

### Can I object to a TEN if I believe it could lead to public nuisance or crime?

No. Only the police can intervene to prevent an event covered by a TEN taking place or agree a modification of the arrangements for such an event and then only on crime prevention grounds. However only a limited number of TENS can be given in respect of any particular premises each year, and the powers given in the Act to the police to close premises in certain cases of disorder or noise nuisance extend to premises in respect of which a TEN has effect.

In November 2005, DCMS launched the "Scrutiny Council Initiative", inviting a small, representative group of 10 licensing authorities to help monitor and evaluate the new licensing regime. A final report was published on 24 July 2006.<sup>10</sup> Two of the suggestions on TENS could have a bearing on raves:

- 1) Some Scrutiny Councils thought that the 48 hour period during which the policy may make objections was not long enough, particularly if notices were served on unmanned police stations on a Friday.
- 2) The Scrutiny Councils raised the issue of whether all "responsible authorities" should be able to object as well as the police and whether these authorities should be able to make objections around other licensing objectives, such as public safety.

Under the 2003 Act, "responsible authorities" are (in addition to the police) any of the following:

- The fire authority for the area in which the premises are situated
- The health and safety authority for the area in which the premises are situated
- The local planning authority for the area in which the premises are situated
- The environmental health authority for the area in which the premises are situated
- The body recognised as being responsible for protection of children from harm for the area in which the premises are situated
- Inspectors of Weights and Measures (trading standards officers).<sup>11</sup>

In its progress report on the Scrutiny Council Initiative, published in 2007, the Government gave its response to these suggestions:

All these issues were considered by DCMS as part of a review of the TENS regulations during 2006 and the Minister specifically asked SCs for their views on the issues relating to village halls and the TEN limitations. At the time, the Government did not consider that there were convincing arguments for making significant changes to the TENS process. However, DCMS will continue to monitor this area and will make any adjustments that prove necessary in the future. In addition, the commitment to look at possible improvements to the application process under the DCMS simplification plan includes the requirements for giving a temporary event notice process, such as the notice form and time limits.<sup>12</sup>

## 5 Recent debates

Christopher Fraser MP introduced the *Criminal Justice (Raves) Bill*<sup>13</sup> under the Ten Minute Rule on 20 February 2008, aiming to strengthen police powers. Currently, as set out above, police can direct people to leave a rave, stop people on their way to one, and seize vehicles

<sup>10</sup> <http://www.culture.gov.uk/images/publications/ScrutinyCouncilFinalReport0706.pdf>

<sup>11</sup> *Licensing Act 2003* s13

<sup>12</sup> <http://www.culture.gov.uk/images/publications/AppendixBScrutinyCouncilInitiativeProgressReport2007.pdf>

<sup>13</sup> Bill 69, 2007-08