

Licensing Act 2003

2003 CHAPTER 17

PERMITTED TEMPORARY ACTIVITIES

“109 Duty to keep and produce temporary event notice and statement of conditions”

(1) This section applies whenever premises are being used for one or more licensable activities which are or are purported to be permitted temporary activities by virtue of this Part.

(2) The premises user must either—

(a) secure that a copy of the temporary event notice, together with a copy of any statement of conditions given under section 106A(3) in respect of the notice is prominently displayed at the premises, or

(b) meet the requirements of subsection (3).

(3) The requirements of this subsection are that the premises user must—

(a) secure that the temporary event notice, together with a copy of any statement of conditions given under section 106A(3) in respect of the notice is kept at the premises in—

(i) his custody, or

(ii) in the custody of a person who is present and working at the premises and whom he has nominated for the purposes of this section, and

(b) where the temporary event notice and any statement of conditions are in the custody of a person so nominated, secure that a notice specifying that fact and the position held at the premises by that person is prominently displayed at the premises.

(4) The premises user commits an offence if he fails, without reasonable excuse, to comply with subsection (2).

(5) Where—

(a) the temporary event notice or any statement of conditions is not displayed as mentioned in subsection (2)(a), and

(b) no notice is displayed as mentioned in subsection (3)(b),

a constable or authorised officer may require the premises user to produce the temporary event notice or statement of conditions for examination.

(6) Where a notice is displayed as mentioned in subsection (3)(b), a constable or authorised officer may require the person specified in that notice to produce the temporary event notice or statement of conditions for examination.

(7) An authorised officer exercising the power conferred by subsection (5) or (6) must, if so requested, produce evidence of his authority to exercise the power.

(8) A person commits an offence if he fails, without reasonable excuse, to produce a temporary event notice or statement of conditions in accordance with a requirement under subsection (5) or (6).

(9) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(10) In this section “authorised officer” has the meaning given in section 108(5).”

Recommendation: That a copy of the event notice together with a copy of any statement of conditions be prominently displayed at the premises during all periods of licensable activity.