



Guidance on holding a Temporary Event under the authority of a Temporary Event Notice (TEN)

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An introduction to TENs

A TEN is a time limited licence which allows the holder (or premises user) to authorise certain licensable activities on a premises for a set amount of time. TENs form part of the Licensing Act 2003 (the Act). This booklet has been prepared to help ensure your event is carried out safely, lawfully and in a manner which promotes the licensing objectives. The licensing objectives are:

- **Prevention of crime and disorder**
- **Public safety**
- **Prevention of public nuisance**
- **Protection of children from harm**

It is important to remember that this booklet has been written for a range of different events and not all the suggested measures will be appropriate for your event. Also nothing in this booklet should be viewed as a legal requirement and you are free to pick and choose any of the suggested measures or use other measures as appropriate.

1. What can a TEN be used for?

This booklet is sent out with an acknowledged TEN. When you applied or served your TEN you did so by sending a copy of the form to the Council's Licensing Team, to the Council's Environmental Protection Officer and to the Chief Police Officer. You should now be in possession of one of those copies, which has been signed by one of our authorised licensing officers. This document effectively forms your licence and should be kept in a safe place ready for inspection throughout the event. (See the section on rules on display of the notice overleaf). Assuming you hear nothing from ourselves, North Yorkshire Police or the Environmental Protection Officer before your event is due to start, you effectively have an authorisation to carry out the specific activities that are specified on your notice. This is not where your responsibility ends rather this is where responsibility starts. You can not extend any of the times your event takes place and the capacity (number of people attending the event) that you declared on your notice must not be exceeded otherwise you will be committing a criminal offence.

2. What powers do the police or Environmental Protection have to stop a temporary event once it has started?

Police have the power to seek court orders to close premises for up to 24 hours in an area that is experiencing or likely to experience disorder. Police also have the power to close down instantly for up to 24 hours, premises being used for a TEN that are disorderly, likely to become disorderly or are causing nuisance as a result of noise from the premises. The Council has no power under the Licensing Act 2003 to stop permitted temporary events once they have started. However we do have powers under other legislation, such as powers to deal with a statutory nuisance, where noise nuisance is being caused at an event being authorised by a TEN.

3. Rules on display of the notice

There are strict rules that you must follow about the display of your TEN notice during the event. (That is the returned notice form that you have received from us, which has been signed).

Why do I need to display the notice?

The signed notice is your authorisation and should be kept on display so any authorised officers can inspect it if necessary. It is also an offence under the Act to fail to display the notice and hence you need to comply with at least one of the bullet points listed below.

The premises user must either:

- Ensure that a copy of the TEN is prominently displayed at the premises being used for the permitted temporary activity
- Ensure that the TEN is kept at the premises in his/her custody
- Ensure that the TEN is kept at the premises in the custody of a person who is present and working at the premises and whom he/she has nominated for this purpose (and if this is the case, secure that a notice specifying this fact and the position held at the premises by that person is prominently displayed at the premises)

What happens if I lose the notice?

If your TEN is lost, stolen, damaged or destroyed, then you may apply to us for a copy of the notice. No application may be made more than a month after the end of the event period specified in the notice. The fee for a copy notice is £10.50.

4. Advice on the promotion of public safety

The promotion of public safety is about ensuring the wellbeing of all persons who will be on the premises while the event is taking place. Before your event takes place, you will need to carry out a risk assessment to identify potential hazards. Consider the type of event which you are to hold and the scale/type of activities that will be taking place. Then consider the most suitable and effective measures to reduce the hazards. The following suggestions should help (although this list is not exhaustive)

- Ensure you know the capacity of the premises. Have a system to monitor the capacity. Ensure both the capacity of the premises and that specified on the Temporary Event Notice [TEN] are not exceeded.
- Carry out a thorough final inspection prior to opening the event, including checks to ensure all exit doors are accessible, open easily and exit routes are clear for emergency vehicles.
- If glasses are allowed in the event, ensure that they will be collected regularly, particularly from balcony areas and raised levels. Have a procedure for safely collecting and disposing of broken glass.
- Electrics – Ask a suitably qualified electrician to check the status of any electrical installations on the premises.
- Consider the safety of electric systems in adverse conditions, such as near water, exposed to wet weather. The use of Residual Current Devices on all electrical circuits may be appropriate and advice from a suitably qualified electrician should be taken.
- If electrical generators are to be used, ensure they are located away from public access but readily accessible for safe refuelling.
- Ensure that adequate safe lighting and emergency lighting is provided.
- Liquefied Petroleum Gas (LPG) cylinders should be stored away from the public (preferably in a locked cage/compound), away from any sources of ignition and away from flammable materials.

- Clean, potable, uncontaminated water should be supplied, particularly if catering vendors are attending your event. Access to water should be located near to the catering units and away from toilet areas.
- Ensure floors are clean, dry and free of obstacles such as trailing cables which could lead to a trip hazard. Secure all cables before the event starts.
- Ensure spillages (solids and liquids) are dealt with immediately. You should consider nominating somebody for this purpose.
- Consider whether it may be appropriate to recruit a suitable qualified first aider to remain on site during the event. In any event consider first aid requirements and if necessary seek advice on the level of cover required from qualified personnel.
- Maintain a first aid box on site during the event.
- If you intend to use special equipment such as strobes, lasers or smoke machines liaise with the supplier to ensure there is a thorough health and safety policy covering the safe use of such equipment.
- For disabled persons present at the event, ensure arrangements are made to enable their safe evacuation in the event of an emergency. Ensure that any disabled persons on the premises are made aware of the arrangements.
- In respect of larger scale events (close to the TEN limit of 499), draw up a written procedure for crowd control and management; ensure that all staff or volunteers are instructed in the operation of the procedure prior to commencement of the event.
- Nominate somebody to be responsible for managing all accidents and incidents including the keeping of records of incidents, and the reporting of injuries as required by R.I.D.D.O.R. (for advice, contact the Council's Health and Safety Team Tel. 01653 600666).
- Ensure that there is adequate provision of toilets and toilet supplies and that they are properly maintained for the duration of the event.

5. Advice on the prevention of public nuisance

The prevention of public nuisance relates to making sure that when licensable activities are taking place that they do not impact on the immediate environment. Key issues to think about are:

- Noise pollution
- Odours
- Light pollution
- Refuse and litter

You should be aware that such events may have the potential to cause disturbance in the neighbourhood, particularly if the event is to be held outdoors. You should therefore have proper respect for the concerns of local residents who may be affected by noise and disturbance from the event and by possible anti-social behaviour by those attending.

Relevant legislation

You should be aware that if noise from the temporary event causes nuisance to local residents Environmental Health Services may take action, under the provisions of the Environmental Protection Act 1990 requiring you to abate the nuisance. Failure to comply with any abatement notice served under the provisions of this Act may lead to a fine of up to £20,000. A request for a review of any premises licence in respect of the venue may be made. You should therefore give careful consideration to the planning and operation of your event to prevent any problems occurring.

You should consider the following control measures to limit the chance of public nuisance occurring at your event:

- Noise – If you have music at your event consider positioning any speakers so they point into the building. You should lower the level of any music after 23:00 and ensure that all windows and doors are kept shut. It is often useful to lower volume towards the end of the event.
- It may be appropriate to make an announcement at the end of the event asking people to leave quietly having consideration to any local residents. Guests should be asked to vacate outdoor drinking areas after 21:00.
- Keep all waste from the event in covered bins
- Litter – Where the event is likely to generate litter in and around the premises then you should consider maintaining an adequate supply of litter bins close to the premises.
- Car parking – Is there adequate car parking for the number of guests attending. Do you need to use car parking wardens or put information on handouts as to parking arrangements?
- Speak to local private hire/taxi firms – not to sound their horns when collecting bookings.
- If you plan to use a kitchen prior to or during the event it may be advisable to do an inspection of any extraction system to make sure it is fully serviceable.

Should you wish to discuss the event in advance please do not hesitate to contact Environmental Health Services on 01653 600666.

6. Advice on the prevention of crime and disorder

The prevention of crime and disorder is about making sure your event does not lead to crime and disorder by designing out the opportunity for crime and disorder to occur. You should consider employing suitable control measures before, during and after the event to minimise the risk of alcohol fuelled violence or disorder.

Control measures are best focused on deterrence and prevention but you should also consider action plans for what to do if things go wrong. Like public safety the starting point should be to carry out a risk assessment of the event.

Things to think about are the location of the premises, the type and age of people attending the event, the timing of the event and the scale and nature of the licensable activities due to take place. Common sense measures should be considered to minimise the risks of things getting out of hand.

If you need any help or guidance contact North Yorkshire Police. The following suggestions should help:

- Consider the use of toughened glass or plastic glasses. (This can also promote the public safety objective)
- Is it appropriate to make your event 'ticket-only' to exercise some control over the type of people that attend?
- Do you have the local contact details for the police in case of any disturbances/ is there a phone on site?
- Consider how people will get home – provide details of taxi companies etc on the premises
- Ensure people don't leave the premises with glasses or glass bottles.

- You may wish to use a recognised proof of age scheme. Preferably the Challenge 21 Scheme where any person who appears under 21 is asked to prove that they are 18.
- For large events you may wish to consider approaching a personal licence holder. Personal licence holders are persons who have been on a recognised course, which focuses on responsible licensing activity, and are likely to work in the trade and have the necessary skills and knowledge to help you run your event in a professional manner.
- You may wish to use door supervisors particularly if your event is likely to attract a large and diverse crowd. It is important to remember that any persons exercising the function of door supervision must be registered with the Security Industry Authority (SIA). You are able to hire security firms to provide this service and you should enquire with such firms before you book them to ensure all their staff are registered. Visit www.the-sia.org.uk for more information.
- Find out if the premises where your event is to be held has CCTV. If it does consider making use of it. Ensure the system is operable and the correct tapes are loaded and recording during your event.
- Any discounted drinks offers, such as “buy one get one free” or “drink all you can” for a set entrance price is not supported by North Yorkshire Police and may attract closure of the event if it is considered that such promotions will undermine the licensing objectives. If in doubt contact North Yorkshire Police for advice.

7. The protection of children from harm

The protection of children from harm includes the protection of children from moral, psychological and physical harm. It also concerns making sure children are not exposed to unsuitable entertainment containing strong language or sexual references. Before your event takes place you should consider the following:

- Film exhibitions – Are they suitable for the audience?
- Hot food preparation – ensure young children are unable to access any kitchen areas where hot food is being prepared.
- Alcohol – Any alcohol, which is to be used at an event, should be stored securely prior to, during and after the event. Also if your event includes alcohol sales and children will be present you should operate a proof of age scheme, preferably the Challenge 21 Scheme where any persons who appear under 21 are asked to prove that they are 18.
- Entertainment of an adult or sexual nature must not be shown if children are on the premises.
- For larger events and events taking place outdoors do you have a policy for dealing with lost or unaccompanied children?
- Are there any parts of the premises which should be secured during the event so children can not gain access to them or is it appropriate to require children to be accompanied by a responsible adult during the event?
- Consider Criminal Records Bureau (CRB) checks of staff who will be dealing with unaccompanied children. (Criminal record checks can be obtained from Disclosure Scotland. Phone 0870 609 6006 or visit www.disclosurescotland.co.uk).

8. Offences under the Act

It should be noted that the following, among other things, are offences under the Licensing Act 2003:

- The sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- Allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- Knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- Allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- The sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- Obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- Knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and
- Knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000).
- In addition where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supply of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

9. Contact details for more information

North Yorkshire Police Alcohol Licensing Unit Fulford Road York YO10 4BY	Tel. 101 www.northyorkshire.police.uk
North Yorkshire Fire & Rescue Service	01653 692626
Ryedale District Council Health & Safety	01653 600666 ext 359
Ryedale District Council Environmental Health	01653 600666 ext 256
North Yorkshire Trading Standards	01609 780780

11 Further reading

The Event Safety Guide, (also known as the purple guide), published by the Health and Safety Executive – ISBN 0-7176-2453-6, www.hse.gov.uk

Managing Crowds Safely, published by the Health and Safety Executive, ISBN 0-7176-1834-X, www.hse.gov.uk

Good Practice Guide on the Control of Noise from Pubs and Clubs, The Institute of Acoustics, Tel 01727 848 195

5 Steps to Risk Assessment Case Studies, Published by the Health and Safety Executive – ISBN 0-776 15805, www.hse.gov.uk

Guidance issued under section 182 of Licensing Act 2003, available from Department of Culture, Media and Sport website www.culture.gov.uk