

LICENSING ACT 2003

PREMISES LICENCE CONDITIONS

Premises: **Sophia Gardens Events Area
Sophia Close, Cardiff**

Licence No: **CCCP/01095**

1. The following licensable activities are permitted by the Premises Licence detailed above.
 - (1) Unless otherwise indicated the premises may be open to the public 24 hours a day seven days a week.
 - (2) The Licence is limited to the sale of alcohol for consumption on and off the premises during the hours:
Sunday to Thursday : 10.00 to 23.30
Friday and Saturday : 10.00 to 01.30
 - (3) The provision of regulated entertainment in the form of plays, films and indoor sporting events are permitted during the following hours: Sunday to Saturday : 08.00 to 24.00
 - (4) The provision of regulated entertainment in the form of boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description to music or dance and the provision of entertainment facilities for making music, dancing and entertainment of a similar description are permitted during the following hours:
Sunday to Thursday: 08.00 to 24.00
Fridays & Saturdays: 08.00 to 02.00
 - (5) The provision of late night refreshment is permitted during the following hours:
Sunday to Thursday: 23.00 to 24.00
Fridays & Saturdays: 23.00 to 02.00
2. The following conditions are attached to the Premises Licence detailed above:
 - a) The Designated Premises Supervisor must be an employee of the Council.
 - b) There shall be a Personal Licence holder present at all times when the sale of alcohol takes place.

- c) The Licence holder will inform the Safety Advisory Group for Outdoor Events in Cardiff, namely the Events Liaison Panel of any proposal to permit an event and supply information on the date and times, the promoter/organiser, nature and size of the event and appropriate details of where the event requires use of additional premises or land which is the subject of a licence held by another person or business at least 56 days before the event. If less than 56 days notice is given, any condition(s) applied shall not be challenged by the authority.
- d) The Licence holder shall submit to the Police and the Licensing Authority a separate operating schedule for each event where licensable activities are to be held at the premises. It shall be submitted in writing at least 56 days prior to the event. The Police will notify the Premises Licence holder in writing of any conditions that should apply to the operation of the event within 28 days of the receipt of the schedule. If less than 56 days notice is given, any condition(s) applied shall not be challenged by the applicant. The Police should have authority to veto any event taking place by notifying the applicant in writing within 7 days.
- e) There shall be no more than 12 applications a year excluding applications made under TEN's. An operating plan covering the additional measures that will be taken to manage crime and disorder on these occasions to be completed and submitted to the Police 14 days before the event. There shall be an absolute veto for the Police in respect of any of these occasions by notifying the applicant in writing with 7 days.
- f) Organisers of large scale events will have to make a presentation to the Events Liaison Panel. They will have to produce a method statement and risk assessments for all activities on site and a hierarchy of decision making and responsibility for all aspects of the event including crime and disorder issues, public safety. They will be expected to adhere to the Model Conditions for Events as recommended by the Events Liaison Panel. These will form part of the Conditions of Hire of the site.
- g) Where necessary SIA licensed security will be employed.
- h) First Aid cover will be provided adequate for the size and profile of guests attending an event.
- i) Noise levels will be considered before an event and levels set as recommended by Noise Pollution Officers of Cardiff Council.
- j) Refuse will be cleared from the site immediately after any event.
- k) Measures will be taken to ensure the safety of children present at any event.

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 conditions where licence authorises supply of alcohol for consumption on the premises

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.
 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: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

6. 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.

7. 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(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 1994(7).

8. 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.

9. (1) Sub-paragraph (2) applies where the permitted price given 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.

Mandatory condition where licence authorises the exhibition of films

- (1) The admission of children to the exhibition of any film is restricted in accordance with the recommendations given to films by the film classification body designated under Section 4 of the Video Recordings Act 1984, that is the British Board of Film Classification.
- (2) In this Condition –
"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, that is the British Board of Film Classification).

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.



Dave Holland
Regulatory & Supporting Services

Date: 25 June 2014