

Licensing (Scotland) Act 2005

Guidance on Applying for a Minor Variation

Shetland Islands Area Licensing Board

Please read this guidance document before applying for a Minor Variation of your existing Premises Licence

What is a Minor Variation of a Premises Licence and who can apply?

A Minor Variation permits the holder of a Premises Licence to make a variation to their existing Licence. Any application must be made by the current Premises Licence holder or their agent.

The permitted **minor** variations are:

- Variation to those parts of the Operating Plan that relate to children and young persons, including:
 - a restriction to the existing terms under which they are allowed entry to the premises;
 - a restriction to the existing access to which they are allowed entry to the premises;
 - changes to the minimum age they are allowed entry to the premises; and
 - a reduction of the times they are allowed entry to the premises;
- change in information relating to the Premises Manager including their substitution (* see notes below)
- change to the name of the premises as shown in the Premises Licence;
- a temporary or permanent reduction of the licensed hours as shown in the Operating Plan (where the licensed opening and closing hours remain the same);
- a reduction in the capacity of the premises (off-sale and/or on-sale) where there is no change to the Layout Plan
- a variation to the Layout Plan which does not result in any inconsistency with the Operating Plan

If you are unsure whether you need to apply for a minor variation please contact the Licensing Standards Officer for guidance.

*Notes:

- Any application relating to substitution of the Premises Manager **must be lodged within six weeks** of the change of manager taking place. If an application is not lodged within the six week period then no alcohol sales can take place on the affected premises.
- A change of address for the existing Premises Manager does not require a minor variation. The change of address must be notified to us within one month of the change with the original Premises Licence, Summary of Premises Licence, Operating Plan and Layout Plan returned to us for amendment. If the Premises Manager holds a Personal Licence issued by SIALB then this must also be returned to us within one month for amendment.

How do I apply and pay for a Minor Variation?

You will need to download and complete the application form [here](#) and submit it to the Licensing Board with the appropriate fee and any supporting documents (see note below).

Applications can be submitted to the following address either by post or in person:-

Shetland Islands Area Licensing Board
Governance & Law
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

Alternatively, once completed and signed, applications can be scanned and sent via email to licensing@shetland.gov.uk. If you submit your application electronically then you must post or deliver the original Premises Licence, including Summary Premises Licence, Operating Plan and Layout Plan(s); together with any other supporting documentation, to the address above.

The current fee can be found on our website or by contacting licensing@shetland.gov.uk. Applications cannot be accepted unless they are accompanied by the correct fee.

The fee can be paid online [here](#) by going to 'Legal Fees' then 'Licence Fees'. Alternatively, the fee can be paid by credit/debit card at our reception or by calling our office 9am-5pm Monday to Friday on 01595 744550. Please note that cheques are to be made payable to 'Shetland Islands Council'.

What supporting documents do I need to submit with my application ?

The original Premises Licence, including Summary Premises Licence, Operating Plan and Layout Plan(s);

If the proposed minor variation changes the layout of the premises then please provide seven copies of the amended layout plan.

If the application relates to the substitution of a Premises Manager it would be helpful to attach a copy of their full Personal Licence if that Licence was **not** issued by Shetland Islands Area Licensing Board.

What happens to my application once it is submitted?

Once received your application will be reviewed to ensure it complies with the minor variation requirements. Applications currently take up to two months to be processed but this will depend upon whether further checks are required.

If the variation includes the substitution of a Premises Manager then we will be check to ensure the proposed Premises Manager is not named as a Premises Manager elsewhere.

If the variation includes a change to the layout or capacity of the premises then the application will also be checked by Building Control to ensure the changes to the plans are consistent with the changes to the operating/layout plan proposed in the application.

How will I know if my application has been granted?

Once your minor variation application has been granted the Premises Licence will be updated to reflect the changes and returned to you.