



HAMBLETON DISTRICT COUNCIL

LICENSING ACT 2003

GUIDANCE FOR POTENTIAL APPLICANTS FOR TEMPORARY EVENT NOTICES

Revised August 2009/November 2010

NOTE: Some of the information contained in your Notice may be made available on Public Registers held by the Council which may be displayed on the internet. Information will only be published by the Council in accordance with the requirements of the Data Protection Act.

TEMPORARY EVENT NOTICES

GENERAL

A Temporary Event Notice (TEN) is served in those cases where:

- (a) a Premises Licence is not currently in force in respect of the premises and it is intended to carry on “licensable activities” for a period not exceeding 96 hours
or
- (b) a Premises Licence is currently in force but it is intended to add to or vary the licensable activities (or the permitted hours) for a limited period (not exceeding 96 hours)

“Licensable activities” are:

1. the sale and supply of alcohol or, in the case of a club, the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club
2. the provision of late night refreshment.
3. the provision of regulated entertainment.

The descriptions of regulated entertainment are:-

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within paragraph (e), (f) or (g);

where the entertainment takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience.

REQUIREMENTS AS TO TEN'S

1. A maximum of 12 TEN's can be served in respect of any particular premises in any calendar year. “Premises” includes any place, whether indoors or outdoors.
2. The notice must be submitted by the “premises user” or associates of the premises user. The “premises user” is the organiser of any specific event.
3. An individual premises user who does not hold a Personal Licence can submit not more than 5 TEN's in respect of any particular premises in any year.

4. The holder of a Personal Licence can give up to 50 TEN's per year.
(Irrespective of whether or not the person submitting the TEN is a Personal Licence holder, the maximum number of notices for each premises remains 12 per year)
5. The maximum duration of the event covered by a TEN is 96 hours.
6. There must be a minimum of 24 hours between events which are subject to a TEN.
7. The maximum aggregate duration of the periods covered by TEN's may not exceed 15 days per calendar year
8. The fee payable in respect of each notified event is £21. A single TEN can give notice of a number of events, provided that the limits set out above are observed and subject to the payment of the fee of £21 per event.
9. The event which is the subject of the TEN must not involve more than 499 people at any one time.
10. Where it is proposed to supply alcohol, all such supplies must be made by or under the authority of the premises user i.e. the person who applied for the TEN.

PROCEDURE FOR SUBMITTING TEMPORARY EVENT NOTICES

1. The prescribed form of notice is available on request or from the Council's website www.hambleton.gov.uk
2. Notice of the event(s) must be given **at least 10 working days prior to the day on which the event period begins.**
"Ten working days" notice means ten working days excluding the day on which the event is to start.

This is a statutory requirement and it will not be possible to accept notices which are submitted within less than 10 working days.

3. Copies of the Notice must be served upon the following:

Two copies with the appropriate fee to:

Licensing
Hambleton District Council
Civic Centre
Stone Cross
Northallerton
DL6 2UU

Cheques should be made payable to "Hambleton District Council".

One copy to:

Northallerton Police Licensing Officer
72 High Street
Northallerton
DL7 8ES
Tel: 01609 789826

PROCEDURE FOLLOWING SUBMISSION

1. If the Police are satisfied that allowing the premises to be used in accordance with the TEN would undermine the licensing objective on preventing crime and disorder then they must give the premises user and the licensing authority (the Council) an objection notice. This notice must be issued no later than 2 working days after the Police were given a copy of the TEN. The Licensing Authority must then hold a hearing to consider the objection notice.
2. If the Police do not serve an objection notice then the Licensing Authority will issue an acknowledgment of the TEN. This means that the event can proceed as proposed.
3. A copy of the TEN must either:
 - (a) be prominently displayed at the premises being used for the permitted temporary activity
 - (b) be kept at the premises in the custody of the premises user
 - (c) be kept at the premises in the custody of a person who is present and working at the premises and who has been nominated by the premises user for this purpose. In such a case a notice specifying that fact and giving the position held at the premises by the nominee should be prominently displayed at the premises.

WITHDRAWAL OF NOTICE

A temporary event notice may be withdrawn by the premises user giving the relevant licensing authority (the Council) a notice to that effect no later than 24 hours before the beginning of the event period specified in the temporary event notice.

INFORMAL ADVICE

Unlike the previous legislation, services such as the Fire and Rescue Service are not involved in the process of considering and giving approval to temporary events. Organisers may nonetheless wish to seek informal advice from such bodies in relation to such matters as health and safety and the following contact details should be used if desired:

North Yorkshire Fire and Rescue Service

Fire Safety Officer

Tel 01609 751014 or e-mail peter.gregory@northyorksfire.gov.uk

or

Area Clerk (Claire Briggs)

Tel 01609 751011 or e-mail claire.briggs@northyorksfire.gov.uk

Environmental Health Department (Hambleton District Council)

Tel 0845 1211 555 (ask for Environmental Health Duty Officer)

or e-mail info@hambleton.gov.uk

Building Control Services

Tel 01347 822703 or e-mail enquiries@nybcp.org

Trading Standards (North Yorkshire County Council)

Licensing Act Officer

Tel 01609 533872 or e-mail business.advice@northyorks.gov.uk

Social Services (Child Protection)

Tel 01845 521424 or e-mail licensingofficer.children@northyorks.gov.uk