



**LICENSING ACT 2003  
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council



**s licence number**

**PRM 0688 (Issued 26/10/2015)**

**Premises details**

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

**PIZZA LUSH**

**51 GREAT DARKGATE STREET**

**Post town  
ABERYSTWYTH**

**Post code  
SY23 1DW**

**Telephone number  
01970 358 903**

**Where the licence is time limited the dates**

**LICENCE NOT TIME LIMITED**

**Licensable activities authorised by the licence**

**LATE NIGHT REFRESHMENT - Indoors**

**The times the licence authorises the carrying out of licensable activities**

**LATE NIGHT REFRESHMENT - Indoors:**

**MONDAY: 2300hrs – 0300hrs**  
**TUESDAY: 2300hrs – 0300hrs**  
**WEDNESDAY: 2300hrs – 0300hrs**  
**THURSDAY: 2300hrs – 0500hrs**  
**FRIDAY: 2300hrs – 0500hrs**  
**SATURDAY: 2300hrs – 0500hrs**  
**SUNDAY: 2300hrs – 0200hrs**

**The opening hours of the premises**

**MONDAY: 1700hrs – 0300hrs**  
**TUESDAY: 1700hrs – 0300hrs**  
**WEDNESDAY: 1700hrs – 0300hrs**  
**THURSDAY: 1700hrs – 0500hrs**  
**FRIDAY: 1700hrs – 0500hrs**  
**SATURDAY: 1700hrs – 0500hrs**  
**SUNDAY: 1700hrs – 0200hrs**

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

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

**P. H JONES & SON (Dyfed) LTD**

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

**0131194**

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

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

## **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 28<sup>th</sup> 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 1<sup>st</sup> 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**

- We aim to maintain a clean and safe environment, not only for ourselves but also for staff members and the general public

### **b) The prevention of crime and disorder**

- We have installed CCTV which is on at all times which we will provide the recorded tapes to the Police if and when requested.
- The CCTV to be installed to the following specifications:
  1. 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
  2. Main entrance exit to have a camera meeting a minimum of 100%R image quality
  3. All footage must be of good quality and of a minimum performance capability sufficient to identify individuals.
  4. It must be in colour
  5. It must record at a minimum of 12 images per second
  6. All images will be time and date stamped
  7. All footage during the hours of Licensable activities to be retained for a period of 30 days
  8. 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
  9. 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
  10. 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. Memory Stick, CD, or DVD format is acceptable to the police. The master copy will be available to the police on demand
  11. 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 or MAC compatible computer. The application software required to launch and view recorded images must either be included as part of the standard operating system installed or be installed to the recorded media when the data is copied to that media
  12. The system must be registered with the Information Commissioner
  13. All footage must on demand be made available to an authorised officer of the Local Authority and a copy of that footage made available to an authorised officer of the Local Authority
- Those persons showing inappropriate behaviour will be asked to leave.

- X1 Registered SIA doorman to be employed at the premises for the following times:

- Friday – 2400hrs – 0500hrs
- Saturday – 2400hrs – 0500hrs

**c) Public safety**

- Limit the number of people entering the premises at any given time. All spill or rubbish are to be cleaned up as soon as possible. That will also apply to outside the premises
- Maximum number of customers allowed in the premises at any one time will be twenty (20)

**d) The prevention of public nuisance**

- People will be asked to leave in a quiet orderly manner. Drunk/disorderly will be asked to leave.

**e) The protection of children from harm**

- No children under the age of 16 years will be allowed on the premises after 2200hrs unless they are accompanied by an adult.

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

**Mediation Meeting held on the 21<sup>st</sup> October 2015 between; Mr. Peter Jones (applicant); Mrs. Margaret Jones (applicant) and Mr. John Evans (Police Licensing Officer – Heddlu Dyfed Powys Police).**

The following matters were agreed:

- CCTV to be installed to Dyfed Powys Police Specification (as included in Police objection). This is to be done within 28 days of 22<sup>nd</sup> October; 18<sup>th</sup> November)
- To include on CCTV specifications – “All footage must on demand be made available to an authorised officer of the Local Authority and a copy of that footage made available to an authorised officer of the Local Authority.”
- A plan showing location of all CCTV cameras be submitted to the Licensing Section within 28 days of 22<sup>nd</sup> October; 18<sup>th</sup> November
- Hours to be amended to now be as following:
  - Sunday: 2300hrs – 0200hrs (as application)
  - Monday: 2300hrs – 0300hrs (as application)
  - Tuesday: 2300hrs – 0300hrs
  - Wednesday: 2300hrs – 0300hrs (as application)
  - Thursday: 2300hrs – 0500hrs (as application)
  - Friday: 2300hrs – 0500hrs (as application)
  - Saturday: 2300hrs – 0500hrs (as application)
- X1 Registered SIA doorman to be employed at the premises for the following times:
  - Friday: 2400hrs – 0500hrs
  - Saturday: 2400hrs – 0500hrs
- Public Safety – “Maximum number of customers allowed in premises at any one time will be twenty (20).”

The objection was withdrawn by Mr. John Evans, Police Licensing Officer, Heddlu Dyfed Powys Police

**Licensing Hearing held at the Council Chamber, Neuadd Cyngor  
Ceredigion, Penmorfa Aberaeron at 11.30am on the 26<sup>th</sup> October 2015.**

**Determination:**

- Application for Section 17 New Premises License was granted subject to amendments and conditions as follows:
- Hours as set out in the Mediation Schedule document (H9 - H10):
- Monday - 11pm - 3am
- Tuesday - 11pm - 3am
- Wednesday - 11pm - 3am
- Thursday - 11pm - 5am
- Friday - 11pm - 5am
- Saturday - 11pm – 5am
- Sunday - 11pm -2am
- Conditions as set out in the Operating Schedule (Document C16) as amended by the Mediation Schedule (Documents H9-H10) dated 21/10/2015, with the addition of the words 'also' as follows:
- "To include on CCTV all footage must on demand be made available also to an authorised officer of the Local Authority and also a copy of that footage made available to an authorised officer of the Local Authority."
- The conditions of the CCTV to be set out in the Licence in accordance with the Police representation (Documents H3) numbers 1 to 12 (as amended above)

# Annex 4 – Plans

