

Licensing Act 2003 (Section 100) - Temporary Event Notice (TEN)

Please read the following instructions, guidance notes at the end of the form and any guidance leaflets enclosed with this document before completing your notification form.

1. If you are completing the form by hand please write legibly in BLOCK CAPITALS and write in BLACK INK.
2. In all cases ensure that your answers are inside the boxes. Use additional sheets as necessary.
3. Incomplete or inadequate notifications will be rejected and will be required to be resubmitted to the Licensing Authority.
4. The completed notification must be returned to:
 - The Licensing Team, East Lindsey District Council, The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH
5. The properly completed notification must be submitted to the Team in duplicate together with the relevant fee of £21.00 (cheques should be made payable to East Lindsey District Council)*.

Please note that we no longer accept cash for the payment of TEN fees. If you wish, you can complete this form and then submit the completed form by email to:
licensing@e-lindsey.gov.uk

The payment of £21.00 can be made by debit or credit card over the telephone (01507 601111 extension 3015) during office hours.
6. The notice must normally be submitted to the Licensing Authority no later than ten working days before the day on which the event period begins.
7. A copy of the notice must also be sent at the same time to both the following:
 - Alcohol Licensing, Lincolnshire Police, Police HQ Deepdale Lane, Nettleham, Lincoln, LN2 2LT
 - Environmental Health Team, East Lindsey District Council, The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH
8. The Police and the Environmental Health Team then have three working days (after receiving the copy notice) to object to the proposed event. The Police or the Environmental Health Team will only object if they are of the opinion that allowing the premises to be used in accordance with the notice would undermine the licensing objectives. If the Police or the Environment Health Team object they will serve a notice on the Licensing Authority and the applicant.
9. Any objection will result in the application being heard by the Council's Licensing Act 2003 Sub-Committee (consisting of Councillors).
10. Where no objection is made to a notice the event may go ahead as planned. The Licensing Authority will give you written acknowledgement of the receipt of the notice. The premises user should ensure that the TEN or receipt is prominently displayed at the premises or kept at the premises.
11. Please contact the Licensing Team if you require any further information or guidance:

The Licensing Team
East Lindsey District Council
The Hub
Mareham Road
Horncastle
Lincolnshire LN9 6PH
Tel: (01507) 601111
Email: licensing@e-lindsey.gov.uk
www.e-lindsey.gov.uk

(Form Last Revised May 2024)

Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in BLACK INK. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send one copy of this notice to the licensing authority and additional copies must be sent to Lincolnshire Police and the Council's Environmental Health Team. The Licensing Authority will give you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1.)

a) Your name

Title:

Surname:

Forenames:

b) Previous names

(Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary.)

Title:

Surname:

Forenames:

c) Your date of birth

d) Your place of birth

e) National Insurance Number

f) Your current address

(We will use this address to correspond with you unless you complete the separate correspondence box overleaf.)

g) Other contact details

Telephone - daytime:

Telephone - evening (optional):

Telephone - mobile (optional):

Fax number (optional):

E-Mail address (if available):

h) Alternative address for correspondence
(If you complete the details below, we will use this address to correspond with you.)

i) Alternative Contact Details
(If applicable.)

Telephone - daytime:

Telephone - evening (optional):

Telephone - mobile (optional):

Fax number (optional):

E-Mail address (if available):

2. The premises

a) Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (Please read note 2.)

b) Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number opposite:

Premises licence number:

Club premises

certificate number:

c) If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details. (Please read note 3)

d) Please describe the nature of the premises. (Please read note 4.)

e) Please describe the nature of the event. (Please read note 5.)

3. The licensable activities

- a) Please state the licensable activities that you intend to carry on at the premises

(Please tick next to the licensable activities you intend to carry on.) (Please read note 6.)

	✓
The sale by retail 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	
The provision of late night refreshment	
Are you giving a late TEN? (Please read note 7.)	

- b) Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8.)

- c) Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9.)

- d) Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10.)

- e) If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick next to the appropriate box). (Please read note 11.)

	✓
On the premises only	
Off the premises only	
Both	

- f) Please state if the licensable activities will include the provision of relevant entertainment (that is, performances including a live display of nudity). If so, please state the times during the event period that you propose to provide relevant entertainment. (Please read note 12.)

4. Personal licence holders (Please read note 13.)

- a) Do you currently hold a valid personal licence?

Yes No

If 'Yes' please provide the details of your personal licence below.

Issuing licensing authority:

Licence number:

Date of issue:

Any further relevant details:

5. Previous temporary event notices you have given (Please read note 14.)

- a) Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please tick the box that applies to you.)

Yes No

If 'Yes' please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year:

- b) Have you already given a temporary event notice for the same premises in which the event period:

i) ends 24 hours or less before; or Yes No

ii) begins 24 hours or less after the event period proposed in this notice? Yes No

6. Associates and business colleagues (Please read note 15.)

a) Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

If 'Yes' please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year:

b) Has any associate of yours already given a temporary event notice for the same premises in which the event period:

i) ends 24 hours or less before; or Yes No

ii) begins 24 hours or less after the event period proposed in this notice? Yes No

c) Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

If 'Yes' please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year:

d) Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

i) ends 24 hours or less before; or Yes No

ii) begins 24 hours or less after the event period proposed in this notice? Yes No

7. Checklist (Please read note 16.)

I shall:	✓
Send one copy of this notice to the licensing authority for the area in which the premises are situated	
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	
Make or enclose payment of the fee for the application	
Sign the declaration in Section 9 below	

8. Condition (Please read note 17.)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18.)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Signature:

Date:

Name of person signing:

For completion by the Licensing Authority

10. Acknowledgement (Please read note 19.)

I acknowledge receipt of this temporary event notice.

Signature:

Date:

On behalf of the Licensing Authority

Name of officer signing:

Data Protection Notice Temporary Event Notice (TEN)

East Lindsey District Council is a Data Controller and can be contacted at: The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH Tel: 01507 601111

The Data Protection Officer for this Authority can be contacted at the same address.

We are collecting your personal data in order to process your Temporary Event Notice under the Licensing Act 2003 as we are the Licensing Authority.

Your data will not be shared with third parties but may be used for Council purposes, in order to prevent or detect crime, to protect public funds or where we are required or permitted to share data under other legislation.

Some limited Premises User / Temporary Event Notice information will be made available to the public as the Licensing Act 2003 requires us to maintain a Register of Temporary Event Notices. The Register includes the name of the Premises User, venue for the TEN and date of the event.

In line with our retention policy we will keep a copy of the completed notice form for 12 months after which it will be deleted / destroyed. The information contained on our data base will be kept for 6 years and then securely deleted.

You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances. Please contact the Data Protection Officer for further information or go to our website where your rights are explained in more detail. If you would like to receive an explanation of your rights in paper format please contact the Data Protection Officer.

Any complaints regarding your data should be addressed to the Data Protection Officer in the first instance. If the matter is not resolved you can contact the Information Commissioner's Office at:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 0303 123 1113

If you do not provide the information required on the form then we will not be able to process your Temporary Event Notice.

For further information on our Data Protection Policies please go to our website: www.e-lindsey.gov.uk

General

In these notes, a person who gives a temporary event notice is called a 'premises user'.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the 'premises user') may give a temporary event notice (50 times per year for a personal licence holder and five times per year for other people);
- the number of times a person (the 'premises user') may give a late temporary event notice (10 times per year for personal licence holder and two times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of five for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late TENs are included within the overall limits applying to the total number of TENs. Note 15 below explains the definition of an 'associate'

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or that
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);

- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed 'premises user'. Within businesses, clubs or organisations one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9) the licensing authority may send to this the acknowledgement of receipt of your notice or any

notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, 'premises' means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides.

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any crime prevention issues are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- a) a performance of a play;
- b) an exhibition of a film;
- c) an indoor sporting event;
- d) a boxing or wrestling entertainment;
- e) a performance of live music;
- f) any playing of recorded music;
- g) a performance of dance;
- h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than five working days but no earlier than nine working days before the event in relation to which the notice is given. A late notice given later than five 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 ten for personal licence holders and two for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and five temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (seven days).

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 08:00 and 23:00 on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with

alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means). Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13 the holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices (including five late notices) in any calendar year. An individual who does not hold a valid personal licence may only give five temporary event notices (including two late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December, inclusive, in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (15 for each premises, 21 days for each premises, 50 per personal licence holder and five for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of five for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an 'associate'.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 14 below sets out the definition of an 'associate'.

Note 15

An 'associate' of the proposed premises user is:

- a) the spouse or civil partner of that person;
- b) a child, parent, grandchild, grandparent, brother or sister of that person;
- c) an agent or employee of that person; or
- d) the spouse or a civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

Note 16

It is a requirement that you send one copy of this notice to the licensing authority at least 10 working days, or five working days for a late notice, before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of receipt. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, one copy must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you need to receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to both the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least 10 working days for a standard notice (or five working days for late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving your written acknowledgement of the receipt of notice.

This notice must be returned to:

Licensing Team
East Lindsey District Council
The Hub
Mareham Road
Horncastle
Lincolnshire
LN9 6PH
Tel: 01507 601111
E-Mail: licensing@e-lindsey.gov.uk
Website: www.e-lindsey.gov.uk

Copy to:

- Alcohol Licensing
Lincolnshire Police
Police HQ
Deepdale Lane
Nettleham
Lincoln
LN2 2LT
Tel: 01522 558437
Email: countylicensing@lincs.police.uk

- Environmental Health Team
East Lindsey District Council
The Hub
Mareham Road
Horncastle
Lincolnshire
LN9 6PH
Tel: 01507 601111
Email: commercial.team@e-lindsey.gov.uk