

16TH JUNE 2026

REPORT NO. OS2613

**CONSTITUTION UPDATE – ADDING CONDITIONS TO TEMPORARY EVENT
NOTICES**

SUMMARY AND RECOMMENDATIONS

This report outlines a proposal to update the Council's Constitution / Scheme of Delegation.

The Committee is recommended to approve that:

The table at Part 3, Section 4, Para 4.3.2 of the constitution (licensing of alcohol, entertainment and late-night refreshment) be updated to add to the listing "Determination of a police or Environmental Health objection to a standard temporary event notice" where it is not appropriate to add conditions under S106A of The Licensing Act 2003.

1. INTRODUCTION

- 1.1 Under the Licensing Act 2003, individuals wishing to carry out licensable activities (sale of alcohol, entertainment and late-night refreshment) on a temporary basis can submit a Temporary Event Notice (TEN) to the licensing authority. These can also be used for premises that already hold a licence to carry out activities that are not covered by their licence.
- 1.2 The police and environmental health are the only authorities / persons who can object to a temporary event notice. Where an objection is received, the licensing authority can allow the activities to go ahead, serve a counter notice to prevent the activities going ahead, or where there is a premises licence or club premises certificate in place for the location of the proposed activities, add conditions from that licence to the temporary event notice.
- 1.3 The current scheme of delegation requires that any standard TEN where an objection notice is received, is determined by a hearing of the relevant licensing sub-committee. However, often the relevant authority are satisfied that the addition of conditions from the premises licence or club premises certificate are sufficient to address their objection.

- 1.4 The process to refer the notice to a hearing of the sub-committee places a significant burden on officer and member time, which in the case where adding conditions is appropriate to address the relevant authorities concerns is an unnecessary burden.

2 PROPOSAL

- 2.1 It is proposed that the constitution is amended to allow officer determination, where it is deemed appropriate to add conditions from the premises licence or club premises certificate to a TEN to address an objection.
- 2.2 The committee is recommended to approve that the table at Part 3, Section 4, Para 4.3.2 of the constitution (licensing of alcohol, entertainment and late-night refreshment) be updated to add to the listing "Determination of a police or Environmental Health objection to a standard temporary event notice" where it is not appropriate to add conditions under S106A of The Licensing Act 2003. A copy of the relevant section with the changes underlined is given as appendix A.
- 2.3 In any case where the adding of conditions are not considered to be appropriate, the determination would still be referred to a hearing of the licensing sub-committee (Alcohol & Entertainments)

3. IMPLICATIONS

3.1 Legal Implications

- 3.2 The recommendation made is lawful delegation in the circumstances concerned and would ensure more appropriate use of officer and member time.

3.3 Financial and Resource Implications

- 3.4 The recommendation would reduce both officer and member time spent on determinations for the applicable notices.

3.4 Equalities Impact Implications

- 3.5 There are no equalities impact implications associated with this report.

4. RECOMMENDATION

- 4.1 The committee is recommended to approve that the table at Part 3, Section 4, Para 4.3.2 of the constitution (licensing of alcohol, entertainment and late-night refreshment) be updated to add to the listing "Determination of a police or Environmental Health objection to a standard temporary event notice" where it is not appropriate to add conditions under S106A of The Licensing Act 2003.

BACKGROUND DOCUMENTS:

None

CONTACT DETAILS:

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Executive Head of Service – David Phillips – Executive Head of Operations

RECOMMENDED CHANGE TO CONSTITUTION

4.3 Licensing of alcohol, entertainment and late-night refreshment

Description of Responsibility

- 4.3.1 All the responsibilities in the Licensing Act 2003 and any regulations or orders made under that Act.

Delegation Arrangements

- 4.3.2 Except for the functions listed below, the Executive Head of Operations is delegated all relevant authorities to grant, vary, transfer, suspend, revoke and refuse licences, permits and registrations and to impose conditions on such permissions in respect of the licensing and registration responsibilities in para 4.3.1.

Function	Carried out by
To agree the Statement of Licensing Policy	Council
To appoint a Licensing Sub-Committee (Alcohol and Entertainments) to discharge the functions below	Licensing and Corporate Business Committee
In the case of a police objection to (a)-(d) below, determination of (a) Application for personal licence (b) Application to vary designated premises supervisor (c) Application for transfer of premises licence (d) Application for interim authorities	Licensing Sub-Committee (Alcohol and Entertainments)
Application for personal licence with unspent convictions	Licensing Sub-Committee (Alcohol and Entertainments)
Application to review premises licence/club premises certificate	Licensing Sub-Committee (Alcohol and Entertainments)

Determination of a police or Environmental Health objection to a standard temporary event notice <u>where it is not appropriate to add conditions under S106A of The Licensing Act 2003</u>	Licensing Sub-Committee (Alcohol and Entertainments)
If a relevant representation is made to (a) – (c) below, determination of (a) Application for premises licence/club premises certificate (b) Application for provisional statement (c) Application to vary premises licence/club premises certificate (other than applications for minor variations)	Licensing Sub-Committee (Alcohol and Entertainments)