



**LICENSING ACT 2003
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council



s licence number

PRM 0741 (Issued 04/07/2018)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

EL SALSA

**4CG CAR PARK
PWLLHAI**

**Post town
CARDIGAN**

**Post code
SA43 1DB**

Telephone number

Where the licence is time limited the dates

LICENCE NOT TIME LIMITED

Licensable activities authorised by the licence

REGULATED ENTERTAINMENT:

FILMS – Indoors

LIVE MUSIC – Indoors

RECORDED MUSIC – Indoors

SUPPLY OF ALCOHOL – On and Off Sales

LATE NIGHT REFRESHMENT – Indoors

The times the licence authorises the carrying out of licensable activities

REGULATED ENTERTAINMENT:

FILMS – Indoors

WEDNESDAY – THURSDAY: 1200hrs – 2300hrs daily

LIVE MUSIC – Indoors

FRIDAY – SUNDAY: 1200hrs – 2400hrs daily

RECORDED MUSIC – Indoors

SUNDAY: 1000hrs – 2200hrs

MONDAY – THURSDAY: 1200hrs – 2300hrs daily

FRIDAY and SATURDAY: 1200hrs – 2400hrs

SUPPLY OF ALCOHOL – On and Off Sales

SUNDAY: 1000hrs – 2200hrs

MONDAY – THURSDAY: 1200hrs – 2300hrs daily

FRIDAY & SATURDAY: 1200hrs – 2400hrs

All sales of alcohol until 2100hrs daily at external area to front of premise and for on-sale only

LATE NIGHT REFRESHMENT – Indoors

Friday's, Saturday's and Sunday's of Bank Holiday weekends, Black Friday, Boxing Day and New Year's Eve – 2300hrs – 0100hrs each day

NON-STANDARD TIMINGS:

LIVE MUSIC

Friday's, Saturday's and Sunday's of Bank Holiday weekends, Black Friday, Boxing Day and New Year's Eve – until 0100hrs each day

RECORDED MUSIC:

Friday's, Saturday's and Sunday's of Bank Holiday weekends, Black Friday, Boxing Day and New Year's Eve – until 0200hrs each day

SUPPLY OF ALCOHOL:

During the months of July and August until 0100 on Friday's and Saturday's only.

Friday's, Saturday's and Sunday's of Bank Holiday weekends, Black Friday, Boxing Day and New Year's Eve – until 0145hrs each day.

Maximum of x3 Non-Standard Timings events permitted externally to the front of the premise

The opening hours of the premises

SUNDAY: 1000hrs – 2200hrs
MONDAY – THURSDAY: 1200hrs – 2300hrs daily
FRIDAY and SATURDAY: 1200hrs – 2400hrs

Side external area to close at 1930hrs daily
Front external area to close at 2130hrs daily

NON-STANDARD TIMINGS:

During the months of July and August until 0100 on Friday's and Saturday's only.

Friday's, Saturday's and Sunday's of Bank Holiday weekends, Black Friday, Boxing Day and New Year's Eve – until 0200hrs each day

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

ON AND OFF SALES

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

LAURA IRENE ELSAESSER

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

LAURA IRENE ELSAESSER

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

CER 1208

CEREDIGION COUNTY COUNCIL

Annex 1 - MANDATORY CONDITIONS

1 Mandatory conditions where licence authorises supply of alcohol

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence

must be made or authorised by a person who holds a personal licence.

2 Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection

(3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

3 Mandatory condition: door supervision

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence

must include a condition that each such individual must be licensed by the Security Industry Authority.

- (2) But nothing in subsection (1) requires such a condition to be imposed-
- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section-
- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

With effect from 28th May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
where –
 - (i) P is the permitted price
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence,
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order
2014

The below Mandatory Conditions **replace** the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and comes into effect **on 1st October 2014**

Conditions 1 to 4 refer to all premises that sell or supply alcohol for consumption on the premises. Condition 3 is relevant to Premises that sell for consumption off the premises.

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Annex 2 - Conditions consistent with the operating Schedule

a) General

- Good management controls and staff training to comply with all premises licence requirements
 - No selling of alcohol to people underage
 - No violence, drunk and disorderly behaviour on the premises
 - Preventing the use and sale of drugs on the premises
 - Make sure no harm can come to children
 - Being considerate to all residents and neighbours
 - Documentation to be submitted detailing permission by 4CG (owner of premise and car park) for use of part of car park for tables and chairs – *Completed before granting of Premises Licence*
 - Off-sales of alcohol to be ancillary to a substantial meal
-
- **The prevention of crime and disorder**
 - Not selling to drunk or intoxicated customers
 - A clear notice outside the premises displaying operating hours
 - Prevention and vigilance in illegal drug use on the premises
 - CCTV – Documentation to be submitted confirming access to CCTV (x2) in car park to Authorised Officers and the Police - *Completed before granting of Premises Licence*

b) Public safety

- Internal and external lighting to promote the public safety objective
 - Training and implementing of underage ID checks
 - All parts of premises, fixtures and fittings will be maintained in a good and safe condition
 - External area to front of the premise to be cordoned off when in use
 - Documentation submitted to the Licensing Authority with regard to x4 car parking spaces that will be affected when front external area is in use – *Completed before granting of Premises Licence*
 - X4 car parking spaces directly in front of the front external area to be cordoned off when open to customers. Staff members (only) are permitted to park in these spaces but no vehicles can be moved whilst the front external area is open to the public.
 - External area opposite entrance – to be removed from application
-
- **The prevention of public nuisance**
 - Clear signs requesting our customers respect the needs of nearby residents and leave the area quietly

- Rubbish bins will be kept in the back courtyard out of site and will not be moved or emptied late in the evening
- Side external area to be closed to customers at 1930hrs, including smokers
- Notice to be displayed at door advising customers that the side external area closes at 1930hrs
- External area to front of premises – Any benches/tables/chairs to be removed at closing
- Any sale of alcohol made externally to be for on-sales only
- Any sale of alcohol made externally to end at 2100hrs
- Non-standard timings specified on application – a maximum of 3 in a calendar year to include the sale of alcohol in external area to the front of the premise
- External area to the front of the premise to close at 2130hrs
- No amplified music to be played so as to be audible at any habitable dwelling – Under the Licensing Act 2003 enforceable from 2300hrs only.
- During any non-standard timings, doors and windows to be closed during regulated entertainment, save for access and egress – Under the Licensing Act 2003 enforceable from 2300hrs only
- No external regulated entertainment after 2300hrs
- Signage to be erected at exit of premise and at both exits of car park asking customers to dispose of litter appropriately
- Area outside the premise and parts of Pwllhai and Morgan Street to be checked and cleared of their litter. This to be done up to 30 metres in both directions. Areas to also be checked after the premise has closed.

c) Protection of children from harm

- Staff training to 'Challenge 25'
- No unaccompanied children after 2100hrs
- Consider all existing health and safety requirements.

Annex 3 - Conditions attached after a hearing by the licensing authority

Mediation Meeting held at El Salsa, Cardigan on Wednesday 13th June 2018.

Present: Miss Laura Elsaesser (Applicant); Mrs Catrin Davies (Assistant Licensing Officer) and Mr Eifion Roberts (Specialist Environmental Health Officer).

The following matters were agreed:

- Side external area to be closed to customers at 1930hrs, including smokers
- Notice to be displayed at door advising customers that the side external area closes at 1930hrs
- Documentation to be submitted detailing permission by 4CG (owner of premise and car park) for use of part of car park for tables and chairs
- External area to front of premises – Any benches/tables/chairs to be removed at closing
- Any sale of alcohol made externally to be for on-sales only
- Any sale of alcohol made externally to end at 2100hrs
- Non-standard timings specified on application – a maximum of 3 in a calendar year to include the sale of alcohol in external area to the front of the premise
- External area to the front of the premise to close at 2130hrs
- External area to front of the premise to be cordoned off when in use
- Documentation submitted to the Licensing Authority with regard to x4 car parking spaces that will be affected when front external area is in use – to be submitted and agreed before granting of Premise Licence
- No amplified music to be played so as to be audible at any habitable dwelling – Under the Licensing Act 2003 enforceable from 2300hrs only.
- During any non-standard timings, doors and windows to be closed during regulated entertainment, save for access and egress – Under the Licensing Act 2003 enforceable from 2300hrs only
- No external regulated entertainment after 2300hrs
- External area opposite entrance – to be removed from application
- Signage to be erected at exit of premise and at both exits of car park asking customers to dispose of litter appropriately
- CCTV – Documentation to be submitted confirming access to CCTV (x2) in car park to Authorised Officers and the Police
- Off-sales of alcohol to be ancillary to a substantial meal
- Area outside the premise and parts of Pwllhai and Morgan Street to be checked and cleared of their litter. This to be done up to 30 metres in both directions. Areas to also be checked after the premise has closed.

Annex 4 - Plan

