



Oadby and Wigston Borough Council Licensing Section

Guidance on Temporary Event Notices under the Licensing Act 2003

A Temporary Event Notice (TEN) can authorise licensable activities to be carried out temporarily from premises without requiring a formal premises licence.

TENS can be used for events when permission is needed to authorise a licensable activity. This could include school fetes, school discos, amateur dramatic performances, birthday parties, wedding receptions, music festivals and countless other possible events.

This guide has been produced following the changes made by the Police Reform and Social Responsibility Act 2011 taking effect from April 25 2012.

This guide is not legal advice. It is intended to assist those who wish to hold an event to understand what a TEN can authorise, how it must be served and how it will be considered.

A TEN can authorise the following activities:

- The sale and supply of alcohol
- The supply of alcohol by or on behalf of a club, to, or to the order of, a member of the club.
- The provision of regulated entertainment
- Late Night Refreshment (Hot food or drink provided between 23:00 and 05:00)

What are the Limits on a TEN

- Only 499 people can be present at the event
- An event must be less than 168 hours (7 days) long
- Premises can only trade under TENS 12 occasions or less per year
- Premises can only be used under TENS for an aggregate period of 21 days
- There must be a minimum gap of 24 hours between two events.

Giving a Temporary Event Notice

- Only an individual over the age of 18 can give a TEN
- This individual is known as "the premises user".
- The TEN must be on the statutory form (available from the Licensing Section)
- A TEN must be given at least 10 clear working days before the day of the event.
- The TEN must be served on the Licensing Authority.
- A fee of £21 must be paid.
- If serving in hard copy, a copy of the notice must also be sent to the Environmental Health Department and the Police.
- You may serve electronically you must use the ELMS portal link from our website – http://www.oadby-wigston.gov.uk/pages/temporary_event_notice

Late Temporary Event Notices

- In limited circumstances a TEN can be given 5 working days before the day of the event.
- Premises users have a strict limit on the number of Late TENS that can be given.
- The Police or Environmental Health can object to the event and it will not go ahead.

Permitted Limits

- A individual can have up to 5 TENS or 2 Late TENS
- A personal licence holder can have up to 50 TENS or 10 Late TENS
- Only 12 Notices can be issued in respect of a premises
- No more than 21 days can be traded under TENS.

Consideration of a Temporary Event Notices and Counter Notices

- Once received the Police and Environmental Health have 3 working days to consider your TEN.
- If you have exceeded the permitted limits above you will receive a Counter Notice.
- The Police or Environmental Health can object if they feel that it will undermine one or more of the Licensing Objectives.
- If the Police or Environmental Health object to a Late TEN you will receive a Counter Notice.
- If the Police or Environmental Health object to a standard TEN a hearing will be held to consider your application. A committee will then decide whether to issue a Counter Notice.
- If you receive a Counter Notice your event cannot go ahead.

Difference between Standard and Late Temporary Event Notices

- An Objection to a Late TEN will result in the event not being able to go ahead. There is no right of appeal or hearing.
- The issuing of Late TEN's can quickly use up your whole TENS entitlement for year
- Late TENS are not encouraged due to the time it takes for the Police and Environmental Health to consider notices.

Temporary Even Notice Checklist

- Ensure you have not exceeded your TENS entitlement this year.
- Ensure that 12 TENS have not already been granted in respect of this premises.
- Ensure that TEN's have not already been traded under for more than 21 days this year.
- Ensure that your event will have no more that 499 people.
- Ensure that your event will not last longer than 168 hours.

Calculating Working Days

Section 193 of the Licensing Act 2003 defines "working day" as any other day than a Saturday, a Sunday, Christmas Day, Good Friday, or a day which is a bank holiday.

The working days notice period required has been interpreted in law as meaning "clear" working days, and does not include the day the notice is received by the Licensing Authority and the first day of the event. The notice must also be served at the same time on the Police and Environmental Health.

If you do not serve the TEN in time the event cannot be legally held. The Licensing Authority has no discretion. If posting, please bear in mind that the post can be delayed.

Calculating Working Days - Example

Last date for Service of a Standard TEN

Last date for Service of a Late TEN

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
30 April	1 May <i>*service</i>	2 May 10 working day	3 May 9 working day	4 May 8 working day	5 May *	6 May *
7 May <i>*Bank Holiday</i>	8 May 7 working day	9 May 6 working day	10 May 5 working day	11 May 4 working day	12 May *	12 May *
14 May 3 working day	15 May 2 working day	16 May 1 working day	17 May <i>*Event</i>	18 May	19 May	20 May
21 May	22 May	23 May	24 May	25 May	26 May	27 May
28 May	29 May	30 May	31 May	1 June	2 June	3 June
<i>* Do not count as working days</i>						

For an Event to be held on 17 May the last date of service is 1 May. If this deadline is missed a Late TEN could be submitted on any day from 2 May – 9 May.

Serving your Temporary Event Notice

- Complete the statutory Temporary Event Notice form
- Serve the original form on the Licensing Authority and serve a copy on Environmental Health and the Leicestershire Constabulary.
- Enclose payment of £21.00

Addresses for Service

Licensing Section Oadby and Wigston Borough Council Council Offices Station Road Wigston LE18 2DR	Environmental Health Oadby and Wigston Borough Council Council Offices Station Road Wigston LE18 2DR	The Chief Officer of Police The Licensing Section Mansfield House 74 Belgrave Gate Leicester LE1 3GG.
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Serving your Temporary Event Notice electronically

You can submit a TEN through the ELMS electronic portal by visiting http://www.oadby-wigston.gov.uk/pages/temporary_event_notice