

**2009 No. 1809**

**LICENCES AND LICENSING**

**The Licensing Act 2003 (Premises Licences and Club Premises Certificates) (Miscellaneous Amendments) Regulations 2009**

<i>Made</i> - - - -	<i>6th July 2009</i>
<i>Laid before Parliament</i>	<i>7th July 2009</i>
<i>Coming into force</i> - -	<i>29th July 2009</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 8(1)(d), 17(5), 34(5), 41A(4), 54, 55, 71(6), 86A(4), 91 and 92 of the Licensing Act 2003(a).

**Citation and commencement**

1. These Regulations may be cited as the Licensing Act 2003 (Premises Licences and Club Premises Certificates)(Miscellaneous Amendments) Regulations 2009 and come into force on 29<sup>th</sup> July 2009.

**Premises licences and club premises certificates: forms, representations, notices and advertisement of applications**

2.—(1) The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005(b) are amended as follows.

(2) In regulation 2(1) after the definition of “the Act” insert—

““alternative licence condition” in relation to a premises licence means the condition that every supply of alcohol under the licence must be made or authorised by the management committee;”.

(3) For regulation 10 substitute—

**“Premises licences**

**10.**—(1) An application for a premises licence under section 17 shall be in the form and shall contain the information set out in Schedule 2 and shall be accompanied by the prescribed fee.

(2) Where the application includes an application for the alternative licence condition to be included in the licence the application shall be accompanied by the information set out in Schedule 4A in the form there set out.”.

(4) For regulation 12 substitute—

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(a) 2003 c. 17.  
(b) S.I. 2005/42. Those Regulations were amended by S.I. 2007/2502.

#### **“Variation of premises licence**

**12.**—(1) Subject to paragraph (2) and regulation 13A, an application to vary a premises licence under section 34 shall be in the form and shall contain the information set out in Schedule 4 and shall be accompanied by the prescribed fee.

(2) Where the application includes an application for the alternative licence condition to be included in the licence the application shall be accompanied by the information set out in Schedule 4A in the form there set out.”.

(5) In regulation 13 omit the words after “prescribed fee”.

(6) After regulation 13, insert—

#### **“Variation of premises licence solely to include the alternative licence condition**

**13A.** An application to vary a premises licence under section 34 in which the only variation sought is the inclusion of the alternative licence condition shall be in the form and shall contain the information set out in Schedule 4A and shall be accompanied by the prescribed fee.

#### **Minor variation of premises licence**

**13B.** An application for minor variation of a premises licence under section 41A shall be in the form and shall contain the information set out in Schedule 4B and shall be accompanied by the prescribed fee.”.

(7) In regulation 19 omit the words after “prescribed fee”.

(8) After regulation 19 insert—

#### **“Minor variation of club premises certificates**

**19A.** An application for minor variation of a club premises certificate under section 86A shall be in the form and shall contain the information set out in Schedule 4B and shall be accompanied by the prescribed fee.”.

(9) In regulation 21(1) after “representations” insert “(other than representations of the kind referred to in section 41B(2)(b)(i) or 86B(2)(b)(i))”.

(10) In regulation 22 after “representations” where it first occurs, insert “(other than representations of the kind referred to in section 41B(2)(b) or 86B(2)(b))”.

(11) In regulation 25 after “section 34” insert “(except where the only variation sought is the inclusion of the alternative licence condition)”.

(12) After regulation 26 insert—

#### **“Advertisement of applications: minor variations**

**26A.**—(1) In the case of an application for minor variation of a premises licence or club premises certificate (under section 41A or 86A respectively) the person making the application shall advertise the application for the required period—

- (a) by displaying a notice which complies with paragraph (2) prominently at or on the premises to which the application relates so that it can be conveniently read from the exterior of the premises, and
- (b) if any part of the external perimeter of the premises that is one hundred or more metres in length abuts a public highway or other place accessible to the public, by displaying such a notice at least every fifty metres along that part of the perimeter.

(2) A notice complies with this paragraph if—

- (a) it is—
  - (i) white,

- (ii) of a size equal to or larger than A4,
  - (iii) printed legibly in black ink or typed in black;
- (b) it includes the following information—
- (i) in the case of an application under section 41A, at or near the top of the notice the heading “Licensing Act 2003: Minor Variation of Premises Licence”,
  - (ii) in the case of an application under section 86A, at or near the top of the notice the heading “Licensing Act 2003: Minor Variation of Club Premises Certificate”,
  - (iii) a brief description of the proposed variation or variations,
  - (iv) the name of the applicant or club,
  - (v) the postal address of the premises or club premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises or club premises to be identified,
  - (vi) the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected,
  - (v) the date by which an interested party may make representations to the relevant licensing authority,
  - (vi) that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence;
- (c) the information referred to in subparagraph (b)(i) or (ii) above is printed or typed in a font of a size equal to or larger than 32;
- (d) the remainder of the notice is printed or typed in a font of a size equal to or larger than 16.

(3) In this regulation “the required period” is the 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.”.

(13) In regulation 27 after “section 34” insert “(except where the only variation sought is the inclusion of the alternative licence condition)”.

(14) For Regulation 28 substitute—

**“Notice to chief officer of police etc.**

**28.**—(1) In a case to which this paragraph applies a person making an application or giving a notice shall give a copy of the application or notice, together with its accompanying documents (if any) to the chief officer of police on the same day as the day on which the application is given to the relevant licensing authority.

(2) Paragraph (1) applies to—

- (a) an application of the kind referred to in regulation 10(2), 12(2) or 13A (an application for the inclusion of the alternative licence condition);
- (b) an application to vary a premises licence under section 37 (to specify an individual as premises supervisor);
- (c) an application for the transfer of a premises licence under section 42;
- (d) the giving of an interim authority notice under section 47.

(3) In a case falling within paragraph (2)(b) the person making the application shall in addition give to the designated premises supervisor (if any) a copy of the application

together with its accompanying documents (if any) on the same day as the day on which the application is given to the relevant licensing authority and the chief officer of police.”.

(15) After Schedule 4, insert Schedules 4A and 4B as set out in the Schedule to these Regulations.

### **Licensing authority’s register**

3. After regulation 2(2) of the Licensing Act 2003 (Licensing authority’s register)(other information) Regulations 2005(a), insert—

“(2A) In the case of an application under section 41A (application for minor variation of premises licence) or 86A (application for minor variation of club premises certificate) of the Act, the details of the proposed variation or variations as given in the application.”.

### **Fees**

4.—(1) The Licensing Act 2003 (Fees) Regulations 2005(b) are amended as follows.

(2) After regulation 4 insert—

#### **“Fee to accompany application for minor variation of premises licence**

4A. The fee to accompany an application for minor variation of a premises licence under section 41A is £89.”.

(3) After regulation 6 insert—

#### **“Fee to accompany application for minor variation of club premises certificate**

6A. The fee to accompany an application for minor variation of a club premises certificate under section 86A is £89.”.

(4) In the table in Schedule 6 after the entry that begins with “section 37” insert the following entry—

“section 41D (application to vary premises licence to include alternative licence condition) where the only variation sought is the inclusion of the alternative licence condition      £23”

6th July 2009

*Gerry Sutcliffe*  
Parliamentary Under Secretary of State  
Department for Culture, Media and Sport

## **SCHEDULE**

Regulation 2(15)

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(a) S.I. 2005/43. Those Regulations were amended by S.I. 2007/2502.  
(b) S.I. 2005/79. Those Regulations were amended by S.I. 2005/357.

“SCHEDULE 4 Regulations 10(2), 12(2) and 13A

**Application for the mandatory alcohol condition under the Licensing Act 2003 requiring a Designated Premises Supervisor in respect of a premises licence to be disapplied**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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 in written black ink. Use additional sheets if necessary.

Once completed please give your application to *[insert name and address of relevant licensing authority]*. You may wish to keep a copy of the completed form for your records.

We ..... being a board or committee of individuals with responsibility for the management of the community premises described in Part 1 below, and being the (applicant for a premises licence/premises licence holder) *[delete as applicable]* in respect of those premises apply for the condition referred to in section 19(4) of the Licensing Act 2003 to be included in the licence instead of the conditions referred to in section 19(2) and (3) of the said Act. (see guidance note 2).

**Part 1 – Community premises details**

Name of premises	
Postal address of premises or, if none, ordnance survey map reference, or description	
Post town	Postcode

Telephone number at premises (if any)

**Premises licence number (if applicable)**

<b>Brief description of premises and the composition of the committee or board of individuals with responsibility for the management of the premises</b> (Please see Guidance Note 3)
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**Please describe how you will ensure that alcohol sales are properly supervised and what arrangements you have in place (if any) for hiring out the premises** (Please see Guidance Note 4)

**Part 2 – Applicant details**

We are the premises licence holder  (Please tick  yes)

Contact phone number in working hours (if any)

**E-mail address  
(optional)**

**Current address (if different from premises address)**

**Post Town**

**Postcode**

**Telephone (if any)**

Please tick ✓ yes as appropriate

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

This form accompanies a new premises licence application

If you are varying an existing licence and have not ticked one of the first two boxes above, please explain why in the box below.

**Reasons why you have failed to enclose the premises licence or relevant parts**

**Any further information to support your application**

CHECKLIST:-

Please tick ✓ yes

**If applying to remove the mandatory requirements from an existing premises licence that already authorises alcohol sales**

- I have made or enclosed payment of the fee

- I have included documents (if available) which identify the premises and how it is managed

- I have included copies of any hiring agreements

- I have sent a copy of this application to the chief officer of police

- I understand that if I do not comply with the above requirements my application will be rejected

**If applying alongside a new application or variation for a permission to allow alcohol sales**

**- this application accompanies a new premises licence application/this application accompanies an application to vary an existing premises licence (*delete as applicable*)**

**- I have enclosed the premises licence 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**

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Part 3 – Signatures** (Please see guidance note 5)

Signature of applicants. Please provide two signatories of members of the management committee stating in what capacity they represent the premises licence holder.

First Signature

.....  
.....

Date.....  
.....

Capacity  
.....  
.....

Second Signature

.....  
.....

Date.....  
.....

Capacity  
.....  
.....

<b>Contact name (where not previously given) and address for correspondence associated with this application</b>	
<b>Post town</b>	<b>Postcode</b>
<b>Telephone number (if any)</b>	



**If you would prefer us to correspond with you by e mail your e mail address (optional)**

*Notes for Guidance*

1. This form may be used by a community premises seeking to replace the mandatory conditions in sections 19(2) and 19(3) of the 2003 Act which requires a personal licence holder and Designated Premises Supervisor where a premises allows the supply of alcohol, with the alternative mandatory condition (in section 19(4) of the Act) that the supply of alcohol is instead authorised by the premises licence holder through either:

- applying to remove the mandatory conditions of an existing premise licence which allows the sale of alcohol;
- applying to remove the mandatory conditions when applying for a new premises licence that includes the sale of alcohol; or
- applying to remove the mandatory conditions when applying to vary an existing premises licence to allow the sale of alcohol.

On applying for the removal of the requirement to have a Designated Premises Supervisor, the management committee should understand that if this is granted they will be responsible for all alcohol sales under the licence.

2. The applicant must be a committee or board of individuals with responsibility for the management of the premises – enter name of committee or board.

3. Describe the premises and the management structure. In particular, explain why you consider it to be a community premises i.e. is it available for community benefit most of the time and accessible by a broad range of persons and sectors of the local community for purposes beneficial to the community as a whole. If the community premises is a registered charity, please include its Charity Commission number. Set out how the premises is managed and the structure of the committee or board of individuals with responsibility for its management (including the names of the committee's or board's key officers, e.g. the chair, secretary, treasurer). Please include any documents e.g. a written constitution or other management documents that show the structure of the premises and how it is managed.

4. Describe how the supervision of alcohol sales is to be ensured in different situations (including e.g. when the community premises is hired to private parties, when the community premises is hired for large fundraising events and when the community premises is hired for short fundraising events by local voluntary organisations). Set out how responsibility for alcohol sales is to be determined in individual cases and discussed and reviewed within the committee's or board's procedure in the event of any issues arising. You should include copies of hiring agreements that describe the arrangement made between the community premises and the hiring party. You should note that sample hire agreements are available from e.g. ACRE and Community Matters. More information about these hire agreements is contained in the statutory Guidance.

5. Applications to substitute the section 19(4) mandatory condition must be made by a management committee or similar structure which holds or will be the holder of the premises licence for the community premises. Please state in what capacity you are signing the application (e.g. Committee Chair, committee member, Hall secretary etc).

6. Please send a copy of this form to the chief officer of police for your area.

**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 Note 1. 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.

**(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**

<b>Postal address of premises</b> (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**

<b>Brief description of premises</b> (Please see Guidance Note 2)

## Part 2 – Applicant Details

I am/ we are the premises licence holder/club premises certificate holder *Please tick ✓yes*

Contact phone number in working hours (if any)

<b>Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS</b>	
Post town	Postcode
Please provide email address if you would prefer us to contact you by email (optional)	

## Part 3 – Proposed variation(s)

Do you want the proposed variation to have effect as soon as possible? *Please tick ✓yes*

If not, from what date do you want the variation to take effect? Day      Month      Year

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**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 Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):**

<b>Details of proposed variations</b> (Please see Guidance Note 3)
--

**Details of proposed variations** (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 tick* ✓ *yes*

- |   |                          |
|---|--------------------------|
| a. plays  | <input type="checkbox"/> |
| b. films  | <input type="checkbox"/> |
| c. indoor sporting events   | <input type="checkbox"/> |
| d. boxing or wrestling entertainment  | <input type="checkbox"/> |
| e. live music   | <input type="checkbox"/> |
| f. recorded music   | <input type="checkbox"/> |
| g. performances of dance  | <input type="checkbox"/> |
| h. anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

### **Provision of entertainment facilities for**

*Please tick* ✓ *yes*

- |   |                          |
|---|--------------------------|
| i. making music   | <input type="checkbox"/> |
| j. dancing  | <input type="checkbox"/> |
| k. entertainment of a similar description to that falling within (i) or (j) | <input type="checkbox"/> |

### **Provision of late night refreshment**

### **Sale by retail of alcohol**

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

**Enclosures**

- 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  
(necessary if the proposed variation will affect the layout)

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

**Reasons why you have failed to enclose the premises licence/club premises certificate or relevant parts.**

**Any further information to support your application.** (See Guidance Note 4)

**CHECKLIST:**

- Please tick ✓ yes*
- I have made or enclosed payment of the fee
  - 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 am required to advertise my application by posting a white notice at  
or on the premises for ten consecutive working days commencing on, and including the  
day after the day when my application is given to the licensing authority.

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

**Part 5 – Signatures and Contact Details**

(See Guidance Note 5)

**Premises Licence: Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (See Guidance Note 6) If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:**

Signature  
 .....

Date.....

Capacity: I / We (insert full name and capacity)

.....  
 sign on behalf of and have authority to bind the applicant.

**Where the premises licence is jointly held, signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> applicant’s solicitor or other authorised agent (See Guidance Note 7). If signing on behalf of the applicant please state in what capacity.**

Signature  
 .....

Date.....

Capacity: I / We (insert full name and capacity)

.....  
 sign on behalf of and have authority to bind the applicant.

**Where the premises is a club**

I (*insert full name*) .....make this application on behalf of the club and have authority to bind the club

Signature  
 .....

Date.....

Capacity: I / We (insert full name and capacity)

.....  
 sign on behalf of and have authority to bind the applicant.

<b>Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 8)</b>	
Post town	Post code
Telephone number (if any)	If you would prefer us to correspond with you by email your email 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 or certificate has effect;**
- **transfer the licence or certificate from one premises to another;**
- **specify, in a premises licence, an individual as the 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) 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. 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;
- 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.

4. 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.

5. Signatures: The application form must be signed.

6. 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.

7. 2<sup>nd</sup> Applicant: Where there is more than one applicant both applicants or their respective agents must sign the application form.

8. 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.

”

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 (S.I. 2005/42), the Licensing Act 2003 (Licensing authority’s register) (Other information) Regulations 2005 (S.I. 2005/43) and the Licensing Act 2003 (Fees) Regulations 2005 (S.I. 2005/79).

The purpose of the amendments is to prescribe the forms, advertising requirements, fees and content of a licensing authority’s register in relation to minor variations of premises licences and club premises certificates under the Licensing Act 2003 (c. 17), and to prescribe the forms etc. and fees in relation to applications from community premises for inclusion of alternative mandatory conditions in their licences as regards the supervision of alcohol sales.

The minor variations process was introduced into the 2003 Act by the Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009 (S.I. 2009/1772). The purpose of the process is to enable premises licences and club premises certificates to be varied by means of a less costly and less time-consuming procedure where the variations proposed could not have any adverse effect upon the promotion of any of the four licensing objectives set out in section 4 of the 2003 Act (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm).

The availability of alternative mandatory licence conditions for community premises was introduced into the Act by the Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls &c.) Order 2009 (S.I. 2009/1724). The alternative conditions omit the requirement for a designated premises supervisor, and instead require that the management committee of the community premises be responsible for the supervision of alcohol sales from those premises.



The application form for the inclusion of the alternative licence condition is set out in a new Schedule 4A to the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 (“the 2005 Regulations”).

The application form for the minor variations process is set out in a new Schedule 4B to the 2005 Regulations. Those Regulations are also amended so as to remove the requirement that relevant representations from responsible authorities (as defined in sections 13(4) and 69(4) of the 2003 Act) in response to minor variation applications must be in writing, and to exclude the general time limits for representations in relation to such applications. (The relevant time limits for minor variations are contained in the 2003 Act as amended).

The advertising requirements for minor variation applications are set out in a new regulation 26A inserted into the 2005 Regulations. The applicant is required to display a white A4-sized notice at the premises containing the information set out in regulation 26A(2)(b) for a period of ten working days following the day on which the application is given to the relevant licensing authority.

The Licensing Act 2003 (Licensing authority’s register)(other information) Regulations 2005 are amended so as to require details of proposed minor variations to be included in a licensing authority’s register maintained pursuant to section 8 of the 2003 Act.

The Licensing Act 2003 (Fees) Regulations 2005 are amended to introduce an application fee in respect of minor variations of premises licences and club premises certificates: the fee is set at £89 in each case. Those Regulations are also amended to introduce a fee of £23 in respect of an application to vary a premises licence to include the alternative licence condition, where the only variation sought in the application is to include that condition. There is no change in the fee payable where an application to include the alternative licence condition is included in an application for a premises licence, or as part of an application to vary such a licence in which other variations are sought.

An Impact Assessment has been prepared in respect of the Legislative Reform Orders cited above, which includes the impact of these Regulations.

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**2009 No. 1809**

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The Licensing Act 2003 (Premises Licences and Club Premises  
Certificates) (Miscellaneous Amendments) Regulations 2009

£5.50