



**LICENSING ACT 2003
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council



s licence number

PRM 0543 (Issued 14/10/2019)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description
38 ST. MARY STREET

Post town
CARDIGAN

Post code
SA43 1ET

Telephone number

Where the licence is time limited the dates

LICENCE NOT TIME LIMITED

Licensable activities authorised by the licence

LATE NIGHT REFRESHMENT

The times the licence authorises the carrying out of licensable activities

LATE NIGHT REFRESHMENT

MONDAY – THURSDAY 23:00 – 0200 HRS

FRIDAY – SUNDAY - 23:00 – 03:00 HRS

NON STANDARD TIMINGS

NEW YEARS EVE UNTIL 03:00 HRS (WHICHEVER DAY OF THE WEEK IT FALLS)

The opening hours of the premises

MONDAY – THURSDAY 12:00 – 02:00 HRS

FRIDAY – SATURDAY 12:00 – 03:00 HRS

NON STANDARD TIMINGS

NEW YEARS EVE UNTIL 03:00 HRS

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

N/A

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

Mr Suleyman Nas

Mr Osman Babahan

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

N/A

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

N/A

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

N/A

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

General

- CCTV at premises- one camera inside, one outside.
- Occupancy restrictions.
- Partition rail to divide patrons queuing and those being served.

The prevention of crime and disorder

- Occupancy restriction.
- CCTV to be installed at the premises, in accordance with Heddlu Dyfed-Powys Police, specifications to include conditions 1-10 (inclusive) to be operational within 7 days (on/ before 28th August 2009). These conditions include:
 1. All footage must be good quality, and of a minimum performance capability sufficient to identify individuals.
 2. It must be in colour.
 3. All footage during the duration of the licensable activities to be retained for a period of 30 days.
 4. The CCTV system must operate continuously, and if a defect arises the police must be informed and immediate arrangements must be made to rectify the fault.
 5. All Footage must on demand be made available to a police officer and a copy of that footage made immediately available to a police officer.
 6. At all times during the period of operation of the premises there must be a competent person on the premises capable of reply and be able to undertake the export of recordings quickly onto a removable storage medium. Only VHS tape, cd, or DVD format is acceptable to the police. The master copy will be available to the police on demand.
 7. The system must incorporate a means of transferring images from the hard drive to a format that can be played back on any Microsoft Windows compatible computer. The application software required to launch and view recorded images must either be included as part of the standard Microsoft operating system installed or be installed to the recorded media when the data is copied to that media.
 8. The whole of the internal licensed area must be covered by cameras, and there must not be any hidden or obscured areas.

9. Police expect the 2 cameras denoted on the plan to be fitted inside and outside.
10. Sound recording must be provided inside the premises and in its vicinity outside as part of this system.

Public Safety

- Escape routes.
- Fire extinguishers.
- First aid.
- Fire action notices.
- Adequate lighting.

The prevention of public nuisance

- Applicant to sweep and clean the pavement outside the premises every 30 minutes during licensable activity, and again at the terminal hour, up to 30 metres in both directions.
- Two prominent, clear and legible notices to be displayed at either side of the exit requesting the public to respect the needs of local residents and to leave the premises quietly.
- Adequate (temporary) bins to be provided outside the premises (to prevent the accumulation of litter) from 11:00 pm to the terminal hour.

The prevention of children from harm

As above

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

LICENSING ACT 2003 HEARING 18/08/2009

Venue: The Chamber, Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron.

Determination:

The Application is granted in principle, subject to amendments and conditions.

Hours:-

Late Night Refreshment

Sunday – Thursday: Terminal hour 01:30 hrs

Friday – Saturday: Terminal hour 02:30 hrs

No non standard timings allowed, other than New Years Eve: Terminal hour 02:30 hrs (Whichever day of the week it falls)

Opening hours: Same as above.

2. Conditions- in addition to Operating Schedule:

1. CCTV to be installed at the premises, in accordance with Heddlu Dyfed-Powys Police, specifications to include conditions 1-10 (inclusive) to be operational within 7 days (i.e. on/ before 28th August 2009)
2. Applicant to sweep and clean the pavement outside the premises Regularly during licensable activity, and again at the terminal hour, up to 30 metres in both directions.
3. Prominent, clear and legible notices to be displayed at the exit requesting the public to respect the needs of local residents and to leave the premises
4. Adequate (temporary) bins to be provided in the vicinity of the premises (to prevent the accumulation of litter) from 11:00 pm to the terminal hour.

Licensing Act 2003

Applicant :Heddlu Dyfed-Powys Police

Premises: Seyran's Pizza, 38 St Mary St, Cardigan

Application: - Section 51 Review Hearing

Date of Application : 18/09/2009

Date of Hearing: 08/12/2009

**Venue : Ystwyth Room, Neuadd Cyngor Ceredigion, Penmorfa,
Aberaeron**

Outcome of Hearing: Conditions of the licence modified

DETERMINATION

The Licensing Authority having regard to the Police application for review and any relevant representations, decided to take the following steps pursuant to Section 52(4) Licensing Act 2003:

To modify the condition of the licence (document D2) as follows:

1. **Hours: -**

- **Late Night Refreshment:**

Friday and Saturday - the licensable activity to be from 11:00 pm to 2:00 am (ie the end of licensable activity condition to be changed from 2:30 am to 2:00 am)

Other hours to remain the same

- **Opening Hours**

Friday and Saturday - the opening hours of the premises to be from 12:00 noon to 2:00 am (ie the closing time condition to be changed from 2:30 am to 2:00 am)

2. **Prevention of Public Nuisance Conditions**

- Litter pick – delete the word “regularly” and insert the word “every 30 minutes”, so that the condition reads:

Applicant to sweep and clean the pavement outside the premises **every 30 minutes** during licensable activity and again at the terminal hour up to 30 metres in both directions

- Notices – the word “two” to be inserted before the word “prominent”,

and the words “at either side of” to be inserted so that the condition reads:

‘Two prominent, clear and legible notices to be displayed at either side of the exit requesting the public to respect the needs of local residents and to leave the premises quietly’

- Bins - delete the words “in the vicinity” and insert the word “outside”, so that the condition reads:

Adequate (temporary) bins to be provided **outside** the premises (to prevent the accumulation of litter) from 11:00 pm to the terminal hour.

For clarification, the existing conditions (as imposed on the licence on 18th August 2009) in relation CCTV to remain as before.

REASONS FOR DECISION

1. As a result of the evidence received from Interested Parties of the increased public nuisance caused to residents outside the premises and in the vicinity, since the licence was granted.
2. There was evidence of failure to comply with the licence conditions in the weeks following the inception of the licence, but the Panel acknowledged that there have been improvements since.
3. Without these amendments the prevention of crime and disorder and the prevention of public nuisance objectives would be undermined.

Minor Variation Application submitted 16th May 2011.

All conditions on premises licence relating to SIA Doorpersons have been removed following the above application.

Amended licence issued 31st May 2011.

Annex 4 - Plans

