

## Submitting a Temporary Event Notice

If you want to hold a public event that involves one or more of the following –

- the retail sale 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, or
- the provision of hot food or hot drink between 11.00pm and 5.00am,

you can do so using a Temporary Event Notice (TEN). A TEN authorises licensable activities on unlicensed premises for a limited period of time.

Temporary events are not granted by the licensing authority. Instead the person who submits the TEN (known as the 'premises user') notifies the event to the licensing authority that has jurisdiction over where the event is to be held, giving the required number of days notice, and paying the required fee of **£21.00**.

"Premises" means any place and is defined by the premises user. 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.

A TEN can be given for part of a building, such as a single room, or a plot within a larger area of land. The premises user should provide a clear description of the area in which he or she proposes to carry on licensable activities. A plan of the premises may be included to help define the area covered by the TEN (for example, if using a small area of a public park, or one room in a building). This is important as any licensable activities conducted outside the area of the premises authorised by the TEN would be unlawful and could lead to prosecution.

Please note: if the TEN authorises the sale of alcohol, all sales during the event are the responsibility of the premises user.

### Limitations

Authorisation of a TEN is subject to certain limits. The premises user is permitted:

- **50 events per personal licence holder, 5 events per non-personal licence holder, per calendar year.**
  - The maximum number of events submitted per premises user is 50 for a personal licence holder and 5 for a non-personal licence holder.
- **499 people per event at any one time**

- The maximum number of people who may attend a temporary event at any one time is 499, but please note that this includes people working at the event (bar staff, performers, stewards etc) as well as any audience or customers.
- **168 hours per event**
  - A temporary event may last no longer than 168 hours from the start time (this is equivalent to seven days).
- **15 events per place**
  - The maximum number of events per 'place' within a calendar year is 15.
- **21 days per place**
  - You are permitted 21 days, or part days, of temporary events per 'place'.

Please note that in relation to a TEN, the 2003 Act defines a "day" as a period of 24 hours beginning at midnight, so if you hold a temporary event that continues beyond midnight (from 11.00pm until 1.00am the following morning for example), this counts as two days off the 21-day maximum per premises.

Exceeding the above permitted limits makes the premises user liable for prosecution.

### **Period of notice**

You must give **10 working days notice** to the Licensing Authority prior to the start of the event. A copy of the TEN must also be served on Greater Manchester Police and the City Council Environmental Health department; see below for addresses.

The Licensing Act defines "working day" as any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales.

**Please note: "Ten working days" notice means ten working days *not including the day on which the event is to start, and not including the day on which the TEN is given.***

If you do not properly complete your form we have to reject it. You cannot hold a temporary event until you submit a valid notification at least 10 working days before the event starts. We recommend that you submit a TEN at least 3 weeks before the event. Many people leave it to the last minute and then find they have miscalculated dates or made mistakes which means they cannot hold the event on the date(s) they had planned.

### **Submission of 'Late TENs'**

A 'Late TEN' can be accepted by the Licensing Authority with the following limitations:

- Late TENs can be given no later than 5 working days but no earlier than 9 working days before the event.
- A Late TEN 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 TENs 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 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).
- If there is an objection from either the police or the Council's Environmental Health department, the event shall not be allowed to go ahead and a counter notice will be issued.

### **Completing the form**

#### **Section 1 – Personal Details**

- At number 1, state your own name – a TEN may only be given by an individual, not by an organisation, club or business.
- At number 5, please make sure you include your National Insurance Number.
- At number 6, please provide your current **home** address, NOT the address of your company or the premises where the event is taking place.

#### **Section 2 – The Premises**

- In this section, give details of the premises or the part of the premises you want to use. If you only want to use one room of the premises, or part of a larger open space, then say so on the form. We will otherwise assume you want to use the entire premises.
- If a premises licence or club premises certificate (CPC) has effect in relation to the premises (or any part of the premises) that you want to use to carry on licensable activities, please state the licence or CPC number.
- If a premises licence or CPC has effect, it is possible that any conditions that apply to the licence or certificate *may* be imposed on the TEN if certain pre-conditions are met. These pre-conditions are that the police or the Environmental Health department object to the TEN 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.

### **Section 3 – The Licensable Activities**

- Please indicate the licensable activities you wish to offer.
- Make sure the date(s) of the event are indicated. If the event goes beyond midnight this is another day and should be stated.
- Please indicate if you are giving a Late TEN (Late TENs can be given no later than 5 working days but no earlier than 9 working days before the event).
- Please give the event timings in 24-hour clock format. (Please note; you may not want to conduct licensable activities for the whole of the event period – for example, you may want to sell alcohol from 2000 to 2300 on each of two days).
- State the maximum number of people who will be attending the event at any one time – this can be no more than 499 (this shall include staff, organisers, stewards and performers etc who will be present on the premises, as well as any audience or customers).
- If the event includes the retail sale of alcohol, state whether the supply will be for consumption on or off the premises or both.
- Please state if the licensable activities will include the provision of relevant entertainment -
  - ‘Relevant entertainment’ is defined 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.

### **Section 5 – Previous Temporary Event Notices**

- Please tell us how many TENs, other than this one, you have given in the same calendar year. Please note; this includes any TEN at any premises anywhere in England and Wales, not just the premises for which you are giving the current notice.

### **Section 6 – Associates and Business Colleagues**

- The Licensing Act defines an associate of the premises user as being:
  - the spouse or civil partner of that person;
  - child, parent, grandchild, grandparent, brother or sister of that person;

- an agent or employee of that person;
- the spouse or civil partner of a person listed in either of the two previous bullet points.
- A business colleague is someone in business with the premises user and where that business involves carrying on licensable activities.

Any associate, relative or business partner of the premises user is considered to be the same premises user in relation to the restrictions that apply to TENs.

### **Section 7 – Checklist**

- Please make sure you have ticked all the boxes in the checklist part of the declaration. If any box is not ticked then that item will not be considered as having been completed by the premises user.

### **Section 9 – Declaration**

- Please ensure that this section is signed, dated, and the name of the person signing is given in a legible manner. If one or more of these items are left blank, then the TEN has to be rejected.

### **Submitting your completed TEN:**

- Check you have completed the whole form. Any section left incomplete may mean we have to reject your TEN.
- You can submit the form by post or by an electronic facility (on-line or via email attachment).

### **Submitting the form electronically:**

- Use the on-line facility on Manchester City Council's website at [www.manchester.gov.uk/licensing](http://www.manchester.gov.uk/licensing) (select 'Apply for other licences or permits') where you will be prompted for card details to pay the fee.
- Submit via an email attachment. Emailed applications should be sent to: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)
- If you submit the TEN via an email attachment, the TEN will be checked and a member of the licensing team will e-mail you a link to pay the fee via our website. Please do not include any card payment details in your email.
- If you submit your TEN electronically, there is no need to serve a copy on the police or environmental health - for electronic submissions it is the responsibility of the licensing authority to serve a copy of the notice on the police and environmental health.

### **Submitting the form by post:**

- Ensure the signature is original – we cannot accept a notice with a photocopied signature.

- Make sure you send the original TEN to the Licensing Premises Team (including the £21.00 fee) and one copy each to the police and environmental health (no fee included) as per the following addresses–

<b>Original (plus fee) to:</b>	<b>One Copy to:</b>	<b>One Copy to:</b>
Premises Licensing Manchester City Council Level 1 Town Hall Extension Albert Square PO Box 532 M60 2LA	GMP Licensing Partnership Team Level 1 Town Hall Extension LLoyd Street Manchester M2 5DB	Manchester City Council Licensing & Out of Hours Compliance Level 1 Town Hall Extension Albert Square PO Box 532 M60 2LA

Please note – for postal notifications it is the responsibility of the premises user to serve a copy of the TEN on the police and environmental health; if it is not served correctly the TEN may be rejected.

### **Operating as part of a Market or Fair**

Please note that a TEN does not provide permission for you to operate a market or fair in Manchester, for which you will require a Market Rights Licence. The definition of a market or fair is a concourse of buyers and sellers of five or more stalls, stands, vehicles, pitches etc from which articles are sold. This includes, for example, car boot sales, table-top sales, funfairs and fairground attractions, and exhibitions where selling is undertaken. This also includes markets being held for the benefit of a charity, disaster relief fund or other not-for-profit organisation. For further information and application form please go to our website at –

[http://www.manchester.gov.uk/info/200066/markets/4606/want\\_to\\_hold\\_a\\_market](http://www.manchester.gov.uk/info/200066/markets/4606/want_to_hold_a_market)

### **Offences**

Please note the following are offences under the Licensing Act 2003:

- The sale or supply of alcohol to children under 18 years of age
- Allowing the sale of alcohol to children under 18 years of age
- Knowingly allowing the consumption of alcohol on the premises by a person aged under 18
- Allowing disorderly behaviour on the premises
- The sale of alcohol to a person who is drunk
- Obtaining alcohol for a person who is drunk