

Licensing Team
Community Safety & Environment
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**Licensing Act 2003
Varying Your Existing
Premises Licence**

Variations

There are two methods of changing an existing premises licence: A 'full variation' or a 'minor variation'.

In all cases, the overall test as to which process to use is whether the proposed variation could impact adversely on any of the four licensing objectives. Small variations that will not impact adversely on the licensing objectives can utilise the simplified 'minor variations' process. All other variations will need to utilise the 'full variation' process.

The variation processes generally cannot be used if you are carrying out major works to the premises that will substantially change the nature and/or use of the building (e.g. transforming an off-licence into a restaurant). In these cases you would need to submit an application for a new Premises Licence.

Planning Consent

You are strongly advised to contact the Council's Planning Officer before you make your application, as the changes you are making may require planning permission. You can contact the Planning Department on 020-8921 5782 / 5708. If the changes you make to your Premises Licences are unauthorised under planning use, you may be prosecuted or closed down, so it is important that you obtain any necessary planning consent before making your application.

Licensing Objectives

You need to bear the four licensing objectives in mind when completing your application. They are:

- The protection of children from harm;
- Public safety;
- Prevention of public nuisance;
- Prevention of crime and disorder.

Incomplete Applications

We cannot accept incomplete application. The time limit for processing will not start until you have supplied a correctly completed application, fee and all other documentation required.

Premises Licence Number

Insert the number of your existing Premises Licence here.

Return of Original Premises Licence

You must return your original Premises Licence to us together with your application. This must be the original Part A and Part B (i.e. the laminate). If you have lost the original Premises Licence or it has been stolen, you must report this loss to the Police and provide us with the relevant Crime Number.

Part 3 – Description of Variation

Give brief details of the variation you are seeking, e.g. “To extend hours for sale of alcohol on Fridays and Saturdays until 04:00 hours”, or “To remove condition on Premises Licence restricting admission to patrons after 23:00 hours”.

Part 4 - Operating Schedule

Licensable Activities

You must state what licensable activities you would like to obtain consent for. Tick the appropriate boxes.

Licensed Activities and Opening Times

You must state what licensable activities you intend to provide and the times you would like to do this. Times must be given in the 24 hour clock.

Seasonal Variations

This does not apply.

Non Standard Timings

This would allow you to open later on, for example, Christmas Eve, the Sunday before a Bank Holiday, or on St Patrick’s Day, regardless of what date it falls on. You need to specify these days and say what times you wish to open on them, e.g. “Christmas Eve from 11:00 hours until 03:00 hours”. We cannot accept vague descriptions such as “Special events until midnight” or “Birthday parties until 02:00 hours”.

Using the Non Standard Timings facility means you do not have to use Temporary Event Notices for these occasions.

Indoors or Outdoors

If licensed activities will take place in a building or similar structure, please tick “Indoors”. If activities are to take place in the open air, or with a roof cover and no side wall covers, please tick “Outdoors”. If you are a pub with a garden (for example) and you would like licensable activities to take place in the garden, you would tick both boxes.

Further Details

You are expected to state the type of activity to be authorised and, where applicable, the frequency of these activities. (If you intend to provide licensed activities regularly, you do not need to specify this).

For example:

Plays – If the premises licence is for a one off event, you would put the play title here. Otherwise you would state, for instance, whether the plays are for children only, a mixed audience, for an amateur dramatics association, and so on.

Film Exhibitions – If a cinema, you may say here how many screens you have. You may describe the type of films you intend to show, e.g. art films, mixed films for all age ranges, and so on.

Indoor Sporting Events – Describe the type of sports you intend to provide.

Boxing and Wrestling Entertainments – The category of fights you may wish to provide, whether they will be professional or amateur, and so on.

Performance of Live Music – How many musicians do you intend to have performing, what type of music will they play, and will the music be amplified or unamplified?

Playing of Recorded Music – What sort of recorded music? Will it be a DJ or a sound system? What is the power output of any sound system to be used? Will you be providing karaoke?

Performance of Dance – What type of dancing? Will there be a stage or will it be roaming dancers, such as strippers?

Entertainment of a Similar Description – Describe the type of entertainment, e.g. comedy shows, hypnotism performances, etc.

Late Night Refreshment – Say what you intend to do, e.g. selling food for takeaway purposes only, selling food for consumption on the premises, the type of food you sell, etc.

You can also use this section to tell us how often you are likely to use the licence, e.g. “Plays will only be held once a month for no more than three days at a time”.

Activities That May Give Rise to Concern in Respect of Children

This could include nudity or semi-nudity (such as exotic dancers), films for restricted age groups, or the presence of gaming machines.

Hours Premises Are Open to the Public

This area is for you to say what time the public may enter the building or premises and what the latest time is they will leave, regardless of whether licensable activities are taking place. Remember to include opening hours for all non standard timings as well.

Conditions on Your Current Licence That You Believe May be Removed

This could be restrictions on hours, or actual conditions such as those requiring a noise limiting device or preventing admission of patrons after a certain time. It is important that you look at your Premises Licence conditions and apply to remove those you no longer require or that are not applicable

Reasons Why I Have Failed to Enclose the Premises Licence

You must send your original Premises Licence back to us in full when you apply. If you cannot do so, please say why in this box. Note that if the original has been lost or stolen, you must report this to the Police and provide a Crime Number.

Steps You Intend to Take to Promote the Four Licensing Objectives

This is a very important part of the form. You must use this area to demonstrate that you can run your business in accordance with the four licensing objectives and the Council’s Statement of Licensing Policy.

You need to satisfy the responsible authorities we consult and any other interested parties (e.g. local residents), that you can run the premises responsibly and in accordance with the licensing objectives. If these people do not feel the steps you propose are adequate, they may object to the licence being granted.

It is in everybody's interests to reduce the likelihood of people objecting to your application. You must think very carefully about how you are going to address the four licensing objectives.

Examples of things you may wish to consider are given below.

General – All Four Licensing Objectives

- Providing registered door supervisors;
- Having a Personal Licence Holder on the premises at all times the licence is being used;
- Staff training on licensing issues;
- Installing a CCTV system.

The Prevention of Crime and Disorder

- Drugs policies/notices;
- Membership of a local Pubwatch scheme;
- Providing adequate lighting;
- Use of a walkie-talkie link to other licensed premises in the area;
- Age restrictions;
- Search policies;
- Bottle bans.

Public Safety

- Provision of emergency lighting;
- Provision of additional escape routes;
- Accommodation limits;
- First Aid provision;
- Seating arrangements;
- Use of special effects;
- Number of attendants.

The Prevention of Public Nuisance

- Provision and use of a noise limiting device;
- Secondary glazing/soundproofing;
- Noise patrols of the local area;
- Keeping the music to a reasonable level;
- Litter clearance;
- Considerate loading/unloading arrangements;
- Controlling noxious odours from cooking, etc;
- Not using external areas after a certain time;
- Restricting hours that amplified music can take place;
- Keeping doors and windows closed while the licence is being used;
- Prevention of light pollution;
- Notices asking patrons to leave quietly.

The Protection of Children From Harm

- Restricting access to adult entertainment, e.g. lap dancing, age restricted films, etc;
- Provision of children's areas;
- CRB checks of staff involved in looking after young people;
- Proof of age cards;
- Prevention of access to gaming machines;
- A limit on the hours during which children can be present on the premises;
- Requirement to be accompanied by an adult;

- Requirement for attendants to be present when children's activities are taking place.

You are not expected to address issues already covered by existing legislation, e.g. "I will not serve to people who are obviously drunk" or "I will not serve alcohol to under-18's".

Whatever you put in this section will become a condition of your Club Premises Certificate. Therefore you should not volunteer to do anything that you are not able, or not prepared, to do if the variation is granted.

It may be that no steps are required, in which case you can leave the relevant box(es) blank – but this is rare.

Advertising Your Application

You must advertise your application by way of a notice displayed at the premises for 28 days. The notice must be displayed prominently at or on the premises to which the application relates, in a place where it can be conveniently read from the exterior of the premises. In the case of a premises covering an area of more than fifty metres square, a further notice in the same form and subject to the same requirements must be displayed every fifty metres thereafter along the external perimeter of the premises abutting any highway. A form for this purpose is included. Council officers will check that you have displayed the notice and your application will not be accepted unless this is done.

You must also publish notice of your application in the local press within five days of making the application. A form for this purpose is enclosed. You must send a copy of the newspaper containing the advertisement to us as soon as it is published.

Additionally, the Council will write to all residents living within 100 metres of your premises to advise them of your application and telling them how to make representations if they are concerned enough to do so.

Documents to be Included

You must enclose the following:

- The fee (see attached Fees Schedule) in the form of a cheque made payable to "Royal Borough of Greenwich";
- The original of the current Premises Licence (Part A with plan - and Part B, the laminated Summary).

Copy to Responsible Authorities

You must supply a copy of the application lodged with the Licensing Team to the following persons:

- 1 Greenwich Police Licensing
4th Floor, The Woolwich Centre
35 Wellington Street
London
SE18 6HQ
- 2 Environmental Health (Commercial Section)
4th Floor, The Woolwich Centre
35 Wellington Street
London

- SEI8 6HQ
- 3 Environmental Health (Pollution Control)
4th Floor, The Woolwich Centre
35 Wellington Street
London
SEI8 6HQ
 - 4 Child Protection Team
1st Floor, The Woolwich Centre
35 Wellington Street
London
SEI8 6HQ
 - 5 Trading Standards Manager
4th Floor, The Woolwich Centre
35 Wellington Street
London
SEI8 6HQ
 - 6 Planning Enforcement Team
5th Floor, The Woolwich Centre
35 Wellington Street
London
SEI8 6HQ
 - 7 Fire Safety Regulation: South East Area 3
London Fire Brigade
169 Union Street
London
SEI 0LL
 - 8 Greenwich Primary Care Trust (NHS) – Attn: David Pinson
1 Hyde Vale
Greenwich
London
SEI0 8QG.

If your initial application is incomplete, you will have to resubmit it to these authorities.

What Happens to your Application

Any of the responsible authorities are entitled to make representations about your application, providing they are relevant to any of the four licensing objectives.

Likewise, local residents and businesses may also make representations, providing they too are relevant to the objectives.

What Happens if Relevant Representations are Made?

The Council's Licensing Sub-Committee will determine your application. The Committee is comprised of elected Members of the Council.

You will be invited to attend the meeting to give evidence, answer questions, and call any witnesses. The Committee will listen to evidence from both sides before deciding whether to grant the variation. They may grant it as requested, grant with conditions (provided these are relevant to the licensing objectives) or refuse your application.

Appeals

If you are dissatisfied with a decision made by the Council, you may appeal to the Magistrates' Court for the petty sessions area in which the premises are situated, within 21 days of being notified of the Council's decision.

This leaflet 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.

Laws can and do change. This information was accurate when produced, but may have changed since. We must advise that only the Courts can give an authoritative opinion on statute law.

This information is available in alternative formats such as large print, Braille or on audio cassette if required. Please contact us should you require any further information or assistance.