



**LICENSING ACT 2003  
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council



**s licence number**

**PRM 0280 (Issued 12/08/2014)**

**Premises details**

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

**GGERDDAN ARMS,  
LLANBADARN FAWR,**

**Post town  
ABERYSTWYTH**

**Post code  
SY23 3RA**

**Telephone number  
01970 615 209**

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

**LICENCE NOT TIME LIMITED**

**Licensable activities authorised by the licence**

**REGULATED ENTERTAINMENT:  
INDOOR SPORTING EVENTS  
LIVE MUSIC  
RECORDED MUSIC**

**SALE BY RETAIL OF ALCOHOL**

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

**REGULATED ENTERTAINMENT:**

**INDOOR SPORTING EVENTS**

**LIVE MUSIC**

**RECORDED MUSIC**

**ALL THE ABOVE ACTIVITIES:**

**MON-SUN: 1100-2400 HRS.**

**SALE BY RETAIL OF ALCOHOL:**

**MON-SAT: 1100-0030 HRS**

**SUN: 1100-2400 HRS. (amended in accordance with Licensing Hearing  
11.10.2005 – see Annex 3)**

**The opening hours of the premises**

**MON-SAT: 1100-0100 HRS.**

**SUN: 1100-0030 HRS.**

**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**

**Mrs. AMANDA DENISE JONES,**

**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**

**AMANDE DENISE JONES**

**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 0393**

**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 2010**

### **With effect from 6<sup>th</sup> April 2010**

1. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act );

(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;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) 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.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

**With effect from 1<sup>st</sup> October 2010**

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

5. The responsible person shall 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: 25ml or 35ml; and

(iii) still wine in a glass: 125ml; and

(b) customers are made aware of the availability of these measures.

## **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 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.



## **Annex 2 - Conditions consistent with the operating Schedule**

### **Prevention of crime and disorder**

We will not allow drunk, violent people to be served on the premises. We will remove them from premises and the police will be contacted. SIA security doorman will be provided when live entertainment and discos are held.

### **Public safety**

These premises have been fitted with CCTV and recorded footage will be supplied to the police on request. A copy of our public liability insurance will be attached to this application form.

### **The prevention of public nuisance**

The fire service numbers will be accepted and no people will be allowed on the premises after 2330hrs.

Doors and windows would be closed after 10:00 pm.

No entry or re-entry times after 11:30 pm.

No music after 12:00 midnight.

Patrons/customers only to leave the premises through the front/main entrance to the premises.

### **The protection of children from harm**

Children will have to leave the premises by 2300hrs except for pre-arranged functions. No children will be allowed on the premises unless accompanied by an adult.

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

20<sup>th</sup> October 2005

**Mr John Gwyn Jones,  
Ms Amanda Denise Jones  
Gogerddan Arms,  
Llanbadarn Fawr,  
Aberystwyth,  
Ceredigion**

**Miss Elin Prysor**

01545-572120

L42/SEP/PMM

Dear Sir/Madam

**RE: Licensing Act 2003**

**Applicant : John Gwyn Jones & Amanda Denise Jones**

**Premises : Gogerddan Arms, Llanbadarn Fawr**

**Application: New Premises Licence (Section 17)**

**Date of Application : 25/08/05**

**Date of Licensing Panel Meeting : 11/10/2005 at 9:30 am**

**Venue : Aeron Room, Neuadd Cyngor Ceredigion, Penmorfa,  
Aberaeron**

**Outcome of Hearing : Granted to subject to amendments and  
conditions**

**The Panel members were :-**

Councillor Alun Lloyd-Jones (Chair)

Councillor Ivor Williams

Councillor Gilliam Hopley

The Clerk to the Panel was Miss S E Prysor

**Also present were :-**

Authority Licensing Section:

Mr Colin Parr (Licensing Project Officer)

**Responsible Authorities :-**

None

**Interested Parties :-**

Mrs Tamsin Richmond – resident

Mr A G & Mrs J Curwen - residents

**Applicants :**

Mr John G Jones

The Panel considered the following documents:-

- Licensing Panel Procedure
- Application Form to convert & vary dated 25/08/05
- Notice of Licensing Application dated 25/08/05
- Copy representations from Interested Parties
  - Mr A J & Mrs T Richmond received 07/09/05
  - Mr A G Curwen dated 03/09/05
- Plan
- Copy representations from Responsible Authorities
  - Dyfed-Powys Police dated 07/08/05
- Street Plan of Aberystwyth as marked

The Panel heard oral evidence from the following witnesses:

Mr Colin Parr - Licensing Project Officer  
Mr John G Jones – Applicant  
Mrs Tamsin Richmond – resident  
Mr Tony Curwen – resident  
Mrs Jean Curwen – resident

The Panel also took into account evidence from the following in their absence:

Mr Richmond – resident

1. The Panel took into account the following provisions of the Licensing Act 2003:

Section: S17, S18(3)b, S19, S20 and S21

Reasons: Relevance to determination of application

2. The Panel took into account the following provisions of the Guidance under Section 182 of the Act:

Paragraphs: Annex E, Annex G and Annex H

Section: 7.4, 7.5, 7.17, 7.19, 7.24, 7.25, 7.39, 7.40, 7.41, 7.42, 7.43, 7.49

Reasons: Relevance to determination of application

3. That Panel took into account the following provisions of its Statement of Licensing Policy:

Paragraphs: Appendix G and Appendix H (paragraph 2)

Reasons: Relevance to determination of application

4. The Panel decided not to depart from the Section 182 Guidance or its Licensing Policy
5. The Panel considered oral and written evidence submitted by all parties and legal advice in terms of the statutory background.
6. **The Panel further took into account the four Licensing Objectives, as set out in the Licensing Act 2003. The Panel ignored evidence that did not take into account these objectives.**

The Panel noted the following:-

1. The presumption against the presence of children under 12 years of age who are unaccompanied by adults in the premises, after 11:00 pm.
2. The Panel noted the Applicants evidence that on occasions some darts or pool players maybe under 18 years, and that in normal circumstances these players would play their games first.
3. The CCTV is currently in operation at the premises and that this would continue. The Panel feels that this is a positive step towards public safety and hopes that the use of CCTV will continue.
4. The Panel retired to private session in accordance with Regulation 14(2) of the Licensing Act (Hearings) Regulations 2005 (No. 44), and Schedule 12A of the Local Government Act 1972.
5. HOURS

The Panel notes the Applicants evidence that the Operating Schedule contained in the Application is amended as follows:

Box M - Supply of Alcohol: (page C12 – C13 of bundle)

Saturday - to finish at 12:30 am

Sunday - to finish at 12:00 (midnight)

Box O - Opening Hours:

**Sunday to finish at 12:30 am**

6. The Applicant volunteered a condition that doors and windows would be closed after 10:00 pm.

7. That the Applicant had volunteered a condition that there would be no entry or re-entry times after 11:30 pm.
8. There would be no music after 12:00 midnight.
9. The Applicants evidence that customers leave through the main entrance of the premises.
10. That there were no representations by Responsible Authorities.

**Determination:**

The application for a new premises licence (Section 17 of the Licensing Act 2003) is granted subject to conditions and amendments as follows:

**HOURS**

In accordance with the application save as amended as follows:-

Box M          Supply of Alcohol  
  
                        Saturday until 12:30 a.m.  
                        Sunday until 12 midnight

Box O          Opening Hours:  
  
                        Sunday until 12:30 a.m.

**Conditions:**

1. Doors and windows of the premises to be closed at 10:00 pm.
2. No entry or re-entry to the premises after 11:30 pm.
3. Patrons/customers only to leave the premises through the front/main entrance to the premises.
4. To ensure that there is no music at the premises after 12:00 midnight.

**Reasons:**

1. The Panel were concerned that without these conditions and amendments that the public nuisance objective would be undermined.
2. The Panel were aware that whilst no representations were made by Responsible Authorities in relation to the protection of children from harm and public safety objectives. Despite this its discretion had been engaged as a result of representations made and evidence heard in relation to these two objectives and felt, that these issues should be noted. The

Panel did not feel that the evidence was such that it was necessary to impose conditions, but did express concern.

This now concludes the matter as far as the Panel is concerned.

If you are not satisfied with the determination of the Authority's Licensing Panel, you have the right to appeal, within 21 days.

If you have any queries, please do not hesitate to contact the writer.

Yours faithfully

***Miss S E Pryor***

***Clerk of the Panel***

**ar ran Cyfarwyddwr y Gwasanaethau Corfforaethol a Chyfreithiol  
for the Director of Corporate and Legal Services**

Annex 4 – Plans

