



**LICENSING ACT 2003
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council



s licence number

PRM 0406 (Issued 08/10/2014)

Premises details

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

**RESTAURANT MANUKA
8, CADWGAN PLACE**

**Post town
ABERAERON**

**Post code
SA46 0BU**

**Telephone number
01545 570 120**

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- Live Music will be soloists – non amplified. Times will be from 11am to 12 midnight.

RECORDED MUSIC

MON-SUNDAY: 1100-12 midnight

PROVISION OF LATE NIGHT REFRESHMENT.

MON-SUNDAY: 2300- 12 midnight

SALE BY RETAIL OF ALCOHOL.

MON-SUNDAY: 1100-12 midnight

NEW YEARS EVE: FROM THE COMMENCEMENT OF HOURS ON NEW YEAR'S EVE TO 0200HRS NEW YEARS DAY, FOR REGULATED ENTERTAINMENT, AND 0400HRS FOR SALE BY RETAIL OF ALCOHOL.

The opening hours of the premises

MON-SUN: 07:00HRS -0030 HRS. (0700HRS – 1100HRS OPEN FOR NON LICENSABLE ACTIVITIES)

NEW YEARS EVE: From the commencement of hours on New Year's Eve to 0400HRS NEW YEARS DAY

For those persons who are resident in these premises, alcohol can be Consumed and sold to those persons and their bone fide guests at the residents expense 24 hours a 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.

**WILLIAM ALFRED GRIFFITHS,
SARA CLAERWEN GRIFFITHS**

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

WILLIAM ALFRED GRIFFITHS,

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 0078

CEREDIGION COUNTY COUNCIL

Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

- (1) 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.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition where the premises licence includes a Condition that at specified times one or more individuals must be at the premises to carry out a security activity:

- (1) Each such individual must be licensed by the Security Industry Authority.
- (2) But nothing in (1) above 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 1976(6);
 - (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 1997(7)

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 guest house was established 23 years ago by the current operator. It is situated adjacent to the harbor side car park in an area frequented by tourists from all parts of the Wales, the UK, and Europe and beyond.

There is a project underway to create more space for diners to improve their comfort. The operating of the restaurant is moving to Miss S.C Griffiths from her father the current license holder Mr. W.G. Griffiths. It is proposed that they will be joint holders licence.

Staff will receive instructions as to the correct operation of the premises licence. The premises will continue to operate primarily as a restaurant

b) The prevention of crime and disorder

We will adopt a strict policy on underage sales (please see box below)

We will not allow drunken or disorderly behavior. Anyone behaving so will be asked to leave and if necessary the Police will be informed.

c) Public Safety

Fire safety equipment regularly serviced. First Aid equipment regularly checked. Health and safety issues are addressed with adequate provision for the disabled. Public Liability insurance in force and we will inform our insurers of any change arising out of this application.

d) The prevention of Public nuisance.

Regulated entertainment will only occur occasionally and management will always ensure that noise does not cause a nuisance to adjoining premises. There will be a notice displayed advising customers to leave quietly.

e) The protection of children from harm.

Staff will be instructed not to sell alcohol to anyone under the age of 18yrs. They will demand photographic identification from anyone who appears to be under 21 years old. If in any doubt they will refuse the sale of alcohol.

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

Wednesday 28th March 2012- 2.30pm.

Mediation meeting held at Arosfa, 8 Cadwgan Place Aberaeron

Applicants: - William Alfred Griffiths and Sara Griffiths

Interested Party: - Anne Martin

Licensing officer Ceredigion: - Alfor Evans

The purpose of the application is to modernize the Premises Licence and increase the licensable area. The ethos of the premises licence will still remain as a Restaurant and residential premises. The business will still be predominately Restaurant and alcohol will be sold.

1. Live Music will be soloists – non amplified. Times will be from 11am to 12 midnight.
2. Recorded music – Licensable 11am to 12 midnight
3. Sale of Alcohol - Licensable 11am to 12 midnight
4. Late night refreshment – 11pm to 12 midnight
5. Bona fide guests of residents and residents themselves will be able to consume alcohol at any time.
6. Opening times for the premises will be from 0700hrs to 0030hrs each day Monday to Sunday - opening times 7am to 11am for non-licensable activities e.g. breakfasts, teas coffee's etc.

Annex 4 - Plans

