



**LICENSING ACT 2003
PREMISES LICENCE**

Cyngor Sir **Ceredigion** County Council

s licence number

PRM 0068 (Issued 21/03/2018)

Premises details

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

**HARRY'S,
40-46, NORTH PARADE,**

**Post town
ABERYSTWYTH**

**Post code
SY23 2NF**

**Telephone number
01970 612 647**

Where the licence is time limited the dates

LICENCE NOT TIME LIMITED

Licensable activities authorised by the licence

REGULATED ENTERTAINMENT:

PLAYS

FILMS

INDOOR SPORTING EVENTS

LIVE MUSIC

RECORDED MUSIC

PERFORMANCES OF DANCE

ANYTHING of SIMILAIR DESCRIPTION to LIVE or RECORDED MUSIC or

FACILITIES FOR ENTERTAINMENT:

MAKING MUSIC

DANCING

ANYTHING of SIMILAIR DESCRIPTION to MAKING MUSIC or DANCING.

SALE BY RETAIL OF ALCOHOL

LATE NIGHT RERESHMENT

The times the licence authorises the carrying out of licensable activities

TIMES UNRESTRICTED FOR RESIDENTS AND BONA FIDE GUESTS.

LATE NIGHT RERESHMENT

SUN-WED: 2300 - 2400 HRS.

THURS - SAT: 2300 - 0130 HRS.

REGULATED ENTERTAINMENT:

SUN-WED: 1100 - 2330 HRS.

THURS - SAT: 1100 - 0100 HRS.

SALE BY RETAIL OF ALCOHOL

SUN-WED: 1100 - 2400 HRS.

THURS - SAT: 1100-0130 HRS.

The opening hours of the premises

SUN-WED: 1100 - 2430 HRS.

THURS - SAT: 1100 - 0200 HRS.

Opening hours unrestricted for Hotel Residents and their bona fide guests.

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

CHARNOCK & VYSE HOSPITALITY LTD

**40-46 NORTH PARADE
ABERYSTWYTH
CEREDIGION
SY23 2NY**

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

10764063

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

STEVEN MATTHEW CHARNOCK

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 1129

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

Promotion of Licensing Objectives:

1. General – All four licensing objectives:

- No alterations or additions to premises shall be made except with the prior approval of the licensing authority.
- All parts of the premises, and all fixtures and fittings therein including seating, door fastenings and notices, floors, carpets and furnishings shall be kept clean and maintained in good order to the satisfaction of the licensing authority.
- The public part of the premises shall be kept properly and sufficiently ventilated and heated.
- No unlawful lottery or game shall be permitted on the premises.
- There will always be a responsible person over 18 years old supervising when the bar is open.
- Only one drink per customer will be allowed to be purchased at last orders (unless they are resident).
- Staff will be trained in licensing law as appropriate and all team members and door staff will be instructed to familiarise themselves with the premises licence terms and conditions.

2. Prevention of Crime and Disorder:

- Lighting exterior areas-the vicinity of hotel is well lit.
- Violence-the venue will never promote cheap alcohol as a sole attraction.
- There is a selective, but non discriminative policy on who is allowed entry to the bar.
- Exclusion of troublemakers – Anyone who looks at all doubtful, through dress or behaviour is refused entry.
- Drug dealing and Abuse – The presence of supervisors who constantly survey and are vigilant will protect against the premises being used for drugs. Staff are trained in what to look for.
- Entry is restricted by the house policy which is strict and covers standards of dress and behaviour but is non discriminative.
- We will not permit drunk, violent, quarrelsome or disorderly conduct. Anyone behaving in this way will be removed from site and if necessary the police will be informed.
- We will join pubwatch by July 2008 and attend meetings regularly.

3. Public Safety:

- Capacity 396

- Fire-the licensee will comply with any reasonable fire prevention and safety measures that may be required of him by the chief fire officer in ceredigion.
- All exit doors will be fully openable during hours the premises are open to the public.
- There is a fire plan for the premises.
- There is an annual fire inspection as we are a hotel.
- All signs and panic bolts will comply with standard conditions required by the fire authority.
- All exit routes will be kept clear from obstruction.
- There will be adequate lighting to the satisfaction of all authorities.
- Toilet facilities provided are kept in good repair and clean.
- All fixtures and furnishings must be safe for public use.
- Public liability insurance from a reputable supplier will be in place.
- First aid kit and signs showing where it is available at all times.

4. Prevention of Public Nuisance:

- People leaving in a noisy or boistrous manner after dark are marshalled from the premises and if persistent are banned.
- Customers congregating outside this premises are moved on.
- Noise levels will be kept down in the interests of hotel residents and those living nearby.
- Where a function is booked involving a lot of people leaving late at night, arrangements will be made in advance to ensure adequate transport is available by the function organiser.
- Notices will be put up in advance of functions or events, asking guests to leave quietly.
- Staff will assess noise levels and adjust them if requested by residents of the hotel or local residents or officers.
- There will be a noise limiter on site

5. Protection of Children from Harm:

- Children under 16 will not be allowed access to licensed areas unaccompanied by an adult.
- Staff will be trained to accept only photographic evidence that would convince a reasonable person that an individual is over 18, before allowing a sale of alcohol or consumption of alcohol.
- Reasonable evidence would be an ID card from Validate UK, Portman or similar, a UK driving licence with a photo or a valid passport.

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

Mediation:

Mediation Meeting held at Ceredigion Business Centre, 11 Baker Street, Aberystwyth on the 2nd April 2008 at 3.00pm.

Present: Harry Hughes and Rebecca Cohen from Harry's, J.W.Jones, David and Janet Hughes, G. Meredith, J.W.Rodgers, Martin Rodgers, M.M.Evans, M.D.Frost, Alison Roy, Anthony Roy, E.Exton, S.Meredith, Cllr Ceredig Davies (Interested Parties), Mark Edwards (Ceredigion CC, Licensing)

Hearing:

Hearing Held at Ystwyth Room, Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron on the 7th May 2008 at 2.15pm.

Hours/Times

As stated in this licence

Terms and Conditions:

(Additional conditions to those set out in the operating schedule)

- No entry and no re-entry after 12.00 midnight.
- No smokers in the beer garden/rear. All smokers to use the front (and only up to 12.00 midnight).
- CCTV to be installed in accordance with the Heddlu Dyfed-Powys Police protocol, including at least one camera in front and one at the back. Footage to be made available on request and to be kept for 30 days. Such CCTV system to be installed and operational within 60 days or the 30th April 2008 (ie. On or before 29th June 2008).
- No emptying of glass bottles into receptacles outside the premises after 10.00 pm.
- Doors and windows to be kept shut at all times when regulated entertainment is taking place (save for emergency purposes).
- A noise limiter to be installed within 60 days of today (ie. On or before the 29th June 2008 and the limit to be set in accordance with the advice received from the Environmental Protection department of the Council.
- Prominent, clear and legible notices to be erected at all exits requiring the public to respect the needs of local residents and to leave the premises quietly.
- SIA registered door persons to be employed at the premises (in accordance with standard SIA requirements and conditions as to capacity) during regulated entertainment functions.
- No retail sale of alcohol in or from the kitchens.

Annex 4 – Plans

