

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

Counter Notice – 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 subsection which applies is indicated by a “X” in the following table.

Relevant subsection of the Licensing Act 2003	Insert “X” as applicable
Section 107(2) of the Act applies because 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 period specified in the notice.	
Section 107(3) of the Act applies because 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 period specified in the notice.	
Section 107(4) of the Act applies because at least 12 temporary event notices have already been given which are in respect of the premises indicated in the notice <u>and</u> which specify as the event period a period wholly or partly within the same calendar year as the event specified in the notice.	
Section 107(5) applies because in the calendar year in which the event period specified in the notice, or any part of it, falls, more than 15 days are days on which one or both of the following fall – a) that event period or any part of it, b) 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.	

A copy of this counter notice will be sent to the chief officer of police for the area in which the premises specified in the temporary event notice you gave are 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 not exceeding £20,000, or to both.

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SIGNATURE	On behalf of the Licensing Authority	DATE	
Name of Officer Signing			