

Before lodging your application for a Minor Variation of your existing Premises Licence please ensure that you have read the following guidance.

1. WHAT IS A MINOR VARIATION OF A PREMISES LICENCE?

An application for minor variation allows the holder of an existing Premises Licence issued under the Licensing (Scotland) Act 2005 to apply to make one or more of the following minor variations to their Premises Licence:

- Change the information contained in the licence relating to the Premises Manager (including the substitution of a new Premises Manager)
- Vary the Layout Plan which does not result in any inconsistency with the Operating Plan (except the possible reduction in the capacity of the premises).
- Vary the Operating Plan to
 - a) restrict the terms; and/or
 - b) increase the minimum age; and/or
 - c) reduce the times; and/or
 - d) restrict the access;of which children and young persons are allowed entry to the premises
- Change the name of the premises as disclosed in the Premises Licence
- Vary the licensed hours in respect of a temporary or permanent reduction in the hours which does not result in the premises opening any earlier or closing any later than stated in the Premises Licence and Operating Plan
- Vary the Operating Plan resulting in the cessation of the provision of live or recorded music at a decibel level exceeding 85 decibels
- Vary the Operating Plan to provide that, when the premises are fully occupied, more customers are likely to be seated than standing
- Vary the Operating Plan to reduce the capacity of the premises without altering the layout of the premises

2. WHO CAN APPLY?

An application can only be made by the holder of the relevant Premises Licence issued under the Licensing (Scotland) Act 2005 or an agent authorised to act on their behalf.

3. HOW DO YOU APPLY?

To apply for a variation you should complete the attached application form and submit it to the Licensing Board with the relevant fee and, if necessary, supporting documents.

AT OUR CITY CENTRE SERVICE DESK

Your application can be submitted in person at our:

City Centre Service Desk
45 John Street
Glasgow G1 1JE

From 5 February 2018 you can book an appointment online to submit your application at the Service Desk. Please be aware you will no longer be able to book your appointment via telephone. An appointment can be made using the following link. Please select 'Licensing' from the list of available options and choose 'Apply for a Licence' to schedule a suitable appointment.

<http://www.glasgow.gov.uk/booking>

Appointments are available Monday to Friday excluding Public Holidays. More information on making an appointment is available on our website:

<http://www.glasgow.gov.uk/licences/appointments>

We recommend that applications are lodged in person in order to ensure they are correct. Our staff will check your application and help you correct any mistakes. Please note our staff cannot complete the form for you.

You can ask someone to lodge the form on your behalf at the Service Desk; however, if the form requires to be amended, you must initial any changes before the form is accepted.

BY POST

You can submit your application by post to the following address:

City of Glasgow Licensing Board
City Chambers
George Square
Glasgow G2 1DU

We recommend that you send the application by Recorded Delivery to ensure that it is received.

4. WHAT NEEDS TO ACCOMPANY THE APPLICATION?

The relevant Premises Licence, inclusive of the Summary Premises Licence, Operating Plan and Layout Plan should be submitted with the application.

If the application proposes to amend the layout of the premises then seven copies of the appropriately amended layout plan for the premises should be provided. Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

In addition to the above, the Licensing Board may request information in respect of any application if such information is considered necessary in order to determine the application.

7. HOW MUCH IS THE APPLICATION FEE?

The fees charged for applications for Minor Variation are set by the Scottish Government and cannot be changed by the Licensing Board.

The fee for applications that include a variation to substitute the designated Premises Manager named on the licence is £31.

The fee for applications that **do not** include a variation to substitute the designated Premises Manager named on the licence is £20.

Applications lodged in person can be made by Cash, Cheque, Postal Order or Credit/Debit Card. Applications lodged by post can be paid by Cheque or Postal Order only (**Do not send cash by post**).

Cheque and Card payments will only be accepted from the applicant or their registered agent. Cheques should be made payable to 'City of Glasgow Licensing Board' or 'Glasgow City Council'

8. HOW WILL THE APPLICATION BE PROCESSED?

Once an application has been received it will be passed to the Licensing team for review in order to determine if the application is competent.

If the application proposes to substitute the designated premises manager then the Licensing team will make enquiries to confirm that the proposed manager is not named as a designated premises manager on another Premises Licence.

If the application proposed to amend the capacity or layout of the premises then the application will be passed to Glasgow City Council's Building Control team who will review the application to ensure that the plans are consistent with the amendment and/or capacity proposed on the application.

Once the application has been fully reviewed by the Licensing team and determined to be a competent variation then the application will be granted.

9. HOW LONG WILL IT TAKE TO PROCESS THE APPLICATION?

Most applications for minor variation are processed with 4-6 weeks of submission. Applications that seek to amend the layout of the premises may take longer depending on the complexities of the application and the time it takes for Building Control to review the application.

10. WHAT HAPPENS AFTER MY APPLICATION IS GRANTED?

The Premises Licence will be updated to reflect the variation and forwarded to the Licence Holder or agent.

OTHER FREQUENTLY ASKED QUESTIONS (FAQs)

HOW LONG DOES IT TAKE TO SUBMIT A FORM AT THE LICENSING SERVICE DESK?

The Service Desk is often very busy and you should expect to have to queue. It normally takes about 10 to 15 minutes to submit the application form and pay; this includes waiting times.

The peak times for the Service Desk are 10am to 11am and the lunch period of 12 Noon to 2.30pm. If you visit the Service Desk during these hours it may take longer to deal with your application.

As licences expire at the end of each month, the last few working days of the month can be very busy and lengthy queues are likely.

CAN I GET FURTHER INFORMATION?

Yes. If you have any further questions about the application process the Licensing Team will be happy to assist you. Please note that whilst the Licensing Team can provide guidance, the team cannot offer you legal advice.

You can contact us by phone, fax or email.

Licensing Team
City of Glasgow Licensing Board
City Chambers
George Square
Glasgow G2 1DU

Phone: 0141 287 5354
Email: LicensingBoard@glasgow.gov.uk

Privacy Statement:

Licensing schemes administered by the City of Glasgow Licensing Board

WHO WE ARE

The City of Glasgow Licensing Board is a public body established under the Licensing (Scotland) Act 2005. Its head office is located at City Chambers, George Square, Glasgow G2 1DU, United Kingdom, and you can contact our Data Protection Officer by post at this address, by email at: dataprotection@glasgow.gov.uk, and by telephone on 0141 287 1055.

WHY DO WE NEED YOUR PERSONAL INFORMATION AND WHAT DO WE DO WITH IT?

You are giving us your personal information to allow us to carry out our statutory functions in relation to licensed activities regulated by the City of Glasgow Licensing Board. We also use your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

LEGAL BASIS FOR USING YOUR INFORMATION

We provide these services to you as part of our statutory function as a public body. You can find more details of our role on our website at www.glasgow.gov.uk/privacy and www.glasgow.gov.uk/licensingboard. Processing your personal information is necessary for the performance of a task carried out in the public interest by the council.

If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

We may also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law. In addition, we may also process data about any criminal convictions you may have. This is because we are required to ascertain the suitability of individuals to hold licences and, to do this, we may need to process information on an individual's criminal convictions.

WHO DO WE SHARE YOUR INFORMATION WITH?

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes.

We are also legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this. We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. Your information is also analysed internally to help us improve our services.

This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

We are required by law to enter personal information about applicants and other relevant persons on a public register of applications for licences. This register can be accessed by any member of the public. We may publish this register or extracts of the register online. We may also provide the register to other public bodies to support a national register of licences.

In processing an application for a licence or a complaint, we may need to refer you to a meeting of the Licensing and Regulatory Committee. Your personal information will be included in the agenda, reports and minutes for the Committee. Some of this information will be published on our website. You can find out more on our website at www.glasgow.gov.uk/privacy

Licensing Board meetings are held in public. At a meeting your personal information may be disclosed to those in attendance. This may happen even if you do not attend a meeting that you are invited to.

We will also share your personal data with other public bodies and statutory consultees as required by law.

HOW LONG DO WE KEEP YOUR INFORMATION FOR?

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can view this on our website at www.glasgow.gov.uk/rrds or you can request a hard copy from the contact address stated above.

Your rights under data protection law

- **access to your information** – you have the right to request a copy of the personal information that we hold about you.
- **correcting your information** – we want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.
- **Deletion of your information** – you have the right to ask us to delete personal information about you where:
 - I. you think that we no longer need to hold the information for the purposes for which it was originally obtained
 - II. you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
 - III. our use of your personal information is contrary to law or our other legal obligations.

Objecting to how we may use your information – You have the right at any time to tell us to stop using your personal information for direct marketing purposes.

Restricting how we may use your information – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information. This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us as stated above if you wish to exercise any of these rights.

INFORMATION YOU HAVE GIVEN US ABOUT OTHER PEOPLE

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to Glasgow City Council. We will only use this information to carry out our statutory functions in relation to licensed activities regulated by the Council's Licensing & Regulatory Committee. If they want any more information on how we will use their information they can visit our web site at www.glasgow.gov.uk/privacy or email dataprotection@glasgow.gov.uk.

COMPLAINTS

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at dataprotection@glasgow.gov.uk or by telephone on 0141 287 1055.

However, you also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office, who can be contacted by post at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745. Visit their website for more information at- <https://ico.org.uk/concerns>

If your complaint is not about a data protection matter you can find details on how to make a complaint on our website at www.glasgow.gov.uk/complaints.

MORE INFORMATION

For more details on how we process your personal information visit www.glasgow.gov.uk/privacy
If you do not have access to the internet you can contact us via telephone to request hard copies of our documents.