

Guideline Leaflet L14: Licensing for Entertainment and Copyright

This leaflet offers information on the different licences required both for licensable events held by churches and for the use of copyright materials, including music, DVD and reproducing the words of songs and hymns used during church activities.

This Guideline Leaflet is regularly reviewed and updated. To ensure that you are using the most up to date version, please download the leaflet from the BUGB website at www.baptist.org.uk/resources

The date on which the leaflet was last updated can be found on the download page.

L14: Licensing for Entertainment and Copyright

These notes are offered as guidelines by the Legal and Operations Team to provide information for Baptist churches.

The legal services undertaken by the Legal & Operations Team of the Baptist Union of Great Britain are carried out and/or supervised by a Solicitor who is authorised and regulated by the Solicitors Regulation Authority. Regulatory Information is available here:

[L17 Legal and Operations Team – Regulatory Information](#)

These notes can never be a substitute for detailed professional advice if there are serious and specific problems, but we hope you will find them helpful.

If you want to ask questions about the leaflets and one of the Baptist Trust Companies are your property trustees, you should contact them. They will do their best to help.

If your church property is in the name of private individuals who act as trustees they may also be able to help.

This guideline leaflet offers information on two different and unrelated types of licence scheme that affect churches. These are 1. Entertainment Licensing and 2. Copyright Licensing.

1. ENTERTAINMENT LICENSING

A new licensing regime for 'public entertainment' was introduced in 2005 and amended in 2014. Churches who wish to provide regulated entertainment, supply alcohol or offer late night refreshment need to consider whether their activities require a premises licence, or a temporary event notice (TEN) or whether they are covered by one of the exemptions. These terms are all explained below:

REGULATED ENTERTAINMENT

Regulated entertainment includes:

- the performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- a performance of live music;
- any playing of recorded music;
- a performance of dance.

EXEMPTIONS

If alcohol is to be supplied, or late night refreshment provided then a premises licence will be required for those activities and the exemptions will not apply. 'Late night' means after 11 pm. The main exemption to the need for a licence for churches is where the entertainment is for the 'purposes of or purposes incidental to religious services or meetings or at places of public religious worship'. Charging for admission does not affect this exemption.

Church halls may not fall within this exemption but changes made by the Legislative Reform (Entertainment Licensing) Order 2014 extended the exemptions that apply to community premises of this kind. In a church hall, no licence is required for the performance of live music or the playing of recorded music provided that:

- the premises is not licensed for the supply of alcohol

- the audience consists of no more than 500 people
- the entertainment takes place between 8am and 11pm
- there is written consent from the church's charity trustees.

The Deregulation Act 2015 has also exempted from entertainment licensing the exhibition of film in community premises. A film exhibition may take place in community premises between the hours of 8am and 11pm for audiences of up to 500 people as long as it is not provided with a view to profit, the screening abides by age classification ratings and prior written consent has been obtained from the church's charity trustees.

PREMISES LICENCE

Where no exemption applies a premises licence will be required if either regulated entertainment, or alcohol, or late night refreshment is to be provided on a regular basis. Guidance and application forms are available from your local district council. Expert bodies such as the police and fire authorities must be notified of all new licence applications and the application must be advertised. It is likely that a representative from the district council and the fire authority will inspect your premises before the licence is granted. The licence may stipulate specific health and safety requirements.

TEMPORARY EVENT NOTICE (TEN)

Temporary Event Notices (TENs) can be used to authorise relatively small scale ad hoc events involving no more than 499 people. When a church does not have a relevant premises licence but wishes to hold a licensable event which is not otherwise exempt then the event organiser can issue a TEN to the district council and copy this to the police. This must be done no later than ten working days before the event. There is a fee of £21.00. Each event covered by a TEN can last up to 168 hours and no more than fifteen TENs can be given in respect of any particular premises in any one year. The total duration of the periods covered must not exceed 21 days in that year. Any adult can issue a TEN, subject to a personal maximum of five in one year.

It is important to note that a TEN may be required for a church event held away from church premises which involves 'regulated entertainment' but is not for the 'purposes of or purposes incidental to religious services or meetings'. This may include, for example, pre-arranged carol singing in a town centre.

Further information on public entertainment licensing can be found at: <https://www.gov.uk/temporary-events-notice>

2. COPYRIGHT LICENSING

It is illegal to reproduce copyright lyrics - during the writer's lifetime and for 70 years after their death - without the permission or authority of the copyright owner (or their appointed representative) or a copyright licence (should one be available). By copying without permission, a church faces potential legal action and writers are deprived of their rightful income.

Your church requires a Church Copyright Licence (CCL) and a Music Reproduction Licence (MRL) to:

- project hymn and worship song words from an overhead acetate;
- store and retrieve hymns and worship songs from a computer;
- create your own service sheets that contain song words;
- photocopy music from authorised music publications;
- audio or video record music from your service for those who may not be able to attend.

Christian Copyright Licensing, who administer these licences, can be contacted at:

CCLI, Chantry House, 22 Upperton Road, Eastbourne, East Sussex BN21 1BF

Tel: 01323 436100

Email via this contact page: <http://uk.ccli.com/contact/>

Website address: www.ccli.co.uk

The cost of the licences depends on the average attendance at your main church service. Further details can be found here: <http://churches.uk.ccli.com/licences/>

Churches will need to complete online reports to record which songs have been reproduced, projected or recorded. CCLI use this information to distribute royalties to copyright holders. Further details are available here: <http://uk.ccli.com/reporting/>

OTHER COPYRIGHT PUBLICATIONS

The CCL and MRL licences cover the lyrics or music of hymns and worship songs. They do not cover material photocopied or reproduced from other copyright publications such as books (including Bibles) and magazines. For these a Copyright Licensing Agency (CLA) Church Licence would be required. This is available from CCLI: <http://churches.uk.ccli.com/licences/cla/>

PLAYING COMMERCIAL SOUND RECORDINGS – PRS AND PPL LICENCES

You will require a Performing Rights Society (PRS) Church Licence if you play or permit the use of music for any purpose other than as part of an act of worship. This would include, for example, background music at coffee mornings, youth clubs or fetes, dances or film shows.

This PRS licence will also be required when a radio or television broadcast (live or recorded) is used on church premises. This is in addition to the ordinary television licence which is needed wherever a broadcast signal is being received. Television equipment on church premises that is not used to receive broadcasts does not require a television licence.

Changes to the law on copyright licensing mean that from 1 January 2012 any church that plays sound recordings, or has groups that use their premises during the week who play sound recordings, must also purchase a PPL (Public Performance Licence) Church Licence. Acts of worship are exempt.

More detail can be found on the CCLI website here: <http://churches.uk.ccli.com/licences/>

If you have a separate church hall you should check whether it is covered by your church licence.

VIDEO LICENCES

Christian Copyright Licensing act as agent for the Church Video Licence. This licence permits the showing of authorised films and film clips within church activities. For example, it would cover video clips being shown as part of a sermon or films being shown for teaching or entertainment at children's groups. Further information is available at <http://churches.uk.ccli.com/licences/cvl/>

WEBSITE PHOTOGRAPHS AND OTHER COPYRIGHT ISSUES

Paying for copyright on photographs, graphics and images can be costly and some Baptist churches have been caught out by this. Many churches and charities use pictures copied off the internet but this can lead to a bill for several hundred pounds per photograph if an electronic search picks up that a picture has been used without a license agreement. Anyone running a website needs to have copyright cover for the images they use or to use their own photographs.

One of the largest photo and image agencies in the world, Getty Images, now has software that can automatically detect the use of unauthorised images on any website and they are acting to protect the rights of the photographers and artists involved. If the image or photo used is not covered by a copyright licence it is possible for the user to be faced with an invoice for hundreds of pounds per picture. It is recommended that pictures are removed where the source is not known. As a service Churches Together in England are making their own photos available on www.cte.org.uk/photos. More information about copyright issues can be found at: www.stockphotorights.com.

The same principles apply to other website text that is subject to copyright; one Baptist church was invoiced for using a poem that they had found online. If you are unsure whether particular wording or text is subject to copyright it is better not to use it at all.

Association Trust Company	Contact
Baptist Union Corporation Ltd East Midland Baptist Trust Company Ltd	Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700
Heart of England Baptist Association	Heart of England Baptist Association BMS Birmingham 24 Weoley Park Road Selly Oak Birmingham B29 6QX Telephone: 0121 472 4986
London Baptist Property Board	London Baptist Association Unit C2 15 Dock Street London E1 8JN Telephone: 020 7692 5592
Yorkshire Baptist Association	17-19 York Place Leeds LS1 2EZ Telephone: 0113 278 4954
West of England Baptist Trust Company Ltd	West of England Baptist Trust Company Ltd Little Stoke Baptist Church Kingsway Little Stoke Bristol BS34 6JW Telephone: 0117 965 8828

This is one of a series of *Guidelines* that are offered as a resource for Baptist ministers and churches. They have been prepared by the Legal and Operations Team and are, of necessity, intended only to give very general advice in relation to the topics covered. These guidelines should not be relied upon as a substitute for obtaining specific and more detailed advice in relation to a particular matter.

The staff in the Legal and Operations Team at Baptist House (or your regional Trust Company) will be very pleased to answer your queries and help in any way possible. It helps us to respond as efficiently as possible to the many churches in trust with us if you write to us and set out your enquiry as simply as possible.

The Legal and Operations Team also support churches that are in trust with the East Midland Baptist Trust Company Limited.

If your holding trustees are one of the other Baptist Trust Corporations you must contact your own Trust Corporation for further advice. A list of contact details is provided above. If you have private trustees they too should be consulted as appropriate.

Contact Address and Registered Office:

Support Services Team, Baptist Union of Great Britain, Baptist House, PO Box 44,
129 Broadway, Didcot OX11 8RT

Tel: 01235 517700 Fax: 01235 517715 Email: legal.ops@baptist.org.uk

Website: www.baptist.org.uk Registered CIO with Charity Number: 1181392

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