



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 5

#### PERMITTED TEMPORARY ACTIVITIES

##### *Temporary event notices*

#### **100 Temporary event notice**

- (1) Where it is proposed to use premises for one or more licensable activities during a period not exceeding 96 hours, an individual may give to the relevant licensing authority notice of that proposal (a “temporary event notice”).
- (2) In this Act, the “premises user”, in relation to a temporary event notice, is the individual who gave the notice.
- (3) An individual may not give a temporary event notice unless he is aged 18 or over.
- (4) A temporary event notice must be in the prescribed form and contain—
  - (a) a statement of the matters mentioned in subsection (5),
  - (b) where subsection (6) applies, a statement of the condition mentioned in that subsection, and
  - (c) such other information as may be prescribed.
- (5) Those matters are—
  - (a) the licensable activities to which the proposal mentioned in subsection (1) relates (“the relevant licensable activities”),
  - (b) the period (not exceeding 96 hours) during which it is proposed to use the premises for those activities (“the event period”),
  - (c) the times during the event period when the premises user proposes that those licensable activities shall take place,
  - (d) the maximum number of persons (being a number less than 500) which the premises user proposes should, during those times, be allowed on the premises at the same time,

*Status: Point in time view as at 01/09/2007.*

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- (e) where the relevant licensable activities include the supply of alcohol, whether supplies are proposed to be for consumption on the premises or off the premises, or both, and
  - (f) such other matters as may be prescribed.
- (6) Where the relevant licensable activities include the supply of alcohol, the notice must make it a condition of using the premises for such supplies that all such supplies are made by or under the authority of the premises user.
- (7) The temporary event notice—
- (a) must be given to the relevant licensing authority (in duplicate) no later than ten working days before the day on which the event period begins, and
  - (b) must be accompanied by the prescribed fee.
- (8) The Secretary of State may, by order—
- (a) amend subsections (1) and (5)(b) so as to substitute any period for the period for the time being specified there;
  - (b) amend subsection (5)(d) so as to substitute any number for the number for the time being specified there.
- (9) In this section “supply of alcohol” means—
- (a) the sale by retail of alcohol, or
  - (b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

#### Commencement Information

- II** S. 100(4)(5)(f)(7)(b)(8) in force at 16.12.2003 by [S.I. 2003/3222](#), [art. 2](#), [Sch.](#) and s. 100 in force otherwise at 10.11.2005 by [S.I. 2005/3056](#), [art. 2\(1\)](#)

### 101 Minimum of 24 hours between event periods

- (1) A temporary event notice (“notice A”) given by an individual (“the relevant premises user”) is void if the event period specified in it does not—
- (a) end at least 24 hours before the event period specified in any other temporary event notice given by the relevant premises user in respect of the same premises before or at the same time as notice A, or
  - (b) begin at least 24 hours after the event period specified in any other such notice.
- (2) For the purposes of subsection (1)—
- (a) any temporary event notice in respect of which a counter notice has been given under this Part or which has been withdrawn under section 103 is to be disregarded;
  - (b) a temporary event notice given by an individual who is an associate of the relevant premises user is to be treated as a notice given by the relevant premises user;
  - (c) a temporary event notice (“notice B”) given by an individual who is in business with the relevant premises user is to be treated as a notice given by the relevant premises user if—
    - (i) that business relates to one or more licensable activities, and

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- (ii) notice A and notice B relate to one or more licensable activities to which the business relates (although not necessarily the same activity or activities);
  - (d) two temporary event notices are in respect of the same premises if the whole or any part of the premises in respect of which one of the notices is given includes or forms part of the premises in respect of which the other notice is given.
- (3) For the purposes of this section an individual is an associate of another person if that individual is—
- (a) the spouse <sup>[F1]</sup>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 <sup>[F1]</sup>or civil partner] of a person within paragraph (b) or (c).
- (4) For the purposes of subsection (3) a person living with another as that person's husband or wife is to be treated as that person's spouse.

#### Textual Amendments

- F1** Words in s. 101(3)(a)(d) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 170](#), S.I. 2005/3175, {art. 2}

### 102 Acknowledgement of notice

- (1) Where a licensing authority receives a temporary event notice (in duplicate) in accordance with this Part, it must acknowledge receipt of the notice by sending or delivering one notice to the premises user—
- (a) before the end of the first working day following the day on which it was received, or
  - (b) if the day on which it was received was not a working day, before the end of the second working day following that day.
- (2) The authority must mark on the notice to be returned under subsection (1) an acknowledgement of the receipt in the prescribed form.
- (3) Subsection (1) does not apply where, before the time by which the notice must be returned in accordance with that subsection, a counter notice has been sent or delivered to the premises user under section 107 in relation to the temporary event notice.

#### Commencement Information

- I2** [S. 102\(2\)](#) in force at 16.12.2003 by [S.I. 2003/3222](#), [art. 2](#), [Sch.](#); [s. 102\(1\)\(3\)](#) in force at 10.11.2005 by [S.I. 2005/3056](#), [art. 2\(1\)](#)

### 103 Withdrawal of notice

- (1) A temporary event notice may be withdrawn by the premises user giving the relevant licensing authority a notice to that effect no later than 24 hours before the beginning of the event period specified in the temporary event notice.

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- (2) Nothing in section 102 or sections 104 to 107 applies in relation to a notice withdrawn in accordance with this section.

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