

# Temporary Event Notices

Under the Licensing Act 2003 (LA03) certain temporary events, which include licensable activities, are permitted if they are notified to the Council and the Police by giving a 'Temporary Event Notice' (**TEN**). The following is intended as a guide to the main provisions of the legislation.

## WHAT IS A 'PERMITTED TEMPORARY EVENT'?

Permitted temporary events are events that take place in any premises, open space or temporary structure and

- ✓ Are not covered by an existing licence or certificate granted under the LA03
- ✓ Consist of one or more licensable activities (please see below)
- ✓ The premises are used over a period of no longer than 168 hours (7 days)
- ✓ No more than 499 persons are attending the event (including staff/helpers) at any one time.
- ✓ A TEN is given to Licensing Team, Police and Environmental Health Protection Team in accordance with the legislation and detailed on this fact sheet.

### What are licensable activities?

- The retail sale of alcohol
- The supply 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
- The provision of late night refreshment (sale of hot food and drink between the 11pm – 5am)



### What is regulated entertainment?

Regulated entertainment is that which takes place in front of an audience for their entertainment and includes:-

- A performance of a play (eg pantomime, amateur dramatic )
- An exhibition of a film
- An indoor sporting event
- Boxing or wrestling
- A performance of live music
- Playing of recorded music
- A dance performance
- Facilities for making music, dancing and entertainment of a similar description

### What is exempt from the requirement of a TEN?

- A film exhibition solely to demonstrate a product, advertise any goods or services, or provide information, education or instruction
- Any film exhibition at a museum or art gallery
- The performance of live or recorded music incidental to some other activity that is not itself a regulated entertainment
- Entertainment incidental to a religious service or meeting or at a place of public religious worship
- Entertainment at a garden fete or similar event for charitable purposes
- Morris dancing, whether performance or participation
- Entertainment from carnival floats
- Entertainment for a private party on private land or property, providing there is no sale of alcohol and the event is not for profit



## WHO CAN GIVE A TEMPORARY EVENT NOTICE?

- ✓ Anyone who is over 18 years old

The person who gives the **TEN** is defined in the Act as the 'premises user'. This should be the person who will be responsible for all aspects of the event.

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

## ARE THERE ANY PERSONAL LIMITS ON THE NUMBER OF TENS GIVEN IN ANY YEAR?

**Yes.** If you are not a **personal licence** holder you may give up to 5 tens in any calendar year (1 January – 31 December). If you hold a **personal licence**, you may give up to 50 TENS.

You should note that a **TEN** given by your associate (see above) is counted as you personally.

A **personal licence** permits a specified person to supply alcohol or allow the supply of alcohol at a premises that has a valid premises licence.

## ARE THERE ANY RESTRICTIONS AT EACH PREMISES?

**Yes.** No more than 12 **TENS** per calendar year, authorising events on no more than 21 days in total (a day starts at midnight, so a **TEN** running over midnight would count as two days).

There must be at least 24 hours between the end of one **TEN** and the start of another.

Your event may be over more than one day and only one **TEN** required to be given so long as the total period of the event is not longer than the permitted 168 hours and is in accordance with the **TENS** criteria.

**If any of the above limits are, or are likely to be, exceeded you will need to apply for a Premises Licence – please call the Licensing Team on 01453 754404**



## HOW TO APPLY FOR A TEN

1 Complete a notice. Remembering to include your National Insurance Number.

a. Online via Stroud District Council's website. (You are not required to send copies to the Police or Environmental Health using this method as the application system will automatically fulfil these requirements)

b. By Hand/Post

A **TEN** must be sent to the;

- Licensing Section,  
Stroud District Council, Ebley Mill, Stroud, Gloucestershire, GL5 4UB

And a copy of the original to;

- the Police  
Licensing Unit, Police Headquarters, No 1 Waterwells, Quedgeley, Gloucestershire, GL2 2AN
- and Environmental Health Protection Team (Mr R Weaver – Manager)  
Stroud District Council, Ebley Mill, Stroud, Gloucestershire, GL5 4UB

at least **10 FULL WORKING DAYS** before the first day of the proposed event, excluding the day on which the application was received. (NB: Bank Holidays and Weekends are not counted as working days)

## LESS THAN 10 FULL WORKING DAYS?

A premise user may submit a **TEN** known as a 'LATE TEN' up to 5 full working days before the event. **However, there is a limit of 2 per user per calendar year.** This limit is **10** LATE TENS for a personal licence holder.

2. The fee for a **TEN** is £21, regardless of how the application is made. Payment must be made at the same time as you submit your application.

Payment is made to the Licensing Team and can be made using the following methods  
by cheque made payable to 'Stroud District Council'  
by Cash/card at the Council Offices (between the hours of 10am-4pm)  
by telephone using a credit/debit card – please call 01453 754440 during the hours of 10am-4pm.  
directly through the online system

## WHAT HAPPENS NEXT?

When we, the Licensing Team receive your Temporary Event Notice we will acknowledge in writing its safe receipt. If you have not received an objection from either the Police or Environmental Health as detailed below your event can go ahead.

## OBJECTIONS TO THE TEN

If the Police or Environmental Health believe that allowing the event will undermine the licensing objectives, they must, no later than 72 hours after being given a copy of the **TEN**, give the premises user and the Stroud District Council an objection notice.

The Police and or Environmental Health with the agreement of the premises user can modify the **TEN** in which case the objection notice will be withdrawn.

Otherwise Stroud District Council must hold a hearing to consider the **TEN** at least 24 hrs before the event, following which a decision may be made to issue a counter notice, which prevents the event from taking place. To allow time for this hearing, we advise that **TENS** are submitted as far in advance of the proposed event as possible.

## OBJECTIONS TO A LATE TEN

If the Police or Environmental Health believe that allowing the event will undermine the licensing objectives, they must, no later than 72 hours after being given a copy of the **TEN**, give the premises user and the Stroud District Council an objection notice.

On receipt, Stroud District Council will issue a counter notice immediately and the event **cannot** take place. There will not be a hearing due to time restrictions.



### Discussions prior to submitting a TEN

Where it is proposed to hold a major event under a **TEN**, organisers are asked to contact Stroud District Council at an early stage before a formal notice is made. This will enable the police to consider and discuss with organisers their plans and avoid potential objections and hold ups.

### Planning Laws

The giving of a temporary event notice does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required

### Children

Under the Act 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 5 a.m. into any premises operating under a TEN supplying alcohol for consumption.

## POLICE AND ENVIRONMENTAL HEALTH POWERS

The Police and Environmental Health have the power to immediately close the event even if the **TEN** has been accepted. A closure order can be issued on any grounds in relation to the licensing objectives including disorder, public safety and noise coming from the event causing a public nuisance.

## WITHDRAWAL OF A TEN

If an event is cancelled a **TEN** can be withdrawn providing that notification is received by Stroud District Council in writing at least 24 hours before the beginning of the event period specified in the **TEN**. Once a **TEN** is withdrawn it will not be counted towards the limits allowed for the Premises and the Premises User. The fee for a **TEN** is non-refundable. **TENs** cannot be withdrawn after the event period has passed.

## WHERE CAN I GET MORE HELP AND ADVICE?

For further information contact Stroud District Council's Licensing Section

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| <b>Personal visit to:</b><br>Stroud District Council Offices<br>Ebley Mill, Westward Road, Stroud.<br>(We would advise callers to make appointments) | <b>Writing to us at:</b><br>The Licensing Section,<br>Environmental Health Service, Stroud District Council, Council Offices, Ebley Mill, Westward Road, Stroud, Glos. GL5 4UB |
| <b>Email:</b> <a href="mailto:licensing@stroud.gov.uk">licensing@stroud.gov.uk</a>   | <b>Phone:</b> 01453 754440   |
| <b>Internet:</b> <a href="http://www.stroud.gov.uk">www.stroud.gov.uk</a>  | <b>Fax:</b> 01453 754963   |



*2002-2003  
Crime Reduction in Rural Areas  
2004-2005  
Services for Older People  
2007-2008  
Emergency Planning*

David Hagg: Chief Executive