**DUMFRIES AND GALLOWAY LICENSING BOARD**

**Licensing (Scotland) Act 2005 - Section 29**

**Application for Minor Variation of Premises Licence**

**Section 1: Type of Variation**

This application for Minor Variation of Premises Licence is made under Section 29(6) of the Licensing (Scotland) Act 2005. Please tick all relevant boxes to which the application relates:-

[ ]  a) any Variation of the Layout Plan, if the Variation does not result in any inconsistency with the Operating Plan

[ ]  b) any Variation of the information contained in the licence relating to the Premises Manager (including a Variation so as to substitute a new Premises Manager)

[ ]  c) where the name of the premises is disclosed in the premises licence, any change in that name

[ ]  d) where, under the Operating Plan contained in the Licence, Children or Young Persons are allowed entry to the Premises, any Variation reflecting any restriction or proposed restriction of the terms on which they are allowed entry to the Premises,

[ ]  e) a temporary or permanent reduction in the licensed hours which does not result in the premises opening any earlier or closing any later than stated in the premises licence and operating plan

[ ]  f) an increase in the minimum age at which children or young persons may be allowed onto the premises

[ ]  g) a reduction in the times at which children or young persons may be allowed onto the premises

[ ]  h) a restriction to the access of children or young persons to certain parts of the premises

[ ]  i) any reduction in the capacity of the premises whether resulting from a variation to the layout plan or otherwise

[ ]  j) any variation resulting in the cessation of the provision of live or recorded music at a decibel level exceeding 85 decibels

[ ]  k) any variation to provide that, when the premises are fully occupied, more customers are likely to be seated than standing

**Section 2: Premises Licence Details**

***Licence Number of Premises***

|  |
| --- |
|  |

***Name and Address of Premises***

|  |
| --- |
|  |
| **Post Code** |  | **Phone No.** |  |

***Full Name and Address of Current Licence Holder***

|  |
| --- |
|  |
| **Post Code** |  | **Phone No.** |  |

**Section 3: Nature of Variation**

Complete the relevant section(s) regarding the variations sought:-

**3(a) Variation to the Layout Plan which does not result in any inconsistency with the operating plan**

2 hard copies and 1 electronic copy of the proposed Layout Plan **must** accompany this application (s**ee Note 2**).

In addition please provide details of the proposed change to the layout of the Premises.

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| --- |
|  |

**3(b) Variation to the Operating Plan to restrict the terms on which children and young persons are allowed entry to the premises**

Provide details of the proposed restrictions to the current Operating Plan

**Terms** *under which Children and Young Persons will be allowed entry*

|  |
| --- |
|  |

***Ages*** *of Children and Young Persons to be allowed entry*

|  |
| --- |
|  |

***Times*** *during which Children and Young Persons will be allowed entry*

|  |
| --- |
|  |

***Parts*** *of the premises which Children and Young Persons will be allowed entry*

|  |
| --- |
|  |

**3(c) Variation to the information contained in the licence relating to the Premises Manager (including the substitution of a new Premises Manager)**

**(i)** If variation is only to amend details of Current Premises Manager then complete this part

|  |
| --- |
|  |

**(ii)** If variation is to intimate the substitution of a new Premises Manager then complete this part

*Full Name and Address of Proposed Premises Manager*

|  |
| --- |
|  |
| **Post Code** |  | **Phone No.** |  |

*Date of Birth of Proposed Premises Manager*

|  |
| --- |
|  |

*Email Address of Proposed Premises Manager*

|  |
| --- |
|  |

*Details of Personal Licence held by Proposed Premises Manager*

|  |  |  |
| --- | --- | --- |
| **Date of Issue** | **Name of Licensing Board issuing** | **Licence No. of Personal Licence** |
|  |  |  |

***Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.***

**3(d) Variation to change the name of the premises**

Please state the change to the name of the premises

|  |
| --- |
|  |

**3(e-k) Variation to the operating plan as detailed in (e) to (k) on page 1**

Please provide precise details

|  |
| --- |
|  |

**Section 4: Licence to be Amended**

(**See Note 3**)

Does the appropriate Premises Licence accompany this application? [ ]  **YES**  [ ]  **NO**

If the answer is **NO**, please provide an explanation.

I am unable to produce the Premises Licence because…

[ ]  The licence has not yet been issued by the Board

[ ]  The licence is already with the Board in respect of an earlier application for variation or transfer

[ ]  Other (provide details)

……………………………………………………………………………..

**Section 5: Fee Payable**

The fee payable in respect of the application for variation is-

* **£31** for the substitution of a new Premises Manager (this can also include any additional minor variations sought under section 1)
* **£20** for any minor variation under section 1 which does not include the substitution of a new Premises Manager

**Declaration by Applicant or Agent on Behalf of Applicant**

***If signing on behalf of the applicant please state in what capacity.***

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee is enclosed.

Signature ……………………………………………….…… (see note 4)

Date …………………………………………………….

Capacity ………………………………………….………... Applicant/Agent (delete as appropriate)

If agent, please provide name, address, ………………………………………..

telephone number and email address ………………………………………..

 ………………………………………..

 ………………………………………..

**Note 1:**

Section 29(6)(a) of the Licensing (Scotland) Act 2005 intimates that a variation to the Layout Plan of a Premises qualifies as a minor variation **only** ’*if the variation does not result in any inconsistency with the operating plan*’. Since the Operating Plan contained within the Premises Licence reflects the relevant ‘on sales’ and/or ‘off sales’ capacity figures, a variation to the layout of the premises will only be considered ‘minor’ if the changes **do not** alter the capacity figures in anyway.

If an application to vary the Layout Plan is submitted to the Licensing Board as a minor variation then Licensing Staff may seek clarification from Building Control Officers before the application is accepted. Only once the Board are satisfied that the application is for a minor variation will said application be lodged.

**Note 2:**

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

**Note 3:**

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

**Note 4:**

**Data Protection Act 1998**

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

**Contact Us:**

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