

**SPELTHORNE BOROUGH COUNCIL  
GUIDE TO SERVING “TEMPORARY EVENT NOTICES” FOR OCCASIONAL EVENTS  
UNDER THE LICENSING ACT 2003**

**What kind of events must be covered by a Temporary Event Notice (TEN)?**

TENs are required for any licensable activity that is not covered by a premises licence. Four activities are specified in the Act:

1. The sale by retail of alcohol
2. The supply of alcohol by or on behalf of a club, or to the order of a member of the club
3. The provision of regulated entertainment, which includes: the performance of a play; the exhibition of a film; an indoor sporting event; a performance of live music; any playing of recorded music; a performance of dance; entertainment of similar description to live/recorded music/dance
4. The provision of late night refreshment (ie the supply of hot food and/or hot drink) to the public between 11pm and 5am.

**Who can serve a TEN?**

Anyone who is going to use the premises for any of the above-mentioned activities. This can be a person representing a PTA or charity but must be an individual rather than an organisation. The individual must be over 18.

**Can a person give more than one temporary event notice at the same time?**

Yes. There is nothing to prevent simultaneous notification of multiple events. A separate form must be completed for each temporary event. (An event can encompass up to 96 hours, so a school play held over 3 consecutive nights would count as one event). There must be at least 24 hours between two separate events. A fee will of course have to be submitted commensurate with the number of events.

**Can the Licensing authority reject a notice?**

Not unless the premises have exceeded the number of such events allowed by the Act (please see the notes at the end of the form), or if the notice is not **received** by the licensing authority and police at least ten working days before the event.

Police can in exceptional circumstances object to a notice. This objection must be given no later than 48 hours after the police have been given the copy. Objections would normally trigger a hearing to decide the matter and may result in a counter notice being issued to prevent the event. It is highly unlikely that an event such as those organised by a school PTA will attract an objection from the police.

**When should a notice be given?**

The notice must be given to Spelthorne Borough Council at least ten working days in advance of the event. Working days are defined as any day other than a Saturday, Sunday or statutory bank holiday. Section 193 of the Act states that “ten working days” notice means ten working days **not including** the day of the event, and **not including** the day on which the notice is given. If notices are received later than this then the event will not be licensed and will have to be cancelled.

It is important to be aware that these are not applications that are granted or refused, they are notifications. If they are served within the terms of the Act then the event is

permitted. Conversely if they are not served within the terms of the Act then the event is unlawful.

Unless you submit an electronic application you must also give a copy of the notice to the police no later than ten working days before the event, not including the day of the event.

Event holders are therefore encouraged to serve these notices in plenty of time so that they do not risk the event having to be cancelled. We would prefer that notices be served no later than one month before the event and no earlier than six months before the date of the event.

### **How many Temporary Events is a Personal Licence holder allowed for a given premises?**

A personal licence holder can apply for 12 events per year (no more than 15 days in total). If an event goes over midnight into the next day, that will be classed as 2 days.

### **What if my notice is given late?**

We have no legal discretion to accept a notice that has not been received in time. Any licensable activities would be unauthorised and an offence would be committed to hold them.

### **What if the building has a planning restriction about opening times?**

A temporary event notice will not override any planning restrictions attached to particular premises. For example, a temporary event notice given to allow alcohol and music and dancing to take at premises until 1.00am will not override a planning restriction that prevents the premises from being open after 11.00pm.

### **Where can I obtain the forms from?**

Forms can be downloaded from Spelthorne's website on [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) , or e-mailed or posted as required by contacting the licensing team, details below. Please feel free to photocopy blank forms.

### **What is the fee?**

The fee, which is set by Government, is currently £21.00. Please make cheques payable to Spelthorne Borough Council.

### **Where must the notice be sent?**

Unless you are making an application by electronic means, the notice, in duplicate, must be sent to the licensing authority in whose area the premises are situated.

### **Addresses:**

Licensing Team  
Spelthorne Borough Council  
Council Offices  
Knowle Green  
Staines TW18 1XB

Licensing  
Spelthorne Neighbourhood Team  
PO Box 101

Guildford GU1 9PE

If you prefer to send the application electronically, download the form, complete and send it to [licensing@spelthorne.gov.uk](mailto:licensing@spelthorne.gov.uk) You do not need to send an electronic copy to the police, the council will do this for you.

Payment for electronic applications will need to be made separately at the moment, although we are working on an on-line form which will include a payment facility. You can make your payment by phoning the revenues team on 01784 446203.

**Further information and useful websites**

[www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) Tel 01784 444202 Fax 01784 446437 e-mail  
environmental.health.commercial@spelthorne.gov.uk  
[www.culture.gov.uk](http://www.culture.gov.uk)