

Police Reform and Social Responsibility Bill - March 2011

Temporary Event Notices

What is a Temporary Event Notice?

A Temporary Event Notice is a notification to the licensing authority that an individual intends to carry on licensable activities for a period not exceeding 96 hours.

What is the process for obtaining a Temporary Event Notice?

A Temporary Event Notice must be sent to the licensing authority and the police at least ten working days in advance of a planned event. Only the police can object to a Temporary Event Notice on crime and disorder grounds. The police have two working days after the receipt of the Temporary Event Notice to object, and (unless the premises user agrees to modify the Temporary Event Notice) the licensing authority must hold a hearing to consider any objection that has been received. If the licensing authority decides that the objection is valid, it must issue a counter notice to the applicant at least 24 hours before the beginning of the event to prevent it going ahead.

Recent changes to Temporary Event Notices

On 19 July 2010 the Government amended the Licensing Act 2003 by a Legislative Reform Order (LRO) to extend the police objection period from 48 hours to two working days. The new arrangements, which came into force in October 2010, ensure that the police always have two full days to object to a Temporary Event Notice, even when it is submitted at the weekend or over a Bank Holiday. Restrictions on the use of LROs meant that it was not possible to use this mechanism to make more wide-ranging changes.

What are the key changes that will be made through the Bill?

- We will extend the right to object to a Temporary Event Notice to the environmental health authority.
- We will allow the police and environmental health officers to object to a Temporary Event Notice on the basis of all of the licensing objectives.
- We will give the police and environmental health officers three working days to object to a Temporary Event Notice.
- We will give licensing authorities discretion to apply existing licence conditions to a Temporary Event Notice if there are objections from the police or environmental health authority.

- We will allow late Temporary Event Notices (i.e. those submitted less than ten working days but at least 5 days before the beginning of the event), unless the police or environmental health officers object.
- We will relax the statutory limits on the duration of a single temporary event from 96 hours to 168 hours, and on the total annual availability covered by a Temporary Event Notice in relation to a single premises from 15 days to 21 days.

What is the justification for making these changes?

We are making these changes in response to concerns expressed by our key partners including residents' associations, the police, licensing authorities, arts and voluntary organisations and circuses.

Why has the maximum length of a temporary event been increased? Why was 96 hours insufficient?

Touring theatres, circuses and voluntary groups told us that they were losing business and income by having to break for 24 hours half way through a week long event. The new limit of 168 hours will allow these organisations to run events for a week without a break.

Who will benefit from these proposals?

- Residents - who will be given more protection from noise, crime and disorder and unsafe conditions at temporary events.
- The environmental health authority which will be able to object to temporary events.
- The police and environmental health authority - which will have longer to consider a Temporary Event Notice and place any objections.
- Touring theatres, circuses and voluntary organisations which will gain extra business and income by being able to run events for a week without a break,
- Anyone (but particularly voluntary organisations and circuses) - who will still be able to put on temporary events (subject to annual limits) if they miss the 10 day deadline.

What are the main views of consultation respondents?

There was a mixed response to these proposals with residents, the police and licensing authorities asking for greater restrictions on temporary events and the arts and third sector organisations requesting a relaxation of some of the current limits and controls. Our proposals aim to strike a balance between these views by imposing stricter controls when a temporary event is notified

(e.g. to allow environmental health authorities to object and give them and the police more time to do so), but relaxing some of the limits and allowing a limited number of late Temporary Event Notices.

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