



**South
Derbyshire**
District Council

Temporary Event Notice

Guidance Notes on How to Apply

General

A temporary event notice (TEN) authorises licensable activities at a premises on a temporary basis subject to limits.

A TEN may authorise the following licensable activities:

- Sale by retail of alcohol;
- The provision of regulated entertainment;
- Supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- The provision of late night refreshment.

A TEN must be given by an individual over the age of 18 years.

A TEN is given for a premises which can be 'any place'.

How to apply?

A TEN must be submitted on the prescribed form and submitted to the Licensing Authority that covers the premises for the proposed event. The forms can be downloaded from the Council's website at www.southderbyshire.gov.uk or can be submitted online via the www.gov.uk website. A link to the online application can be found on the Council's website.

A fee of £21 is payable. Cheques can be made payable to South Derbyshire District Council.

Unless the form is submitted electronically, a copy of the form must be served on the Police and the Council's Environmental Health Department.

The form must be submitted at least 10 clear working days before the event. 'Working day' means any day other than a Saturday, Sunday, Christmas Day, Good Friday or Bank Holiday. The day the TEN is submitted and the day of the event will not be counted in calculating the days.

It is advised to submit the TEN at least two months before the event if possible.

Limits on a TEN

The limitations that apply to a TEN are:

- The premises user must be over 18 years old;
- The number of times that a person may give a TEN (50 times a year for a personal licence holder and 5 times a year for other people);
- The number of times a TEN may be given in respect of any particular premises (12 times in a calendar year);
- The length of time a temporary event may last for these purposes (Less than 168 hours or 7 days);
- The maximum aggregate duration of the periods covered by TEN's at any individual premises (21 days);
- At least 24 hours between events; and
- The scale of the event in terms of the maximum number of people attending at any one time (less than 499).

Late TEN

A late TEN can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given.

A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 notices per year for personal licence holders and 5 notices for non-personal licence holders).

Determination of TEN

On receipt of a valid TEN, the Licensing Authority will process the TEN and acknowledge the form by emailing a signed copy of the TEN to the premises user. The Licensing Authority is required to acknowledge the TEN the next working day; this acknowledgement is not confirmation that the Police and/or the Environmental Health Department have no objections.

The Police and/or the Environmental Health Department may serve an objection notice in relation to the TEN if they believe that the event would undermine any of the licensing objectives if it took place.

The Police and Environmental Health Department have a period of three working days to raise an objection notice.

If a counter notice is received then a hearing will be held to determine the TEN. The TEN and counter notice will be considered by the Licensing and Appeals Sub-Committee.

If a counter notice is received in relation to a late TEN, there is no mechanism for a hearing to be held. The TEN will not be valid and the licensable activities will not be authorised at the event.

To avoid the need for a hearing, the Police and/or Environmental Health Department may negotiate with the premises user in order to modify the TEN i.e. reduce the hours requested. If an agreement is reached, the TEN can be modified to reflect the agreement and there would be no requirement for a hearing to be held.

At the Licensing and Appeals Sub-Committee, the Members have the power to attach conditions to a TEN from the existing conditions on the premises licence or club premises certificate if they believe it is appropriate to do so. The Members may also decide to allow the TEN to proceed as applied for or issue a counter notice if they believe the event would undermine the licensing objectives.

If an objection notice is received, more information on the process will be provided to the premises user at the time.

On the day of the event

On the day of the event, the premises user must ensure that a copy of the TEN is displayed prominently at the premises or kept at the premises in their custody or in the custody of a person nominated to keep it.

If the TEN is in the custody of another person, a notice specifying that fact and the position of the person must be displayed prominently at the premises.

If the TEN is in the custody of the premises user or other nominated person, an authorised officer or constable may request that the TEN is produced for examination.

Contact Details

The addresses for the submission of a TEN are as follows:

Licensing Authority
South Derbyshire District Council
Civic Way
Swadlincote
Derbyshire
DE11 0AH

licensing@southderbyshire.gov.uk

Police
Derbyshire Constabulary
Licensing Section
Derby Divisional HQ
St. Mary's Wharf
Prime Park Way
Chester Green
Derby
DE1 3AB

DLIC@derbyshire.police.uk

Environmental Health Manager
Environmental Health Division
South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

environmental.health@southderbyshire.gov.uk