



Environmental and Health Services
Civic Centre, Riverside, Stafford, ST16 3AQ

Licensing Act 2003 - Guidance Fact Sheet

Temporary Events Notices

What is a permitted temporary event?

Temporary Event Notices (TENs) can be used to authorise small scale occasional events.

You may need to submit a Temporary Event Notice for authorisation if you are hosting or organising any events that take place in any premises or open space.

TENs replaced the "occasional licences" systems that used to operate at the Magistrates Courts and relate to temporary events with less than 500 attendees where "licensable activities" are planned to take place.

What activities need a licence?

- The sale of alcohol.
- The supply of alcohol at private members clubs.
- The supply of regulated entertainment.
- The supply of late night refreshments, which is hot food or drink supplied from 11pm to 5am.

What is regulated entertainment?

Entertainment, which takes place in front of an audience, and includes:

- A performance of a play (for example, a pantomime or amateur dramatic production including a rehearsal).
- An exhibition of a film.
- An indoor sporting event.
- A boxing or wrestling event.
- A performance of live music (for example, karaoke, a band or a choir).

- Any playing of recorded music.
- A dance performance.
- Providing facilities for making music, dancing and entertainment of a similar nature.

Exemptions

The Licensing Act 2003 specifies the following as **not** requiring a licence:

- Film exhibitions solely to demonstrate a product, advertise goods or services, or provide information, education or instruction.
- Any film exhibition at a museum or art gallery.
- Entertainment at a religious service or a place of public worship.
- Entertainment at a garden fete or similar event for charitable purposes.
- Morris dancing.
- Entertainment from carnival floats.
- Free food and drink between 11pm and 5am.

Who can submit a TEN?

Any person over 18, who will be responsible for all aspects of the event, can submit a TEN.

- No more than **12 TENs** may be given relating to the same premises in any calendar year.
- At least 24 hours must lapse between events.
- No more than 499 people can attend.
- Your event may be over different days and only one TEN is required, provided the event does not exceed a total of **96 hours**.

A TEN is treated as being from the same premise user even if an associate gives it. The Act defines an associate as a spouse, child, parent, grandchild, grandparent, brother or sister or their spouses or agent or employee of that person or their spouse.

Provided that the above criteria are met, only the Police may intervene to prevent an event covered by a TEN notice taking place or agree a modification of the arrangements for such an event. They can only do so on the grounds of crime prevention.

If any of the above limits are, or are likely to be, exceeded you will need to apply for a Premises Licence under Section 17 of the Licensing Act 2003.

When and how do I submit a TEN?

You will need three copies of the standard form.

Two copies of the form and the fee of £21 must be sent to the Licensing Service, and one copy to the Police at least **10 working days** before the event begins.

Working days do not include public holidays or Saturdays and Sundays.

The date of submission of the forms and the date of the event are also not included in the 10 days notice.

NB: Failure to serve the forms correctly will result in an invalid application.

All sections of the TEN must be fully completed and signed.

Only one event can be applied for on one form.

There is nothing to prevent forms being submitted for several events at a single time so long as the above limits are not exceeded. However, each event to which a notice relates will require a separate application form and separate fee of £21 payable to Stafford Borough Council.

Stafford Borough Council will either acknowledge receipt of the notice or, in consideration of any Police objection, provide a counter notice stating that the event cannot go ahead.

Police Objections

If the Police believe that allowing the event may lead to crime, they must, no later than **48 hours** after being given a copy of the TEN, give the premises user and Stafford Borough Council an objection notice under crime prevention grounds.

The Police, with the agreement of the premises user, can modify the TEN in which case the counter notice issued by Stafford Borough Council may be withdrawn.

Otherwise, Stafford Borough Council must hold a hearing to consider the notice at least 24 hours before the event.

Discussions prior to submitting a TEN

Where it is proposed to hold a major event, organisers are asked to contact Stafford Borough Council and the Police at an early stage before formal notice is made. This will enable the Police to consider and discuss with organisers their operating schedule and avoid potential objections and delays.

Planning Laws

A TEN does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required.

Children

Under the Licensing Act 2003 it will be unlawful to allow any unaccompanied child under the age of 16 to be present on premises where the TEN is **exclusively or primarily used for supply and consumption of alcohol**.

It will also be unlawful to permit children under 16 not accompanied by an adult between midnight and 5am into any premises operating under a TEN supplying alcohol for consumption.

Police Powers

The Police have the power to close down events with no notice on grounds of disorder, the likelihood of disorder or because of public nuisance caused by noise coming from the premises.

TENs for venues that hold a Premises Licence

TENs can be given for premises that already hold a Premises Licence. For example, to use a pub for an event involving regulated entertainment such as for a wedding where the Premises Licence does not authorise such a provision of regulated entertainment. Also, it could be used where the premises wants to stay open later than is specified on their Premises Licence for a particular event.

Contact Details

2 Applications and fee of £21:

The Licensing Team
Environmental and Health Services
Stafford Borough Council
Civic Centre
Riverside
Stafford
ST16 3AQ

Contact:
01785 619745
ehlicensing@staffordbc.gov.uk

1 Application:

Police Licensing Officer
Southern Licensing Department
Burton Police Station
Horninglow Street
Burton Upon Trent
Staffordshire
DE14 1PA

Contact:
Tel: 01785 238222, Fax: 01785 233772
Southern.licensing@staffordshire.pnn.police.uk

Further information on The Licensing Act 2003 may be obtained from:
Stafford Borough Council, The Licensing Section, Civic Centre, Riverside, Stafford, ST16 3AQ