

Licensing Act 2003 – Guidance Fact Sheet

Village Halls

The Licensing Act 2003 has introduced a new regime of licences and notices that will affect all village halls that cater for activities such as the sale of alcohol and the provision of entertainment, music and dancing.

In the past village halls may have had a justices' licences issued by the magistrates' court or a public entertainment license issued by St Albans City and District Council. Alternatively they may have used occasional licences or permissions for specific events. Village halls that wanted to continue with these activities now apply to St Albans City and District Council for a licence under the Licensing Act 2003.

Choices for Village Halls

Village hall committees need to look at the events and facilities that they offer so they can decide what type of licence to apply for. The options include:

1 Premises Licence

The Premises Licence can be in the name of an individual or an organisation.

If the sale of alcohol is included as a licensable activity then a Designated Premises Supervisor (DPS) must be named on the Premises Licence application. The Designated Premises Supervisor will be responsible for the day to day running of the licensable activities of the village hall. There can only be one named Designated Premises Supervisor per Premises licence and he/she must be a Personal Licence Holder. The sale or supply of alcohol must be made or authorised by a Personal Licence Holder. To make an application for a Personal Licence the applicant must have no relevant offences, which can be shown by a Criminal Records Disclosure and have achieved a recognised licensing qualification.

2 Premises Licence Application

If a Village Hall is planning to hold more than 12 events a year, they will need to submit an application to St Albans City and District Council together with a plan of the village hall and an operating schedule (see below). The application will have to be advertised and responsible authorities and interested parties will be able to make representations against the application. If there are no representations the licence will be granted otherwise the application will go for a hearing before the Licensing Committee. If alcohol is to be sold then a Designated Premises Supervisor, who must also be a Personal Licence holder, must be named.

What is an operating schedule?

- An operating schedule is a document that includes a statement of the following matters
- The relevant licensable activities
- The times during which it is proposed that the relevant licensable activities are to take place
- Any other times during which it is proposed that the premises are to be open to the public
- Where the applicant wishes the licence to have effect for a limited period, that period
- Where the relevant licensable activities include the supply of alcohol then Designated Premises Supervisor must be named

- Where the relevant licensable activities include the supply of alcohol, whether the supplies are proposed to be for consumption on the premises or off the premises, or both
- The steps which it is proposed to take to promote the licensing objectives which are
 - The prevention of crime and disorder
 - Public safety
 - The protection of children from harm
 - The prevention of public nuisance

Fees

The fee for a premises licence will depend on the rateable value of the village hall. There is an exemption from the payment of fees in relation to the provision of regulated entertainment at village halls, parish or community halls or other premises of a similar nature. If, however, the licence also authorises the use of the premises for the sale or supply of alcohol or the provision of late night refreshment, a fee will be required for those activities.

3 Temporary Events Notice (TEN's)

If a village hall is only expecting to hold up to 12 of events in a year they may consider applying for a Temporary Events Notice for each specific event. This is not an application for a licence but a notification by the event organiser advising St Albans City and District Council that an event is going to be held.

TEN's can be used to authorise ad hoc events held in premises involving no more than 499 people at any one time. The premises user must, no later than 10 working days before the day on which the event is to start, give two copies of the notice to St Albans City and District Council and to the relevant chief officer of police. Anyone aged 18 or over who is not a Personal Licence holder can apply for a maximum of five TEN's per year. Personal Licence holders can apply for up to 50 TEN's per year.

There must be a minimum of 24 hours between events in respect of the same premises and each event covered by a TEN can last up to 96 hours. **No more than twelve TEN's can be given in respect of any particular premises in any year**, subject to a maximum aggregate duration of 15 days in any year at any individual premises.

Provided that the criteria set out above are met, only the police may intervene to prevent an event or agree a modification of the arrangements for such an event covered by a TEN notice. Police may only object to a TEN on crime prevention grounds. If the police make an objection then St Albans City and District Council will issue a counter notice to the premises user at least 24hrs before the commencement of the event.

Fee

The fee for each temporary event notice (TEN) is £21.

Will a charity event providing entertainment require a licence?

If regulated entertainment is provided for the public in a village hall, scout/guide hall or similar, or if a charge is made to a private audience with a view to profit, including for a charity, then the provision of regulated entertainment at such premises would require a Premises Licence or Temporary Event Notice. If the general public is not invited and a charge is made to a private audience (like family and friends) just to cover costs - and not to make a profit - then this will not be the provision of regulated entertainment and a licence will not be required. Similarly, if anyone invited to a private performance was not charged for attending the event but was free to make a voluntary donation to a charity at their own choice, no licence will be necessary.

However, if the performance is to any extent open to the public (whether the public are charged or not) a licence will be required.

St Albans Council Licensing Section Contact Details:

Personal visits with prior appointment to: St Albans City and District Council, Civic Centre, St Peters Street, St Albans, Herts AL1 3JE (we would advise callers to make appointments)	Writing to us at: The Licensing Section, Environment and Health Department, St Albans City and District Council, Civic Centre, St Peters Street, St Albans, Herts AL1 3JE Alternatively contact us on the telephone number below.
Email: licensing@stalbans.gov.uk	Phone: 01727-819453
Internet: www.stalbans.gov.uk	Fax: 01727 819433