

APPLYING FOR A TEMPORARY EVENT NOTICE

INTRODUCTION

Before an ad-hoc event that includes licensable activities takes place in England or Wales, the local licensing authority must be given a Temporary Event Notice (TEN) for the “licensable activities” that are planned. You may apply to us only for events that take place within the North Kesteven District.

The TEN process is intended to be simple to use and in essence means that, *subject to certain limitations*, there is no permission required to hold temporary events. An applicant must merely give notice of the event to the Licensing Authority and also inform the Council’s Environmental Protection Unit and the Police (the Relevant Persons). Provided the applicant stays within the definition of a TEN then the Licensing Authority can only intervene in certain circumstances, the Relevant Persons may object to the TEN if they feel that the proposed event may undermine any of the Licensing Objectives.

Temporary Event Notice guidance and forms can be found [on our business licensing web pages](#) at www.n-kesteven.gov.uk or by contacting the Licensing Team at the address below.

Applicants will need to complete a ‘Temporary Event Notice’ Form and provide the following:

- The fee (currently £21).
- The TEN form. We will provide a written acknowledgement of the receipt of the Notice, in most cases this is all that will be needed for the event to go ahead.
- Copies of the Notice must be sent to the relevant persons (see below), unless the application is being made and paid for entirely through our [Online TEN application](#) in which case we will inform the relevant persons.

THE NOTICE

It should be noted that the giving of a Temporary Event Notice does not relieve the premises user from any requirements of planning permission where it is required.

The limitations directly imposed by the Act apply to:

- the number of times a person (the “premises user”) may apply for Temporary Event Notice (50 times per year for a personal licence holder and 5 times per year for other people) – subject to provisions for ‘late’ notices;
- the number of times a temporary event notice may be given in respect of any particular premises (15 times, or for events occurring partly or wholly in 2022 Or 2023, 20 times a calendar year);
- the length of time a temporary event may last for these purposes (168 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days or, for event periods (or any part of these periods) occurring in 2022 or 2023, 26 days per calendar year);
- and
- the scale of the event in terms of the maximum number of people attending at any one time (less than 500).

Please note that a notice will be deemed to be from the same premises user if it is made by an associate, namely:

- the spouse of that person;
- a child, parent, grandchild, grandparent, brother or sister of that person or their spouse; or
- an agent or employee of that person or their spouse;

A person living with another person as his or her husband or wife is treated for these purposes as his or her spouse.

A Temporary Event Notice will contain the following information:

- the licensable activities to take place during the event;
- the period (not exceeding 168 hours) during which it is proposed to use the premises for licensable activities;
- the times during the event period that the premises user proposes that the licensable activities shall take place;
- the maximum number of persons (being less than 500) which it is proposed should, during those times, be allowed on the premises at the same time;
- where the licensable activities include the supply of alcohol, whether the supplies are proposed to be for consumption on the premises or off the premises or both; and
- any other matters prescribed by the Secretary of State.

On each occasion at least 10 clear working days notice must be given, but there is nothing to prevent simultaneous notification of multiple events at a single time so long as the first event is at least ten days away. **N.B We cannot count the day we receive the Notice, or the day of the event.**

Temporary Event organisers are encouraged to submit their notifications to the Licensing Authority and Relevant Persons as soon as is reasonably practical in order for them to consider whether or not there are any concerns and where there are concerns, to enable all parties to take the necessary steps to resolve them.

The TEN form contains its own guidance notes which refer applicants to relevant sections of the form. These notes should not be detached as they provide useful advice and tips for completing the form.

Late TEN's

There is a limited provision for us to accept a 'late' TEN - these may be given to us no later than 5 clear working days before the event and no earlier than 9 clear working days. Personal licence holders can give up to 10 'late' Notices a year, non personal licence holders can give up to 2, but once these limits are reached then any entitlements to apply for any type of TEN cease for the rest of that year.

The Licensing Authority recommends that at least 20 working days and no more than 40 working days notification be given. The Licensing Authority will provide a written acknowledgement of receipt of the TEN. Once the notice has been acknowledged the premises user then has authorisation to stage the temporary event (unless the police or environmental health team have served an objection notice – see below).

Objections to TEN's

When the police or environmental health team have served an objection notice a hearing will be held to determine whether or not the event may proceed.

At the hearing we may impose one or more conditions on the TEN if it is appropriate for the promotion of the licensing objectives and the conditions are already imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the TEN.

Objections to Late TEN's

If a Relevant Person objects to a 'late' TEN then we must issue a Counter Notice which effectively prevents the event from taking place legally. There is no hearing process for this, nor is there any right of appeal.

Displaying the Notice

The premises user is under a duty to keep the acknowledged copy of the TEN (including details of any conditions added at a hearing) at the premises whenever it is being used for the licensable activity. A copy of the notice (and conditions) must be prominently displayed at the premises or kept in the custody of the licence holder or a nominated person. If this is the case, then the details of the nominated person must be prominently displayed at the premises.

WHAT ACTIVITIES REQUIRE A TEN?

The "licensable activities" to which the Act refers comprise:

- The sale by retail of alcohol;
- The provision of regulated entertainment; and
- The provision of late night refreshment. (Supplying hot food or hot drink between 11pm and 5am)

Regulated entertainment is:

- Performance of a play
- Exhibition of a film
- Indoor sporting events
- Boxing or wrestling entertainment
- Performances of live music
- Playing of recorded music
- Performances of Dance

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.

- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) 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 of 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 as 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 an 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 live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption 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, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) 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 authorised 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 (a) the audience does not exceed 500, and (b) 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 (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant

premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- 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 a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Events such as school fetes, garden fetes, bazaars etc are generally exempt from the regulations, if such events are “not promoted or held for purposes of private gain” and there is no sale of alcohol. These events are called ‘exempt entertainments’ by the Act

Raffles and tombolas are included in this exemption. Where **alcohol** is a prize then the following must apply for it to be exempt:

- The raffle/tombola is promoted as an incident of an exempt entertainment
- The proceeds all go to the organisation concerned
- The alcohol must be in a sealed container
- No prize should be a money prize
- The draw should be made during the exempt entertainment

In all other cases, even for charitable purposes, any event involving licensable activities will need a Temporary Event Notice or will have to take place on premises for which a Premises Licence has been granted.

Adult Entertainment

Premises users are required to declare if the licensable activities at their event will include any ‘relevant entertainment’. Relevant entertainment is certain types of adult entertainment including lap dancing and pole dancing. Further details are contained in the notes pages which form part of the TEN form. (Section 3 of the form and guidance Note 13)

If you are uncertain whether or not the activities you propose are licensable, you should contact the Licensing Team for further advice.

NOTIFYING THE RELEVANT PERSONS

The addresses for copying applications are:

Lincolnshire Police

Alcohol Licensing Team,
Police HQ, PO Box 999
Lincoln
LN5 7PH
Countylicensinggroup@lincs.pnn.police.uk

Environmental Health Team

North Kesteven District Council
District Council Offices
Kesteven Street
Sleaford
NG34 7EF
T: 01529 414155
F: 01529 308394
E: EHTeam@n-kesteven.gov.uk

CONTACT US

IF YOU HAVE UNANSWERED QUESTIONS ABOUT TEMPORARY EVENTS PLEASE CONTACT US BY:

Visiting the Council's website www.n-kesteven.gov.uk

Or telephone the Licensing Team on 01529 414155 or e-mail licensing@n-kesteven.gov.uk.
Alternatively you can make an appointment to speak to a member of our team our offices:

The Licensing Team
North Kesteven District Council
District Council Offices
Kesteven Street
Sleaford
Lincolnshire
NG34 7EF

PLEASE NOTE THAT THE INFORMATION CONTAINED IN THIS GUIDANCE DOCUMENT IS THE LICENSING AUTHORITY'S UNDERSTANDING OF THE CURRENT LEGISLATION. APPLICANTS ARE STRONGLY ADVISED TO SEEK ADVICE FROM A QUALIFIED PROFESSIONAL.
