



# Police Reform and Social Responsibility Act 2011

## 2011 CHAPTER 13

### PART 2

#### LICENSING

### CHAPTER 1

#### AMENDMENTS OF THE LICENSING ACT 2003

##### *Temporary event notices*

#### **112 Temporary event notices: who may make an objection**

- (1) The Licensing Act 2003 is amended as set out in subsections (2) to (13).
- (2) After section 99, insert—

##### **“99A Meaning of “relevant person”**

In this Part references to a “relevant person”, in relation to any premises, are references to the following—

- (a) the chief officer of police for any police area in which the premises are situated,
  - (b) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health.”.
- (3) In the cross-heading before section 104, for “Police objections” substitute “Objections”.

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*Status: This is the original version (as it was originally enacted).*

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- (4) In the title to section 104 (objection to notice), for “the police” substitute “a relevant person”.
- (5) In section 104 (objection to notice), for subsection (2) substitute—
  - “(2) Where a relevant person who is given a temporary event notice is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective, the relevant person must give a notice stating the reasons for being so satisfied (an “objection notice”)—
    - (a) to the relevant licensing authority,
    - (b) to the premises user, and
    - (c) to every other relevant person.”.
- (6) In section 104(3) (timing for objection), for “chief officer of police” substitute “relevant person”.
- (7) In section 104(4) (timing for objection), for “relevant chief officer of police” substitute “relevant person”.
- (8) Omit section 104(5) (definition of “relevant chief officer of police”).
- (9) In section 105 (counter notice following objection)—
  - (a) in the title, omit “police”,
  - (b) in subsection (2)(a), for “chief officer of police” substitute “relevant person”,
  - (c) in subsection (2)(b), for “the crime prevention objective” substitute “a licensing objective”,
  - (d) in subsection (3)(a), for “the relevant chief officer of police” substitute “each relevant person”, and
  - (e) in subsection (3)(b)(ii), for “the relevant chief officer of police” substitute “each relevant person”.
- (10) In section 106 (modification of notice following objection)—
  - (a) in the title, omit “police”,
  - (b) in subsection (1), for “chief officer of police” substitute “relevant person”,
  - (c) in subsection (2)—
    - (i) for “chief officer of police” substitute “relevant person”, and
    - (ii) after “of the premises user” insert “and each other relevant person”,
  - (d) in subsection (4), for “chief officer of police” substitute “relevant person”, and
  - (e) omit subsection (5).
- (11) In section 107(11) (counter notice where permitted limits exceeded), for the words following “that notice” substitute “to each relevant person”.
- (12) In section 194 (index of defined expressions), after the entry for the expression “relevant offence” insert—

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“relevant person, in Part 5	... ..	section 99A”.
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- (13) In Schedule 5 (appeals)—
  - (a) in paragraph 16(1)(b), for “chief officer of police” substitute “relevant person”,
  - (b) in paragraph 16(3), for “chief officer of police” substitute “relevant person”,

- (c) in paragraph 16(8), in the definition of “objection notice”, omit “and”,
  - (d) in paragraph 16(8), at the end of the definition of “relevant licensing authority” insert “; and  
relevant person” has the meaning given in section 99A.”.
- (14) The amendments made by this section apply in relation to temporary event notices that are given on or after the commencement of this section.