

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 68: Temporary event notices: increase in maximum number of events per year

328. The Licensing Act 2003 contains a system of authorisation for certain activities (referred to as “licensable activities”), namely: the sale by retail 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; and the provision of late night refreshment. It is a criminal offence to carry on, or attempt to carry on, a licensable activity on or from any premises without an appropriate authorisation under the 2003 Act. Such an authorisation may comprise a premises licence, a club premises certificate or a temporary event notice (“TEN”). Licensing authorities regulate the licensing regime in their respective areas and must exercise their functions with a view to promoting the licensing objectives.
329. A TEN permits premises to be used for licensable activities for a finite period, and its availability and use is subject to a number of other restrictions in relation to how many may be used in any year, how many times they may be used in relation to the same premises in any year etc. A TEN is given by an individual to authorise the carrying on of licensable activities in accordance with the TEN, and it takes effect unless there are objections to it by the police or the environmental health authority. Part 5 of the 2003 Act contains the framework in accordance with which TENs are processed (and may be rejected) by a licensing authority etc.
330. Section 107(4) of the 2003 Act provides that only 12 TENs may be given in relation to the same premises in any calendar year. This section amends that limit. *Subsection (1)* amends section 107(4) to the effect that the limit is increased from 12 to 15. *Subsection (2)* provides that this amendment takes effect in 2016.
331. The section, as with the Licensing Act 2003, forms part of the law of England and Wales only. It comes into force on a day to be appointed by the Secretary of State in a commencement order.