



**LICENSING ACT 2003
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council



s licence number

PRM 0238 (Issued 02/01/2018)

Premises details

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

14 BRIDGE STREET

Post town
LAMPETER

Post code
SA48 7HG

Telephone number
01570 218517

Where the licence is time limited the dates

LICENCE NOT TIME LIMITED

Licensable activities authorised by the licence

REGULATED ENTERTAINMENT:

FILMS

LIVE MUSIC

RECORDED MUSIC

**ANYTHING OF SIMILAR DESCRIPTION TO LIVE MUSIC or RECORDED
MUSIC or PERFORMANCES OF DANCE**

LATE NIGHT REFRESHMENT

SALE BY RETAIL OF ALCOHOL

The times the licence authorises the carrying out of licensable activities

SALE BY RETAIL OF ALCOHOL

MON – THU : 0900 – 0130

FRI, SAT, SUN: 0900 – 0230

REGULATED ENTERTAINMENT:

LIVE MUSIC:

SUN – THU: 0900 – 2400

FRI – SAT: 0900 – 0030

RECORDED MUSIC

MON – THU: 0900 – 2400

FRI – SAT: 0900 – 0030

SUN: 0900 – 0100

FILMS

**ANYTHING OF SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC
OR PERFORMANCES OF DANCE.**

PERFORMANCE OF DANCE

MON - WED : 1100 – 2300

THU – SUN : 1100 - 0130

PROVISION OF LATE NIGHT REFRESHMENT

THU, FRI & SAT: 2300hrs – 0130hrs

NON-STANDARD TIMINGS:

An additional hour plus 30 minutes drinking up time on the following occasions:

Valentines Day

Summer Solstice 21st June

Winter Solstice 21st December

Lampeter Agricultural Show

Lampeter Carnival

Lampeter Food Festival

Halloween –

BBC Children in Need: 3rd Friday in November

Lampeter University Old Boys Weekend: 1st or 2nd Friday in December

Lampeter University Christmas Ball: Penultimate Friday of First term

Lampeter University January Welcome Back Dance: Generally the 2nd Friday in January.

Santes Dwywnen Night: Saturday closest to 25th January

Rag Valentines Ball: Normally 2nd Friday in February

St Davids day: Nearest Friday to 1st March

Lampeter University Election party Night: Normally penultimate Friday of the second term

**Lampeter End of Exams Party: Normally the 5th Friday of the 3rd Term.
Rugby Six Nations matches involving Wales or England.**

New Year's Eve from 1030 31st December to 0430 2nd January

Boxing Day Night until 0430hrs

Fri, Sat and Sun prior to Mon Bank Holidays throughout the year – 1

Additional Hour plus 30 minutes

Black Friday (Annually the two Friday nights before Christmas day until 0430

Major Sporting events taking place in other parts of the world and outside BST and GMT i.e: Rugby, Soccer, Cricket, Boxing, American Football, Motor Racing G.P's to sell Hot Food, Hot Beverages and Alcohol 30 minutes prior to the event and to conclude 30 minutes following the event.

The opening hours of the premises

MON – THURS: 0900 – 0200

FRI –SAT : 0900 – 0300

SUN :09:00 -- 0200

NON-STANDARD TIMINGS:

NEW YEARS EVE – See above non-standard timings.

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

NICHOLAS WILLIAM WRIGHT

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

NICHOLAS WILLIAM WRIGHT

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 1281

CYNGOR SIR CEREDIGION

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

- The types of regulated entertainments proposed re-instate the normal pub entertainment that were previously unregulated
- No new steps have been identified in relation to the four licensing objectives, except as below
- I have considered the terms of your local licensing policy in preparing this application.

b) The prevention of crime and disorder

- Providing a 30 minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly and to allow persons to disperse gradually.
- All reasonable steps will be taken by staff to ensure that persons entering the premises are not carrying any illegal drug.
- Regular searches by staff of all areas of the premises will be undertaken during trading hours to ensure that drug use is not taking place on the premises.
- Any person found in possession of illegal drugs will not be permitted.
- A notice stating the drugs policy shall be displayed in the licensed area of the premises.

c) Public Safety

- The health and safety and fire legislation are sufficient to meet this objective. No further steps need to be taken to promote this objective (except as shown below).
- The DPS or premises licence holder shall ensure compliance with all fire prevention and other fire safety measures as required by the fire authority.
- All electrical installations at the premises including wiring, fittings and appliances shall be maintained in a safe condition to the satisfaction of the Authority.
- The DPS or premises licence holder shall ensure compliance with health and safety measures as required.

d) The prevention of public nuisance

- If the observation determines a noise break is at a level likely to cause disturbance to the occupants of the properties in the vicinity, then the volume of music shall be reduced to a level that does not cause disturbance.

e) The protection of children from harm

- Proof of age will be required – only photographic identification will be acceptable.
- Any restrictions on the admission of children to the premises will be displayed outside the premises.

- Children under the age of 18 are permitted to be in the bar area until 2100hrs if accompanied by a responsible adult.
- Children shall be permitted without restriction to events being held in the function room if accompanied by a responsible adult.
- Notices to be placed at cigarette and amusement machines stating the age restrictions.
- Notices will be displayed inside the premises identifying the areas where children are permitted to be.

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

Agreed conditions between John Evans Pc791, Police Licensing Officer and Edwards Geldard Solicitors dated 5th September.

Agreed conditions:

- a. Terminal hour for the sale of alcohol amended to 0030hrs Monday to Thursday and to 0130hrs Friday, Saturday and Sunday with a 30 minute drinking up period. **NOW AMMENDED AT CONDITION 1 BELOW**
- b. Terminal hour for the provision of live music to be 12 midnight
- c. Condition to be added to the operating schedule to comply with the prevention of crime and disorder : “There will be zero tolerance to anti-social behaviour, drunken, quarrelsome and violent persons. The police to be informed of any problems, if appropriate.”
- d. That open containers of alcohol can be removed from the premises only for consumption in the two outdoor rear garden areas, but not outside the front of the premises.

Licensing Review Hearing held on the 19th December 2013 at the Council Chamber, Penmorfa

1. Amend the hours of licensable activities. “Friday and Saturday - end of all licensable activities 00:30 hours plus 30 minutes”.
Other hours of the week to remain in accordance with the current licence
2. Door supervision
 - i. Every Saturday, irrespective of functions, and from 2300hrs until the end of hours 1 SIA registered doorperson to be employed at premises.
 - ii. Every Friday and Saturday from 2300hrs 2 SIA door persons at any function i.e. ALL live music and recorded music entertainment ONLY
3. New Year’s Eve to remain in accordance with the current licence.
4. Opening hours: plus thirty minutes for Friday and Saturday
5. The rear beer garden shall not be used after 2200hrs ON ANY NIGHT
6. CCTV in the following areas: every room inside premises, frontage, rear beer garden, smoking area beer garden to be fitted and operational within eight weeks – by 13th February 2014, and to be in accordance with Dyfed-Powys Police Specifications

**Dyfed Powys Police CCTV Specifications as at review hearing date
19/12/2013**

- 1. All footage must be of 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 for viewing 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 licensed area with entry and exit areas must be covered by cameras, and there must not be any hidden or obscured areas .This will deal with issues which have arisen outside the premises when customers have been arriving or leaving.**
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7. To amend Annex 3, (point d above)
 8. To remove condition e, Annex 3 regarding smoking area
 9. To remove condition f, Annex 3 regarding other legislations

10. To remove condition g, Annex 3 regarding last entry times (now amended)

Other Conditions imposed at Review Hearing 19/12/2013

11. The time of last entry for any customer on Friday and Saturday nights is 2330hrs

12. Speakers x2 currently above the door in the outside smoking area to be removed within 7 days.

13. Noise Management Plans Terms to be incorporated into the licence:

- i. Doors and windows to be closed at 10:00 pm with immediate effect, but not locked.
- ii. Notices to be erected at the rear doors in the Function Room, informing customers that doors and windows to be shut after 22:00 hours (10.00 pm).
To be implemented within 1 month (by 19th January 2014).
- iii. All staff to be made aware of the contents of the Noise Management Plan, copy to be kept behind the bar, and available to all staff.
With immediate effect.
- iv. Visiting DJ's and any other visiting staff to be made aware of the need to keep doors closed after 10.00 pm.
With immediate effect.
- v. Staff to undertake routine monitoring of noise levels outside.
With immediate effect.
- vi. Secure fencing/screen to be erected in the outside alleyway adjacent to gate/wall entering the walled garden area.
To be implemented within one month (by 19th January 2014).
- vii. Prominent, clear and eligible notices to be displayed at all access requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
To be implemented within one month (by 19th January 2014).

AS A CONSEQUENCE OF THE NOISE MANAGEMENT PLAN CONDITIONS ON THE ORIGINAL OPERATING SCHEDULE UNDER PUBLIC NUISANCE CONFLICTING OR DUPLICATING THE PLAN HAVE BEEN REMOVED TO AVOID CONFUSION.

ANNEX 4

MEDIATION MEETING FOLLOWING FULL VARIATION APPLICATION MEETING HELD WITH POLICE AND LOCAL RESIDENTS ON 18TH AND 19TH December 2017

POLICE REPRESENTATIVE – JOHN EVANS
LOCAL RESIDENTS – MR AND MRS JONES
NICK WRIGHT AND GARETH REES (CEREDIGION COUNTY COUNCIL).

During the meetings the hours requested (including non-standard timings) were discussed together with other relevant areas in connection with the operating and the management of the premises.

All persons present had a tour of the premises to view the changes and refurbishment.

It was considered appropriate to review the operating schedule of the licence conditions of the premises and to formalise a list of conditions which were easy to manage.

1. Doors and windows to be closed from 22:00 hrs onwards (not locked).
2. Notices to be placed at the rear doors in the function room informing customers that doors and windows are to be shut from 22:00hrs onwards.
3. All staff to be made aware of the contents of the noise management plan.
4. Staff to undertake routine monitoring of noise levels outside.
5. Prominent, clear and legible notices to be displayed at all entrance and exit doors requesting customers to respect the needs of local residents and to leave the premises and area quietly.

CCTV

Dyfed Powys Police CCTV – AMENDED DURING MEDIATION MEETING 18th December 2017 (2 amendments in italics).

1. **All footage must be of 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 for viewing and a copy of that footage made immediately available to a police officer *within a maximum of 3 hours*.**
- 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 CD, DVD or *memory stick* 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 licensed area with entry and exit areas must be covered by cameras, and there must not be any hidden or obscured areas .This will deal with issues which have arisen outside the premises when customers have been arriving or leaving.**

Conditions consistent with the operating Schedule

- a) General**
- b) The prevention of crime and disorder**
- Regular searches by staff of all areas of the premises will be undertaken during trading hours to ensure that drug use is not taking place on the premises.
- CCTV (As above) will record the following areas – Front of premises, Bar area, Function room, Smoking area and rear Garden – to include all entrance doors.
- Will become an active member of any Pubwatch/BOBB or similar scheme set up in the area.
- Any person found in possession of illegal drugs will not be permitted entry and the matter will be reported to the Police.

- A notice stating the drugs policy shall be displayed in the licensed area of the premises.
- At least 1 SIA licensed door person will be employed at the premises on the following days from 10pm until close of premises: Boxing Day, Friday before Christmas, Lampeter Agricultural Show, Lampeter Food festival, New Years Eve, Public functions in the rear function room where either tickets are sold, or an an entry fee is charged.

c) Public Safety

- Smoking area and garden to be well illuminated.
- Regular glass and bottle collections to be undertaken.
- First Aid Kit to be available at the premises.

d) The prevention of public nuisance

- If the observation determines a noise break is at a level likely to cause disturbance to the occupants of the properties in the vicinity, then the volume of music shall be reduced to a level that does not cause disturbance.
- Doors and windows to be closed from 22:00 hrs onwards (not locked).
- Notices to be placed at the rear doors in the function room informing customers that doors and windows are to be shut from 22:00hrs onwards.
- All staff to be made aware of the contents of the noise management plan.
- Staff to undertake routine monitoring of noise levels outside.
- Prominent, clear and legible notices to be displayed at all entrance and exit doors requesting customers to respect the needs of local residents and to leave the premises and area quietly.
- Glass bottles not to be emptied outside after 10pm.
- The playing of Live and recorded music to take place inside the premises only.
- Only incidental background music to be played in the smoking area and rear garden.
- Rear external function room doors to be changed to soundproof external doors with internal shutters.

e) The protection of children from harm

- Proof of age will be required – only photographic identification will be acceptable.
- Challenge Under 25 Policy will be in operation, with staff suitably trained and instructed not to serve alcohol to persons who are under 18.
- Children shall be to private events being held in the function room if accompanied by a responsible adult.
- Notices will be displayed inside the premises identifying the areas where children are permitted.

- Children Under 16 must be accompanied by an adult in the Bar areas of the premises.
- No children will be allowed in the licensed area after midnight on any night with the exception of children of the premises licence holder or children living on the premises.

