

MINOR VARIATIONS

The Licensing Act 2003 was amended a few years ago and new sections inserted which relate to minor variations. This is a new simplified procedure which can be used for minor alterations to the layout/structure of a premises, small adjustments to licensing hours; the removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions; and the addition of certain licensable activities.

Under this procedure the applicant is not required to advertise the variation in a newspaper or copy the application to responsible authorities. Instead a white notice must be displayed at the premises for a period of ten working days starting on the working day after the minor variation application was given to the Licensing Authority.

On receipt of application Licensing Authority must decide if the application affects any of the licensing objectives and if so which of the responsible authorities it wishes to consult.

Other persons and any responsible authorities have 10 working days to make a representation. Representations are only relevant if they clearly relate to the likely effect of the grant of the variation on the promotion of the licensing objectives. There is no right to a hearing and any representations made will be considered by the Licensing Authority.

A determination must be made by the Licensing Authority within 15 working days starting the next working day after the application has been received. If this is not adhered to then it will be assumed that the application has been refused and the authority must return the fee to the applicant.

If the application is refused there is no appeal against this, however the applicant can resubmit the application through the full variation process.

The fee for a minor variation is £89. Payment can be made by debit or credit card by contacting the Licensing Section on 0191 643 2175. If you wish to make the payment by cheque please make cheques payable to North Tyneside Council.