



BRISTOL CITY COUNCIL  
 Licensing Team, PO Box 3300, Bristol, BS1 9LN  
[www.bristol.gov.uk/licensing](http://www.bristol.gov.uk/licensing)

## Licensing Act 2003 Temporary Event Notices (TEN)

### Contents

Scope .....	2
Do I need a TEN? .....	2
What are licensable activities? .....	2
What is regulated entertainment? .....	2
What is Late Night Refreshment? .....	3
What activity doesn't need a licence? .....	3
• Plays, .....	3
• Dance, .....	3
• Films, .....	3
• Indoor sporting events, .....	3
• Boxing or wrestling entertainment, .....	3
• Live Music .....	3
• Live music in other venues .....	4
• Incidental music .....	4
• Recorded music .....	4
• Other regulated entertainment exemptions .....	4
• Late night refreshment .....	5
• Vehicles in motion .....	5
How far in advance do I need submit a TEN? .....	6
Are there any other restrictions on TENs? .....	6
Why are TENs frequently rejected? .....	7
Who do I need to give a copy of the TEN to? .....	7
What happens after I serve a TEN? .....	7
What is a counter notice? .....	8

**Scope**

This document is intended to give general guidance on how to submit Temporary Event Notices (TENs) and which activities require a TEN.

The Licensing Team are unable to assist you with the detailed completion of the form or provide any advice over and above that contained in the guidance document. If you require help, we recommend you seek your own independent advice.

Before completing the form, please read this guidance. Forms and further information can be found on our website at [www.bristol.gov.uk/licensing](http://www.bristol.gov.uk/licensing)

This information has been made as comprehensive as possible. However, in attempting to simplify the law, certain requirements have been omitted. Full details of what you must do are in the legislation itself. The information in this guidance was accurate when produced but you are always advised to seek your own legal advice should you have any queries, and you should note that the Council cannot be liable in any way for the contents of this guidance.

**Do I need a TEN?**

A Temporary Event Notice allows you to have licensable activity on premises that are not currently licensed, or to hold activities existing premises licences or club premises certificates do not permit. This would include for example:

- Selling alcohol at a school fete
- Showing films in a pub
- Staying open to sell hot food late at night on a special occasion (e.g. New Years Eve)
- Selling alcohol after the hours your normal licence permits, e.g. for a special occasion
- An amateur dramatics group putting on a play in unlicensed premises
- A club hiring out a function room for an event attended by the public

**What are licensable activities?**

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to a member or to the order of a member (you may need to apply for a Club Premises Certificate there are separate guidance notes on this type of application)
- Provision of regulated entertainment
- Provision of late night refreshment

**What is regulated entertainment?**

The provision of regulated entertainment is largely defined as an activity that is provided for the purpose of entertaining an audience and which takes place on premises which are made available for the purpose of enabling the activity. An activity which takes place in private is also licensable if it is subject to a charge which is intended to raise profit.

Examples of such activities are below:

- Performance of a play
- Exhibition of a film

- Indoor sporting event
- Boxing or wrestling entertainment
- Performance of live music
- Any playing of recorded music
- Performance of dance

### **What is Late Night Refreshment?**

The provision of hot food or hot drinks between 11.00 pm at night and 5.00 am in the morning for consumption on or off the premises are a licensable activity.

### **What activity doesn't need a licence?**

Deregulatory changes that have amended the Act mean that **no licence is required** for the following:

- **Plays,**  
where the performance is between 08.00 and 23.00 on any day, and the audience does not exceed 500.
- **Dance,**  
where the performance is between 08.00 and 23.00 on any day, and the audience does not exceed 500.
- **Films,**
  - where it is 'not-for-profit' and the exhibition is held in a community premises between 08.00 and 23.00 on any day and the audience does not exceed 500; and the organiser
    - has consent from a person with responsibility for the premises; and
    - ensures that the screening abides by age classification ratings.
  - Where the purpose is to demonstrate any product, advertise any goods or services, or to provide information, education or instruction, or is part of an exhibit at a museum or art gallery.
  - Simultaneous live broadcast of television.
- **Indoor sporting events,**  
where the event is between 08.00 and 23.00 on any day, and that those present does not exceed 1000.
- **Boxing or wrestling entertainment,**  
where it is Greco-Roman and freestyle forms of wrestling held between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. All other forms of wrestling, including mixed martial arts, are licensable for contests, exhibitions and displays irrespective of the size of audience.
- **Live Music**
  - **Unamplified live music,** between 08.00 and 23.00 on any day, on any premises.
  - **Amplified live music,** between 08.00 and 23.00 on any day on premises which is authorised to sell alcohol to be consumed on-site and for an audience that does not exceed 500 persons. The premises must be open for the sale of

alcohol during the time that the live music is provided for the exemption(s) to take effect.

Any condition attached to the premises licence relating to live music will cease to have effect in respect of the live music when offered between 08.00 and 23.00 unless such conditions have been reinstated by the Licensing Authority as part of a review hearing.

- **Live music in other venues**

- **Workplaces** when it takes place between 08.00am and 11pm and in the presence of an audience of 500 persons or less.
- **Church hall, village hall, community hall, or other similar community premises** when it takes place between 08.00 and 23.00 on any day and where there is no premises licence to sell alcohol provided that
  - the audience does not exceed 500, and
  - the organiser gets consent for the performance from a person who is responsible for the premises.
- **Non-residential local authority, school or hospital premises** when it takes place between 08.00 and 23.00 provided that
  - the audience does not exceed 500, and
  - the organiser gets consent for the performance on the relevant premises

- **Incidental music**

Performance of live music or the playing or recorded music that is incidental to some other activity which is itself not an entertainment or the provision of entertainment facilities. For example, recorded music played in a supermarket.

- **Recorded music**

- **Recorded music**, between 08.00 and 23.00 on any day on premises which is authorised to sell alcohol to be consumed on-site and for an audience that does not exceed 500 persons. The premises must be open for the sale of alcohol during the time that the live music is provided for the exemption(s) to take effect.
- **Church hall, village hall, community hall, or other similar community premises** when it takes place between 08.00 and 23.00 on any day and where there is no premises licence to sell alcohol provided that
  - the audience does not exceed 500, and
  - the organiser gets consent for the performance from a person who is responsible for the premises.
- **Non-residential local authority, school or hospital premises** when it takes place between 08.00 and 23.00 provided that
  - the audience does not exceed 500, and
  - the organiser gets consent for the performance on the relevant premises

- **Other regulated entertainment exemptions**

- **Religious Services and Places of Worship** Entertainment or entertainment facilities for or incidental to a religious meeting or service or at a place of religious worship does not constitute regulated entertainment.

- **Garden Fetes, etc** Garden fetes or functions or events of a similar nature do not constitute regulated entertainment provided that they are not conducted for private gain.
- **Morris Dancing, etc.** A performance of Morris dancing or any dancing of a similar nature or a performance of un-amplified, live music as an integral part of such a performance, or facilities enabling people to take part does not constitute regulated entertainment.
- **Circus,** any entertainment as part of a circus performance except the showing of a film or boxing or wrestling, does not constitute regulated entertainment as long as it takes place between 08.00 and 23.00 and is in a moveable structure which has not been on the same site for more than 28 days.

- **Late night refreshment**

The following activities would not be classed as late night refreshment.

- Sale of hot drink which consists of or contains alcohol (This instead requires a licence or authorisation for the sale of alcohol)
- Supply of hot drink by means of a vending machine
- Hot food or hot drink that is free of charge
- Supply of hot food or hot drink by a registered charity
- The following premises where there is no admission to the public at the time of the supply of hot food or hot drink
  - a member of a recognised club supplied by the club;
  - persons staying overnight in a hotel, guest house, lodging house, hostel, a caravan or camping site or any other premises whose main purpose is providing overnight accommodation;
  - an employee of a particular employer (for example in a staff canteen);
  - a person who is engaged in a particular profession or who follows a particular vocation (for example, a tradesman carrying out work at particular premises);
  - a guest of any of the above.

- **Vehicles in motion**

The sale of alcohol, regulated entertainment and late night refreshment do not need a licence if they take place on:

- aircraft, hovercraft or railway vehicle engaged on a journey
- a vessel engaged on an international; journey
- at an approved wharf at a designated port or hoverport

The provision of entertainment or the provision of late night refreshment on premises consisting of or forming part of a vehicle at a time when the vehicle is not permanently or temporarily parked is not the provision of regulated entertainment.

Any licensable activities that fall outside of the above exemptions will require a licence or authorisation.

**How far in advance do I need submit a TEN?**

A TEN must be submitted within timescales set out by the Licensing Act 2003.

TENs must be submitted at least 5 clear working days before the event date. The 5 working days doesn't include the day you submit it, or the first day of the event.

It also doesn't include weekends or bank and public holidays. If you submit your TEN less than 5 clear working days before the event, it will be rejected, and any licensable activity will not be able to proceed.

If you submit your TEN at least 5 clear working days before the event, but less than 10 clear working days before the event it will be considered a **Late TEN**. If you submit it at least 10 clear working days before the event, it will be considered a **Standard TEN**.

You can submit TENs as far in advance of the event as you wish, but you must meet the minimum timescales above, otherwise your TEN will be rejected.

**Are there any other restrictions on TENs?**

There are a number of restrictions on TENs.

- The notice may not be for more than 168 hours (7 days approx.) from the first start time to the last finish time. For example, if your event is over three days for 2 hours on each day, this would count as around 72 hours, not 6 hours.
- No more than 499 people can be on the premises at any one time. This includes customers, staff, performers, and guests. If your event is having more than 499 people, then you may need a premises licence instead of a TEN.
- A premises can have up to 15 TENs, or 21 days over up to 15 TENs per calendar year. For example, the premises could have 15 TENs of one day each, or 3 TENs of seven days each. In each case the premises would have reached the limit.

There are also restrictions on the person submitting the TEN.

- Any person who submits a TEN must be at least 18 years old.
- If you hold a personal licence, you can submit up to 50 TENs per calendar year, including up to 10 late TENs
- If you don't hold a personal licence you can submit up to 5 standard TENs per calendar year including up to 2 late TENs.
- The above limits include any TENs submitted by an 'associated person' such as a spouse or partner.
- There must be at least a 24 hour gap between the end of one TEN and start of another TEN for the same premises, given by the same person.

If your TEN exceeds any of the limits then the council must give you a counter notice, meaning the licensable activity cannot go ahead. The council doesn't have any

discretion in this as it is set out in the Licensing Act 2003. The event itself may still go ahead without the licensable activity element.

### **What about outdoor events?**

An outdoor space is still regarded as “premises” under the Act, and you must have a licence or TEN for any licensable activities you hold in the open air. You may wish to submit some supporting documents in respect of your notice for the outdoor event for example an event management plan, landowner permission etc.

Events on Council land also require permission from the Council. Normally this is through the events and site permissions team. You can find more information about their requirements on the Council's [website](#)

### **Why are TENs frequently rejected?**

- Not giving enough notice of the event. Often people forget to exclude bank holidays, weekends, and the day of submission from their calculations.
- No payment. This is part of the notice requirements and isn't valid until the fee has been paid.
- Incomplete or incorrect forms. Sometimes people use a form they have used before and forget to amend the dates or event, or they miss sections out. Once a notice is submitted it can't be amended.

### **Who do I need to give a copy of the TEN to?**

If you have submitted the TEN on the online system, we will give a copy to the police and environmental health. If you have submitted it by post you must give a copy to the police and environmental health, on the same day you give it to the licensing team.

We do not accept submission by email, and TENs submitted this way will be rejected.

### **What happens after I serve a TEN?**

If your TEN is valid the Licensing Authority will process it and send you an acknowledgement letter. This must be displayed at your event. If it is not valid, we will let you know why. You may need to submit a further form or information.

If the police or environmental health think the event would undermine the licensing objectives, they can object to a notice. They must do this within three working days of being given a copy of the TEN.

If an objection is received in relation to your TEN, we will contact you straight away. If you don't hear from us then you may proceed with your event, and display your acknowledgement letter, we will not issue anything further in relation to that event.

Where objections are received in relation to a late TEN the licensable activity cannot go ahead, and a counter notice will be served by the Licensing Authority. The authority has no discretion on this, as it is set out in the licensing act.

If the objection relates to a standard TEN then the licensing authority will arrange a hearing for the objection to be heard, along with your case for why the notice should be allowed. We must hold a hearing within seven working days of the objection period and the licensing committee will consider the objection.

We will send you documents including the objection, and the date, time and location of the hearing.

There are a number of outcomes:

- If the licensing committee feels that their concerns cannot be mitigated they will issue a counter notice.
- The licensing committee may take no action and the TEN may proceed.
- If there is a premises licence in place for the location of the TEN they may attach appropriate conditions from that licence to the TEN.
- In advance of the hearing the person who gave the notice may agree to modify the TEN with the person who made the objection (i.e. the police or environmental health). This modification can be to the days, times or licensable activities. In this case the TEN must be physically altered, and the objection is then treated as withdrawn and no hearing is needed.

### **What is a counter notice?**

If your TEN has exceeded any of the limits set out above, or the licensing authority has held a hearing to consider an objection and decided they are not satisfied with the TEN then a counter notice will be issued.

A counter notice means that the licensable activity such as sale of alcohol, regulated entertainment or late night refreshment, cannot go ahead at your event. This does not prevent the event itself proceeding.

For example, if your TEN was for a bar to sell alcoholic and non-alcoholic drinks at a school fete, and a counter notice was issued, it would not prevent the school fete going ahead, and it would not prevent the bar selling non-alcoholic drinks. The counter notice would only prevent the sale of alcoholic drinks in this example.

If you undertake licensable activity, or knowingly allow a licensable activity to take place, without a TEN or premises licence in place then you could be subject on conviction to up to six months in prison, or an unlimited fine, or both.