uk  
Tel. 01273 293545

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*Ask us at The Resource Centre for a copy of our information sheet 'Running a Crèche'.*

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*There is a useful summary on Tax and Trading in 'A practical guide to financial management for charities and voluntary organisations' by Kate Sayer, which is available in the Resource Centre library*