

## **Minor variations for premises licences and club premises certificates – request for delegated authority**

The Licensing Section recently received an enquiry from the premises licence holder at The Lambley Restaurant. The enquiry concerned the process for the removal of a condition on the premises licence stating ‘ No children under 16 years will be allowed on the premises after 21:00hrs.’ Officers initially identified this as a variation which would involve an application by the premises licence holder circulated to all the responsible authorities, payment of a fee and the advertising of the variation at some considerable cost.

After consultation with the Legal Section it was considered that the amendment was too minor to necessitate such a process and in addition the legislation already had restrictions regarding access for children. In addition, it was effectively a ‘self imposed’ condition, which officers had queried at the time of the original licence application, and which went in excess of the legislative requirements. The nature of the Act and advice from the DCMS is that local authorities should look to interpret the Act to suit local needs. A meeting was held with the Head of Planning and Environment, the Chairman, a Legal officer and a Licensing Officer who agreed that it would be appropriate to formulate a policy to deal with requests for ‘minor’ amendments and a copy is attached.

With regard to the request from The Lambley it was agreed that provided the request was made in writing to the Authority and that the Social Services and the Police had no objection that the condition above be removed without the need for a formal variation.

### **Recommendations**

- 1. Members are requested to note the above course of action with regard to The Lambley Restaurant.**
- 2. To delegate authority to the Head of Planning and Environment in consultation with the Chairman of the Licensing Act Committee to consider ‘minor’ amendments to premises licences/club premises certificates in line with the attached policy and which do not generate any objections from statutory consultees.**