

PRESCRIBED FORM OF COUNTER NOTICE (PERMITTED LIMITS)

The prescribed form for a counter notice (permitted limits) is as follows:

Milton Keynes Council (Ref. no. M142091)

Counter Notice (Permitted Limits) – Permitted Temporary Activities

On 6th December 2016 the licensing authority received from you, Sasa Lama a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place between Monday 19th December from 13:00hrs and 26th December until 02:15hrs (or 20th December to 27th December subject to your clarification) at Memlings Grill, Unit 40 Agora Centre, Church Street, Wolverton . The licensing authority is satisfied that if the activities were to take place, one of the permitted limits set out in section 107(2), (3), (4) and (5) of the Licensing Act 2003 (“the Act”) would be exceeded.

The limit (and subsection) which applies is indicated by an “X” in the following table.

Relevant limit (and subsection of the Licensing Act 2003)	Insert “X” as applicable
You are a personal licence holder and you have already given at least 50 temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. (See section 107(2)(b)(i) of the Act)	
You are a personal licence holder and you have already given at least 10 late temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. (See section 107(2)(b)(ii) of the Act)	
You are not a personal licence holder and you have already given at least 5 temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. (See section 107(3)(b)(i) of the Act)	
You are not a personal licence holder and you have already given at least 2 late temporary event notices in respect of event periods wholly or partly within the same calendar year as the event notice specified in the notice. (See section 107(3)(b)(ii) of the Act)	
At least 15 temporary event notices have already been given which are in respect of the premises indicated in the notice and which specify as the event a period wholly or partly within the same calendar year as the event specified in the notice. (See section 107(4) of the Act)	
In the calendar year in which the event period specified in the notice (or any part of it) falls, more than 21 days are days on which one or both of the following fail – that event or any part of it, an event period specified in a temporary event notice already given in respect of the same premises as the notice, or any part of such period.	X




(See section 107(5) of the Act)

A copy of this counter notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

SIGNATURE	 On behalf of the licensing authority	DATE 06.12.2016	
Name of Officer signing	Ed Fisher		