



**LICENSING ACT 2003
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council



s licence number

PRM 0321 (Issued 26/02/2016)

Premises details

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

**BACK YARD BARBEQUE,
12A BAKER STREET,**

**Post town
ABERYSTWYTH**

**Post code
SY23 3BJ**

**Telephone number
01970 625 212**

Where the licence is time limited the dates

LICENCE NOT TIME LIMITED

Licensable activities authorised by the licence

REGULATED ENTERTAINMENT:

**LIVE MUSIC.
RECORDED MUSIC.**

PROVISION OF LATE NIGHT REFRESHMENT

SALE BY RETAIL OF ALCOHOL

The times the licence authorises the carrying out of licensable activities

**REGULATED ENTERTAINMENT:
LIVE MUSIC
RECORDED MUSIC**

**SALE BY RETAIL OF ALCOHOL
ALL ABOVE ACTIVITIES
MON-SUN: 1100-0200 HRS**

**LATE NIGHT REFRESHMENT
MON-SUN: 2300-0200 HRS**

**NON STANDARD TIMINGS:
ALL ACTIVITIES: New Years Eve – From 1100 hrs New Years Eve to 1100
hrs New Years Day.**

The opening hours of the premises

**MON-SUN: 1100-0240 HRS.
New Years Eve: as detailed at previous section.**

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

ON SALES ONLY

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

MATTHEW LLOYD

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

MATTHEW LLOYD

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 1191

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

Premises Licence is subject to embedded conditions converted under Licensing Act 1964.

Promotion of Licensing Objectives

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 15)

THE APPLICANTS ARE BOTH NATIONAL LICENSEE CERTIFICATE HOLDERS AND WILL SUPERVISE AND MANAGE THE PREMISES. IN THE ABSENCE OF BOTH APPLICANTS FROM THE PREMISES A SUITABLE RESPONSIBLE PERSON WILL BE AUTHORISED BY THE APPLICANTS TO SUPERVISE THE PREMISES. THE APPLICANTS WILL CONTINUE TO OPERATE THE PREMISES AS A RESTAURANT WITH THE PRIMARY PURPOSE OF THE BUSINESS BEING THE SALE TO CUSTOMERS OF SUBSTANTIAL TABLE MEALS FOR CUSTOMERS TO ENJOY IN A RELAXED ATMOSPHERE

b) The prevention of crime and disorder

BOTTLES AND GLASSES

1. CUSTOMERS CARRYING OPEN OR SEALED BOTTLES OR GLASSES ARE NOT ADMITTED TO THE PREMISES AT ANY TIME.
2. CUSTOMERS ARE NOT PERMITTED TO TAKE OPEN CONTAINERS OF ALCOHOLIC OR SOFT DRINKS FROM THE PREMISES.
3. WAITERS OR WAITRESSES ENSURE THAT ALL BOTTLES AND GLASSES ARE REMOVED FROM PUBLIC AREAS WHEN FINISHED OR EMPTY.

CRIME AND DISORDER

ALL INSTANCES OF CRIME AND DISORDER WILL BE REPORTED TO THE POLICE AS SOON AS REASONABLY PRACTICABLE.

CAPACITY LIMITS

THE APPLICANTS WILL OBSERVE SUCH A CAPACITY LIMIT FOR THE PREMISES AS MAY BE ADVISED FROM TIME TO TIME BY THE FIRE AUTHORITY.

PROOF OF AGE CARDS

THE APPLICANTS SHALL HAVE A PROOF OF AGE POLICY FORMULATED FOR THE PREMISES IN DISCUSSION WITH THE POLICE AND LICENSING AUTHORITY

DRINKS PROMOTIONS

ALL INCLUSIVE NIGHTS OR OTHER IRRESPONSIBLE DRINKS PROMOTION WILL NOT BE PERMITTED.

DRUGS

ANY CUSTOMER SUSPECTED OF BEING IN POSSESSION OF OR USING ILLEGAL DRUGS ON THE PREMISES SHALL BE REPORTED TO THE POLICE.

NOTICES

ANY RESTRICTIONS ON THE ADMISSION OF CHILDREN TO THE PREMISES ARE DISPLAYED OUTSIDE THE PREMISES

GENERAL

1. THE APPLICANTS INTEND THAT THE PREMISES SHALL CONTINUE TO OPERATE PRIMARILY AS A RESTAURANT ENABLING CUSTOMERS TO ENJOY A SUBSTANTIAL MEAL IN A RELAXED ATMOSPHERE. ACCORDINGLY, SHOULD THE NEEDS OF THE BUSINESS REQUIRE IT THE APPLICANTS WILL GIVE CONSIDERATION TO THE USE OF A DOOR SUPERVISOR WHO SHALL BE AUTHORISED TO REFUSE ADMISSION TO MEMBERS OF THE PUBLIC IN ORDER TO PROTECT THE PRIMARY OBJECTIVE OF THE BUSINESS.

2. ANY DOOR SUPERVISOR USED BY THE APPLICANTS WILL:-

- (A) BE CORRECTLY REGISTERED WITH THE SIA
- (B) DISPLAY THE CORRECT NAME BADGE
- (C) CARRY PROOF OF REGISTRATION

c) Public safety

BOTTLES AND GLASSES

1. CUSTOMERS CARRYING OPEN OR SEALED BOTTLES OR GLASSES ARE NOT ADMITTED TO THE PREMISES AT ANY TIME.
2. CUSTOMERS ARE NOT PERMITTED TO TAKE OPEN CONTAINERS OF ALCOHOLIC OR SOFT DRINKS FROM THE PREMISES.
3. WAITERS OR WAITRESSES ENSURE THAT ALL BOTTLES AND GLASSES ARE REMOVED FROM PUBLIC AREAS WHEN FINISHED OR EMPTY.

CRIME AND DISORDER

ALL INSTANCES OF CRIME AND DISORDER WILL BE REPORTED TO THE POLICE AS SOON AS REASONABLY PRACTICABLE.

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GENERAL

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FIRE SAFETY

1. THE APPLICANTS WILL CONDUCT AND MAINTAIN A SUITABLE FIRE RISK ASSESSMENT OF THE PREMISES AND IMPLEMENT THE NECESSARY CONTROL MEASURES.
2. FIRE RISK ASSESSMENT SHALL BE REVIEWED ANNUALLY.
3. ALL EXIT DOORS ARE EASILY OPERABLE WITHOUT THE USE OF A KEY, CARD, CODE OR SIMILAR MEANS.
4. EXIT DOORS ARE REGULARLY CHECKED TO ENSURE THEY FUNCTION SATISFACTORILY.
5. ALL REMOVABLE SECURITY FASTENINGS ARE REMOVED WHENEVER THE PREMISES ARE OPEN TO THE PUBLIC OR STAFF.
6. STEP AND STAIR EDGES ARE EASILY IDENTIFIABLE.
7. HANGINGS, CURTAINS AND TEMPORARY DECORATIONS ARE MAINTAINED IN A FLAME RETARDENT CONDITION.
8. CURTAINS, HANGINGS AND TEMPORARY DECORATIONS ARE LOCATED SO AS NOT TO OBSTRUCT EXITS, FIRE SAFETY SIGNS OR FIRE FIGHTING EQUIPMENT.
9. ALL FIRE EXITS AND MEANS OF ESCAPE ARE APPROPRIATELY SIGNED.
10. EXIT DOORS OPEN OUTWARDS OR ARE SECURED IN THE OPEN POSITION.
11. ADEQUATE AND APPROPRIATE FIRST AID EQUIPMENT AND MATERIALS ARE AVAILABLE ON THE PREMISES LOCATED IN THE KITCHEN.

LIGHTING

1. IN THE ABSENCE OF ADEQUATE DAYLIGHT SUITABLE AND SUFFICIENT LIGHTING IS PROVIDED AND MAINTAINED IN ANY AREA ACCESSABLE TO THE PUBLIC.
2. FIRE SAFETY SIGNS ARE ADEQUATELY ILLUMINATED.
3. EMERGENCY LIGHTING IS INSTALLED AND REGULARLY MAINTAINED.

SAFETY CERTIFICATES

1. THE PREMISES WILL HAVE A SATISFACTORY NICEIC PERIODIC ELECTRICAL INSTALLATION REPORT. AN INSPECTION WILL BE CARRIED OUT EVERY YEAR AND A NEW REPORT OBTAINED EACH TIME.
2. THE PREMISES WILL HAVE A CERTIFICATE OF INSPECTION FOR PORTABLE FIRE FIGHTING EQUIPMENT. AN INSPECTION WILL BE CARRIED OUT EVERY YEAR AND A NEW CERTIFICATE OBTAINED EACH TIME.
3. THE PREMISES WILL HAVE A SATISFACTORY NICEIC EMERGENCY LIGHTING REPORT. AN INSPECTION WILL BE CARRIED OUT EVERY YEAR AND A NEW REPORT OBTAINED EACH TIME.
4. THE PREMISES HAVE AND WILL MAINTAIN PUBLIC LIABILITY INSURANCE COVER UP TO £2, 000,000.00

SPECIAL EFFECTS

USE OF SPECIAL EFFECTS IS NOT PERMITTED ON THE PREMISES.

GENERAL

1. FREE DRINKING WATER IS AVAILABLE AT ALL TIMES WHEN THE PREMISES ARE OPEN TO THE PUBLIC.
2. THE PREMISES ARE "NO SMOKING" PREMISES ALTHOUGH SMOKING IS ALLOWED IN THE OPEN ALLEYWAY OUTSIDE THE PREMISES.

d) The prevention of public nuisance

NOISE

1. RECORDED MUSIC PLAYED AT THE PREMISES WILL BE BACKGROUND MUSIC ONLY AND THE RECORDED MUSIC RELAYED TO THE SPEAKER IN THE ALLEY WAY WILL ONLY BE LOW VOLUME INTENDED TO BE HEARD ONLY BY PERSONS PASSING BY THE ENTRANCE TO THE PREMISES ON BAKER STREET.
2. LIVE MUSIC AT THE PREMISES INCLUDING SINGING WILL BE BY A SOLO PERFORMER AND WILL NOT BE AMPLIFIED.
3. A PROMINENT CLEAR AND LEGIBLE NOTICE IS DISPLAYED NEAR THE EXIT REQUESTING PATRONS TO RESPECT THE NEEDS OF LOCAL RESIDENTS AND TO LEAVE THE PREMISES AND THE AREA QUIETLY.
2. THE PLACING OF BOTTLES INTO RECEPTACLES OUTSIDE THE PREMISES IS ONLY PERMITTED TO TAKE PLACE BETWEEN THE HOURS OF 09.00 AND 20.00

NOXIOUS SMELLS

1. ALL VENTILATION AND EXTRACT SYSTEMS ARE DESIGNED AND MAINTAINED SO AS TO PREVENT NOXIOUS SMELLS CAUSING A NUISANCE TO NEARBY PROPERTIES.
2. REFUSE RECEPTACLES ARE REGULARLY CLEANED WITH DISINFECTANT.

LIGHT POLLUTION

THE PREMISES DO NOT USE FLASHING OR BRIGHT LIGHT ON OR OUTSIDE THE PREMISES AND ANY SECURITY OR ACCESS LIGHTING IS INSTALLED AND OPERATED SO AS NOT TO CAUSE A NUISANCE TO NEARBY PROPERTIES.

e) The protection of children from harm

GENERAL

1. CHILDREN AND YOUNG PERSONS ARE ADMITTED ON TO THE PREMISES BETWEEN THE HOURS OF 11.00 AND 24.00 PROVIDED THEY ARE ACCOMPANIED AND CLOSELY SUPERVISED BY AN ADULT OVER THE AGE OF 18 YEARS AND PROVIDING THAT A SUBSTANTIAL TABLE MEAL IS PURCHASED OR INTENDED TO BE PURCHASED FOR THE CHILD OR YOUNG PERSON.
2. CHILDREN OR YOUNG PERSONS UNDER THE AGE OF 18 YEARS ARE NOT ADMITTED TO THE PREMISES AFTER 24.00 AND ANY CHILDREN OR YOUNG PERSONS ON THE PREMISES ARE REQUIRED TO LEAVE THE PREMISES BY 24.00
3. THE PREMISES ARE "NO SMOKING" PREMISES.
4. THE APPLICANTS WILL OPERATE A PROOF OF AGE POLICY FOR THE PREMISES AGREED BY THE POLICE AND LOCAL AUTHORITY

ADDITIONAL CONDITION

**Contained in a letter dated 2nd September 2005 from MORRIS & BATES,
Solicitors:-**

**'we write to confirm that our clients will agree to a condition in the
operating licence limiting the supply of alcohol to:-**

- 1. Persons ancillary to the consumption of a table meal.**
- 2. Persons attending the premises to await delivery of a takeaway meal.**

**With regard to the music, which leads to a speaker in the alleyway, the
Applicants will agree to a condition that this music will cease at 2300'.**

**Annex 3 - Conditions attached after a hearing by the licensing authority/
Mediation meeting**

Annex 4 – Plans

