

**Written evidence submitted by Action with Communities in Rural England (ACRE)
22 August 2013**

**Draft Deregulation Bill
Exhibition of Film**

ACRE is the national charity supporting rural community action through its founder members, the Rural Community Councils (RCCs) across England. The 38 RCCs are independent local development agencies, based at county level, addressing social, economic and environmental challenges in rural areas. They provide help, support and advice for community-led action in rural areas throughout England. ACRE co-ordinates the national village halls advice service on behalf of the estimated 10,000 community-owned halls.

1. Summary

- 1.1 We support deregulation for village halls and similar community premises but the removal of film exhibition is only really beneficial as part of the wider package of proposed deregulation measures and alongside the Live Music Act 2012.
- 1.2 ACRE is satisfied that the definition of community premises as used in this proposal will cover the buildings that the ACRE Network supports, but community groups use other premises both permanent and temporary within their community and consideration needs to be given to whether they will be covered by the proposed exemption.
- 1.3 Village hall management committees (as trustees of the hall charity) who manage village halls and similar community buildings need to fundraise in order to maintain the premises and pay the day to day running costs. The suggestion that entertainment is not provided with a view to profit does not help support the financial viability of the charity premises.

2. Deregulation

The majority of village halls and similar premises currently hold a Premises Licence for all regulated entertainment. There is currently no fee for this, unless the sale of alcohol is included, but this will change following decentralisation of fee charging under the Police Reform and Social Responsibility Act 2011. Halls that do not hold a Premises Licence have to pay for a Temporary Event Notice at £21 for each event. Deregulation of the exhibition of film will not save these costs or the burden of the application process unless it is part of the package of proposed deregulation measures (detailed in the DCMS Entertainment Deregulation consultation response of January 2013) and alongside the Live Music Act 2012.

3. Definition of Community Premises

The definition of community premises in the Licensing Act 2003 covers traditional village halls, church and chapel halls (as opposed to churches), community halls or other similar buildings. These can be located in rural or urban surroundings. We are not aware of any problems with this definition as local authorities are experienced in determining where

premises are genuinely available for community use. Community premises are able to apply to their local authority under the Legislative Reform Order (Supervision of Alcohol Sales in Church and Village Halls) Order 2009 with regard to removing the Designated Premises Supervisor and this requires them to assess community use. Guidance on assessing community use is also available in the 'Guidance to Water and Sewerage Undertakers in relation to Concessionary Schemes for Community Groups 2010'.

3.1

We have asked the Department for Culture Media and Sport to clarify in future Guidance on this deregulation that temporary premises such as a marquee or barn used for community activity falls into this category. Clarification is also needed on the licensing arrangements for groups organising film exhibition in schools, where the event is a community event, outside school hours and not part of the school's activity. There is also often confusion about licensing regulations for activities taking place in Churches as opposed to church halls. Many Churches have created dedicated community space within the building that is separate from the area for worship and it appears to fall outside regulations?

4. Not-for-Profit activities

- 4.1 ACRE is suggesting that where events are organised by the village hall committee (as trustees of the charity) or a community group recognised by them, making a profit that is to be used for managing the building and keeping it viable should be acceptable. The charitable object of village hall charities is to provide a hall for use of local inhabitants to improve the conditions of life for those living in the community. In order to maintain the hall and pay the day to day running costs village committees need to fundraise.
- 4.2 Where the community group managing the building is not a charity but is still required by its legal structure to provide benefit to the community then the same need to make a profit is necessary.
- 4.3 The showing of films is a benefit to communities. It brings all ages together for social activity (depending on the classification of the film), community celebrations and exhibitions. It means that people not able to access local cinema by public transport are able to view films shortly after their release. In addition it contributes to the vibrancy of the community and allows funds to be raised to maintain the building.
- 4.4 The cost of showing films can be significant depending on the method of doing so. In some cases the equipment needed is owned by the hall committees, it can also be owned by the local authority and is then loaned to local halls. A licence from the film distributor, such as [Filmbank](#), is also necessary to hire the film and cover the charge for copyright. There is also the cost of refreshments and the general cost of opening the hall i.e. electricity. Whether a hall committee runs the event themselves or pays a fee to an organisation such as [Moviola](#) they need to cover costs and make a profit to help maintain the hall. Hall committees need to be aware of the amount they are charging and not make it unreasonable for families and individuals to attend, but making a loss is not an option.
- 4.5 We do not consider that the venues within the definition of community premises used in the Licensing Act 2003 would aim to maximise profits by overcrowding. Hall committees would still be required to abide by health and safety and fire legislation and the capacity of their hall.

5. Age Classification

Hall management committees are aware of their responsibilities with regard to protection of children and vulnerable people and will have a child protection policy in place or require hirers of the hall to demonstrate they hold one. Hall hiring agreements explain these responsibilities and hold hirers to account. As the films are shown within small communities where inhabitants know each other we do not envisage problems with the age classification rule.

6. ACRE welcomes the opportunity to provide this information and can provide any further clarification that the Select Committee may need.

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