# Temporary Event Notice

# Application Form

## Before completing this Notice:

* Please read the guidance notes at the end of the notice.
* Please write legibly in BLOCK CAPITALS.
* Ensure answers are written in black ink or typed.
* Use additional sheets if necessary.
* Keep a copy of the completed notice for your records.
* You must send one copy of this notice to the licensing authority.
* Additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated.

The licensing authority will give you a written acknowledgement of the receipt of notice.

**I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.**

## Personal Details of Premises User

**(Please read Note 1)**

Title: (please tick as appropriate)

Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other [ ]  (please state)

Last name:

First Name(s):

Any previous name(s):

Date of Birth:

Place of birth:

National Insurance Number:

Contact Telephone Number(s):

Email address:

Current address:

Correspondence address (if different from current address):

## The Premises

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description, including the Ordnance Survey references

**(Please read note 2)**

Does a premises licence or club premises certificate have effect in relation to the premises or any part of the premise? If so, please enter the licence or certificate number below:

Premises licence number:

Club premises certificate:

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. **(Please read note 3)**

Please provide the nature of the premises below. **(Please read note 4)**

Please describe the nature of the event below. **(Please read note 5)**

## The Licensable Activities

Please state the licensable activities that you intend to carry on at the premises.

Tick all licensable activities you intend to carry out. **(Please read note 6)**

[ ]  The sale by retail of alcohol

[ ]  The supply of alcohol by or on behalf of a club or to the order of a member of the club

[ ]  The provision of regulated entertainment **(Please read note 7)**

[ ]  The provision of late night refreshment

[ ]  Are you giving a late temporary event notice **(Please read not 8)**

Date(s) you intend to use these premises for licensable activities **(Please read note 9)**

State the times during the event period that you propose to carry on licensable activities (use 24 hour clock). **(Please read note 10)**

What is the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on the licensable activities at any one time? Include any staff, organisers or performers. **(Please read note 11)**

Number:

Please indicate if the licensable activities will include the sale or supply of alcohol

Tick as appropriate. (**Please read note 12).**

[ ]  On the premises only

[ ]  Off the premises only

[ ]  Both

[ ]  No alcohol will be sold or supplied

Please state if the licensable activities will include the provision of relevant entertainment and state the times during the event period that you propose to provide relevant entertainment, including but not limited to lap dancing and pole dancing (Please see note 13)

[ ]  Will not include the provision of relevant entertainment

[ ] Will include the provision of relevant entertainment

**Times this will be provided:**

## Personal Licence Holders

**(please read note 14)**

Do you currently hold a valid personal licence? Please tick)

Yes [ ]  No [ ]

If “Yes” please provide the details of your personal licence below.

Issuing licensing authority:

Licence number: Date of Issue:

Any further relevant details:

## **Previous temporary event notices you have given**

(Please read note 15 and tick the boxes that apply to you)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes [ ]  No [ ]

If ”Yes” please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year.

**Number**:

Have you already given a temporary event notice for the same premises in which the event period

Ends 24 hours or less before the event proposed in this notice Yes [ ]  No [ ]

Begins 24 hours or less after the event period proposed in this notice Yes [ ]  No [ ]

## Associates and business colleagues

**(Please read note 16 and tick the boxes that apply to you)**

Has any associate of yours already given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes [ ]  No [ ]

If answering “Yes” please state the total number of temporary event notices, including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year

**Number:**

Has any associate of yours already given a temporary event notice for the same premises in which the event period

Ends 24 hours or less before the event proposed in this notice Yes [ ]  No [ ]

Begins 24 hours or less after the event period proposed in this notice Yes [ ]  No [ ]

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice

Yes [ ]  No [ ]

If ”Yes” please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year.

**Number:**

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period

Ends 24 hours or less before the event proposed in this notice Yes [ ]  No [ ]

Begins 24 hours or less after the event period proposed in this notice Yes [ ]  No [ ]

## Checklist

**Please tick the appropriate boxes, where applicable (Please read note 17)**

[ ]  Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated

[ ]  Sent a copy of this notice to the chief of police for the area in which the premises are situated

[ ]  Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated

[ ]  If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority

[ ]  If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police

[ ]  If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions0

[ ]  Made or enclosed payment of the fee for the application

[ ]  Signed the declaration below

## Condition

**(Please see note 18)**

It is a condition of this temporary event notice that where the relevant licensable activities include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user

## Declaration

**(Please read note 19)**

The information contained in this form is correct to the best of your knowledge and belief

I understand that is it an offence to:

1. Knowingly or recklessly make a false statement or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
2. To permit an unauthorized licensable activity to be carried on at nay place and that person is liable on summary conviction for any such offence to a fin of any amount or to imprisonment for a term not exceeding six months or to both

Signature:  Date:

Name of person Signing:

## For Completion by the Licensing Authority

**Acknowledgement (Please read note 20)**

I acknowledge receipt of this temporary event notice

Signature, on behalf of the licensing authority:

Date:

Name of Officer Signing:

## How we use your personal information

The information that you have provided on this form will be used by Stafford Borough Council, who are the data controller for the processing of your application and providing you with a licence. We will only share your information with/or on The Public Register, The Home Office, other Government agencies, Council departments and Enforcement Agencies and the National Fraud Initiative when necessary or where the law otherwise requires or allows us to do so. For further information, please see [www.stafford.bc.gov.uk/privacynotices](http://www.stafford.bc.gov.uk/privacynotices)

## Notes for Guidance

### General

In these notes, a person who gives a temporary event notice is called a “premises user”

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see Note 8 below)

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below)

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued any licensable activities taking place would be unauthorised and he premises user would be liable to prosecution. The limitations apply to:

* The number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people)
* The number of times a person may give a late temporary notice (10 times per year for a personal licence and 2 times per year for other people)
* The number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year)
* The length of time a temporary event may last for these purposes (168 hours or 7 days)
* The maximum aggregate duration of the periods covered by the temporary event notices at any individual premises (21 days per calendar year) and
* The scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499)

For the purposes of determining the overall limits of 50 temporary even notices per personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included with the overall limits applying to the total number of temporary event notices. Note 16 below sets out the definition of an “associate”

When permitted temporary activities take place a premises user must ensure that either:

* A copy of the temporary event notice is prominently displayed at the premises, or
* The temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person, for example a licensing officer , fire officer or environmental health officer may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice on their custody a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

* the sale or supply of alcohol to children under 18 (subject to an unlimited fine or conviction)
* allowing the sale of alcohol to children under 18 (subject to an unlimited fine or conviction)
* knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (subject to an unlimited fine, or conviction)
* allowing disorderly behaviour on the premises (subject to a fine not exceeding level 3 on the standard scale, on conviction)
* the sale of alcohol to a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction)
* obtaining alcohol for a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction)
* knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (subject to a fine not exceeding level 1 on the standard scale, on conviction) and
* knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (subject to a fine not exceeding level 3 on the standard scale, on conviction)

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises. It is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1000

### Note 1

A temporary event notice may only be given by an individual and not for example by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations one individual will therefore need to be identified as the proposed premises user

If you include an email address on the notice the licensing authority may send this, the acknowledgement of receipt of your notice or any other notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

### Note 2

For the purposes of the Licensing Act 2003 “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises or any part of the premises which you want to use on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain preconditions are met. These preconditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

* not to give a counter notice under Section 105 of the Licensing Act 2003
* the conditions apply to the licence or certificate, and
* the imposition of the conditions of the notice would not be inconsistent with the carrying out of the licensable activities under the notice

### Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry out your licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution

In addition when holding the proposed event the premises user would need to be able to restrict the number of people on the premises at ay one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licenssable3 activities are being carried on the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example staff, organisers, stewards and performers.

### Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent

### Note5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers market, a discotheque, the performance of a string quartet, a folk group or rock band

### Note 6

The licensable activities are:

* The sale by retail of alcohol
* The supply by retail of alcohol by or on behalf of a club to or to the order of a member of a club
* The provision of regulated entertainment; and
* The provision of late night refreshment

### Note7

**Regulated entertainment**, subject to specified conditions and exemptions, includes:

1. A performance of a play
2. An exhibition of a film
3. An indoor sporting event
4. Boxing or wrestling entertainment
5. A performance of live music
6. Any playing of recorded music
7. A performance of dance; and
8. Entertainment of a similar description to that falling within e), f) or g)

In terms of specific regulated entertainments please note that:

**Plays**: no license is required for performances between 08:00 and 23:00 on any day, provided that audience does not exceed 500

**Dance**: no licence is required for performances between 08:00 and 23:00 on any day, provided tat the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable

**Films**: no licence is required for not for profit film exhibitions held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser gets consent the screening from a person who is responsible for the premises and ensures that each such screening abides by age classification ratings

**Indoor sporting events** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000

**Boxing or wrestling entertainment**: no licence is required for a contest, exhibition or display or Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports, defined a s a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than indoor sporting event

**Live music**: no licence permission is required for:

A performance of unamplified live music between 08:00 and 23:00 on any day, on any premises

A performance of amplified music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500

A performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500

A performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, community hall or other similar community premises that is not licensed by a premises licence to sell alcohol, provided that the audience does not exceed 500 and the organiser gets consent for the performance from a person who is responsible for the premises

A performance of amplifies live music between 08:00 and 23:00 on any day, at the non-residential premises of a local authority, a school, a hospital, provided that the audience does not exceed 500 and the organiser gets consent for the performance on the relevant premises from the local authority concerned or the school or the health care provider for the hospital

**Recorded music**: no licence permission is required for:

Any playing of recorded music between 08:00 and 23:00 on any day on premises authorized to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

Any playing of recorded music between 08:00 and 23:00 on any day in a church hall, village hall, community hall or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that the audience does not exceed 500 and the organiser gets consent for the performance from a person who is responsible for the premises

Any playing of recorded music between 08:00 and 23:00 on any day at the non-residential premises of a local authority, a school, or a hospital, provided that the audience does not exceed 500 and the organiser gets consent for the performance on the relevant premises from the local authority concerned, or the school proprietor or the health care provider for the hospital

**Cross activity exemptions**: no licence is required between 08:00 and 23:00 on any day with no limit on audience size for:

Any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority

 Any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider

Any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor, and

Any entertainment (excluding films and a boxing or wrestling entertainment) taking place at travelling circus, provided that it takes place within a moveable structure that accommodates the audience and that the travelling circus has not been located on the same site for more than 28 consecutive days

If you are uncertain whether or not the activities that you propose are licensable you should contact your licensing authority for further advice

### Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for the personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices ie 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders

If there is an objection from with er the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued

### Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

### Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period and may intend to sell alcohol between 08:00 and 23:00 on each of the two days

### Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators, or consumers but also, for 3example, staff, organisers, stewards and performers who will be present on the premises

### Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above

### Note 13

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) as any live performance or any live display of nudity which is of such a nature that ignoring financial gain it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means) Relevant entertainment therefore includes but is not limited to lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorization under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment - see note 6 above) A temporary event notice may be given for this purpose

### Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 540 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested

### Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January - 31 December inclusive in any year

If an event straddles two calendar years it will count against the limits on temporary event notices (15 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non- personal licence holders) for each year. However only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 16 below sets out the definition of an “associate”

If a temporary event notice has been given for the same premises by the same premises user and would have effect within 24 hours after the end of that period the temporary event notice would be void and any licensable activities carried on under it would therefore be unlicensed

For the purpose of determining whether or not the required gap of 24 hours is upheld temporarty event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user

### Note 16

An “associate” of the proposed premises user is.

1. The spouse or civil partner of that person
2. A child, parent, grandchild, grandparent, brother or sister of that person.
3. An agent, or employee of that person; or
4. The spouse or civil partner of a person within b) or c)

For these purposes a person living with another as that persons husband or wife is to be treated as that persons spouse.

### Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities.

The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act.

Some premises may be situated in two licensing authority areas. For example, where a building or field straddles the local authority boundary. Where this is the case at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case.

In such circumstances you will receive acknowledgements from all the relevant licensing authorities

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities.

Where the premises are situated in two police areas or environmental health areas a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

### Note 18

Under the licensing Act 2003 all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol all such supplies must be made by or under the authority of the named premises user and the individual making the supply in question would be liable for prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in Note 6

### Note 19

It is an offence knowingly or recklessly to make a false statement in or in connection with a temporary event notice.

A person is to be treated as making a false statement if they produce, furnish signs or otherwise makes use of a document that contains a false statement.

To do so could result in a prosecution and an unlimited fine

### Note 20

You should not complete section 10 of the notice which is for use by the licensing authority. The licensing authority may complete this section as one means of giving you written acknowledgement of the notice.