

Do I need to apply for any other licences?

Depending on the nature, size and scale of your event, you may also need to obtain your own Premises Licence or Temporary Event Notice (TEN) and adequate time must be allowed for this, according to the guidance below.

The 2003 Licensing Act makes it necessary to license all events incorporating Regulated Entertainment or other licensable activities, including those on public open spaces, even if there is no admission charge. An outdoor space is regarded as "premises" under the Act.

2. What is defined as a licensable activity?

Regulated Entertainment is defined by the 2003 Licensing Act as including:

- Plays
- Films
- Indoor sporting events
- Boxing or wrestling
- Live music (including Karaoke) or similar
- Recorded music or similar
- Dancing by the public or performers

The following activities are also defined as licensable:

- The sale of alcohol.
- The sale of late night refreshment (selling food or hot drink between 11pm and 5am)

If any of the above activities will take place at your event, you will need to obtain an additional licence.

3. Hyndburn Borough Council's Premises Licences

In order to reduce administration and costs to organisers of smaller events in the Borough, Hyndburn Borough Council has granted on-going premises licenses for the parks and open spaces in the Borough that are most popular for events, for regulated entertainment only. Without this on-going premises licence in place, each individual event organiser would need to apply for their own licence, which is both costly and time consuming. The parks/open spaces that are licensed by the Council are: (PRS Licenced by the Performing Rights Society)

- Rhyddings Park (PRS)
- Oakhill Park (PRS)
- Mercer Park (PRS)
- Memorial Park (PRS)
- Accrington Town Centre (PRS)
- Peel Park (PRS)
- Haworth Park
- Bullough Park
- Belthorn Recreation Ground
- Harwood Road Recreation Ground
- Windsor Road Recreation Ground
- Gatty Park
- Arden Hall
- Fox Hill / White Ash Playing Fields, Oswaldtwistle

Hyndburn Borough Council's premises licences will allow events to take place on these sites with regulated entertainment and up to 4999 people in attendance at one time. The Council licences are intended for use by community groups only, so events deemed larger scale or commercial will be required to apply for their own licence at Hyndburn Borough Council's discretion.

If you plan to have alcohol sales at your event, you will need to apply for your own licence. Please note: Hyndburn Borough Council's premises licences do not include the sale of alcohol

Small events of 499 persons or less can be dealt with by way of a Temporary Event Notice, whereas larger events will require a Premises Licence. At Hyndburn Borough Council's discretion it may be possible for the event organisers to apply for a Premises Licence or TEN for the proposed bar areas only and Hyndburn Borough Council's licence will cover any regulated entertainment (up to maximum of 4999 people at one time).

4. What is a TEN (Temporary Event Notice)?

Applying for a TEN (Temporary Event Notice) is a relatively simple process. A TEN covers an event for the licensable activities listed above when no more than 499 people will be present at any one time. Alcohol can be sold at an event under a TEN.

An application for a TEN must be submitted to the Licensing Authority and the Police Licensing Bureau a minimum of ten working days before the event is due to take place. The ten-day period does not include the day that the application is served or the day of the event. The Police are the only body that can register objections to a TEN.

There are restrictions on the number of TENs that can be granted for any particular site and the number that can be applied for by individuals.

Please note: TENs are issued by the Licensing Department of Hyndburn Borough Council. The TENs application form and guidance notes are available from the website. For further information and advice on TENs and the application process, please contact the Licensing department on 01254 388111

5. What is a Premises Licence?

As with TENs, Premises Licences are issued by the Licensing Department of Hyndburn Borough Council. You will need to apply for your own Premises Licence if your park/site does not have a pre-granted premises license (please see the list of licensed parks above for details) and your event is likely to attract more than 4,999 people at any one time.

You should contact the Licensing Department to discuss your application and the processes involved prior to submitting your application. The application process set down in legislation and is fairly complex, so may take a few months to resolve. Due to these timescales, Events that require a Premises Licence are advised to submit an application for an event site License a minimum of six months before commencement of the event.

There is no guarantee that a Premises Licence will be granted. All applicants for any Premises Licence need to satisfy the responsible authorities and any other interested parties (e.g. local residents), that they can run the premises responsibly and in accordance with the licensing objectives. If these bodies do not feel the steps proposed by the applicant are adequate, they may object to the application being granted.

The Premises License application form and guidance notes are available from the Licenses section of this website. For further information please contact the Licensing 01254 388111

6. Alcohol and Personal Licences

Where the sale of alcohol is included on a Premises Licence, a Designated Premises Supervisor will need to be named on the licence application. The Designated Premises Supervisor is the person responsible for all sales of alcohol on the premises. A personal licence is required in order to be named as the Designated Premises Supervisor, which should be applied for from your local Council.

The Personal License application form and guidance notes are available from the Licenses section of this website. For further information please contact the Licensing on 01254 388111

Additional Licences

Depending on the nature of your event, the following licences may also be required:

1. PRS Music Licence

The Performing Right Society (PRS) is a non-profit membership organisation which collects licence fees (royalties) from music users. PRS then distributes the money to its members, the writers and publishers of music, and to affiliated societies worldwide. PRS promote and protect the value of copyright. Contact PRS directly for more information.

Who needs a PRS Music Licence?

Any music which is played outside the domestic or home life is regarded as a public performance. The Copyright Designs and Patents Act 1988 means that if you use copyright music in public, to lawfully do so you require the permission of the copyright owner for every piece of music that is being performed. This is regardless of whether the music performed is live or by recorded means – be it from a television, a jukebox, or through the internet.

Wherever you want to stage a live event you will need to obtain the correct licence, which should be done before the event. PRS for Music makes it easy to obtain the necessary permission by issuing a Music Licence.

Further information on applying for a Music Licence should be obtained directly from the Performing Rights Society. (Those parks with a PRS licence are marked above)

2. Busking

Hyndburn Borough Council is aiming to make some areas of Hyndburn busking tolerant, as a way of animating the Borough and providing performance platforms for local performance artists especially throughout the summer months. As a general guidance, you would need to give due regard to local residents and businesses and seek their permission when located in close proximity to any property, in using these spaces you will need to observe the following:

- Noise (for example music and voice) should not be so loud that it can be plainly heard at a distance of 30 metres. Busking must not be intrusive or a nuisance to nearby premises. If requested to reduce the volume of music you should try to do so as far as possible.
- To prevent the possibility of busking being intrusive or a nuisance to any nearby premises, you should move to another pitch after 1 hour and not perform again in that location for 2 hours. Note: particularly noisy entertainers (e.g. bagpipers or

drummers) should not perform for longer than 30 minutes. These measures can help prevent complaints from shopkeepers, office workers etc.

You should not obstruct the highway, but you also need to be responsible for ensuring that the highway is not obstructed by people gathering to listen or to watch the performance. The highway includes any pedestrianised areas.

Entertainment is only permitted between the hours of 10:00hrs and 20:00hrs and no sale of any merchandise is allowed.

Contributions must not be solicited. This is begging and you could be arrested or prosecuted if you do.

If performing on any private land, you need to seek permission of the landowner first.

The performance must not attract more than 499 people at any one time so you will need to use your professional judgement to decide if there are more than 499 people there and/or if risk is increased.

It may also be possible to busk within any of the Councils spaces that are already premises licenced for events (see page 12), but please contact us in advance for advice if you wish to use these spaces.

There are several other laws and pieces of legislation that may also apply to your event in addition to the Site Licence and Premises Licence / TEN. As explained further below, if your event is likely to include any of the following, please contact the Licensing for further information:

3. Street Collections Permit

A Street Collection permit is required for the collection of money or the sale of goods for a charitable purpose, which is held on a street or a public highway. This could include fund raising activities associated your event which are made outside of your licensed site, for example a fun run / sponsored walk / activates to fundraise for your nominated charity etc.

The Street Collections Permit application form and guidance notes are available from the Licenses section of this website.

4. Amusements (with prizes) and Gaming machines

In accordance with the Gaming Act 1967 and the Lotteries and Amusement Act 1976 (as amended by the National Lottery etc. Act 1993), any prospective occupiers of amusement parks, arcades and other premises on which amusements with prizes or gaming machines which give prizes will be provided, must first obtain a permit issued by the local authority. The precise permit required depends on the maximum prize value. Please see the Licenses section of this website for further information.

5. Lottery

Under the Lotteries and Amusements Act 1976 (as amended by the National Lottery etc. Act 1993) A licence is required to conduct small lotteries, raffles etc. by societies raising money for charity, sports and other similar purposes, for non-personal or non-commercial reasons.

Please contact the Licensing on 01254 388111 for further information.