



NEW LICENSING LAWS AFFECTING "OCCASIONAL LICENCES" AND "OCCASIONAL PERMISSIONS" - PLEASE READ CAREFULLY

The current system of OCCASIONAL LICENCES and OCCASIONAL PERMISSIONS for short-term alcohol and public entertainment licensing will be abolished when the Licensing Act 2003 is fully implemented towards the end of 2005. They will be replaced by a single "light touch" system of PERMITTED TEMPORARY ACTIVITIES.

These reforms aim to minimise the regulatory burden on small, ad hoc events which are unlikely to give rise to problems. The most important aspect of the new system of permitted temporary activities is that no authorisation as such is required. The process involves sending notification of an event, in the form of a TEMPORARY EVENT NOTICE (TEN), to the relevant licensing authority (usually the local authority in which the temporary event is being held) and the relevant police at least 10 working days before the day on which the event begins. Only the police may issue an objection notice on crime prevention grounds. Otherwise, the licensing authority is only required to issue a timely acknowledgement.

To ensure TENs benefit small events only, they are subject to certain limitations. These are:

- No more than 499 people (including staff/organisers) attending at any one time.
- An individual is limited to giving 5 TENs in a calendar year, unless they are a personal licence holder for the sale of alcohol, in which case they can give 50.
- A limit of 12 temporary event notices may be given in respect of any particular premises in a calendar year.
- An event may last for no more than 96 hours.
- The maximum aggregate duration of the periods covered by temporary event notices at any individual premises is 15 days.

THESE LIMITATIONS MEAN THAT SOME EVENTS THAT HAVE PREVIOUSLY BEEN PERMITTED UNDER OCCASIONAL LICENCES AND OCCASIONAL PERMISSIONS MAY REQUIRE A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE ONCE THE NEW REGIME IS IN FORCE. For example, people wanting to organise week long events, or events for more than 499 people will need to apply for a full premises licence.

The exact date for the new arrangements to come into effect has yet to be finalised, but it will not be before November 2005. **Until then, occasional licences and occasional permissions will still be required.** However, any occasional licences or permissions granted for an event occurring after the new arrangements come into force will be invalid and a new authorisation will be required. Applicants planning events near this time should consider whether to apply now under existing arrangements or await confirmation of the final date.

It is anticipated that draft Regulations concerning temporary event notices will be published for public consultation in March 2005. This will include details of what form a TEN should take and the date from which they can be issued in advance of the new system coming into effect.

Should you wish to obtain further information nearer the time, you should contact your licensing authority and ask to speak with the team responsible for alcohol, regulated entertainment or late night refreshment licensing.

Additional information about permitted Temporary Activities are available on the DCMS website: www.culture.gov.uk/alcohol_and_entertainment