



Licensing Act 2003 Temporary Event Notices (TENS)

Replaces - Occasional Licences, Occasional Permissions and Special Orders of Exemption used under the Licensing Act 1964.

Provides - a new system for an event organiser to notify the Local Authority and Police of small scale ad hoc indoor or outdoor events. A TEN can be used to authorise an event outside of the terms of an existing premises licence, or to provide authority for an event where there is no existing premises licence. There are a number of restrictions / limitations which are set out below.

Providing the notice meets the criteria laid down in Licensing Act, the event will go ahead unless a counter notice is served usually following objections from the Police.

A TEN can be used instead of a premises licence for events involving licensable activities which are: -

- Plays or films
- Indoor sporting events, boxing, wrestling
- Live/recorded music
- Dancing, performance of dance
- Facilities for making music/dancing
- Sale/supply of alcohol
- Provision of late night refreshment (hot food & drink 23.00-05.00)

How does it work?

Limitations on events under a TEN

- No more than 499 people at any one time for each event
- Each TEN event can last up to 96 hours
- Each premises can hold **no more** than **12** TEN events per year
- Maximum total period covered by a TEN at any premises is **15** days per year
- **Must** be a minimum of **24** hours between each event notified by an event organiser at any premises
- Multiple TENS can be submitted at the same time but each event is a separate TEN with a separate fee payable. The limits set out above cannot be exceeded.
- Anyone over the age of 18 can submit a maximum of **5** TENS per year
- **Personal Licence Holders** can submit a maximum of **50** TENS per year

Where premises are available for hire to organisations / individuals for their own events, premises owners/operators must be aware that TENS submitted by such persons will be counted under the limits set down in the Act. It is therefore recommended that a booking agreement is used to ensure that all TENS made in respect of a premises are made with the agreement of the premises owner / operator.

Procedure

- Duplicate notice of the event **must** be served on the relevant Local Authority **no less than 10 working days** before the event.
- A fee of **£21** for each event must accompany the notice to the **Local Authority**
- A copy of the notice must be presented to the **Police**

Notification of a TEN

The Act requires at least ten working days notice to the licensing authority and the police when submitting a TEN. In order to allow sufficient time for liaison with the police in the event of there being any concerns, it is recommended that at least 3 months notice be given. In cases where less notice is given, organisers must be aware that in the event that a counter notice is issued by the licensing authority (a counter notice will prevent the event from going ahead lawfully), any appeal to the Magistrates Court must be made at least 5 days prior to the proposed event.

A TEN must be made on the prescribed form (available from the Licensing Authority on request) and will contain the following information: -

- a) The licensable activities proposed
- b) Period of the proposed activities
- c) Times of the proposed activities
- d) Maximum number of persons to be allowed on the premises (not exceeding 499)
- e) If alcohol is to be supplied for consumption on or off the premises, or both
- f) Where alcohol is to be supplied, the condition that the supplies are made by the authority of the event organiser

For further information and/or a notification form, please contact the Licensing Office at the address below:-

The Licensing Department
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE
Tel:- 01803 861336
Fax:- 01803 861294
Email:- licensing@southhams.gov.uk