LICENSING ACT 2003 PREMISES LICENCE

Cyngor Sir Ceredigion County Council



s licence number

PRM 0674 (14/11/2019)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description		
Cardigan Castle Grosvenor Hill		
Post town Cardigan	Post code SA43 1JA	
Telephone number 01239 615131		

Where the licence is time limited the dates		
Not time limited		

Licensable activities authorised by the licence REGULATED ENTERTAINMENT: LIVE MUSIC RECORDED MUSIC PERFORMANCES OF DANCE PLAYS FILMS INDOOR SPORTING EVENTS BOXING OR WRESTLING LATE NIGHT REFRESHMENT

SALE BY RETAIL OF ALCOHOL

The times the licence authorises the carrying out of licensable activities

REGULATED ENTERTAINMENT:

LIVE MUSIC

MONDAY – SUNDAY: 09:00 TO 01:00 HRS – INDOORS

<u>RECORDED MUSIC</u> MONDAY - SUNDAY - 09:00 TO 01:00 HRS - INDOORS

PERFORMANCES OF DANCE MONDAY- SUNDAY – 09:00 TO 01:00 HRS –INDOORS

<u>PLAYS</u> MONDAY- SUNDAY – 09:00 TO 2400HRS – INDOORS

<u>FILMS</u> MONDAY- SUNDAY – 09:00 TO 2400HRS – INDOORS

INDOOR SPORTING EVENTS MONDAY - SUNDAY – 09:00 TO 01:00 HRS - INDOORS

BOXING OR WRESTLING MONDAY- SUNDAY – 09:00 TO 01:00 HRS – INDOORS

- External regulated entertainment will cease at 2300 hrs.
- Regulated entertainment will cease at midnight in the marquees.
- Regulated entertainment will cease at 01.00hrs in all other licensable areas.

LATE NIGHT REFRESHMENT: - MON- SUNDAY – 23:00 TO 01:00 HRS

SALE BY RETAIL OF ALCOHOL: - MON- SUNDAY – 09:00 TO 01:00 HRS – Residents and Bona fide guests will be able to purchase alcohol throughout 24 Hrs

NON STANDARD TIMINGS – ONE ADDITIONAL HOUR FOR ALL ACTIVITIES ON NEW YEARS EVE INTO NEW YEARS DAY The opening hours of the premises

MON- SUNDAY - 08:00 TO 01:30 HRS

NON STANDARD TIMINGS – ONE ADDITIONAL HOUR ON NEW YEARS EVE INTO NEW YEARS 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

CARDIGAN CASTLE ENTERPRISES LTD

GREEN STREET CARDIGAN CEREDIGION SA43 1JA

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

3955918

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

TOM HOLDEN

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 1352

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 + (DxV)Where -

- (i) P is the permitted price
- 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 <u>all</u> premises that sell or supply alcohol for consumption <u>on the premises.</u> Condition 3 is relevant to Premises that sell for consumption <u>off the premises.</u>

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 18years 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: ¹/₂ 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 Description

 Cardigan Castle offers visitors 900 years of history and a wealth of heritage. Decades of neglect left the site in ruins but after years of local campaigning the castle has been brought back to life and is opening its doors for the community, recreational, tourism and educational uses. It will be a centre for learning the Welsh language, culture and crafts as well as environmental and horticultural studies. There will be heritage interpretation, educational facilities, rooms to hire, an events marquee, open air concert area, restaurant, shop, bed and breakfast and luxury self catering accommodation.

The plans attached to this application give precise location details and the licensable activities proposed for each area of the site. The plans vary in size from 1:100 to 1:50 for clarity.

- Staff will receive in house training on the requirements of the Licensing Act 2003 and other legislative requirements as they relate to this operating schedule.
- We will ensure through sound management and pre-planning utilising risk assessment that all four licensing objectives are actively promoted

Prevention of Crime and Disorder

- Drunken, quarrelsome or disorderly behavior will not be tolerated. Persons behaving in such a manner will be refused entry to the premises. In the event that persons misbehave they will be requested to leave and if necessary the police called.
- policy will be adopted to ensure that under age sales of alcohol are not permitted -
- Alcohol sales will generally be ancillary to other licensable activities.

Public Safety

- Trained stewards will be on duty during larger events, SIA licensed door staff may also be utilized at the discretion of the management.
- Health and safety risk assessment including fire safety is available for inspection.
- Safety certificates are also available for inspection.
- Public liability insurance will be in place and our insurers will be advised of the detail of our premises licence application.
- Adequate and appropriate first aid equipment will be readily available. All

staff will be aware of locations.

Specific conditions relating to Boxing and wrestling

• A qualified Medical Practitioner (Doctor) shall be present throughout any entertainment involving Boxing.

A qualified medical first aider shall be present throughout any entertainment involving Wrestling.

• Where a wrestling ring is used it will be constructed by a competent person and shall be inspected by a competent authority before use and any material used to form the skirt of the ring shall be flame retardant.

• Members of the public will not occupy any seat which is closer than 2.5 meters to the wrestling ring.

• The occupancy capacity of the premises shall be identified by way of Risk Assessment;

• There shall be a suitable number of adequately trained staff to ensure the safe evacuation of people from the premises in the event of an emergency such staff will have been issued with specific duties in the event of an emergency.

• All staff shall have received training on the safe evacuation of the premises in the event of an emergency.

Prevention of Public Nuisance

- It is our intention to permit licensable activities which complement the historical nature of the site.
- Operating hours will not be excessive and any external licensing activities will be further controlled by terminal hour, planning of events and monitoring during performances.
- The marquee will have a directional sound system that will limit music being heard from outside. Music will cease at I2 midnight within this marquee.

The Events Marquee area.

- Amplified voice or music will only be allowed in this area via the use of a directional sound speaker system approved by the Environmental section, with sound levels set so as not to be audible within residential premises in the vicinity beyond. The Designated Premises supervisor or other responsible person will retain control of the level of sound from this system, and carry out an assessment of their own to ensure that nuisance does not arise Levels shall be set so as to ensure that noise is not audible from residential premises in the vicinity.
 - All Sound Amplification systems on site shall remain under the control of the Premises licence holder. The DPS or any other responsible person shall be responsible for ensuring that any systems brought on the premises by external performers are not set at a level that shall cause a nuisance to residents of the area.

The Restaurant & Bar.

The glass restaurant Patio doors on the Grosvenor hill side shall be locked in a closed position when this area hosts entertainment involving Amplified Recorded music, and licensed amplified Live music, the patio doors are to be kept closed during any licensable live music events that occur in this space involving amplification equipment (other than background music).

• The potential noise breakout from the proposed marquee structure that will periodically be attached on the Castle green side of the building shall be fitted with a similar directional system as the Marquee.

Open air area

.

• The Premises Licence Holder or nominated person shall ensure a telephone number is made available and displayed in prominent locations in the window of the Castle shop for local residents to contact in the case of noise-nuisance or anti-social behavior by persons or activities associated with the premises. Any complaints received shall be logged, and it shall be noted what time the complaint was received, details of the complaint, the response given and action taken.

- The Premises Licence Holder or nominated person will assess the impact of any noisy activities on neighboring premises at the start of regulated entertainment and periodically throughout regulated entertainment and take action to reduce noise levels if they are found to be heard above background levels at the nearest residential property. – A note shall be entered in the Log book of these assessments and what / whether action was required.
- Attendees shall be reminded both verbally, and by prominent signage at the entrance to leave the area quietly.
- The marquee structure that will periodically be attached on the Castle green side of the building. The applicant could volunteer either:
- A similar system to the "events marquee " area, shall be used for Licensable Amplified music events within the marquee structure
- External regulated entertainment will cease at 2300 hrs.
- Regulated entertainment will cease at midnight in the marquees.
- Regulated entertainment will cease at 01.00hrs in all other licensable areas.
- Generally ancillary to other licensable activities, however recorded music may be played at private functions eg wedding receptions. External recorded music ie outside of buildings and marquees will cease at 24.00

Protection of children from Harm

 Staff will be instructed not to sell alcohol to any persons who appear under 18 years of age. They will demand photographic ID from anyone who appears to be under 25years of age. Staff will only accept passport, photographic driving licence or approved ID cards. If in any doubt they will be instructed not to sell alcohol.

Staff and Volunteers involved with children's activities will have the appropriate disclosure in Accordance with the disclosure and barring service

To show films associated with the nature of the site and as ancillary to other activities. Films will be shown in accordance with British Board Film Censors and local authority guidelines.

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

Mediation conditions agreed with Sue Lewis applicant and Eifion Roberts Environmental health section

The Events Marquee area.

- Amplified voice or music will only be allowed in this area via the use of a directional sound speaker system approved by the Environmental section, with sound levels set so as not to be audible within residential premises in the vicinity beyond. The Designated Premises supervisor or other responsible person will retain control of the level of sound from this system, and carry out an assessment of their own to ensure that nuisance does not arise Levels shall be set so as to ensure that noise is not audible from residential premises in the vicinity.
 - All Sound Amplification systems on site shall remain under the control of the Premises licence holder. The DPS or any other responsible person shall be responsible for ensuring that any systems brought on the premises by external performers are not set at a level that shall cause a nuisance to residents of the area.

The Restaurant & Bar.

The glass restaurant Patio doors on the Grosvenor hill side shall be locked in a closed position when this area hosts entertainment involving Amplified Recorded music, and licensed amplified Live music, the patio doors are to be kept closed during any licensable live music events that occur in this space involving amplification equipment (other than background music).

• The potential noise breakout from the proposed marquee structure that will periodically be attached on the Castle green side of the building shall be fitted with a similar directional system as the Marquee.

Open air area

.

• The Premises Licence Holder or nominated person shall ensure a telephone number is made available and displayed in prominent locations

in the window of the Castle shop for local residents to contact in the case of noise-nuisance or anti-social behaviour by persons or activities associated with the premises. Any complaints received shall be logged, and it shall be noted what time the complaint was received, details of the complaint, the response given and action taken.

- The Premises Licence Holder or nominated person will assess the impact of any noisy activities on neighbouring premises at the start of regulated entertainment and periodically throughout regulated entertainment and take action to reduce noise levels if they are found to be heard above background levels at the nearest residential property. – A note shall be entered in the Log book of these assessments and what / whether action was required.
- Attendees shall be reminded both verbally, and by prominent signage at the entrance to leave the area quietly.
- The marquee structure that will periodically be attached on the Castle green side of the building. The applicant could volunteer either:
- A similar system to the "events marquee " area, shall be used for Licensable Amplified music events within the marquee structure
- External regulated entertainment will cease at 2300 hrs.
- Regulated entertainment will cease at midnight in the marquees.
- Regulated entertainment will cease at 01.00hrs in all other licensable areas.



















