



# 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 [<sup>F1</sup>168 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 [<sup>F2</sup>168 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,

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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—
- [<sup>F3</sup>(a) must be given in accordance with section 100A, and]
  - (b) must be accompanied by the prescribed fee [<sup>F4</sup>when it is given by the premises user to the relevant licensing authority.]
- (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.

#### Textual Amendments

- F1** Words in s. 100(1) substituted (22.3.2012 for specified purposes, 25.4.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 115(2)(a)**, 157(1) (with s. 115(4)); [S.I. 2012/896](#), art. 2(g); [S.I. 2012/1129](#), art. 2(d)
- F2** Words in s. 100(5)(b) substituted (22.3.2012 for specified purposes, 25.4.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 115(2)(b)**, 157(1) (with s. 115(4)); [S.I. 2012/896](#), art. 2(g); [S.I. 2012/1129](#), art. 2(d)
- F3** S. 100(7)(a) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 114(3)(a)**, 157(1) (with s. 114(13)); [S.I. 2012/1129](#), art. 2(d)
- F4** Words in s. 100(7)(b) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 114(3)(b)**, 157(1) (with s. 114(13)); [S.I. 2012/1129](#), art. 2(d)

#### Commencement Information

- I1** 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)**

#### [<sup>F5</sup>100A Standard and late temporary event notices

- (1) For the purposes of section 100(7)(a), a temporary event notice must be given in accordance with—
- (a) subsection (2), in which case the notice is a “standard temporary event notice”, or
  - (b) subsection (3), in which case the notice is a “late temporary event notice”.
- (2) A temporary event notice is given in accordance with this subsection if, no later than ten working days before the day on which the event period begins,—

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- (a) it is given to the relevant licensing authority by means of a relevant electronic facility, or
  - (b) it is given to the relevant licensing authority (otherwise than by means of a relevant electronic facility) and to each relevant person.
- (3) A temporary event notice is given in accordance with this subsection if—
- (a) it is given to the relevant licensing authority by means of a relevant electronic facility no later than five working days, but no earlier than nine working days, before the day the event period begins, or
  - (b) both of the following are satisfied—
    - (i) it is given to the relevant licensing authority (otherwise than by means of a relevant electronic facility) and to each relevant person no later than five working days before the day on which the event period begins;
    - (ii) it is given to at least one of those persons no earlier than nine working days before the day on which that event period begins.
- (4) Where a temporary event notice (the “original notice”) is given by the premises user to the relevant licensing authority by means of a relevant electronic facility as referred to in subsection (2)(a) or (3)(a)—
- (a) the licensing authority must give a copy of the original notice to each relevant person no later than the end of the first working day after the day on which the original notice was given to the authority, and
  - (b) for the purposes of this Act, the copy is to be treated as if it were the original notice.
- (5) In this section “event period” in relation to a temporary event notice means the event period specified in the notice.]

#### Textual Amendments

**F5** S. 100A inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. **114(4)**, **157(1)** (with s. **114(13)**); S.I. 2012/1129, art. 2(d)

## 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;

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- (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
    - (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>[F6]</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>[F6]</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**

**F6** 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 <sup>[F7]</sup> in accordance with this Part, it must give written acknowledgement of the receipt of the 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.
- <sup>F8</sup>(2) .....
- <sup>[F9]</sup>(3) Subsection (1) does not apply where, before the time by which acknowledgement of the receipt of the notice must be given in accordance with that subsection, a counter notice has been given to the premises user—
- (a) where the counter notice is in respect of a late temporary event notice, section 104A, or
  - (b) where the counter notice is in respect of a standard temporary event notice or a late temporary event notice, section 107.]

**Textual Amendments**

**F7** Words in s. 102(1) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. 116(1)(a), 157(1) (with s. 116(2)); S.I. 2012/1129, art. 2(d)

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**F8** S. 102(2) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 116(1)(b)**, 157(1) (with s. 116(2)); S.I. 2012/1129, art. 2(d)

**F9** S. 102(3) substituted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 114(5)**, 157(1) (with s. 114(13)); S.I. 2012/1129, art. 2(d)

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**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.
- (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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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5A inserted by [2015 c. 20 s. 67\(2\)](#)Sch. 17
- s. 2(1A) inserted by [2015 c. 20 s. 67\(1\)](#)
- s. 10(4)(e) and word inserted by [2011 c. 13 s. 121\(3\)\(b\)](#)
- s. 140(2)(e) inserted by [2015 c. 20 s. 67\(4\)\(b\)](#)
- s. 141(2)(e) inserted by [2015 c. 20 s. 67\(5\)\(b\)](#)
- s. 143(2)(e) inserted by [2015 c. 20 s. 67\(6\)\(b\)](#)
- s. 144(2)(e) inserted by [2015 c. 20 s. 67\(7\)\(b\)](#)
- s. 147A(4)(c) inserted by [2015 c. 20 s. 67\(8\)\(b\)](#)
- s. 153(4)(d) inserted by [2015 c. 20 s. 67\(9\)\(b\)](#)
- s. 197(3)(cza) inserted by [2015 c. 20 s. 67\(12\)\(a\)](#)
- s. 197A197B inserted by [2011 c. 13 s. 121\(2\)](#)