

SCHEDULE 2

Regulation 4(b)

Prescribed Form of Counter Notice (Permitted Limits)

[Insert name and address of relevant licensing authority and its reference number (optional)]

Prescribed form of counter notice (Permitted Limits) – Permitted Temporary Activities

On *[insert date]* the licensing authority received from you, *[insert name]*, a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on *[insert date]* at *[insert address or description of premises]*. The licensing authority is satisfied that if the activities were to take place, one of the permitted limits set out in section 107(2), (3), (4) and (5) of the Licensing Act 2003 (“the Act”) would be exceeded.

The limit (and subsection) which applies is indicated by an “X” in the following table.

Relevant limit (and subsection of the Licensing Act 2003)	Insert “X” as applicable
You are a personal licence holder and you have already given at least 50 temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. <i>(See section 107(2)(b)(i) of the Act)</i>	
You are a personal licence holder and you have already given at least 10 late temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. <i>(See section 107(2)(b)(ii) of the Act)</i>	
You are not a personal licence holder and you have already given at least 5 temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. <i>(See section 107(3)(b)(i) of the Act)</i>	
You are not a personal licence holder and you have already given at least 2 late temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. <i>(See section 107(3)(b)(ii) of the Act)</i>	
15 temporary event notices or, in relation to event periods occurring wholly or partly in 2022 or 2023, 20 temporary event notices have already been given which are in respect of the premises indicated in the notice and which specify as the event a period wholly or partly within the same calendar year as the event specified in the notice <i>(See section 107(4) of the Act)</i>	
In the calendar year in which the event period specified in the notice (or any part of it) falls, more than 21 days or, in relation to event periods (or any part of those periods) occurring in 2022 or 2023, more than 26 days are days on which one or both of the following fall – that event or any part of it, an event period specified in a temporary event notice already given in respect of the same premises as the notice, or any part of such period. <i>(See section 107(5) of the Act)</i>	

A copy of this counter notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine of any amount, or to both.

SIGNATURE	On behalf of the licensing authority	DATE	
Name of Officer signing			