

MINOR VARIATION GUIDANCE NOTES

General

Minor variations will generally deal with:

- Minor changes to the structure or layout of a premises
- Small adjustments to licensing hours
- The removal of irrelevant/unenforceable conditions and the addition of volunteered conditions
- The addition of certain licensable activities

Exclusions

Certain things cannot be dealt with using the minor variations process – a full variation will always be required:

- To extend licensing hours for the sale or supply for consumption on or off the premises between the hours of 23.00 and 07.00; or
- To increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises.

Making the application

You must produce:

1. A completed application form
2. A plan of the premises (see below) if applicable to the minor variation
3. The fee of £89.00
4. The premises licence/club premises certificate or a statement of the reasons for failing to produce it.

Plans Accompanying Applications

General

Regulations specify the minimum style and content for plans accompanying applications. If symbols are used to describe any of the items listed above the plan must include a 'key' to identify those symbols.

Where the application includes a variation of the layout of the premises, it is essential that plans of the existing premises and the proposed premises be provided.

Scale

All plans must be drawn at a scale of **1:100** millimetres with metric annotation. The Licensing Authority may agree, in advance of application and at its discretion, to accept an alternative scale. Such agreement must be in writing.

Unless your plans show clearly the minimum information required the Licensing Authority will not accept an alternative scale.

Content

The Regulations require that the plans shall at least show the following:

1. The extent of the building boundary and the perimeter of the 'premises' if different.
Remember it is a licence for the 'premises' you are applying for. If not specifically identified on the plan it will be assumed that the whole building outside areas shown comprises the 'premises' you are applying for.
2. The position of any external and internal walls. *It will assist if you include a description or use for each room.*
3. The location of all exits to and from the premises. *All escape routes from the premises must also be shown.*
4. Where the premises is to be used for more than one licensable activity, the area within the premises which will be used for each licensable activity. *For the supply of alcohol the position and extent of the bar should be included. The area of consumption is not required.*
5. The position of any fixed structures, or fixed furniture, or similar objects which are temporarily in a fixed position which may impede use of the exits or escape routes.
6. Where the premises include a stage or any raised area indicate the location and height of each stage or raised area relative to the adjacent floor.
7. The location of any steps, stairs, elevators or lifts.
8. The location of any room/s containing public conveniences.
9. The location and type of any fire safety, or other safety equipment.
10. The location of the kitchen/s (if any) upon the premises.

Advertising the application

Notice of the application (see template attached to these notes) must be displayed prominently at or on the premises to which the application relates. It must be capable of being read by a member of the public from the exterior of the premises.

If the premises cover an area of more than fifty metres square, additional copies of the notice must be displayed every fifty metres along the external perimeter of the premises.

The notice must be:

- a) Equal or larger than A4
- b) White
- c) Printed legibly in black ink or typed in black font size equal to or larger than 16 (the heading must be in font size 32 or larger)

The notice must be displayed for a period of not less than **10 working days** starting on the day after the day on which the application is served on us.

Note: The premises will be checked to ensure that the public notice requirements have been complied with. Failure to display a notice, or display of the notice in circumstances where it cannot be read by a member of the public will lead to refusal of the application.

Consideration of the application

In all cases the test is whether or not the proposed minor variation would impact adversely on any of the licensing objectives.

Interested parties have 10 working days to make relevant representations to us about the application. In making a decision we are required to consider any relevant representations received from interested parties, however there is no provision to hold a hearing.

We will send a copy of the application to relevant responsible authorities. We are required to take into account any views expressed by the authorities we consult. There is no right to a hearing but they will have a bearing on (and may even be decisive of) our view as to whether the changes proposed in the application amount to a minor variation.

We must inform you of our decision to grant or reject the variation within 15 working days. If we do not the application will be treated as being refused and we must return the application fee.

Appeal

There is no right of appeal. If the application is refused you may resubmit a revised minor variation application or you may decide to submit a full variation application.