

Appendix 4

Darlington Borough Council policy

Temporary Events Notices (TEN)

Standard TEN

A standard Temporary Event Notice (TEN) needs to be submitted when an individual wishes to use a premises, which does not have a Premises Licence for an event lasting not more than 168 hours and to which the maximum number of people attending will be less than 500.

A TEN in the prescribed form must be given to the Licensing Authority along with the prescribed fee at least 10 working days before the event. As this is such a short period of time the Council will expect that far greater notice is always given unless there is good reason not to do so. A copy of the notice must also be sent, by the applicant, to two of the Responsible Authorities, namely the Police and Environmental Health, who must respond within 2 working days of receipt.

The Licensing Authority will acknowledge receipt of the notice and will await any comments from the two Responsible Authorities. Any Representations will need to demonstrate that the measures are 'appropriate' to uphold the licensing objectives. This is a change from the previous requirement that measures be 'necessary' to promote the licensing objectives. If either Responsible Authority objects to the event and a negotiated agreement cannot be reached the Licensing Authority will hold a hearing to consider the matter.

If the Licensing Authority accepts the objections it will issue a counter notice and the event cannot proceed. This notice must be issued at least 24 hours before the event was due to take place and the Applicant may appeal to the Magistrates Courts. Similarly if the Licensing Authority decides not to accept the objections the Police and/or Environmental Health also have the right of appeal to the Magistrates Courts.