

Guidance for Premises Licence/Club Premises Certificate Minor Variation

Completing the form

General: The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

It cannot be used to:

- extend the period for which the licence has effect;
- vary substantially the premises to which it relates;
- specify, in a premises licence, an individual as the designated premises supervisor;
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D (3) of the Licensing Act 2003 in a premises licence.

Description of premises: For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines etc.

Details of Proposed Variation: Please give full details of all the proposed variation(s). Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. (However, there is a section at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation.) Relevant information includes:

- a) Variations to licensable activities/licensing hours (all timings should be given in 24 hour clock e.g. 16.00. Only give details for the days of the week when you intend the premises to be used for the activity), such

Guidance for Premises Licence/Club Premises Certificate
Minor Variation

as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent);
 - Relevant further details, for example whether music will be amplified or unamplified;
 - Standard days and timing when the activity will take place, including start and finish times;
 - Any seasonal variations in timings, e.g. additional days during the summer; and
 - Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.
- b) Variations to premises/club layout: If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:
- increase capacity for drinking on the premises;
 - affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or
 - impede the effective operation of a noise reduction measure.
- c) Revisions, removals and additions of conditions: The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).
- d) Variations to opening hours: Details of any changes to hours when the premises or club is open to the public.

Further information: You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

Please provide a correspondence address which is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided.

Advertising the application

Applications for a minor variation of a licence/club premises certificate must be advertised by displaying a notice in at least one place at, or on, the site of the premises concerned for a continuous period starting on the first working day following the day the application was given to the licensing authority, and

Guidance for Premises Licence/Club Premises Certificate Minor Variation

ending on the tenth working day. In the case of a premises covering an area of more than 50 metres square, a further notice must be displayed every fifty metres along the external perimeter of the premises abutting any highway.

The notice **must** contain the following information:

- If applying for additional licensable activities, the activities and hours applied for
- In the case of plan amendments, if this will entail an increase to the licensed area, this **must** be made clear on the notice
- If the variation includes removing or amending conditions, this must be included in the notice, stating which conditions are to be removed or amended

*(Please note that the Site Notice must be printed on **white paper** of at least **A4 size**. The notice must clearly state at the top "**Licensing Act 2003 Minor Variation of Premises Licence**" or "**Licensing Act 2003 Minor Variation of Club Premises Certificate**," whichever the case may be, in a minimum font Size 32, the remainder of the text on the Notice must be in a minimum Size 16 font)*

Please submit a copy of the site notice as part of your application so that we can check that the correct information is displayed. Please be advised that, if the notice is checked on site and found to contain errors, or is not displayed, you will be asked to make the relevant amendments and restart the consultation period.

The Minor Variations process can only be used for variations that could have **NO** adverse impact on the promotion of any of the four licensing objectives. If the Licensing Authority considers that the variation could have an adverse impact on any of the four licensing objectives, it must reject the application. In such cases, applicants are advised to submit a full variation application.

The completed application form, together with the required fee, the plans (if appropriate), and the **original premises licence/club premises certificate** (if this is not practicable, a statement of the reasons for the failure to provide the licence must be submitted) should be sent to the Licensing Team at Hammersmith & Fulham Council, Town Hall, King Street, London W6 9JU. Cheques etc. should be made payable to the London Borough of Hammersmith and Fulham. Payment may also be made by debit/credit card by telephone on 020 8753 1081.

Applicants are reminded that the submission of an application to the Council does not constitute consent for the proposed alteration to the licence/certificate. The application will be considered after allowing time for the receipt of comments and consultation with other authorities.

Incomplete application forms will not be accepted and will be returned directly to the sender. Please also ensure that any plans submitted are in accordance with regulations - see separate guidance note.