

PROMOTERS DAY 2006 FOLLOW UP INFO:

ANTI CLASH

To avoid clashing with sporting events go to www.timesonline.co.uk click sports, then calendar.

LICENSING

It was clear from our discussions that many of us had different ideas on what we could do or had received different advice regarding licensing. In an attempt to reassure and clarify, here are some answers to the issues raised followed by some questions I asked the licensing officer the following day and his responses.

There is obviously much more to licensing than this and if in doubt contact your local licensing offer.

- You will need a license for: Plays, films, indoor sports events, live music (inc. karaoke), dance performances, discos.
- Some exemptions: Incidental music (inc. juke boxes), garden fetes, places of religious worship, rehearsals, Morris dancing.
- Church halls, village halls and community halls will require a license for entertainment but there will be an exception from having to pay the fee. However if alcohol or late night refreshment is provided then this will require a fee.
- A venue is limited to 12 temporary events notices per year, even if different people apply.
- Temporary event licences last 96 hours and are for venues under 500 people.
- Personal Licences last 10 years.

If there is entertainment but the event is free or for donations do they need a license?

Yes they do, the act is about regulation of entertainment, sale of alcohol and provision of late night refreshment. (hot drinks and food after 11pm) so fee or no fee is not a consideration.

If the event is for charity do they need a license?

Yes, again no consideration given to charity status,

If there is no entertainment and it is just a social gathering (lunch party, guest speaker etc) and the drink is included in the ticket price do they need a license?

Yes, as the cost of a ticket is worked out to include the sale of alcohol, all sale of alcohol requires a licence. A simple way to look at it is ...can an ordinary member of the public walk in and get a free glass of alcohol without having to purchase ticket, yes....no licence ...no then licence required.

If the DPS (Designated Premises Supervisor) or a personal license holder can not be present at the venue can they delegate responsibility to some one else for the event? How do they do this?

Yes, no problem. They need to provide this by writing a simple agreement that Joe Bloggs authorizes Jim Jones to sell alcohol on his behalf and is aware of the licensing act 2003 i.e. about not selling to drunks/underage etc.....BUT ultimately this is just putting a due diligence in place and the buck still could ultimately stop with the DPS.

PTO

Are outdoor events treated the same as indoor events?

Yes, a license will be required if the entertainment is a licensable activity whether it happens in a building a field or anywhere. For an open space you will need a license and permission from the council. For some open spaces e.g. Jubilee Gardens a license already exists you just need council permission.

Useful websites:

The Licensing Act 2003 and Explanatory Notes	www.legislation.hmso.gov.uk
Government Guidance	www.culture.gov.uk/alcohol
East Cambs District Council's Licensing Policy	www.eastcambs.gov.uk

DDA

I have spoken to people who advise on the disability awareness act about how smaller venues should alter their facilities. The bottom line is that a venue should make 'reasonable adjustments' which takes into account what a venue can afford to do, how big the venue is and how often it is used. Here is an extract from one of their emails...

The DDA only stipulates that a service provider acts reasonably. Reasonably is quite a vague word in it's legal definition and can only ever actually be tested in a court of law. However there are numerous guidelines around that the law courts would use in an attempt to gauge what is reasonable for each service provider.....there are different British Standards, building regulations & good design guides that can be followed to give service providers more confidence in the robustness of their service.

Reasonable also means taking into account issues such as planning permissions, budgets, type of services provided, etc. The DDA is not designed to put people out of business! If a service provider is taking into account these guidelines and also considering all of these other issues by creating an access plan then they should be complying with their duties under the DDA.....as the DDA is also only a civil rights law it will only usually end in court action after a process of initial negotiation - this should again mean that service providers need not see the DDA as a threat, if they make a mistake then they should have a little time to ensure they correct this before they end up in court! In fact I always try to persuade a business that in most cases the DDA is actually a way of them tapping into the vast disabled market place that can actually be a potential goldmine for them in the longer term.....for events venues this should be even more true.....

The best way that any service provider can significantly reduce their concerns around acting reasonably under the DDA is to consider an access audit. This will measure the accessibility and usability of their service and provide a detailed report of their different strengths & weakness, whilst also providing various options for improvements. We always ensure that we also provide a follow up service for our clients to ensure they fully understand such an audit. If a service has had an access audit and has an access plan in place then chances are their concerns should melt away.....it's also an excellent way of ensuring funds are spent in the best areas..... two key services that we can provide you and your clients with are free DDA advice on any issue and also DDA access audits - please see our website www.inclusion.me.uk for further details.

Hope this all helps.

Nathan (Dec 06)