

Wiltshire Council



Where everybody matters

GUIDANCE NOTES

MINOR VARIATIONS

Small variations are subject to a simplified 'minor variation' process. Only changes that would not undermine the licensing objectives are permitted under this procedure.

The four Licensing Objectives are:

1. The Prevention of Crime and Disorder.
2. Public Safety.
3. The Prevention of Public Nuisance.
4. The Protection of Children from Harm.

The Minor Variations process cannot be used to:

1. Extend the period for which the Licence or Certificate has effect.
2. Transfer the Licence or Certificate from one premises to another.
3. Specify an individual as the Premises Supervisor on a Premises Licence.
4. Authorise the sale by retail or supply of alcohol at any time between 23.00 hours (11pm) and 07.00 hours (7am).
5. Add the sale by retail or supply of alcohol authorised by a Licence or Certificate.
6. Authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied.
7. Include the alternative Licence Condition referred to in Section 41D(3) in a Premises Licence, which is *"In this section "the alternative licence condition" is the condition that every supply of alcohol under the Premises Licence must be made or authorized by the Management Committee"*.

The Minor Variation process may be used to:

1. Reduce licensing hours for the sale or supply of alcohol or to move (without increasing) the licensed hours between 07.00 hours (7am) and 23.00 hours (11pm).
2. Remove a licensable activity.
3. Add a licensable activity that is not likely to impact on the four Licensing Objectives.
4. Vary the time during which licensable activities take place without impacting on the four Licensing Objectives.
5. Amend or remove existing conditions on the Licence or Certificate – they may be out of date, irrelevant or unenforceable.
6. Make minor changes to the structure or layout of the premises.

The minor variations application process requires the applicant to:

- Complete the application form for a minor variation to a premises licence or club premises certificate and submit to the Licensing Authority.
- Advertise the application on a white notice to be displayed at the premises. The notice must be displayed for a period of ten working days starting on the first working day after the minor variation application was given to the Licensing Authority.
- Pay the required fee for application of £89.

Timescales

The Licensing Authority must process the application and determine it within 15 working days starting on the first working day after receipt of the application.

The first 10 working days of the 15 working day period constitute a consultation period in which Interested Parties may make representations to the Licensing Authority.

Licensing Authorities may also wish to consider the application and consult relevant Responsible Authorities during this time if there is any doubt about the impact of the variation on the licensing objectives.

A determination cannot be made during the 10 day consultation period.