

Application to vary a premises licence

When to use the form

This guidance relates to application forms to vary a premises licence under the Licensing Act 2003 (“the Act”). A similar form is available for clubs applying to vary a club premises certificate.

Broadly speaking, a premises licence can authorise the following activities:

- the sale or supply of alcohol
- the provision of public entertainment
- the provision of late night hot food and drink.

Further information about what activities are licensable is given later in this guidance.

Applications to vary a premises licence must be made to the licensing authority within whose area your premises is situated. Application forms can be obtained from the Home Office website (web address below) or from the Licensing Unit.

Need more help?

This guidance is intended to help applicants complete the application form. Further information regarding regulated entertainment and the supply of alcohol under the Licensing Act 2003 can be found on the Home Office website. The Licensing Unit can help you with any queries or give advice on how to complete the application. You may also wish to consider other sources of advice such as a relevant trade body, or by engaging professional assistance, such as legal advice.

Licensing Unit Contact Details:

Email: premises.licensing@manchester.gov.uk
Website: <http://www.manchester.gov.uk/licensing>
Home Office: <https://www.gov.uk/guidance/alcohol-licensing>

Completing the form

NB: only the licence holder can make an application to vary a premises licence.

Part 1 - Premises Details

This section asks for the address and some other details of the premises. If the premises has no postal address, for example, if the application relates to an event on open land, you should describe the location of the premises or give the Ordnance Survey map reference.

The section also asks for the non-domestic rateable value (NDRV) of the premises. This is not the same as the actual business rates that you pay, but is a value determined by the Valuation Office, which helps determine business rates. The NDRV, rather than your business rates bill, will determine the fee to be paid for the application. The NDRV of any premises can be checked on the Valuation Office Agency (VOA) website at <https://www.gov.uk/correct-your-business-rates>. The latest valuation came into force on 1 April 2017. Premises that do not have a non-domestic rateable value are treated as falling into Band A for licensing fee purposes. Standard fee rates are as in the table below:

Band	A	B	C	D	E
Non domestic rateable value	None to £4,300	£4,301 to £33,000	£33,001 to £87,000	£87,001 to £125,000	£125,001 plus
Premises licences					
New application and variation	£100	£190	£315	£450	£635
Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)	N/A	N/A	N/A	X2 (£900)	X3 (£1,905)
Annual charge	£70	£180	£295	£320	£350
Annual charge multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D&E only)	N/A	N/A	N/A	X2 (£640)	X3 (£1,050)
Club premises certificates					
New application variation	£100	£190	£315	£450	£635
Annual charge	£70	£180	£295	£320	350

Part 2 – Applicant details

Please complete the contact details of the applicant (i.e. the premises licence holder)

Part 3 – Variation

You should state whether you want the variation to take effect as soon as possible or from a specific date.

Description of the proposed variation

You are asked to briefly describe the nature of the proposed variation. For example you may want to change the hours you are currently permitted to carry out licensable activities, or change the opening hours at the premises. You may also want to add or remove licensable activities or conditions currently on the licence.

5,000 or more people attending

The question concerning the number of people attending the premises at any one time is necessary to determine whether an additional fee for large events should apply. It is not necessary to complete this box if you think that less than 5,000 people will attend the premises at any one time. The figure relates to the maximum number of people on the licensed premises, including employees, at any one time – not the total number over a period of time. If you decide that the number will not exceed 5,000, you will be responsible for ensuring that the numbers at any one time do not exceed this figure. An additional fee, as detailed in the table below, will have to be paid if the number of people in the licensed premises exceeds 5,000.

Number of People on the Premises	Additional fee
5,000 to 9,999	£1,000
10,000 to 14,999	£2,000
15,000 to 19,999	£4,000
20,000 to 29,999	£8,000
30,000 to 39,999	£16,000
40,000 to 49,999	£24,000
50,000 to 59,999	£32,000
60,000 to 69,999	£40,000
70,000 to 79,999	£48,000
80,000 to 89,999	£56,000
90,000 and over	£64,000

Part 4 – Operating Schedule

Licensable activities

You should indicate which licensable activities would be subject to change by ticking the appropriate boxes. In considering what to put in this section, you should think about all the activities you may want to conduct at the premises in the future and consider whether any are licensable activities under the Act and whether they are already included on your licence and, if they are included, whether you want to change the current licensable hours. After this, you should complete the corresponding boxes from A to J that relate to those activities. Only complete the boxes that relate to the activities you have ticked.

You should give timings using the 24-hour clock and only give details for days of the week when you intend the premises to be used for the licensable activities in question. The space marked 'state any seasonal variations', gives you the opportunity to include, for example, longer hours or additional days during the summer. The space marked 'non standard timings', gives you the opportunity to record occasions when the timings will change. For example, you may wish the activity to go on longer on Christmas Eve or weekends preceding bank holidays.

Under 'non standard timings' can I say that I will open late to cover Rugby World Cups, Australian Rules Football, or sporting events overseas that are broadcast late at night or early morning in the UK?

You can include whatever licensable activities you like, but should think about how these might be viewed by responsible authorities or interested parties. You also need to specify specific days and times – these can't be open-ended depending on when a particular sporting event may occur. It might be worth talking to your licensing authority and the relevant responsible authorities first to see what conditions, if any, you might offer to reassure any concerns.

Except in box C (indoor sport) you are asked to indicate whether the activity is taking place indoors, outdoors or both. Indoors may include a tent.

In the space marked 'Please give further details here', please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

BOXES A – H (Provision of regulated entertainment)

You should refer to section 1 of and Schedule 1 to the Act or contact the Licensing Unit for full details of the definitions of regulated entertainment.

There are a number of exemptions that mean that a licence is not required. This Guidance cannot give examples of every eventuality or possible entertainment activity that is not licensable. However, the following activities are examples of entertainment which are not licensable:

1. activities which involve participation as acts of worship in a religious context;
2. activities in places of public religious worship;
3. education – teaching students to perform music or to dance;
4. the demonstration of a product – for example, a guitar – in a music shop;
5. the rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;
6. Morris dancing (or similar);

7. Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity;
8. Incidental film – an exhibition of moving pictures if it is incidental to some other activity;
9. A spontaneous performance of music, singing or dancing;
10. Garden fetes or similar if not being promoted or held for purposes of private gain;
11. Films for advertisement, information, education or in museums or art galleries;
12. Television or radio broadcasts – as long as the programme is live and simultaneous;
13. Vehicles in motion at a time when the vehicle is not permanently or temporarily parked;
14. Games played in pubs, youth clubs etc. (e.g. pool, darts and table tennis);
15. Stand-up comedy; and
16. Provision of entertainment facilities (e.g. dance floors).

BOX A: Plays

A performance of any dramatic piece, (including rehearsal), whether involving improvisation or not, which is given wholly or in part by one or more persons present and performing and in which the whole or a major proportion of what is done by the person(s) performing, whether by way of speech, singing or action, involves the playing of a role.

No licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.

BOX B: Films

Any exhibition of moving pictures except where its sole or main purpose is to demonstrate a product, advertise goods or services or provide information, education or instruction, or if it consists or forms part of an exhibit put on show for any purposes of a museum or art gallery. The use of television or radio receivers is not licensable, except for the showing of pre-recorded programmes.

No licence is required for 'not-for-profit' film exhibitions held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organizer -

1. gets consent to the screening from a person who is responsible for the premises; and
2. ensures that each such screening abides by age classification ratings.

BOX C: Indoor sporting event

A sporting event is defined in the Act as any contest, exhibition or display of any sport in which physical skill is the predominant factor, and any form of physical recreation which is also engaged in for purposes of competition or display which takes place wholly inside a building, and at which the spectators are accommodated inside that building. This includes any roofed structure and could be a vehicle, vessel or moveable structure.

A venue with a roof that opens and closes is regarded under the Act as being an outdoor event and sporting activities in such venues are not licensable under the Act. But note that other activities at such venues (such as the sale of alcohol or live music) are licensable.

No licence is required for an event between 08.00 and 23.00 on any day, provided that those present do not exceed 1000 persons.

BOX D: Boxing or wrestling entertainment

Unlike other sports, boxing and wrestling is licensable whether held indoors or outdoors.

No licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000 persons.

BOX E: Live music

A licence is not required for:

1. a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
2. a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
3. a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
4. a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
5. a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

A licence is not required for the performance of live music if the performance is incidental to some other activity that is not in itself regulated entertainment.

BOX F: Recorded music

A licence is not required for:

1. any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500,
2. any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises,

3. any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

In addition, no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

1. any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
2. any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
3. any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
4. any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Your licence does not have to cover the playing of recorded music if it is incidental to some other activity which is not itself regulated entertainment, as this would be exempt. For example, background music in a supermarket is likely to be considered to be incidental. If you have a jukebox or a disc jockey at your premises you need to consider whether, in your particular case, this is incidental music or whether it is a licensable activity. If in doubt, discuss this with your licensing authority.

BOX G: Performances of dance

Morris dancing or any dancing of a similar nature is not licensable, nor is the playing of live or recorded music that forms an integral part of such dancing.

No licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500 persons. However, a licence is still required for performances of dance which are "relevant entertainment", regardless of the size of the audience or the time of day. "Relevant entertainment" is defined as a live performance or live display of nudity that can be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (i.e. lap dancing or something similar).

BOX H: Entertainment of a similar description to that falling within (e) live music, (f) recorded music or (g) performance of dance

BOX I: (the provision of late night refreshment)

You should refer to section 1 and Schedule 2 to the Act or contact the Licensing Unit for full details of the definitions of late night refreshment.

This covers the supply of hot food or drink between 11.00pm and 5.00am, although there are several exemptions. Hot drinks consisting of, or containing alcohol, should be authorised under the supply of alcohol, rather than late night refreshment.

A hot drink from a vending machine where the customer inserts the payment into the machine and the drink is supplied directly by the machine is not licensable, but would be if a member of staff takes the money or serves the drink.

Free hot food or hot drink is not licensable, nor is that supplied by a registered charity or by a person authorised by a registered charity.

Hot food or hot drink supplied on a vehicle, which is not permanently or temporarily parked at the time is also exempt.

There are also exemptions that apply to hotel guests, certain employees or particular trades or professions. Supplies of hot food or hot drink on or from premises already licensed under certain other Acts – for example, those used as "near beer" premises in London. If in doubt, you should contact the Licensing Unit.

BOX J: (sale by retail of alcohol)

If you wish people to be able to consume alcohol on the premises, please tick 'on'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off'. If you wish people to be able to do both, please tick 'both'.

BOX K

This asks you to give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or gambling. You do not need to give details here of AWP machines. You do not complete this section if it does not apply to your premises, but rather than leave blank, it would be better to write 'none' or 'N/A' to be clear that you have considered this, rather than simply forgotten to complete the box.

BOX L: Hours premises are open to the public.

While this may include times where no licensable activities take place, it is important for responsible authorities, interested parties and the licensing authority to know how long your premises is open in addition to the times where licensable activities will take place. For example, it might be necessary and proportionate to ensure that licensable activities finish in good time before the premises closes to the public to allow orderly departure. You should indicate whether any of the 'seasonal variations' to and 'non standard timings' for licensable activities, would affect the hours the premises are open to the public, in the spaces provided. You may also wish to consider whether there will be any seasonal variations or non-standard timings when the premises will be open to the public at different times for non-licensable activities - for example, opening early to provide breakfasts during the Summer holidays.

Current Premises Licence

You must include the current licence with your application or give a reason why the licence is not included.

M – Steps to promote the licensing objectives

You are asked to describe any additional steps you intend to take to promote the four licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Don't forget that you should already be abiding the current conditions on the licence and by relevant legislation in other areas. Your starting point should be compliance with these requirements. If you feel there is nothing more you need to do, then you might wish to write 'N/A' or something like 'nothing beyond existing conditions/Health and Safety/Fire Safety etc requirements'.

This shows you have considered the objectives and come to a decision that you have nothing additional to do and not that you have forgotten to write anything in this section. Of course, if a responsible authority for one of the licensing objectives considers that you need to do more, they will be able to make representations. If you have concerns, you may find it useful to talk to the relevant responsible authority before completing the form. Information on responsible authorities in Manchester is available below.

If you do intend to take additional measures, you should consider carefully what to include. Anything you put down here is likely to become a condition of your licence. Failure to meet those conditions would constitute an offence under the Act. You should therefore think carefully about adding conditions to ensure that they are achievable, realistic, necessary, appropriate, proportionate and within your control. Base your response on a proper, common sense consideration of the risks and what you can realistically do to mitigate them.

Examples of possible conditions in relation to the four licensing objectives are included in the Guidance which the Secretary of State has issued to licensing authorities and is available from the Home Office website. These are simply given as a pool of potential conditions that might be helpful for people to consider. They are not model conditions and in no way should be seen as standard conditions that should be applied to everyone.

In the 'General' box, list the steps you will take to promote all four licensing objectives together, for example, employing additional staff.













Checklist and declaration

By ticking this list, you are making a declaration that you have carried out the listed actions. If you tick the boxes and do not carry out these actions, you may be making a false statement in relation to the application, which is an offence, which on conviction may make you liable to a fine of up to £5,000. You should check that you have included all the required documentation.

Responsible authorities




A copy of the application, including the accompanying documentation, must be given to the "responsible authorities" on the same day as the application is given to the Licensing

Unit. Responsible authorities are the public bodies that are entitled to make representations to the licensing authority in relation to an application. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives. The responsible authorities for Manchester are as follows:

Responsible Authorities		
Greater Manchester Police		
GMP Licensing Partnership Team Level 1 Town Hall Extention LLoyd Street Manchester M2 5DB	  	www.gmp.police.uk centrallicensing@gmp.police.uk 0161 856 3363
Greater Manchester Fire Authority		
North Manchester: If the premises have a postcode within the ranges M1-M4, M8-M9, M11-M13, M18, M25.		
The Fire Safety Manager Greater Manchester Fire & Rescue Service Manchester Central Fire Station Thompson Street Manchester M4 5FP	  	www.manchesterfire.gov.uk/authority/ n/a 0161 608 5310
South Manchester: If the premises has a postcode within the ranges M14-M16, M19-M23, M40, M90.		
The Fire Safety Manager Greater Manchester Fire & Rescue Service Withington Central Fire Station Wilmslow Road Withington Manchester M20 4AW	  	www.manchesterfire.gov.uk/authority/ n/a 0161 908 5410
Licensing Authority		
Premises Licensing Manchester City Council Level 1 Town Hall Extension Albert Square PO Box 532 M60 2LA	  	www.manchester.gov.uk/licensing premises.licensing@manchester.gov.uk n/a

Health and Safety

Local Authority premises, Hospital premises and some University premises

Health and Safety Executive		n/a
Grove House		n/a
Skerton Road		0161 952 8200




Manchester
M16 0RB

All other premises

Environmental Health (Premises Licences)		www.manchester.gov.uk
1 Hammerstone Road		EnvH.Licensing@manchester.gov.uk
Gorton		0161 234 4854

Manchester
M18 8EQ

Environmental Health

Licensing & Out of Hours Compliance		www.manchester.gov.uk
Level 1		n/a
Town Hall Extension		n/a

Manchester
M60 2LA

Planning

Manchester Local Planning Authority (Premises Licences)		www.manchester.gov.uk/planning
PO Box 463		planning@manchester.gov.uk
Town Hall		n/a

Manchester
M60 3NY

Trading Standards

Trading Standards Service		www.tradingstandards.gov.uk/manchester/
1 Hammerstone Road		trading_standards@manchester.gov.uk
Gorton		n/a

Manchester
M18 8EQ

Manchester Safeguarding Children Board

Manchester Safeguarding Children Board		n/a
Manchester City Council		safeguardingedu@manchester.gov.uk
Level 4, Town Hall Extension		n/a

P.O. Box 532
Town Hall
Manchester
M60 2LA

Public Health Authority

Public Health Manchester
PO Box 532
Town Hall
Manchester
M60 2LA



n/a



dast@manchester.gov.uk



n/a

With regard to a vessel, this list also includes the relevant navigation authority, the Environment Agency, British Waterways Board or the Secretary of State.

Advertising your application

Applications must be advertised as set out in the Act and the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005. This includes displaying a notice at the premises and an advertisement in a locally circulating newspaper.

The notice displayed at the premises must be of a size equal to or larger than A4, of a pale blue colour and printed legibly in black ink or typed in black in a font of a size equal to or larger than 16. For new applications the times for the licensable activities should be shown. An example of the notice to use as a template is on pages 13-14.

The newspaper advertisement should follow the same wording as the blue notice and must be published in a local newspaper circulating in the vicinity of the premises.

The notice must be published on at least one occasion during the period of ten working days starting on the day after the day on which the application was given to the licensing authority.

Part 4 – Signatures

The application form must be signed. An applicant's agent (for example a solicitor) may sign the form on their behalf provided that they have actual authority to do so. Where there is more than one applicant, both applicants, or their respective agents, must sign the application form.

Submitting your application

Submit your application electronically by e-mailing it to:

Premises.Licensing@Manchester.gov.uk. We will then e-mail you a secure link to pay for the application via our website. Please note that we can only accept e-mailed applications which are either signed electronically or are signed by hand and scanned.

E-mailed applications will be forwarded to the Responsible Authorities by the Licensing Section on your behalf – you do not need to send duplicate copies.

Sample blue notice for display at or outside the premises

On page 14 you will find a template of the desired wording for use in the blue notice you must display at the premises to advertise your application.

You must advertise the application by displaying a notice for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority. The notice must be:

- (i)
 - of a size equal to or larger than A4
 - of a pale blue colour
 - printed legibly in black ink or typed in black in a font of a size equal to or larger than 16 point;
- (ii) displayed prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises and in the case of premises covering an area of more than 50 metres square, a further notice in the same form and subject to the same requirements must be displayed every 50 metres along the external perimeter of the premises abutting any highway.

All notices must contain the following information –

- the name of the applicant;
- the postal address of the 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 to be identified;
- 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;
- the date by which an interested party or responsible authority may make representations to the relevant licensing authority;
- that representations shall be made in writing; and
- 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.

In addition, the notices referred to above shall briefly describe the proposed variation. The description should include any proposed hours during which licensable activities will take place.

The notice must be on display for 24 hours a day so if you have steel shutters over the windows at night you must make sure there is a notice on the outside of the shutters.

Notice of Application to vary a Premises Licence - Licensing Act 2003

Name of Applicant:	
Address of Premises:	
Description of the proposed variation:	
Representations shall be made in writing to the below address on or before the following date:DD/MM/YYYY	
Premises Licensing, Level 1 Town Hall Extension, Albert Square, Manchester, PO Box 532, M60 2LA Or by e-mail to: premises.licensing@manchester.gov.uk	

The Licensing register and Record of application are available for inspection at the above office by appointment only. For further details e-mail premises.licensing@manchester.gov.uk.

It is an offence to knowingly or recklessly make a false statement in connection with an application under the Licensing Act 2003. A person guilty of such an offence is liable on summary conviction to an unlimited fine.

What happens next?

Your application will be formally acknowledged by the Premises Licensing Team, who will confirm that the application has entered its 28-day consultation period and will advise you of the last date of consultation. This is the date by which representations must be received and should appear on both the blue notice and in the newspaper advertisement.

If representations are received during the consultation period, a hearing will be scheduled at which the application will be decided. Any representations will be sent to you for consideration and you may contact those parties with a view to discussion and negotiation.

Food businesses

You are required by law to register your food business with the local authority in order to store, prepare, distribute or sell food on premises. Premises include restaurants, cafes, hotels, shops, canteens, market stalls, mobile catering vans, food delivery vans and businesses run from home.

If it is a new food business you must register your business 28 days prior to opening.

Registration is free and can be completed online at:

http://www.manchester.gov.uk/directory_record/72530/food_-premises_registration

You do not need to renew the registration unless there are any important changes, like a change in the operator's name or the type of food business.

Registration cannot be refused and you can continue with your business as soon as you have submitted your registration form.