

BRISTOL CITY COUNCIL
LICENSING OFFICE, PO BOX 3399 (Temple Street) Bristol BS1 9NE
Email: licensing@bristol.gov.uk
www.bristol.gov.uk/licensing
Telephone: 0117 357 4900

Licensing Act 2003

How to Apply for the Minor Variation of a Premises Licence

When can I apply for a minor variation?

An application for a minor variation offers a simplified process for small scale changes to premises licences and club premises certificates.

The simplified process may be used for the following variations:

- Small changes to premises layouts or structures
- Small adjustments to licensing hours
- Removal of out of date, irrelevant or unenforceable conditions
- Addition of volunteered conditions
- Addition of licensable activities
- It is important to note that minor variations can only apply to the sale of alcohol where the application is to reduce licensed hours, or to move them without any overall increase between the hours of 7.00am and 11.00 pm

The minor variation process may not be used for any changes that could have an adverse impact on the promotion of any of the four licensing objectives. Namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm.

However the process may not be used for the following purposes, which would be subject to the full variation process:

- To extend the period for which a licence may have effect
- To vary substantially the premises to which it relates
- To specify an individual as a premises supervisor
- Add the sale by retail or supply of alcohol as a new activity authorised by the licence or certificate
- Extend the sale of alcohol at any time between 11.00 pm and 7 am the following morning
- Increase the amount of time on any day during which alcohol may be sold or supplied.

Should you have any queries regarding whether a grant, variation or minor variation application should be lodged in respect of any changes you may wish to introduce, please contact the Licensing Authority or seek independent legal advice.

How much does it cost to submit a minor variation application?

The application fee for a minor variation of a premises licence is a set fee of £89.00.

Incomplete Applications

We are unable to accept incomplete or incorrect applications. Please note that the time limit for processing an application will not start until a correctly completed application has been accepted by the Licensing Authority with the appropriate fee, and any other documentation that may be required.

Completing the Application Form

Please use block capitals and black ink if completing the form by hand. The form must be legible or it will be returned to you.

The application form

Part 1 (of the application form) - Premises Details

Provide the detail as requested e.g. postal town, post code, etc

Part 2 (of the application form) - Applicant Details

Please complete all fields as required.

Part 3 (of the application form) - Proposed Variation(s)

If you wish the variation to have effect as soon as possible please tick the box as indicated.

If you wish the variation to take effect from a specific date please enter the date into the boxes provided.

In the next box please describe the proposed variation in detail. You are advised to read guidance note 3 at the end of the application form. You must provide reasons as to why you consider that the proposed changes would not have an adverse effect on the promotion of one or more of the licensing objectives. It is clearly in everybody's interests to reduce any obstacles to your application. You should therefore think very carefully about how the changes may affect the four licensing objectives.

Part 4 (of the application form) – Operating Schedule

Please tick the boxes on the list provided of those licensable activities, which would be subject to change if the application were granted.

Enclosures

Please complete the boxes indicated and give the necessary explanation if you have failed to put in the necessary enclosures

Please provide any other information that you consider will support your application.

You are then required to indicate whether you have enclosed the premises licence or relevant part of the licence with the application. If you have failed to

enclose the licence or relevant part please outline the reasons for this in the box provided.

Documents to be Included with the application

You must enclose the following:

1. Premises licence or relevant part
2. The fee;
3. If the application involves amending the plans previously submitted to the Licensing Authority, the information contained in the plan must be clear and legible in all material respects.
4. The plan shall show:
 - a) The extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
 - b) The location of points of access to and from the premises;
 - c) If different from paragraph (b) above, the location of escape routes from the premises;
 - d) In a case where the premises is used for more than one existing licensable activity, the area within the premises used for each activity;
 - e) In a case where an existing licensable activity relates to the supply of alcohol, the location or locations on the premises which is or are used for consumption of alcohol;
 - f) Fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
 - g) In a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
 - h) In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
 - i) In a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms
 - j) The location and type of any fire safety and other safety equipment; and
 - k) The location of a kitchen, if any, on the premises

The plan may include a legend through which the matters mentioned or referred to in a) to k) above are sufficiently illustrated by the use of symbols on the plan.

Signatures

If the application is made by a limited company, partnership or unincorporated association, someone who has the capacity to bind the company or partnership should sign. Your agent (e.g. a solicitor) may sign providing he or she has actual authority to do so.

Where there is more than one applicant, they must all sign the form.

Advertising Your Application

An application for the minor variation of a premises licence must be advertised only at the premises (unlike a full variation there is no requirement to advertise in a locally circulating newspaper).

Site Notice

The notice must be displayed for a period of no less than ten working days commencing on the day after the day the application is lodged with the Licensing Authority.

The notice must be:

1. A4 sized or larger
2. On white paper
3. Printed legibly or typed in black, the font size for the heading must be in a font size of 32 or larger and the remainder of the notice must be in a font size of 16 or larger.

The notice must in all cases be displayed prominently at or on the premises to which it relates in such a position that it can be easily read from outside of the premises. Where premises cover an area in excess of fifty metres square, a further notice in the same format shall be displayed every fifty metres along the perimeter of the premises abutting the highway.

The site notice must state the following:

1. Name of the applicant for a premises licence
2. The postal address of the premises. If there is no postal address a description of the premises sufficient to enable the location and extent to be identified
3. The postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected
4. Briefly describe the proposed variation. In order that the public can make a properly informed decision as to whether or not to make representations you are strongly advised to include the proposed times of licensable activities, opening hours if different and the type of licensable activities proposed at the premises.
5. The date by which a relevant person may make representations to the Licensing Authority.
6. That it is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for such an offence.

A sample site notice format is attached as Annex A should you wish to use it. We would advise applicants to regularly take photographs of the site notices on display at the premises and making a note of when they have been displayed.

Representations from Relevant Persons must be received by the Licensing Authority within ten working days of the initial date (ie the first working day after the day that the application was received by the Licensing Authority).

What Happens to your Application

On receipt of an application for a minor variation the Licensing Authority must consult such of the responsible authorities as it considers appropriate. The Licensing Authority must then take into account any representations made by the those authorities or any representation made by any interested party. In those cases where the Licensing Authority is satisfied that the variation(s) applied for

could not have an adverse effect on one or more of the licensing objectives then they must grant the application, in any other event the application is rejected. The Licensing Authority must determine the application within 15 working days beginning with the initial day (i.e. the first working day after the day that the application was received by the Licensing Authority).

Rejected Applications

There are a number of alternative options that applicants may consider if the application is rejected. Further information on this aspect can be obtained from the Licensing Authority or you may seek your own legal advice.

What Happens if Relevant Representations are Made?

The Licensing Authority will consider whether or not there could be an adverse affect on one or more of the licensing objectives. If a decision is reached that there could be such an adverse effect the application will be rejected.

This information has been made as comprehensive as possible. However, in attempting to simplify the law, certain requirements have been omitted. Full details of what you must do are in the legislation itself. The information in this guidance was accurate when produced but you are always advised to seek your own legal advice should you have any queries and you should note that the Council cannot be liable in any way for the contents of this guidance.

ANNEX A

Sample site notice format.
(The notice must be in font size 16 or larger)

LICENSING ACT 2003
Application for the Minor Variation of a Premises Licence

I (Insert full name of applicant).....

Of (Insert the full postal address of the premises).....
.....
.....

(Where there is no postal address a description of the premises sufficient to enable the location and extent of the premises to be identified)

I have submitted an application for the minor variation of a premises licence to Bristol City Council, Licensing Authority 100 Temple Street, Bristol BS1 6AG. The record of the application may also be inspected at this address between 9.00 am and 5.00 pm Monday – Friday, with the exception of Wednesday when the opening hours are 10.00 am and 5.00 pm or on the Council’s website at www.bristol.gov.uk.

Details of application (Type of licensable activity, proposed days & times of activities and opening hours of premises, details of any non standard timings & any seasonal variations).....
.....
.....

Relevant persons and responsible authorities may make written representation to the relevant Licensing Authority by..... such representation shall be made in writing to Licensing Team(100TS) PO BOX 3399 Bristol BS1 9NE or via email: licensing@bristol.gov.uk

It is an offence to knowingly or recklessly make a false statement in connection with an application, the maximum fee for which a person is liable assuming conviction for the offence is level 5 on the standard scale.

LICENSING ACT 2003

Minor Variation of Club Premises Certificate

Name of Club

.....

Of (Insert the full postal address of the club).....

.....

(Where there is no postal address a description of the premises sufficient to enable the location and extent of the premises to be identified)

I have submitted an application for the minor variation of a club premises certificate to Bristol City Council, Licensing Authority 100 Temple Street, Bristol BS1 6AG. The record of the application may also be inspected at this address between 9.00 am and 5.00 pm Monday – Friday, with the exception of Wednesday when the opening hours are 10.00 am and 5.00 pm or on the Council’s website at www.bristol.gov.uk.

Details of application (Type of licensable activity, proposed days & times of activities and opening hours of premises, details of any non standard timings & any seasonal variations).....

.....

Relevant persons and responsible authorities may make written representation to the relevant Licensing Authority by..... such representation shall be made in writing to Licensing Team(100TS) PO BOX 3399 Bristol BS1 9NE or via email: licensing@bristol.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is an unlimited fine.