



Licensing Act 2003

Application Pack for a Minor Variation of a Premises Licence/ Club Premises Certificate

Contact details for Bedford Borough Council's Licensing Service

Email: licensing@bedford.gov.uk



Bedford Borough Council

Licensing Service, Borough Hall, Cauldwell Street, Bedford MK42
9AP

Application for a minor variation to a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form, especially Note1.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and in black ink. Use additional sheets if necessary.

Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

I/We
(Insert name(s) of applicant)

being the premises licence holder(s)/club holding a club premises certificate, apply to vary a premises licence under section 41A/club premises certificate under section 86A of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference, or description	
Post town	Post code
Telephone number at premises (if any)	
Premises licence number/club premises certificate number	
Brief description of premises (Please see Guidance Note 2)	

Part 2 – Applicant details

I am / we are the premises licence holder / club premises certificate holder (Please delete as appropriate)

Contact phone number in working hours (if any)

E-mail address (optional)

Applicant postal address if different from premises address

Post Town

Postcode

Part 3 – Proposed Variation(s)

Do you want the proposed variation to have effect as soon as possible? Yes No Please tick ✓ yes

If not, from what date do you want the variation to take effect

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 3) Yes No

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

Details of the proposed variation(s) (Please see guidance note 4)

Details of the proposed variation(s) (Continued)

Part 4 - Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

Provision of regulated entertainment (please see guidance note 5)

Please tick

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) performances of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment

Supply of alcohol

(Note that this can only relate to reducing licensed hours or moving them without any overall increase between 7am and 11pm)

Please tick to indicate you have enclosed the following:

Please tick ✓ yes

- I have enclosed the premises licence/club premises certificate
- I have enclosed the relevant part of the premises licence/club premises certificate
- I have included a copy of the plan (this is necessary if the proposed variation will affect the layout)

If you have not ticked one of these boxes, please explain why in the box below

Reasons why you have not enclosed the premises licence/club premises certificate or relevant parts.

Any further information to support your application. (See Guidance Note 6)

CHECKLIST:

Please tick to indicate agreement:

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have enclosed the plan, if appropriate, of the premises in scale (1mm to 100mm), unless otherwise agreed with the licensing authority
- I have enclosed the premises licence / club premises certificate or relevant part of it or provided an explanation
- I understand that if I do not comply with the above requirements my application will be rejected
- I understand that I must now advertise my application for a continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures and Contact Details (See Guidance Note 7)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (See Guidance Note 8). If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign.

Signature	
Date	
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (See Guidance Note 9). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Where the Premises are a Club

I (<i>insert full name</i>) _____ make this application on behalf of of the club and have authority to bind the club.	
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (See Guidance Note 10)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

1. General Note: 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.

2. 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.

3. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

4. 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 box 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 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.

5. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises: and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 0800 and 23.00 on any day provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day provided that the audience does not exceed 1000.
- Combined fighting sports-defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts- are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - A performance of unamplified live music between 08.00 and 23.00 on any day, on any premises
 - A performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - A performance of amplified music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - A performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organizer gets consent for the performance from a person who is responsible for the premises.
 - A performance of amplified live music between 08:00 and 23:00 on any day, at the non- residential premises of (i) the local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organizer gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded music: no licence permission is required for:
 - Any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - Any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the

- organiser gets consent for the performance from a person who is responsible for the premises.
- Any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for the performances between 08.00 and 23.00 on any day provided that the audience does not exceed 500. However a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the healthcare provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus provided that (a) it takes place within a moveable structure that accommodates the audience and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

6. 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.

7. Signatures: The application form must be signed.

8. Authorised agent: An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

9. 2nd Applicant: Where there is more than one applicant both applicants or their respective agents must sign the application form.

10. This 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.

Data Protection Privacy Advice

Through the relevant application/notice forms, accompanying documentation and payment facilities associated with this licensing function the Council (the data controller) collects personal data. Personal data may also be collected in respect of further related requests for information from the applicant/person submitting the notice. This is necessary for the performance of legal obligations on it in respect of the relevant licensing function or otherwise necessary for the performance of a task carried out in the public interest or in the exercise of official authority. These also form the basis for the further processing of the personal data by the Council in connection with the application/notice, any determination of the same and any subsequent authorisation/appeal and issues that arise during the period of the authorisation/appeal. Beyond that, the Council will retain the records for 5 years and then destroy them securely. The Council will maintain and retain public registers and these are not destroyed. The Council may from time to time extract information itself from those public registers. The Council will share with and receive information from the following:

- Statutory Consultees as defined by legislation
- Public & Site Notice
- Ward Councillors
- Parish Councils

in respect of data subjects who are applicants/notice givers and those who hold authorisations. It holds the personal data in a way designed to secure it from unauthorised use, loss or destruction. These measures include recruitment and training of staff, procurement of services and physical/cyber security. The Council's privacy statement for this function is available at www.bedford.gov.uk or upon request from the Council using the address and telephone contact details elsewhere on this form. The Council will update its privacy statement from time to time and you are urged to read that statement. You have information rights that are explained at

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

You can exercise your information rights by contacting the Council's Data Protection Officer at dpo@bedford.gov.uk or writing to Information Governance, Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford MK42 9AP (Telephone (01234) 267422). If you believe that the Council has failed to comply with its data protection obligations you may contact the ICO at 0303 123 1113 or at www.ico.org.uk. Further contact details are available upon request. The full Privacy Statement for Premises Licences can be viewed here: www.bedford.gov.uk/gdprprivacy

SUGGESTED FOR OF PUBLIC NOTICE
Application for a minor variation under the Licensing Act 2003 sections
41A or 86A

TAKE NOTE that an application for:

A MINOR VARIATION

Has been made to Bedford Borough Council by:

In respect of premises known as (state name and address of premises):

Describe briefly the proposed variation:

REPRESENTATIONS

ANY PERSON wishing to make any representation to the application should write to the Licensing Authority, Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP specifying the grounds for making representations.

Interested parties or responsible authorities may make written representations, these should be sent to Licensing Authority within 10 consecutive working days starting on the day after the day on which the application was given to the council.

Date of application submitted to the Council:

Signed by applicant or on behalf of the applicant:

Date of site notice placed:

Expiry date of site notice:

Applications can be viewed during office hours at the Council or via the Council's website on: <https://www.bedford.gov.uk/licensing/>

Note:

- 1) The notice must be displayed at the premises for a period of 10 consecutive working days starting on the day after the day on which the application is submitted to the Council
- 2)
 - a. The notice must be of equal size or larger than A4
 - b. Of a white colour
 - c. Printed legibly in black or typed in black font
- 3) It is an offence to knowingly or recklessly make a false statement in connection with the above application. The maximum fine is liable on summary conviction.

Guidance for submitting Plans with applications for a Premise Licence and Club Premise Certificate

The plan is to be drawn to the 'standard scale' of **1:100** unless a different acceptable scale is previously agreed in writing with us. It must include the following:

- (1)
 - (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 egress from the premises;
 - (c) If different from sub-paragraph (1)(b), the location of escape routes from the premises;
 - (d) In a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
 - (e) 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;
 - (f) 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;
 - (g) In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
 - (h) In the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
 - (i) The location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and
 - (j) The location of a kitchen, if any, on the premises
- (2) The plan may include a legend through which the matters mentioned or referred to in paragraph (1) are sufficiently illustrated by the use of symbols on the plan