

Guidelines for those in possession of an authorised temporary event notice

If you are in possession of an acknowledged and duly signed copy of a temporary event notice, you should be aware of the following administrative responsibilities associated with the holding of the authorisation.

➤ Extent of authorisation

Unless the notice is withdrawn or you receive an objection notice, a duly authorised temporary event notice permits you to provide the temporary licensable activities in accordance with the notice given.

The notice only permits those licensable activities to take place at the premises as specified within the notice. The notice does not imply approval under any other legislation or activity controlled or regulated by this or any other authority.

Proper operation of the notice obviously relies on compliance with these limitations, which are legally enforceable. Accordingly, it is strongly recommended that you familiarise yourself with them. Failure to conduct the permitted activities in accordance with the notice may result in legal action being taken against you.

➤ Theft loss etc of temporary event notice

If any part of your temporary event notice is lost, stolen, damaged and/or destroyed, you may apply to this authority (the 'acknowledging authority') for a copy. A fee is payable for document replacement.

Please note that we can only issue replacement documentation if satisfied that the notice has been lost, stolen, damaged or destroyed. In the case of documents that are lost or stolen, we can only issue replacement documents if the loss or theft has been reported to the police.

We are unable to provide replacement documents for applications made more than one month after the end of the event period specified in the notice.

➤ Duty to keep the temporary event notice

As the 'premises user' you must either ensure that a copy of the notice is prominently displayed at the premises or ensure that the notice is kept in your personal custody at the premises when being used for the permitted temporary activities.

Alternatively, the notice may be kept in the custody of a person who is present and working at the premises at the time of the event(s) but you must ensure that a notice specifying this fact and the position where the notice is held at the premises must be prominently displayed. Please note that failure to display or hold the notice on the premises in accordance with these requirements is an offence.

➤ **Duty to produce licence**

A police constable or authorised officer of the licensing authority may require you to produce your temporary event notice for examination. Failure to produce the notice is an offence.

➤ **Rights of entry where a temporary event notice is given**

A police constable or authorised officer of the licensing authority may, at any reasonable time, enter the premises to which a temporary event notice relates to assess the likely effect of the notice on the promotion of the crime prevention objective. It is an offence to obstruct an authorised officer in exercise of these duties.

➤ **Withdrawal of a temporary event notice**

The premises user may withdraw a temporary event notice by giving formal notice to this effect to the licensing authority no later than 24 hours before the beginning of the event period specified in the notice.

➤ **Modifications, objection and counter notices**

Whilst we may have acknowledged the temporary event notice, thereby giving it effect, the police may still have the opportunity to prevent the event(s) taking place and/or seek your agreement to modify the terms and arrangements under the notice.

In order to intervene, the police must be satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective. Where satisfied that this is the case, the police may give an objection notice to the premises user and the licensing authority explaining the reasons why.

If we receive an objection notice we must hold a hearing of our Licensing Sub Committee to consider the objection, and determine whether the temporary activities should be permitted. If it considers it necessary for the promotion of the crime prevention objective the licensing authority may subsequently give the premises user a counter notice, stating the reasons for its decision and copying it to the police. The effect of the counter notice is to stop the event(s) taking place. Failure to comply with a counter notice is an offence.

Licensing Authority and Police Powers

Licensing authorities have no power under the Licensing Act 2003 to stop permitted temporary events once they have started. However, the local authority may have powers under other legislation for e.g. to deal with a statutory nuisance.

The police have the power to seek court orders to close premises for up to 24 hours in a geographical area that is experiencing or likely to experience disorder.

The police also have the power to close down instantly for up to 24 hours, premises in respect of which a temporary event notice has effect, that are disorderly, likely to become disorderly or are causing nuisance as a result of noise from the premises.