



Licensing Sub-Committee Tuesday, 9th July, 2019

You are invited to attend the next meeting of **Licensing Sub-Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Tuesday, 9th July, 2019
at 10.00 am .**

**Georgina Blakemore
Chief Executive**

**Democratic Services
Officer**

Gary Woodhall, Democratic Services (Direct Line 01992
564243)
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors J Jennings (Chairman), A Lion, C P Pond and P Stalker

PLEASE NOTE THE START TIME OF THE MEETING

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**
(Monitoring Officer) To declare interests in any item on this agenda.
- 3. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 3 - 8)**
- 4. NEW PREMISES LICENCE APPLICATION - WO FAT RESTAURANT, 270-272 HIGH ROAD, LOUGHTON, ESSEX, IG10 1RB (Pages 9 - 74)**
To consider the attached report.
- 5. VARIATION OF EXISTING PREMISES LICENCE - BAYLIS FOOD & WINE, 159 HIGH ROAD, LOUGHTON IG10 4LF (Pages 75 - 126)**
To consider the attached report.
- 6. VARIATION OF EXISTING PREMISES LICENCE - TURKWISE, 162 HIGH STREET,**

ONGAR CM5 9JJ (Pages 127 - 176)

To consider the attached report.

7. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers: Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

Licensing Committee - Terms of Reference

- (1) The full Committee shall comprise 15 Councillors appointed by the Council at its annual meeting, including a Chairman and Vice-Chairman.
- (2) For the functions set out in Appendix 1, and the legislation listed in Appendix 2, a Subcommittee consisting of no more than any three Councillors drawn from the members of the full Committee shall be formed. Any such Subcommittee shall include, by rota, one of the six Licensing Subcommittee Chairmen appointed at each Annual Council meeting.
- (3) The Quorum for the Committee is set out in the Rules set out in Part 4 of this Constitution save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.
- (4) The Committee and Subcommittees shall have full authority to hear and determine licensing applications.
- (5) The Committee and Subcommittees shall be further empowered to determine appeals made against the decisions of the Director of Neighbourhoods taken under delegated authority on licensing applications. (See Council delegation schedule for more details)
- (6) The Committee shall at all times carry out its duties solely within the policy from time to time determined by the Council and shall conduct its proceedings in accordance with the requirements set out in Appendix 3 (Conduct of Business by Licensing Committee and Subcommittees).
- (7) The Licensing Committee shall take no part in the production or revision of the statement of licensing policy made under Section 5 of the Licensing Act 2003, however, they may determine policy under the legislation listed in Appendix 2 to this Article.
- (8) To be responsible for the consideration and approval of Designation Orders under Section 13 of the Criminal Justice and Police Act 2001 (Exercise of Controls over the consumption of alcohol in Public Places).

LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

Matter to be dealt with	Full Committee	Subcommittee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	
All policy matters except the formulation of the statement of licensing policy	All cases		

LIST OF STATUTORY POWERS

Those functions pertaining to licensing and registration and permits and consents contained in the following legislation and any regulations, orders, byelaws or other subsidiary legislation made under the above Acts:

Animal Boarding Establishments Act 1963
Breeding & Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973
Breeding of Dogs Act 1991
Caravan Sites & Control of Development Act 1960
Caravan Sites Act 1968
Dangerous Wild Animals Act 1976
Gambling Act 2005
Guard Dogs Act 1975
House to House Collections Act 1939
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Pet Animals Act 1951
Pet Animals Act 1951 (Amendment) Act 1983
Riding Establishments Acts 1964 & 1970
Scrap Metal Dealers Act 1964
Scrap Metal Dealers Act 2013
The Game Act 1831
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Zoo Licensing Act 1981

PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUBCOMMITTEES

All references to committee in this annex shall be taken to infer a reference to the associated subcommittees.

1. General Conduct

- 1.1 All hearings of the Licensing Committee under the Licensing Act 2003, are to be held in accordance with the Personal Licences, Hearings, Premises Licences and Club Premises Certificates, and Licensing Register Regulations, made under the Licensing Act 2003.
- 1.2 The Council's Constitution shall regulate the conduct of and debate at meetings.
- 1.3 In the case of hearings under the Licensing Act 2003, the Committee shall only consider those matters relevant to the licensing objectives as set out in the Licensing Act 2003 and the statement of licensing policy adopted by the Council.

2. Declarations of Interest

- 2.1 Members of the Committee are subject to the Council's Code of Conduct.

3. Participation in the Hearing

- 3.1 Debate shall be restricted to members of the Licensing Committee. Where a local ward member, not being a member of the Committee, wishes to participate in the hearing, they may do so only with the permission of the Chairman and their participation shall be subject to the same rules as are applied to any other witnesses to the application.
- 3.2 In hearings other than those under the Licensing Act 2003, where a ward member is a member of the Committee, and wishes to object to the application, the member shall give 14 days' notice of their intention, and shall play no part in the decision-making process of the Committee. In hearings under the Licensing Act 2003, those named as responsible authorities and interested parties in the Act may only make representations within the time limits set out in the relevant statutory provisions.
- 3.3 All persons participating in the hearing shall be made aware of the limitations or scope of statements that will be acceptable and, in particular, that statements should be factual or a fair statement on a matter of public interest.
- 3.4 In the case of any hearing pursuant to the summary review procedure under the Violent Crime Reduction Act 2006, the membership of any Subcommittee adjudicating on such a review shall comprise any three members drawn from the Licensing Committee subject to the proviso that no member should serve more than one hearing.

4. Attendance of the Public

- 4.1 The Council's Constitution and relevant statutory provisions relating to the admission or exclusion of the public shall apply to all meetings of the Licensing Committee.

5. Natural Justice

- 5.1 There are two elements to natural justice:

(a) Fairness

- (i) All persons affected by the decision or in the case of matters associated with the Licensing Act 2003, those named as responsible authorities and interested parties in the Act, will be allowed a hearing before a decision is made.
- (ii) Only objectors who can show clearly that they are affected by a decision shall be afforded the right to be heard or, in the case of hearings under the Licensing Act 2003, only those named in the Act as responsible authorities or interested parties.
- (iii) All information shall be made available, where possible in advance, to the applicant and the Committee.
- (iv) All members of the Committee shall be present throughout the hearing of a particular application. Where a member arrives late or leaves during a hearing of a particular application, that member shall play no part in the decision-making process. Where an application is adjourned it shall be continued by the same members only, and no others.
- (v) The Committee shall have discretion in respect of 'late' objections. Such objections shall be clearly marked on the agenda as such and the Committee shall decide on their acceptability. The applicant shall be advised of any late objections. In the case of representations made in relation to the Licensing Act 2003 applications, these shall only be accepted in accordance with the relevant statutory provisions.

(b) Prevention of Bias

- (i) The rules on the declarations of interest shall be firmly applied.
- (ii) If the Committee moves into private session to consider its decision, it shall be accompanied only by its advising officers, none of whom shall have taken a substantive part in the hearing, and shall play no substantive part in the decision-making process.

6. General Procedures for Hearings

- 6.1 The following procedural requirements shall be followed at all times:

- (a) There shall be no recommendation from officers on the agenda;
- (b) The Committee shall be supplied with copies of all relevant documentation and the process and order of procedure shall be as follows:

- (i) The Chairman will open the meeting and introduce persons as appropriate asking applicants and representatives to identify themselves.
- (ii) The Chairman will outline the procedure to be followed.
- (iii) The Lead Officer will outline the matter in hand.
- (iv) The applicant or representative will present his/her case, with or without witnesses, and be questioned by members or any objectors/persons making representations present.
- (v) Any objectors/persons making representations may then present their objections/representation, with or without witnesses, and be questioned by members or the applicant/s or their representative.
- (vi) The objectors/persons making representations may make a final statement (without introducing new issues).
- (vii) Finally, the applicant has the right to make a final statement (without introducing new issues).
- (viii) All evidence/disclosures are to be made in the presence of all persons, unless someone voluntarily excuses themselves from the proceedings.
- (ix) Committee members shall restrict themselves to questions and not discussion or comment.
- (x) The applicant, objectors/persons making representations shall be allowed to ask officers questions of a technical/factual nature at any time during the proceedings.
- (xi) An adjournment should be granted where to do otherwise would deny a fair hearing.
- (xii) The Committee may resolve to decide upon the application in private session, however, if it becomes necessary to recall anyone for additional information, everyone shall be invited to return to the Hearing.
- (xiii) The decision shall be given in the presence of all parties that wish to be present and confirmed in writing as soon as possible thereafter. If legal advice is given to members this advice will be repeated in summary form.

Report to the Licensing Sub-Committee

Date of meeting: 9th July 2019

Subject: New Premises Licence application – Wo Fat Restaurant, 270-272 High Road, Loughton, Essex, IG10 1RB



**Epping Forest
District Council**

**Responsible Officer: Denise Bastick
Licensing Compliance Officer**

Democratic Services:

Decisions Required:

To determine the application for a new Premises Licence under the Licensing Act 2003

Report:

Application

1. An application has been made by Vital Foods Ltd for a new premises licence at 270-272 High Road, Loughton, Essex, IG10 1RB. The application is for a new premises licence to include the sale of alcohol Monday to Saturday 12:00 to 14:30 and 17:00 to 00:00 and Sunday 12:00 to 23:30. The provision of recorded music Monday to Saturday 12:00 to 14:30 and 17:00 to 00:00 and Sunday 12:00 to 23:30. Late Night refreshment Monday to Saturday 23:00 to 00:00 and Sunday 23:00 to 23:30. The opening hours of the premises are Monday to Saturday 12:00 to 14:30 and 17:00 to 00:00 and Sunday 12:00 to 23:30. The application was received on the 18th May 2019.

2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

Licensing Act 2003

3 When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote of the licensing objectives.

These are—

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

4 It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

5 The Responsible Authorities have received a copy of the application, it was also advertised at the premises and in a local newspaper.

6 All residences and businesses within 150 meters radius of the premises were individually consulted.

7 The authority has received one representation from Essex Police and one representation from Loughton Residents Association, which are also attached. Responses have been received from Essex County Fire & Rescue Service and Environment & Neighbourhoods, who have no objections.

8 The Objections relate to the prevention of crime and disorder, and the prevention of public nuisance.

- The authority has also received a response from Councillor Judy Jennings. Although this is not a representation, Councillor Jennings would like to make a comment on this application. A copy is attached to this report.

Guidance Issued by the Secretary of State

9 The Licensing Act 2003 provides that the licensing authority must 'have regard to guidance issued by the Secretary of State under section 182.

10 Sections 2.1 to 2.6 and 2.15 to 2.21 of the Guidance are relevant to this application.

Options

In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

- (a) to grant the licence as applied for subject to
 - the conditions mentioned in the Operating Schedule modified as the Sub-committee considers necessary for the promotion of the licensing objectives, and
 - the mandatory conditions specified in the Licensing Act 2003, or
- (b) to exclude from the scope of the licence any licensable activities to which the application relates, or
- (c) refuse to specify a person as the premises supervisor, or
- (d) reject the application

Determination

The Sub-committee is asked to determine the application having regard to

- (a) the content of this report and representations
- (b) any additional information obtained from the hearing
- (c) the Council's statement of licensing policy
- (d) Guidance issued by the Secretary of State, and
- (e) the steps appropriate to promote the licensing objectives.

Appeal

If any party is aggrieved with the decision they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.

Background Papers Used In Preparing This Report:

- The Licensing Act 2003
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003

- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents

- Application for premises licence
- Plan of the premises
- Newspaper advert
- Map of the area
- Public Notice
- One letter of objection from Essex Police
- One letter of objection from Loughton Town Council
- Response received from Councillor Judy Jennings

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* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

WE ARE APPLYING A PREMISES LICENCE FOR A CHINESE RESTAURANT SITUATES AT 270-272 HIGH ROAD IN LOUGHTON IG10 1RB. THE NAME OF THE RESTAURANT IS WO FAT. WO FAT PROVIDES HOT FOODS FOR SIT IN CUSTOMERS AND ALSO HAVE TAKEAWAY SERVICES.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

50

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes

No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not
exclusively) whether or not music will be amplified or unamplified.

WE WANT TO HAVE A CHINESE DRAGON DANCE PERFORMANCE ONCE A YEAR ROUGHLY END OF JANUARY OR BEGINNING
OF FEBRAURY FOR ABOUT HALF AN HOUR.
WE MAY ORGANISE A LIVE MUSIC NIGHT FOR EXAMPLE "ELVIS NIGHT " ONCE OR TWICE A YEAR. MUSIC WILL BE SLIGHTLY
AMPLIFIED.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NOT APPLY

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NOT APPLY

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

SUPPLY NORMALLY RESTAURANT MEAL ONLY NO AMPLIFIED MUSIC,

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NA

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NA

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NOT APPLY

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NOT APPLY

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NOT APPLY

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NOT APPLY

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NOT APPLY

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

WE WILL TRAIN ALL STAFFS WORKING IN THE RESTAURANT : DO NOT SELL ALCOHOLIC DRINK TO PERSON UNDER THE AGE OF 18 YEAR OLD. (REQUEST FOR ID IF IN DOUBT). DO NOT SELL ALCOHOLIC DRINK TO A PERSON APPEARS TO BE VERY DRUNK.

b) The prevention of crime and disorder

WE WILL INSTALL VIDEO/CCTV EQUIPMENT INSIDE AND OUTSIDE THE PREMISES AND ENSURE THAT IT IS MAINTAINED IN WORKING ORDER.
WE WILL SET VIDEO/CCTV EQUIPMENT TO RECORD 24 HOURS A DAY.

c) Public safety

WE WILL BE RESPONSIBLE FOR THE DISPOSAL OF WASTE ON THE FRONTAGE OF THE PREMISES.
WE WILL ENSURE THAT THE MAXIMUM OCCUPANCY OF THE LICENCE PREMISES IS RESTRICTED TO 80 PEOPLE AT ANY TIME.

d) The prevention of public nuisance

WE WILL ENSURE THAT THE CONSUMPTION OF ALCOHOL IS RESTRICTED TO THE RESTAURANTAREA (CUSTOMER SEATING) AS INDICATED ON THE GROUND FLOOR PLAN DRAWING.

e) The protection of children from harm

WE WILL ENSURE THAT ANY PERSON SELLING OR SUPPLYING ALCOHOLIC DRINK UNDER THE AUTHORITY OF A PERSONAL LICENCE HOLDER ASKS FOR A PHOTO ID PROOF OF AGE WHERE THEY HAVE REASON TO SUSPECT THAT THE INDIVIDUAL

Continued from previous page...

MAY BE UNDER 18 YEARS OF AGE.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK. The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/epping-forest/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Consent of individual to being specified as premises supervisor

_____ CAROL WONG

.....
[full name of prospective premises supervisor]

Of ██████ HIGH ROAD, LOUGHTON, ESSEX, IG10 1RB.

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE

.....
[type of application]

By JIALIN WEI

.....
[name of applicant]

relating to a premises licence

.....
[number of existing licence, if any]

for WO FAT RESTAURANT

270 – 272, HIGH ROAD, LOUGHTON, ESSEX, IG10 1RB.

.....
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

JIALIN WEI

[name of applicant]

concerning the supply of alcohol at

WO FAT RESTAURANT, 270 – 272, HIGH ROAD LOUGHTON
ESSEX, IG10 1RB.

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

2285883

[insert personal licence number, if any]

Personal licence issuing authority

Reigate and Banstead Borough Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

CAR

Name (please print)

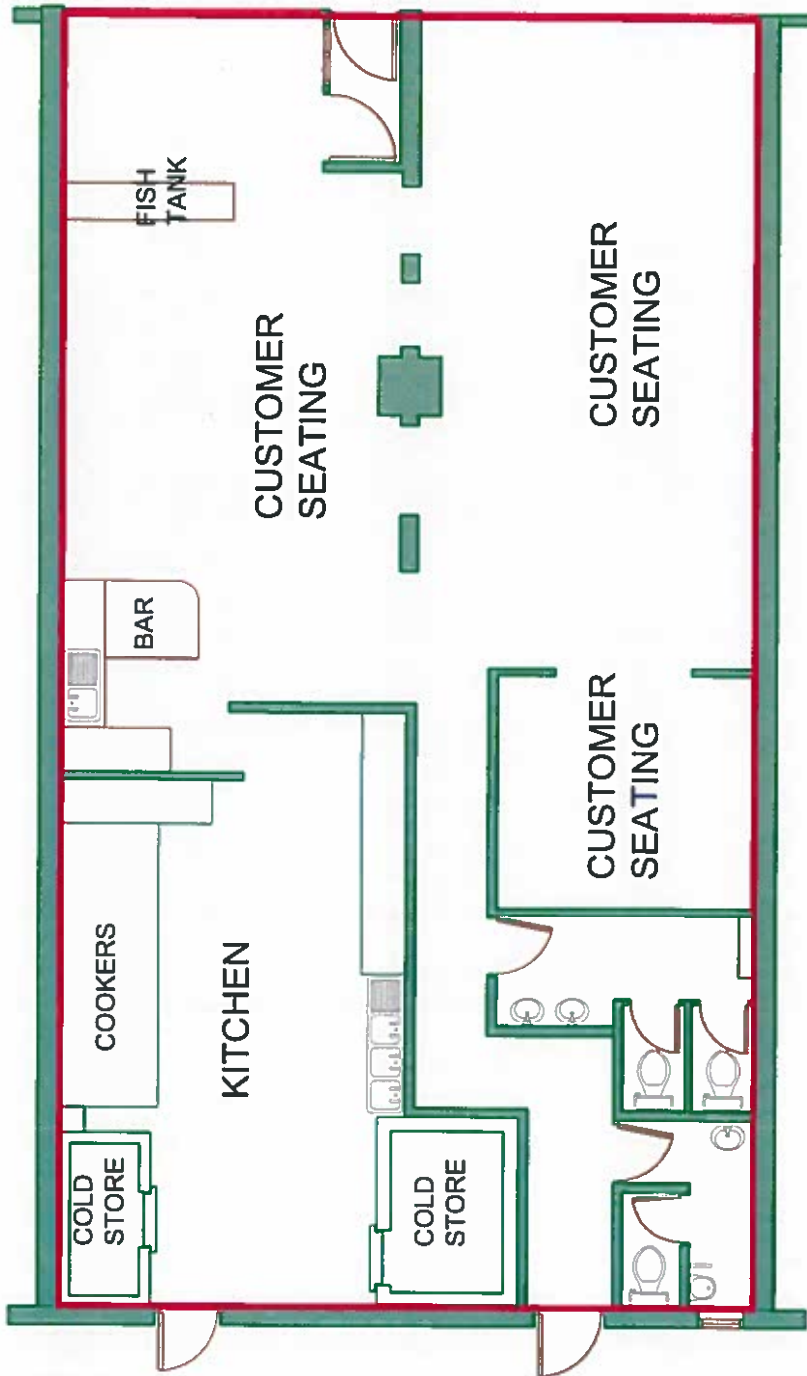
CAROL WONG

Date

08-05-2019

LEGEND

— Restaurant area



1:100 GROUND FLOOR PLAN

B	Restaurant Area defined	16.05.2019	
A	Customer Area shown	16.05.2019	
Rev	By	Description	Date

Client: **Wo Fat Restaurant**

Project: **Wo Fat Restaurant,
270-272 High Road,
Loughton, IG10 1RB**

Task: **Existing ground floor layout**

Date: 04.2019
Scale: A4 1:100
Drawn: -
Checked: -

Dwg. No: **WF-010**

Rev: **B**

Announcements - Public Notices

Essex County Council
Department for Transport
Highways Act 1980 and Acquisition of Land
Act 1981

NOTICE is hereby given that Public Local Inquiries in connection with the Scheme and Orders mentioned below will be held by an Inspector appointed for the purpose by the Secretary of State for Transport beginning at 10.00am on Tuesday 11 June 2019 at Lutton Bush Centre, Southern Way, Harlow CM18 7BL to hear representations from remaining objectors (as defined in the Compulsory Purchase (Inquiries Procedure) Rules 2007) and statutory objectors (as defined in the Highways (Inquiries Procedure) Rules 1994), from any other persons having an interest in the land the subject of the Compulsory Purchase Order and, at his discretion, to hear representations from any other persons who may desire to appear and be heard.

THE SCHEME and ORDERS are a Scheme and Orders which have been made by Highways England and Essex County Council under the above-mentioned Acts and submitted to the Secretary of State for Transport for confirmation and are:-

- (1) The Highways England Company Limited M11 Harlow North Junction (7A) (Slip Roads, Special Roads) Scheme 2018. This is a Scheme under sections 16, 17 and 19 of the Highways Act 1980.
- (2) The Essex County Council (Gilden Way/Sheering Road (B183) Improvement/Widening/Realignment, A1025 (New Link Road from B183 to M11) Scheme) (Classified Road) (Side Roads) Order 2018. This is an Order under sections 14 and 125 of the Highways Act 1980.
- (3) The Essex County Council (Gilden Way/Sheering Road (B183) Improvement/Widening/Realignment, A1025 (New Link Road from B183 to M11) and Grade Separated Junction/ Roundabouts at M11 Junction 7A Scheme) (Phase 1) Compulsory Purchase Order 2018. This is an Order under sections 239, 240, 242, 246 and 250(2) of the Highways Act 1980.

The Scheme and Orders relate to the highways which the Council propose to improve/construct from the B183 Gilden Way/Sheering Road, Harlow to, and including, the four new slip roads proposed to be constructed on the M11 at proposed Junction 7a, all in the parishes of Sheering and Matching in the District Authority of Epping Forest.

COPIES of the above-mentioned Scheme/Orders and of the plans referred to therein have been deposited and may be seen at all reasonable hours free of charge at the Central Library, Cross Street, Harlow, CM20 1HA and at the offices of Essex County Council, Council Offices, Chelmsford Library, Ground Floor, County Hall, Market Road, Chelmsford, CM1 1QH.

COPIES of any proofs of evidence, sent to or by the promoting authority are also available for inspection, at the offices of the Essex County Council from 21 May 2019.

PROCEEDINGS on the above-mentioned Scheme and Orders are being taken concurrently by virtue of Section 257 of the Highways Act 1980.

G Patrick, Department for Transport, Tyneside House, Skinnerburn Road, Newcastle upon Tyne NE4 7AR.
 Ref: NATTRAN/E/LAO/168

Announcements - Public Notices

Notice of Application for a New Premises Licence under the Licensing Act 2003
 Notice is given this day 18th May 2019 that Jialin Wei of [REDACTED] has applied to the Licensing office of Epping Forest District Council for a Premises Licence in respect of Wo Fat Restaurant of 270 -272 High Road Loughton Essex IG10 1RB. The proposed licence is for the following: The provision of recorded music - Monday to Saturday 12:00 - 14:30 and 17:00 - 00:00 and Sunday 12:00 -23:30. Late night refreshment - Monday to Saturday 23:00 - 00:00 and Sunday 23:00 -23:30, Supply of Alcohol - Monday to Saturday 12:00 - 14:30 and 17:00 - 00:00 and Sunday 12:00-23:30. Hours Premises Are Open To The Public - Monday to Saturday 12:00 - 14:30 and 17:00 - 00:00 and Sunday 12:00-23:30. Any representations regarding the above application should be made within 28 days of the day above, to; Epping Forest District Council, Licensing Unit Civic Offices, High Street, Epping, Essex CM16 4BZ.

Licensing Act 2003: Application for the Grant of a Premises Licence
 Notice of application for the grant of a Premises Licence under section 17 of the Licensing Act 2003. Notice is hereby given that Mr Ylli Bokciu of 56 Cranbrook Road, Ilford Essex, IG1 4NF have made an application to the London Borough of Redbridge for the grant of a Premises Licence. The application is to permit the following: 1. Sale of alcohol consumed on the premises Sun-Wed 09:00 - 23:30, Thurs-Sat 09:00 - 00:00, 2. Late Night refreshments On and Off Premises: Sun - Wed 23:00 - 24:00, Thurs - Sat 23:00 - 24:30. Opening hours Sun 08:00- 24:00, Mon-Wed 06:00 - 24:00, Thurs-Sat 06:00 - 24:30. Representations must be made by 8th June 2019. Interested parties or responsible authorities wishing to oppose the application must give notice writing to: The London Borough of Redbridge, Licensing Service, 10th Floor, Lynton House, 255-259 High Road, Ilford Essex IG1 1NN. "IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£5,000), UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION". The record of this application may be inspected Monday to Friday (except Bank Holidays) at the offices of The London Borough of Redbridge, Licensing Service, 10th Floor, Lynton House, 255-259 High Road, Ilford Essex IG1 1NN between the hours of 10:00am to noon and 2:00pm to 4:00 p.m, or on the Redbridge website at: <https://www.redbridge.gov.uk/business-and-regeneration/licensing-including-street-trading/alcohol-and-entertainment-licences/>"

Licensing Act 2003: Application for the Grant of a Premises Licence
 Notice of application for the grant of a Premises Licence under section 17 of the Licensing Act 2003. Notice is hereby given that Mr Paul Jellis has applied to the London Borough of Waltham Forest for the grant of a Premises Licence at: 76 High Street, Walthamstow E17 7LD. The nature of the application is to permit the following: Sale of alcohol consumed on & off the premises, recorded music (Indoors and outdoors), opening hours: 19:00-23:00 Mon-Thu, 19:00-00:00 Fri-Sat 11:00-23:00 Sun. Late Night refreshments on and off Premises: 23:00-00:00 Fri-Sat. Interested parties or responsible authorities can make written representations regarding this application and must give notice in writing to: The Licensing Section, Magistrates Building, 1 Farnan Avenue, London E17 4NX, Email - licensing@walthamforest.gov.uk, (Internet www.walthamforest.gov.uk). The date by which an interested party may make representations to the relevant licensing authority: 12th June 2019. This application and register held under the Licensing Act 2003 may be inspected during normal office hours at the above address. It is an offence to knowingly or recklessly make a false statement in connection with an application. A person is liable to an unlimited fine on conviction should such a false statement be made.

Announcements - Public Notices

JOY HILL (Deceased)
 Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the abovesigned deceased, late of 10 Lambourne Road Chappel Row Essex IG7 6ET who died on 04/03/2019, are required to send particulars thereof in writing to the undersigned on or before 26/07/2019, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.
 CO-OP LEGAL SERVICES LIMITED
 Aztec 650 Aztec West
 Amersbury Bristol BS32 4SD
 (Ref: DFOX4532604PH)

Something to say?



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ASA.org

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LOCALiQ is the way for you to reach customers as you've never been able to before, with the help of The Guardian Series. Our digital marketing experts can put together the bespoke campaigns that will help your business grow.

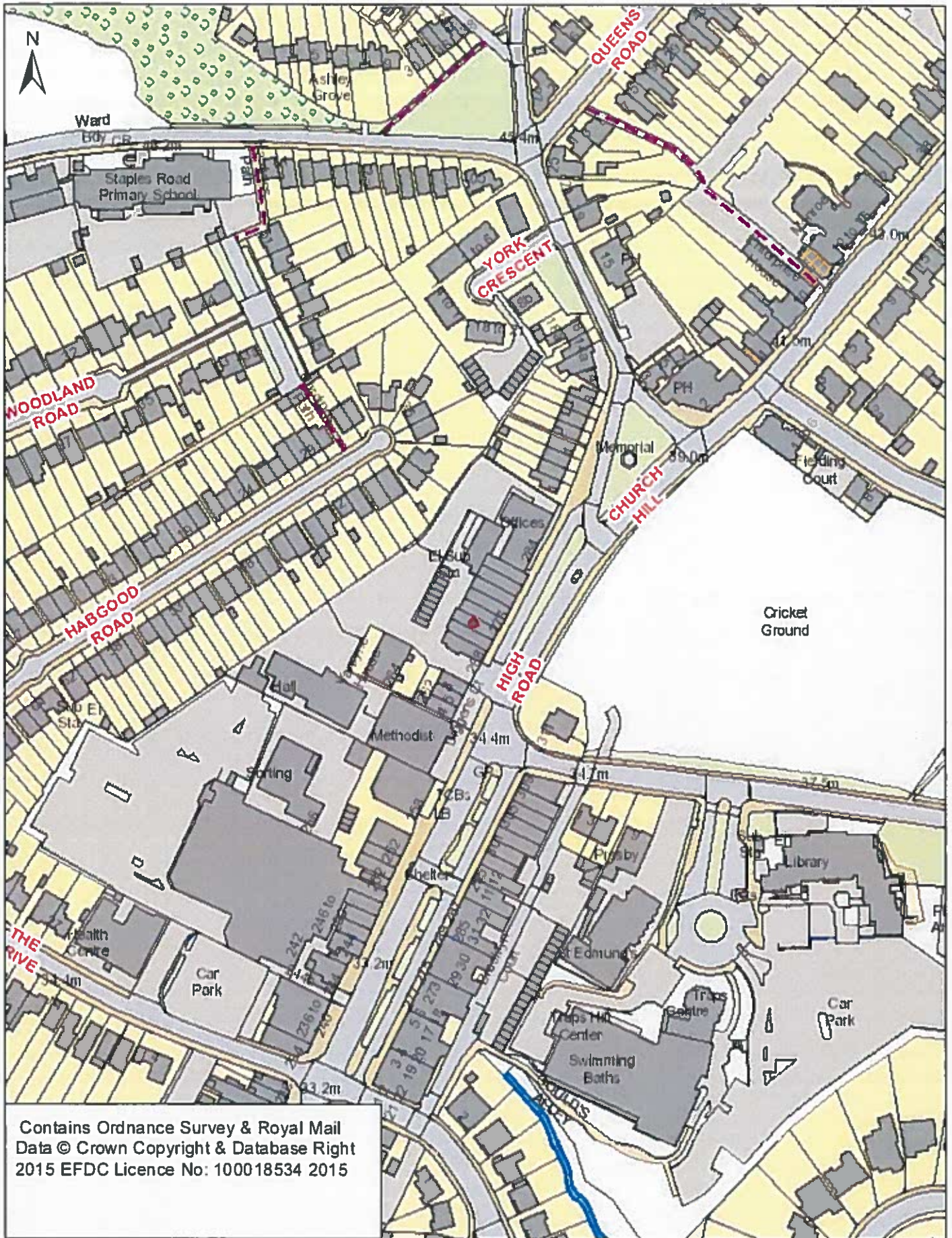
We'll harness the data we've gathered from our 218k+ unique browsers and 819k+ page views a month - and put it to work for you. Talk to us and you'll be drawing on the power of one of the world's largest tech and media companies. But you'll also be dealing with people who know Epping Forest as well as you do. After all, we've been part of your community for generations.



Did you know we can reach up to **35%** of residents across core local markets.*

*Source: Telmar Nov 2018

*Source, Ominture Q3 2018



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Notice of Application for a
New Premises Licence under the Licensing Act 2003

Notice is given this day 18th May 2019 that JIALIN WEI of

[REDACTED] has applied to the Licensing office of Epping Forest District Council for a Premises Licence in respect of Wo Fat Restaurant of 270-272 High Road Loughton Essex, IG10 1RB.

The proposed licence is for the following:

The provision of recorded music – Monday to Saturday 12:00 – 14:30 and 17:00 – 00:00 and Sunday 12:00 -23:30

Late night refreshment – Monday to Saturday 23:00 – 00:00 and Sunday 23:00 -23:30

Supply of Alcohol – Monday to Saturday 12:00 – 14:30 and 17:00 – 00:00 and Sunday 12:00 -23:30

Hours Premises Are Open To The Public – Monday to Saturday 12:00 – 14:30 and 17:00 – 00:00 and Sunday 12:00 -23:30

Any representations regarding the above application should be made within 28 days of the day above, to;

Epping Forest District Council
Licensing Unit Civic Offices,
High Street
Epping
Essex
CM16 4BZ

Denise Bastick

From: Licensing Epping and Brentwood
<licensing.epping.and.brentwood@essex.pnn.police.uk>
Sent: 11 June 2019 15:06
To: Licensing
Subject: Wo Fat, Loughton - Premises Licence Application - Objection
Attachments: Wo Fat - Objection.pdf; ATT00001.txt

Good Afternoon,

Please find attached Essex Police response to the application for a Premises Licence in respect of Wo Fat, 270-272, High Road, Loughton.

Could you confirm receipt and that you will pass this to all responsible authorities.

Kind regards,

Peter

Peter Jones (7706) MIOL, MBII

Essex Police Licensing Officer

Epping Forest | Harlow

Direct Tel. [REDACTED] Internal. [REDACTED]

Mob. [REDACTED] (only answered when on duty)



This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/policy/privacy,-cookies-and-legal-notice/> or <https://www.essex.police.uk/copyright-privacy/>

Mrs K Tuckey
Licensing Department
Epping Forest District Council
Civic Offices
High Street
Epping
CM16 4BZ



Essex Police
Licensing Department
Braintree Police Station
Blyths Meadow
Braintree
CM7 3DJ
11th June 2019

Dear Mrs Tuckey,

OBJECTION TO APPLICATION FOR A PREMISES LICENCE (LICENSING ACT 2003)

Wo Fat, 270-272 High Road. Loughton, IG10 1RB is a Chinese restaurant which up until 18th March 2019 held a Premises Licence under the Licensing Act 2003 which was issued in 2005.

This Premises licence was revoked following a review applied for by Essex Police as a result of an immigration enforcement visit identifying seven illegal workers on the premises, and therefore undermining the prevention of crime and disorder licensing objective.

This application purports to be a new start with an applicant unconnected with how the premises has been run in recent years leading to an application for review in January 2019 – it is not. Essex Police have evidence that suggests those who were involved in the running of the business then; still have links to the premises.

Essex Police objects to this application under the crime and disorder objective, which includes the prevention of illegal working.

The previous Premises Licence Holder facilitated a criminal offence taking place. Essex Police believe there are clear associations between the old Premises Licence Holder and this applicant; and suggest the employment of illegal workers and failure to conduct right to work checks will continue.

It is the contention of Essex Police that this application is an attempt to allow the family to continue to run the premises. It is Essex Police's view that the employment of illegal workers (an undermining of the crime and disorder objective) will continue should this application be granted.

The Chief Officer of Police hereby objects to the proposed application and proposes to adduce further documentary and other material ahead of the hearing date in accordance with the statutory guidance and the relevant Hearing Regulations.

Please advise me of when the Licensing Panel will be meeting to hear this so representatives of the Chief Officer of Police can be in attendance.

Yours sincerely,



Mr Peter Jones MIOL, MBII
Essex Police Licensing Officer
Epping Forest | Harlow

Loughton Residents Association Plans Group



[REDACTED]
01 June 2019

[REDACTED]
Loughton,
Essex IG10 1AN

LICENSING APPLICATION, 270-272 High Road Loughton

This restaurant has residential units above and nearby. Indeed, with the exception of the relatively short Old Station Road, all the roads leading to and from the restaurant are residential, including the High Road, which has residential units above and behind the shops.

Under the provisions relating the prevention of public nuisance, we object to the proposal to vary the hours for the supply of alcohol and the provision of recorded music to midnight each night (11.30pm on Sundays) because of the disturbance this would inevitably cause to residents nearby.

We think that 11pm is the latest that restaurant with residential accommodation above should be providing alcohol and recorded music, as even if the premises are well-sound-proofed the noise of such customers - and their vehicles - leaving late at night, at a time when other daytime noises are much reduced, would obviously disturb residents.

Yours sincerely

[REDACTED]
David Linnell, for LRA Plans Group.

Denise Bastick

From: Judy Jennings [REDACTED]
Sent: 18 May 2019 13:36
To: Denise Bastick
Cc: Cllr Chris Pond; Jill Angold-Stephens
Subject: Re: New Premises Licence Application - Wo Fat, 270-272 High Road, Loughton, Essex, IG10 1RB

This Message originated outside of Epping Forest District Council.

Dear Denise

Thank you for the information

I do not have an objection to the licence application itself or the hours, or the Chinese Dragon event but I do have an objection to the "occasional live music" application which would be amplified, as I do not think it is appropriate for this area of flats and residential properties

Regards

Judy Jennings

Councillor Judy Jennings

Loughton St. Mary's - Epping Forest District Council

Regional Lead Peer - East of England and East Midlands - Local Government Association

From: Denise Bastick <dbastick@eppingforestdc.gov.uk>

Sent: 17 May 2019 14:30

To: [REDACTED]

Cc: Handan Ibrahim

Subject: New Premises Licence Application - Wo Fat, 270-272 High Road, Loughton, Essex, IG10 1RB

Good afternoon

Please find attached a new premises licence application for the above premises. The application is for a restaurant, the opening hours will be:

Monday to Saturday 12:00 – 14:30 and 17:00 – 00:00

Sunday 12:00 – 23:30

The licensable activities applied for are as follows:

Provision of Recorded Music

Monday to Saturday 12:00 – 14:30 and 17:00 – 00:00

Sunday 12:00 – 23:30

Late night refreshment

Monday to Saturday 23:00 – 00:00

Sunday 23:00 – 23:30

Supply of Alcohol:

Monday to Saturday 12:00 – 14:30 and 17:00 – 00:00

Sunday 12:00 – 23:30

The start date of the consultation is **18th May 2019**, end of consultation will be **14th June 2019**. Please let me have any comments or objections by then.

N.B. This is an unredacted copy and not for public consumption in this format, this will be available on the website shortly.

Kind Regards

Denise Bastick

Licensing Compliance Officer

dbastick@eppingforestdc.gov.uk

Tel: 01992 564334

Working hours Thursday – Friday

Please contact Mrs Handan Ibrahim, Licensing Compliance Officer

hibrahim@eppingforestdc.gov.uk Tel: 01992 564153

Monday – Wednesday



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Epping Forest District Council

Postmaster@Eppingforestdc.gov.uk

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Premises Licence Application May 2019

270-272 High Road, Loughton, IG10 1RB

Supplementary documentary information in support of objection.

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- 1.0 Outline of circumstances leading to the objection to the grant of a Premises Licence.**
- 1.1** The grounds for objection are that the crime and disorder objective of the Licensing Act has been undermined in that Immigration Compliance and Enforcement officers of the Home Office discovered disqualified persons working illegally on the premises. The relationship between the previous Premises Licence Holder and Designated Premises Supervisor is such that Essex Police consider that the reality is that the business will continue to act with the same 'controlling minds' and that this application is merely an attempt to pull the wool over the eyes of the authorities; that nothing is changed and the crime prevention objective will continue to be undermined.
- 1.2** The statutory crime prevention objective in the 2003 Act includes the prevention of immigration crime and the prevention of illegal working in licensed premises. In particular, employing a person who is disqualified from work by reason of their immigration status is a criminal activity which, according to the Home Office Guidance to the Licensing Act 2003, should be treated "particularly seriously".
- 1.3** On Thursday 6th December 2018 Immigration Compliance & Enforcement (ICE) officers attended Wo Fat, 270-272 High Road, Loughton, IG10 1RB. They entered using their powers under section 179 Licensing Act 2003.
- 1.4** Immigration Officers conducted checks of those present and found a total of seven persons listed as immigration offenders with no permission to remain or work in the United Kingdom. **Document 1** is a statement from the Chief Immigration Officer summarising the offenders.
- 1.5** With the evidence obtained a Notice of Potential Liability (NOPL) to a civil penalty of up to £20,000 per illegal worker was served in respect of these illegal workers upon Mr Chi Kwong WU, who identified himself as the manager to attending officers.
- 1.6** The premises has previously been found to be employing illegal workers and was subject to an immigration enforcement operation on 13th September 2013 when seven of the twelve workers present at that time were found to be immigration offenders. This demonstrates that those responsible for the business know that it is illegal to employ persons with no right to work; but again have perpetrated these offences on a large scale and on the balance of probabilities it must be assumed that it is the business operators' common practice to do so as a means of drastically reducing their costs.
- 1.7** Essex Police subsequently applied for a review of the Premises Licence; and at the hearing of the sub-committee on 18th March 2019 the licence was revoked.
- 1.8** Prior to the sub-committee hearing an application was made to transfer the Premises Licence to Vital Eats Ltd (a similar company name to this applicant) and vary the DPS to Mr Chi Kwong WU; Essex police objected to both of these and they were withdrawn by the applicant.
- 1.9** Essex Police object to the grant of a Premises Licence to Vital Foods Ltd. **Document 2** is a copy of the Certificate of Incorporation. This shows that the company director upon creation was Chi Kwong WU who was present at Wo Fat on 6th December 2018 when Immigration Compliance & Enforcement (ICE) officers attended with Essex Police Licensing; and identified himself as the manager and the brother of Mr Chi Chiu WU; the Premises Licence Holder and Designated Premises Supervisor at the time. This is evident in the statement of Licensing Officer Peter Jones. (**See Document 3**)

- 1.10** Mr Chi Kwong WU swiftly resigned and a new director was appointed. Essex Police suggest this is a ruse to suggest the previous licence holders and management no longer have involvement with the premises. **(Documents 4 and 5)**
- 1.11** **Document 6** is a copy of the land registry records showing the leaseholder is a company called Longwillow Limited (Company No. 06517438).
- 1.12** **Document 7** is from Companies House showing the director of Longwillow Ltd since 29th December 2009 as Mr Chi Chiu WU the previous Premises Licence Holder and Designated Premises Supervisor.
- 1.13** **Document 8** is the latest registered annual return for Longwillow Ltd from 2016. This shows the majority shareholders are Mr Chi Chiu WU the previous Premises Licence Holder and Designated Premises Supervisor; and Mr Chi Kwong WU the director of Vital Foods Ltd at the time of incorporation.
- 1.14** It is therefore reasonable to adduce that Mr Chi Kwong WU had a financial interest in the premises with Mr Chi Chiu WU and had some control over the premises and therefore was implicit in the employment of illegal workers.
- 1.15** The previous Premises Licence holder Mr Chi Chiu WU remains the director of the leasehold company and shareholder; and therefore regardless of this application remains financially linked to the premises and Essex Police suggest will remain involved in the operation of the premises.
- 1.16** Given the information to hand and provided within, it is no stretch to conclude that the controlling parties remain Mr Chi Chiu WU and Mr Chi Kwong WU and that the application for a Premises Licence is to Vital Foods Ltd; whose director upon incorporation was Mr Chi Kwong WU who is the brother of the previous Premises Licence holder Mr Chi Chiu WU, and that the new Director Jialian WEI has been put up as a front to attempt to deceive the Licensing Committee.
- 1.17** It is contended that nothing has changed at the premises and that Mr Chi Chiu WU remains the owner of the premises taking an active interest.
- 1.18** It is also pointed out that as shown in **Document 1**, that this is the 2nd occurrence of illegal workers being found at this premises whilst Longwillow Limited have been leaseholders of the premises.
- 1.19** A copy of the decision notice from the review hearing mentioned at 1.7 above is enclosed as **Document 9**; in it the sub-committee state.

‘... This was not just a case of confusion over paperwork, it was an exploitation of vulnerable people. The two brothers Chi Chu Wu and Chi Kwong Wu were and are involved in the management of the restaurant known as Wo Fat, on both occasions.

- 1.20** This application is not a change of operational management and the total disregard for the framework of regulatory legislation is liable to continue if the licence were to be granted. The Licensing Act 2003 is prospective (what is likely to happen) (see East Lindsey District Council v Abu Hanif (t/a Zara's restaurant and take away) [2016] EWHC 1265 Admin. (Appendix 8.11).

- 1.21 One only has to look at what has happened in the past to glimpse what is likely to happen in the future. On two occasions illegal workers were found at the premises. The previous licence holder and DPS is the director of the lease holding company and brother of the original director of the applicant company. This was and remains a joint business venture and employing of illegal workers is likely to continue.
- 1.22 The Licensing Authority is required to take steps to promote the prevention of crime and disorder (which includes illegal working) and Essex Police would ask that the sub-committee refuses the grant of the Premises Licence.

2.0 Immigration Offences

- 2.1 Illegal workers are those subject to immigration control who either do not have leave to enter or remain in the UK, or who are in breach of a condition preventing them taking up the work in question. It is an employer's responsibility to be aware of their obligations and ensure they understand the immigration landscape to avoid the risk of prosecution, the imposition of a civil penalty or the revocation/suspension of their Premises Licence.
- 2.2 Since 1996 it has been unlawful to employ a person who is disqualified from employment because of their immigration status. A statutory excuse exists where the employer can demonstrate they correctly carried out document checks, i.e. that they were duped by fake or forged documents.
- 2.3 The Immigration Act 2016 came into force in July 2016 and its explanatory notes state that "*these offences were broadened to capture, in particular, employers who deliberately did not undertake right to work checks in order that they could not have the specific intent required to 'knowingly' employ an illegal worker*".
- 2.4 Since 2016 an employer may be prosecuted not only if they knew their employee was disqualified from working but also if they had reasonable cause to believe that an employee did not have the right to work: what might be described as **wilful ignorance**, where either no documents are requested or none are presented despite a request. This means an offence is committed when an employer 'ought to have known' the person did not have the right to work.
- 2.5 Since 2016 it has also been an offence to work when disqualified from doing so. It is obvious that without a negligent or wilfully ignorant employer, an illegal worker cannot work. Such an employer facilitates a criminal offence and Essex Police highlights this as relevant irrespective of whether a civil penalty is imposed or a prosecution launched for employing an illegal worker.
- 2.6 In this context, under section 3(1)(C)(i) Immigration Act 1971 (as amended by the 2016 Act) restrictions are not limited simply to employment (i.e. paid work) but now includes all work.
- 2.7 Thus an individual with no right to work in the UK commits offences if they undertake paid or unpaid work, paid or unpaid work placements undertaken as part of a course etc. are self-employed or engage in business or professional activity. For instance, undertaking an unpaid work trial or working in exchange for a non-monetary reward (such as board and lodging) is working illegally and is a criminal offence committed by the worker and facilitated by the 'employer'.

3.0 Statutory Guidance (s182 LA 2003) and the Authority's Licensing Policy

3.1 Whilst this is an objection to a grant of a Premises Licence, Essex Police believes that part of the guidance relating to reviews is appropriate in considering whether allowing this licence to be granted would undermine the licensing objective of preventing crime and disorder, which includes illegal working. In particular; Essex Police submits that paragraphs 11.24 – 11.29 of the Guidance is relevant.

3.2 Paragraph 11.26

Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the Premises Licence, for the promotion of the crime prevention objective. (...). The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

3.3 Thus the financial hardship occasioned by the existing revocation of the Premises Licence should not sway the sub-committee but instead it should look at what is appropriate to promote the objective within the wider business and local community given “*illegal labour exploits workers, denies work to UK citizens and legal migrants and drives down wages*” (Rt. Hon James Brokenshine, Immigration Minister on the introduction of the 2016 Act).

3.4 Paragraph 11.27 of the Guidance states:

There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises (...) for employing a person who is disqualified from that work by reason of their immigration status in the UK.

Essex Police would draw the sub-committee's attention to the change in wording of this paragraph following the April 2017 revision of the guidance, where the previous reference to 'knowingly employing' was removed.

3.5 Paragraph 11.28 of the Guidance states:

It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Essex Police considers this paragraph self-explanatory; where an enterprise employs illegal workers it is the duty of Essex Police to work with Immigration Enforcement to bring forward reviews and for the authority to consider revocation in the first instance.

3.6 In support of this statement; Essex Police would draw the sub-committee's attention to the "Guidance for Licensing Authorities to Prevent Illegal Working in Licensed Premises in England and Wales" (Home Office)[April 2017] where at section 4.1 it states;

"It is envisaged that licensing authorities, the police, Home Office (Immigration Enforcement) and other law enforcement agencies will use the review procedures effectively to deter illegal working".

3.7 Since the main draw for illegal migration is work, and since low-skilled migrants are increasingly vulnerable to exploitation at the hand of criminal enterprises, the government has strengthened enforcement measures and the statutory Guidance to deter illegal workers and those that employ them.

3.8 Deterrence is a key element of the UK government's strategy to reduce illegal working and is supported by both the Guidance and Case Law.

4.0 Case Law

4.1 Deterrence as a legitimate consideration by a licensing sub-committee has been considered before the High Court where remedial measures (such as the imposition of additional conditions) were distinguished from legitimate deterrent (punitive) measures such as revocation.

4.2 *R (Bassetlaw District Council) v Worksop Magistrates' Court; [2008] WLR (D) 350.* Issues relevant to the case before today's sub-committee which were considered in the *Bassetlaw* judgement included whether a licensing authority was restricted to remedial action (as opposed to punitive action such as revocation); and **the precedence of wider considerations than those relating to an individual holder of a Premises Licence** when certain criminal activities (as specified in the Guidance) took place.

4.3 It specifically examined (and set aside in the case of 'certain activities') those parts of the Guidance now contained within paragraph 11.20 and 11.23, viz.

In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

*However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the **promotion of the licensing objectives and for the prevention of illegal working in licensed premises.***

4.4 In her judgement, Mrs Justice Slade stated (at 32.1 & 33.1 of the citation):

“Where criminal activity is applicable, as here, wider considerations come into play and the furtherance of the licensing objective engaged includes the prevention of crime. In those circumstances, deterrence, in my judgment, is an appropriate objective and one contemplated by the guidance issued by the Secretary of State. (...) However, in my judgment deterrence is an appropriate consideration when the paragraphs specifically directed to dealing with reviews where there has been activity in connection with crime are applicable.”

4.5 *East Lindsey District Council v Abu Hanif (Trading as Zara’s Restaurant and Takeaway), [2016] EWHC 1265 (Admin)*

This is a recent High Court decision (published April 2016) which has established that in considering whether the licensing objectives may be undermined one should look at what is likely to happen in the future.

4.6 The case reaffirms the principle that responsible authorities need not wait for the licensing objectives to actually be undermined; that crucially in considering whether the crime prevention objective has been engaged or likely to be engaged a prospective consideration (i.e. what is likely to happen in the future) of what is warranted is a key factor. It also reaffirmed the case of *Bassetlaw* in concluding that deterrence is a legitimate consideration of a sub-committee.

Mr Justice Jay stated: *“The question was not whether the respondent had been found guilty of criminal offences before a relevant tribunal, but whether revocation of his licence was appropriate and proportionate in the light of the salient licensing objectives, namely the prevention of crime and disorder. This requires a much broader approach to the issue than the mere identification of criminal convictions. **It is in part retrospective, in as much as antecedent facts will usually impact on the statutory question, but importantly the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest,** having regard to the twin considerations of prevention and deterrence. In any event, I agree with Mr Kolvin that criminal convictions are not required.”* (Paragraph 18)

Mr Justice Jay added: *“Having regard in particular to the twin requirements of prevention and deterrence, there was in my judgment only one answer to this case. The respondent exploited a vulnerable individual from his community by acting in plain, albeit covert, breach of the criminal law. In my view his licence should be revoked.”* (Paragraph 23)

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN

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Statement of: **DAVIS**.....

Age if under 18: **OVER 18**. (If over 18 insert "over 18") Occupation: **CHIEF IMMIGRATION OFFICER**

This statement (consisting of 4 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature  Date: 4th February 2019

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Chief Immigration Officer of the Home Office Immigration Enforcement Immigration Compliance & Engagement Team East of England, based at Custom House, Viewpoint Road, Felixstowe, Suffolk IP11 3RF. I have been an Immigration Officer since April 1991 and have worked at a number of ports of entry to the UK, although my main work has been in the areas of enforcement and crime investigation. My current role is as the senior officer of the Immigration Enforcement arrest team, operating in the counties of Norfolk, Suffolk and Essex, responding to intelligence relating to alleged immigration offences in this area, liaising with local police and other law enforcement agencies and supporting other government departments, local authorities and relevant other organisations in enquiries or investigations relating to non-British nationals. As part of my duties I have responsibility for the compilation and custody of Home Office records in both written and electronic form. These records are compiled by officers and members of staff during their duties, from information which they have particular and specific knowledge of at the time of compiling, in light of the volume of records compiled and the length of time that has elapsed, they cannot reasonably be expected to have any recollection of the matters dealt with in relation to a specific record.

At the request of Essex Police Licensing Team, I have examined Home Office records relating to immigration offenders encountered during an enforcement visit conducted to the

Signature:  Page 51 Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: **DAVIS**

premises of "Wo Fat" located at 270-272 High Road, Loughton, Essex IG10 1RB.

Home Office records show that on 6 December 2018 Immigration Officers from this team conducted an enforcement visit to these premises to locate and arrest persons subject to immigration control who were suspected of working illegally in the United Kingdom. This enforcement operation was conducted following receipt of specific intelligence that the business was employing illegal workers and had been doing so for twelve months and that they also lived at accommodation above the business. Additional searches of Home Office records show that the same premises was subject to enforcement visit on 13 September 2013, when seven of the twelve staff present were arrested as immigration offenders.

Home Office records show that a total of seven immigration offenders were recorded as being encountered by the officers during the execution of the search which was conducted under section 179 of the Licensing Act 2003. They are recorded as:

■■■■ a Chinese national born ■■■■ who was first encountered by Immigration Officers following his arrest at a Chinese restaurant in Cambridgeshire on 5 November 2009; he subsequently applied to remain in the United Kingdom and was released as part of this process. On 9 April 2010 he was listed as an absconder as he had failed to attend two separate interview appointments. On 23 December 2014, legal representatives acting on his behalf contacted the Home Office but again he failed to attend an interview appointment and nothing more was heard from him until his arrest on 6 December 2018. He was detained and transferred into Immigration detention facilities on the same night, where he remains pending his removal. He has never been granted any permission to remain or to work in the United Kingdom.

■■■■ a Chinese national born ■■■■ originally arrived in the United Kingdom on 14 June 2009 when he claimed to be under the age of 18 and to have no genuine travel documentation. He applied to remain in the United Kingdom and was initially detained pending consideration of this, his application was refused but having been released, he absconded and was listed as an absconder on 15 October 2009. Nothing more was heard from him until his arrest on 6 December 2018. He was detained and transferred to immigration detention facilities the

Signature:
2004/05(1)



.....Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: **DAVIS**

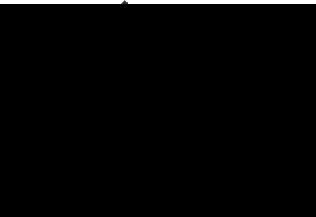
same night, where he remains pending his removal. He has never been granted any permission to remain or to work in the United Kingdom.

DAVIS a Chinese national born **DAVIS**, he had never been encountered prior to his arrest on 6 December 2018 but stated that he'd arrived in the United Kingdom illegally by boat in 2009. He was detained and transferred to immigration detention facilities the same night but has been released pending further consideration of his case. He has never been granted any permission to remain or to work in the United Kingdom.

DAVIS a Chinese national born **DAVIS** was found to be working in the restaurant kitchen and on being spoken to admitted that he'd arrived in the United Kingdom with a visit visa, records show that this was issued valid from 8 January 2015 to 8 July 2015. He was arrested as an overstayer and was detained and transferred to immigration detention facilities the same night. He has since submitted an application to remain in the United Kingdom. He has never been granted any permission to work in the United Kingdom.

DAVIS a Chinese national born **DAVIS**. She admitted having entered the United Kingdom illegally and there were no records created of her prior to her arrest, she was detained and transferred to immigration detention facilities the same night but has since submitted an application to remain in the United Kingdom. She has never been granted any permission to remain or to work in the United Kingdom.

DAVIS a Malaysian national born **DAVIS**. He initially claimed to be a British national, however on further questioning by an Immigration Officer he was found to be Malaysian and his passport was produced which showed that he had received several grants of entry as a short term visitor, the last of which was shown as six months on 29 October 2003. He was arrested as an overstayer and was detained and transferred to immigration detention facilities the same night. He has since submitted an application to remain in the United Kingdom. He has never been granted any permission to work in the United Kingdom.

Signature: 
2004/05(1)

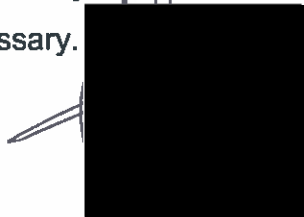
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Page 53

RESTRICTED (when complete)

Continuation of Statement of: **DAVIS**

originally recorded as a Chinese national born . Records show that he originally arrived in the United Kingdom on 13 December 2002 when he sought to remain. His application was refused and he subsequently made further submissions in 2010 and 2014 but these were rejected, he failed to report to in line with his restrictions in 2015 and had not been heard of until he was arrested on 6 December 2018. He was detained and transferred to immigration detention facilities the same night. He has since submitted an application to remain in the United Kingdom. He has never been granted any permission to work in the United Kingdom.

I make this statement of my own free will from records that I have seen and accessed today, 4 February 2019. I am willing to attend court or any other judicial or review hearing if necessary.



Signature: 
2004/05(1)

Signature Witnessed by:

FILE COPY



**CERTIFICATE OF INCORPORATION
OF A
PRIVATE LIMITED COMPANY**

Company Number **11891536**

The Registrar of Companies for England and Wales, hereby certifies that

VITAL FOODS LTD

is this day incorporated under the Companies Act 2006 as a private company, that the company is limited by shares, and the situation of its registered office is in England and Wales

Given at Companies House, Cardiff, on **19th March 2019**



* N11891536L *



Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES



Application to register a company



Received for filing in Electronic Format on the: **18/03/2019**

X81HA14B

Company Name in full: **VITAL FOODS LTD**

Company Type: **Private company limited by shares**

Situation of Registered Office: **England and Wales**

Proposed Registered Office Address: **270-272 HIGH ROAD LOUGHTON ESSEX
LOUGHTON
ENGLAND IG10 1RB**

Sic Codes: **56101**

Proposed Officers

Company Director **1**

Type: **Person**

Full Forename(s): **MR CHI KWONG**

Surname: **WU**

Service Address: **270-272 HIGH ROAD LOUGHTON ESSEX
LOUGHTON
ENGLAND IG10 1RB**

*Country/State Usually
Resident:* **UNITED KINGDOM**

Date of Birth: [REDACTED] *Nationality:* **BRITISH**

Occupation: **COMPANY
DIRECTOR**

The subscribers confirm that the person named has consented to act as a director.

Statement of Capital (Share Capital)

<i>Class of Shares:</i>	ORDINARY	<i>Number allotted</i>	100
<i>Currency:</i>	GBP	<i>Aggregate nominal value:</i>	100
<i>Prescribed particulars</i>			

ORDINARY SHARES WITH EACH SHARE BEING ENTITLED TO ONE VOTE IN ANY CIRCUMSTANCES AND PARI PASSU TO DIVIDEND PAYMENTS, EACH SHARE IS ENTITLED TO PARTICIPATE IN A DISTRIBUTION ARISING FROM A WINDING UP OF THE COMPANY

Statement of Capital (Totals)

<i>Currency:</i>	GBP	<i>Total number of shares:</i>	100
		<i>Total aggregate nominal value:</i>	100
		<i>Total aggregate unpaid:</i>	0

Initial Shareholdings

Name: **CHI KWONG WU**

Address **270-272 HIGH ROAD
LOUGHTON ESSEX
LOUGHTON
ENGLAND
IG10 1RB**

Class of Shares: **ORDINARY**

Number of shares: **100**

Currency: **GBP**

*Nominal value of each
share:* **1**

Amount unpaid: **0**

Amount paid: **1**

OFFICIAL

MG11 (Interactive)

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Peter JONES

Age if under 18: (if over 18 insert 'over 18') Occupation: Licensing Officer 7706

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: P. JONES (witness) Date: 28/01/2019

I am a Licensing Officer employed by Essex Police. I have been employed by Essex Police since May 2003; and a Licensing Officer since August 2011.

On Thursday 6th December 2018 at 18:45hrs and in company of Immigration Compliance and Enforcement Officers (ICE); I attended WO FAT, 270-272 High Road, Loughton, IG10 2RB.

ICE entered first in order to make the sure the premises were safe; and to prevent persons from absconding. They went about their business interviewing all staff and identifying their right to work and remain in the UK.

A male approached me and identified himself as the manager. I now know this male to be Mr Chi Kwong WU; DOB [REDACTED]. I will refer to this male as MANAGER.

I asked MANAGER if he knew The Designated Premises Supervisor and Premises Licence Holder Mr Chi Chiu WU. MANAGER replied 'yes, he is my brother'. He went on to explain that he was out doing deliveries.

At this point the premises licence holder and DPS Chi Chiu WU arrived and identified himself to me. He produced his personal licence to me in order to confirm his identity. I asked him whether he has carried out any right to work checks on his employees. He said that he had and that they were at home. He then left to carry out more deliveries.

Signature: Signature witnessed by:

Approximately 30 minutes later the premises licence holder and DPS Chi Chiu WU returned and presented me with payroll paperwork for November 2018. I took a photograph of this and produce it as my exhibit (PJ/1). The individuals shown on the payroll document do not relate to the individual ICE encountered working at the premises with no right to work or leave to remain in the UK.

ICE entered the residential addresses above the restaurant as these were identified by those detained as being where they lived. I remained with ICE as they entered these properties.

The properties were two maisonettes with multiple rooms, all being used as bedrooms with more than one bed in each. Each maisonette had a bathroom; which was dirty an in a poor state of repair. I produce exhibit (PJ/2) which are some photographs I managed to take to evidence the poor living conditions of the illegal workers.

Signature: Signature witnessed by:



**Notice of ceasing to be a person
with significant control (PSC)**

Company Name: **VITAL FOODS LTD**

Company Number: **11891536**



Received for filing in Electronic Format on the: **21/03/2019**

X81PDJCX

Cessation Details

Date ceased: **19/03/2019**

Name: **CHI WU**

Register entry date

Register entry date **19/03/2019**

Authorisation

Authenticated

This form was authorised by one of the following:

Director, Secretary, Person Authorised, Liquidator, Administrator, Administrative Receiver, Receiver, Receiver manager, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor.



Appointment of Director

Company Name: **VITAL FOODS LTD**

Company Number: **11891536**



Received for filing in Electronic Format on the: **21/03/2019**

X81PCN6H

New Appointment Details

Date of Appointment: **19/03/2019**

Name: **MR JIALIAN WEI**

The company confirms that the person named has consented to act as a director.

Service address recorded as Company's registered office

Country/State Usually Resident: **ENGLAND**

Date of Birth: **[REDACTED]**

Nationality: **BRITISH**

Occupation: **COMPANY DIRECTOR**



Official copy of register of title

Title number EX814590

Edition date 16.05.2008

This official copy shows the entries on the register of title on 11 JUN 2019 at 14:17:12.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 11 Jun 2019.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Peterborough Office.

A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

ESSEX : EPPING FOREST

- 1 (16.05.2008) The Leasehold land shown edged with red on the plan of the above title filed at the Registry and being 270-272 High Road, Loughton and garages (IG10 1RB).

NOTE 1: As to the part tinted blue on the title plan only the ground and first floor is included in the title.

NOTE 2: As to the part tinted pink on the title plan only the ground floor is included in the title.

- 2 (16.05.2008) The title includes any legal easements referred to in clause LR11.1 of the registered lease but is subject to any rights that are granted or reserved by the lease and affect the registered land.

- 3 (16.05.2008) The land has the benefit of the rights granted by but is subject to the rights reserved by a Transfer of the freehold estate in the land in this title and other land dated 23 April 1998 made between (1) WH-One Corporation and Queenridge Properties Limited (2) Daws Investments Limited and (3) The New Property Co. Limited.

-NOTE: Original filed under EX595031.

- 4 (16.05.2008) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:
 Date : 4 April 2008
 Term : from and including 4 April 2008 to and including 3 April 2028
 Parties : (1) The New Property Company Limited
 (2) Longwillow Limited
 (3) Yan Kiu Lau

- 5 (16.05.2008) There are excepted from the effect of registration all estates, rights, interests, powers and remedies arising upon, or by reason of, any dealing made in breach of the prohibition or restriction against dealings therewith in the Lease contained in the Lease.

Title number EX814590

A: Property Register continued

6 (16.05.2008) The landlord's title is registered.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (16.05.2008) PROPRIETOR: LONGWILLOW LIMITED (Co. Regn. No. 06517438) of 49 High Street, Saffron Walden, Essex CB10 1AR.
- 2 (16.05.2008) The price, other than rents, stated to have been paid on the grant of the lease was £100,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (16.05.2008) The land is subject to the following rights reserved by a Conveyance of the freehold estate in the land in this title and other land dated 9 January 1959 made between (1) Alec Arthur Seeley Diggins and Percy Gordon Diggins (Vendors) and (2) J.H. Investments Limited (Purchaser):-

"EXCEPT AND RESERVING unto the Vendors and the persons deriving title under them owner or owners for the time being of such adjoining land the right to connect surface water drains from their said land to the north-west to any convenient surface water drains that may hereafter be laid on the land hereby conveyed the person or persons exercising such right making good all damage thereby occasioned and all such rights and easements or quasi-rights and quasi-easements as would now be used or enjoyed in connection with such adjoining land over the said property if such adjoining land and the said property had at all times belonged to different owners and such rights and easements or quasi-rights and quasi-easements had been acquired by prescription."

End of register



Companies House
— for the record —

AP01 (ef)

Appointment of Director



Company Name: **LONGWILLOW LTD**

Company Number: **06517438**

Received for filing in Electronic Format on the: **01/02/2010**

New Appointment Details

Date of Appointment: **29/12/2009**

Name: **CHI CHIU WU**

Consented to Act: **YES**

Service Address recorded as Company's registered office

Country/State Usually Resident: **ENGLAND**

Date of Birth: XXXXXXXXXX

Nationality: **BRITISH**

Occupation: **MANAGER**

Authorisation

Authenticated

This form was authorised by one of the following:

Director, Secretary, Person Authorised, Administrator, Administrative Receiver, Receiver, Receiver Manager, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor.



Companies House

AR01 (ef)

Annual Return



Received for filing in Electronic Format on the: **15/03/2016**

X52S4X88

Company Name: **LONGWILLOW LTD**

Company Number: **06517438**

Date of this return: **29/02/2016**

SIC codes: **68209**

Company Type: **Private company limited by shares**

Situation of Registered Office: **PLAZA BUILDING 102 LEE HIGH ROAD
LONDON
SE13 5PT**

Officers of the company

Company Director 1

Type: **Person**
Full forename(s): MR CHI CHIU

Surname: WU

Former names: WU

Service Address recorded as Company's registered office

Country/State Usually Resident: ENGLAND

Date of Birth: [REDACTED] Nationality: BRITISH

Occupation: MANAGER

Statement of Capital (Share Capital)

Class of shares	ORDINARY	<i>Number allotted</i>	10
		<i>Aggregate nominal value</i>	10
<i>Currency</i>	GBP	<i>Amount paid per share</i>	1
		<i>Amount unpaid per share</i>	0

Prescribed particulars

EACH SHARE IS ENTITLED TO ONE VOTE IN ANY CIRCUMSTANCES. EACH SHARE IS ENTITLED EQUALLY TO DIVIDEND PAYMENTS OR ANY OTHER DISTRIBUTION. EACH SHARE IS ENTITLED EQUALLY TO PARTICIPATE IN A DISTRIBUTION ARISING FROM A WINDING UP OF THE COMPANY.

Statement of Capital (Totals)

<i>Currency</i>	GBP	<i>Total number of shares</i>	10
		<i>Total aggregate nominal value</i>	10

Full Details of Shareholders

The details below relate to individuals / corporate bodies that were shareholders as at 29/02/2016 or that had ceased to be shareholders since the made up date of the previous Annual Return

A full list of shareholders for the company are shown below

Shareholding 1 : 2 ORDINARY shares held as at the date of this return
Name: CHI CHIU WU

Shareholding 2 : 2 ORDINARY shares held as at the date of this return
Name: CHI KWONG WU

Shareholding 3 : 2 ORDINARY shares held as at the date of this return
Name: CHI ON WU

Shareholding 4 : 1 ORDINARY shares held as at the date of this return
Name: CHI SANG WU

Shareholding 5 : 1 ORDINARY shares held as at the date of this return
Name: CHI MING WU

Shareholding 6 : 1 ORDINARY shares held as at the date of this return
Name: CHUN WING LEE

Shareholding 7 : 1 ORDINARY shares held as at the date of this return

Authorisation

Authenticated

This form was authorised by one of the following:

Director, Secretary, Person Authorised, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor.

Date: 18 March 2019

David Colwell Essex Police,
Licensing Department,
Braintree Police Station,
Blyths Meadow,
Braintree,
CM7 3DJ

Civic Offices
High Street
Epping
Essex
CM16 4BZ
Our Ref WK/201903326
Your Ref: -

Dear David Colwell (Essex Police),

**Licensing Act 2003 - Committee meeting in respect of Wo Fat 270-272 High Road,
Loughton, IG10 1RB**

Further to a meeting of this Authority's Licensing Sub-Committee on 18th March 2019 the above application was revoked.

Members concluded that the application for the above premises licence was revoked; subject to:

1. Article 1 of the First Protocol of the Human Rights Act 1988 that every person is entitled to the peaceful enjoyment of his possessions (in this case the Licence). No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
2. That any decision made in respect of the premises licence for Wo Fat Restaurant 270-272 High Road, Loughton, Essex, IG10 1RB must be necessary and proportionate.
3. Details under Section 52 (4) of the Licensing Act 2003.
4. Powers of a Licensing authority on the determination of a review, paragraphs 11.16 to 11.28 Guidance under section 182 of the Licensing Act 2003

You are advised that under the Licensing Act 2003, you have the right to appeal against this decision and it should be made to a Magistrates Court. Any appeal should be made within 21 days of the date of this letter.

I trust this clarifies the decisions made, but if you would like to discuss them further I can be contacted on the number above.

Yours sincerely

Mrs Handan Ibrahim
Licensing Compliance Officer
Licensing (01992) 54****
Email: licensing@eppingforestdc.gov.uk

and read
Having received all the paperwork before us at this hearing and listened to the representations from the Police and the Solicitor on behalf of Wo Fat, we do not believe there is any other option open to us.

This is the second occasion when illegal workers have been found at the premises (in 2013 and 2018) which we believe would have continued had the visits from Immigration Officers not taken place. This was not just a case of confusion over paperwork, it was an exploitation of vulnerable people. The two brothers Chi Chu Wu and Chi Kwong Wu were and are involved in the management of the restaurant known as Wo Fat, on both occasions.

The guidance indicates our decision should be a deterrent to other potential perpetrators and no other decision would fulfil this objective. We considered the options to remove the designated premises supervisor of the Licence or the suspension of the Licence but as previously indicated we did not feel that this would be sufficient

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Report to the Licensing Committee

Date of meeting: 9th July 2019

Subject: Application to vary a premises licence under the licensing act 2003 for Baylis Food & Wine, 159 High Road, Loughton, IG10 4LF



**Epping Forest
District Council**

Responsible Officer: Handan Ibrahim (01992 564153).

Democratic Services: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

To determine the application for a variation of an existing Premises Licence under the Licensing Act 2003.

Report:

Application

1. An application has been made by Mr Ali Kemal Balamir, the Premises Licence Holder, for a variation to the premises licence for the above premises. The authority received the application on 16th May 2019. The application sets out for a variation in the premises opening times and a variation in the times for the Supply of Alcohol.
2. The applicant is requesting the following: **Supply of Alcohol** Monday to Thursday 08:00am- 23:00pm, Friday & Saturday 08:00am-01:00am and Sunday 10:00am-23:00pm, **Hours the premises will be open to the public** Monday to Thursday 07:00am-23:00pm, Friday & Saturday 07:00am-01:00am and Sunday 08:00am-23:00pm.

Licensing Act 2003

3. When considering an application for a licence the licensing authority must have regard to the promotion of the licensing objectives.
These are—
 - (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
4. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

5. The Responsible Authorities have received a copy of the application, it was properly advertised at the premises and in a local newspaper.
6. Peter Jones Essex Police Licensing has agreed new conditions which will be added onto the Licence if this application is granted. The conditions have been attached to this report.
7. The authority has received a total of six representations from Cllr Roger Baldwin, Cllr Amy Beales, Loughton Town Council, Loughton Residents Association, Abbeyfield Loughton Society and local residents, which have all been included in this report.
8. The representations relate to The prevention of Crime and Disorder, The prevention

of public safety, the prevention of public nuisance and The protection of children from harm.

Guidance Issued by the Secretary of State

9. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.
10. Sections 2.1 to 2.31 of the guidance are relevant to this application.

Options

11. In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:
 - to modify the conditions of the licence; or
 - to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

Determination

The Sub-committee is asked to determine the application having regard to

- (a) the content of this report and representations
- (b) any additional information obtained from the hearing
- (c) the Council's statement of licensing policy
- (d) Guidance issued by the Secretary of State, and
- (e) the steps appropriate to promote the licensing objectives.

Appeal

If any party is aggrieved with the decision they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.

Background Papers Used In Preparing This Report:

- The Licensing Act 2003
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003
<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary>
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents:

- Application for premises licence
- A copy of the Premises Licence
- Copy of the blue notice
- Copy of the newspaper article
- New conditions agreed with Peter Jones Essex Police Licensing
- Representation from Cllr Roger Baldwin, Cllr Amy Beales, Loughton Town Council, Loughton Residents Association, Abbeyfield Loughton Society and local residents
- Map showing the area

WK/201915574

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/~~We~~ MR ALI KEMAL BALAMIR

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	LN/210001219
-------------------------	--------------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
BAYLIS FOOD & WINE 159 HIGH ROAD			
Post town	LOUGHTON	Postcode	IG10 4LF

Telephone number at premises (if any)	020 850 86348
Non-domestic rateable value of premises	

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)	baylisnews@gmail.com		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We have many elderly and disabled customers, some customers with baby, etc. We are the only convenience store in the area. Upon receiving requests from our customers, we now offer delivery service for customers unable to come to our shop; via the mobile phone app, and our customers are requesting that if we could extend our working hours. We are now ready to supply our in store and delivery services for longer time scale. Here I am applying to/for extending our opening hours for FRIDAYS and SATURDAYS until 01:00 am, sundays until 23:00, thats 2 hours for Friday + Saturday and Sunday, 30 mins for sundays totals = 4.5 hours. As we do OYSTER services too, we want to shop opening times for

mon - SAT 7-00 am Sundays 8-00 am. Thanks.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> <u>State any seasonal variations for performing plays (please read guidance note 6)</u> <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
Tue						
Wed					<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Thur						
Fri						
Sat					<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)	
Sun						

J



Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9) OFF LICENCE ONLY.	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>
Mon	08:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	<input type="checkbox"/>
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) <u>NO.</u>		
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	10:00	23:00			

K

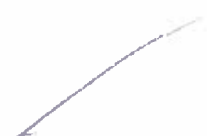
Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

N/A.

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	07.00	23.00	
Tue	07.00	23.00	
Wed	07.00	23.00	
Thur	07.00	23.00	
Fri	07.00	01.00	
Sat	07.00	01.00	
Sun	08.00	23.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.



M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

b) The prevention of crime and disorder

We installed 24hr HD recording CCTV in premises
We have monitored alarm system with panic alarm 24 hours.
So far since I currently hold the licence here, we never
needed to contact police, all things are smooth so far, and
we intend to keep up with our high standard service to our public.

c) Public safety

We have public liability insurance cover, we do cooperate
with local police if there is anything that we can help with.
We do have a good knowledge of our locals and
we do offer to help if there is a need.

d) The prevention of public nuisance

We are a small convenience store, customers do not spend
much time with us here, they pop in for a quick few mins
shopping and then leave, so there is not any noise or other
public nuisance created by our shop, we didn't have any comp-
-plaints from any one so far.

e) The protection of children from harm

We have challenge 25 program at all times, we do not
serve any age restricted products to persons look young and
fail to proof their age, we politely and briefly explain and not
serve. We do have a good knowledge of the local kids and
we are here to help them if they need our assistance.
So far so good we did not have any trouble in our shop and
did not have to call police for assistance.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	
Capacity	14/05/2019

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

BAYLIS FOOD & WINE LTD.
159 HIGH ROAD, LOUGHTON, ESSEX

Post town	LOUGHTON	Post code	IG10 4LF
Telephone number (if any)			

PREMISES LICENCE

Part A



Neighbourhoods
Directorate

Premises licence number:

LN/210001219

Part 1 – Premises details:

Postal address of premises, or if none, ordnance survey map reference or description:	
Baylis News 159 High Road	
Post Town: Loughton	Post code: IG10 4LF
Telephone number: 0208 508 6348	
Where the licence is time limited the dates:	
Licensable activities authorised by the licence: Sale of Alcohol Mon-Sat 08.00 23.00 Sun 10.00-22.30 Premises open hours Mon-Sat 08.00-23.00 Sun 10.00-22.30	
The times the licence authorises the carrying out of licensable activities: Sale of Alcohol Mon-Sat 08.00-23.00 Sun 10.00-22.00 Premises open hours Mon-Sat 08.00-23.00 Sun 10.00-22.00 Non standard timings Christmas Day 12.00-15.00 17.00-22.30 Good Friday 08.00-22.30	
The opening hours of the premises: Mon-Sat 08.00-23.00, Sun 10.00-22.30	
Where the licence authorises supplies of alcohol whether these are on and / or off supplies: Off the premises	
Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence: Mr Ali Kemal Balamir, [REDACTED]	
Registered number of holder, for example company number, charity number (where applicable): n/a	

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

Mr Ali Kemal Balamir



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Z01N042CON/1

London Borough of Waltham Forest

Mandatory Conditions

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

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.

3. (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).

-
- 4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 - 5. (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 licences 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.
 - 6. 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) 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.

Minimum Drinks Pricing

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 –

$$P = D + (D \times V)$$

Where –

(i) P is the permitted price

(ii) D is the amount 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) "value 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 the 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 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.

If the Premises Licence allows 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 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 any person 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(c39) (authority to determine suitability of video works for classification).

**If the Premises Licence has conditions in respect of Door Supervision
except theatres, cinemas, bingo halls and casinos**

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, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

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 (c12) (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, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) 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.

Annex 2 – Conditions consistent with the Operating Schedule:

The Prevention of Crime and Disorder

All the conditions terms and regulations of the 1964 act will be transferred to the licensing act 2003.

The prevention of Crime and Disorder

CCTV camera's are in operation.
Panic alarms are also in operation.

Annexe 3 – Conditions attached after a hearing by the licensing authority:

Annexe 4 – Plans:

Notice of Application for a Full Variation of Premises Licence under the Licensing Act 2003

Notice is given this day 16.05.2019 that Mr. Ali Kemal Bahadır of 159 High Road, Loughton, IG10 4LF has applied to the Licensing office of Epping Forest District Council.

The application is for a variation of the Premises Licence for Haylis News, Baylis Food & Wine Ltd, 159 High Road, Loughton, IG10 4LF.

The opening hours will be amended to:

Monday to Thursday 07:00 to 23:00

Friday 07:00 to 01:00

Saturday 07:00 to 01:00

Sunday 08:00 to 23:00

The licensable activities applied for are as follows, an extension for the supply of alcohol on the following days:

Supply of Alcohol (off the premises)

Friday 08:00 to 01:00

Saturday 08:00 to 01:00

Sundays 10:00 to 23:00

The register of licensed premises is maintained at the Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4BZ. Applications for premises licenses may be inspected at this office during office hours. Anyone wishing to oppose this application must give written notice to the Licensing Office within 28 days of this notice.

It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £5000)

**Notice of Application for a Full Variation of
Premises Licence under the Licensing Act 2003**

Notice is given this day 16.05.2019 that Mr Ali Kemal Balamir of 159 High Road, Loughton, IG10 4LF has applied to the Licensing office of Epping Forest District Council. The application is for a variation of the Premises Licence for Baylis News, Baylis Food & Wine Ltd, 159 High Road, Loughton, IG10 4LF. The opening hours will be amended to: Monday to Thursday 07:00 to 23:00, Friday 07:00 to 01:00, Saturday 07:00 to 01:00, Sunday 08:00 to 23:00. The Licensable activities applied for are as follows, an extension for the supply of alcohol on the following days: Supply of Alcohol (off the premises) Friday 08:00 to 01:00, Saturday 08:00 to 01:00, Sundays 10:00 to 23:00. The register of licenced premises is maintained at the Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4BZ. Applications for premises licenses may be inspected at this office during office hours. Anyone wishing to oppose this application must give written notice to the Licencing Office within 28 days of this notice. It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £5000).

where it connects
diverted to a road
and running in
for a distance
connects to C
A further length
reference 547
across the field
Wood for a distance
where it connects
diverted to a road
and running in
boundary the
to grid reference
Lambourne.
A part length
reference 548
westerly direction
at Patch Park
Footpath 5, is
at the same distance

Handan Ibrahim

From: Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.pnn.police.uk>
Sent: 21 May 2019 15:17
To: Licensing
Subject: RE: Application to Vary Premises Licence - Baylis Food & Wine
Attachments: Baylis Food & Wine - Conditions.pdf

Good afternoon,

Further to the below email and acceptance of the additional conditions; Essex Police make no representations.

Peter
Peter Jones (7706) MIOL, MBII
Essex Police Licensing Officer
Epping Forest | Harlow
Direct Tel. 01279 625405 | Internal. 313604
Mob. [REDACTED]



From: Baylis [REDACTED]
Sent: 21 May 2019 11:24
To: Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.pnn.police.uk>
Cc: EFDC Licensing <licensing@eppingforestdc.gov.uk>
Subject: Re: Application to Vary Premises Licence - Baylis Food & Wine

Hi Peter,

Thank you for your email. I've read the attachment.
I understand the concerns and I'm happy to accept the conditional offer made.

Best regards

1

Ali Kemal Balamir (Director)
Baylis Food & Wine Ltd

On 20 May 2019, at 13:27, Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.pnn.police.uk> wrote:

Dear Sir,

I am currently dealing with your application to vary the Premises Licence for Baylis Food & Wine. Essex Police is concerned that that the additional hours particularly on a Friday and Saturday may attract persons already intoxicated to frequent your premises in an attempt to purchase alcohol; which could in turn lead to an increase in Crime, Disorder and Public Nuisance. However, Essex Police seek to work with you and offer the attached schedule of conditions with a view to implementing them and adding them to your premises licence as part of this application.

Please can you advise by return email whether you are happy or not to accept these additional measures.

Kind Regards,

Peter

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<Baylis Food & Wine - Conditions.docx>

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Baylis Food & Wine – Essex Police Recommended Conditions

The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:

- i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
- ii. CCTV cameras shall cover all entrances and exits and the areas where alcohol sales take place;
- iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
- iv. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.

Signs must be displayed at all entrances and exits advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.

The premises shall comply with the Portman Group's Retailer Alert Bulletins (RABs) as they relate to Portman Group's Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.

A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200 x 148mm.

A refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request. The refusals record shall either be electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.

All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

When alcohol is ordered for delivery:

- Payment must be made prior to delivery by a valid credit or debit card.
- The delivery can only be made to the holder of the credit or debit card used to purchase.
- Upon delivery Photographic ID must be produced in order to satisfy the delivery agent that the recipient is of age; and must follow the Challenge 25 policy.
- No cash payment will be accepted.

Handan Ibrahim

From: roger baldwin [REDACTED]
Sent: 30 May 2019 10:12
To: Handan Ibrahim
Subject: Re: Application to vary a premises licence- Baylis Food & Wine, 159 High Road, Loughton, IG10 4LF

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the contents is safe.

Dear Mrs Handan Ibrahim

I would like to object strongly in regards to the application for an extension to the opening hours of Baylis News at 159 High Road, Loughton. It is well known and well documented that there has been consideration trouble, disturbance and violence in this area, which is in close proximity to Loughton Tube Station.

The last thing that I want, and I imagine most of the residents living nearby would agree, is for the opening hours to be extended until 1.00 am on Friday and Saturdays and until 11.00 pm on Sunday. This is exactly the wrong time to be selling alcohol and sends out exactly the wrong message that somehow we are encouraging the purchase and consumption of alcohol in an area which has seen many violent disturbances over recent years.

I further find it strange that on the application Baylis news states that they are responding to increasing demand by elderly, disabled and mothers with babies. I don't think this particular profile of customer is looking to shop in general between the hours of 11.00 pm and 1.00 am. I further think it is highly improbable that these particular customers will be seeking to buy alcoholic beverages.

I urge the Licensing Committee to reject the application given the history of aggressive and violence incidents in this particular location.

Yours faithfully

Councillor Roger Baldwin
LRA Forest Ward

On Wed, 15 May 2019 at 11:31, Handan Ibrahim <hibrahim@eppingforestdc.gov.uk> wrote:

Dear Colleagues,

Please ignore previous email and application as an error was made on the previous application on the premises details on the front page, the applicant named the premises as Baylis food and wine LTD. The business is not listed as a LTD company. This has now been amended by the applicant. I have reattached the amended application.

I have received an application to vary the premises licence for the above premises. The application is to extend the opening times and supply of alcohol times due to providing a new online service and delivery service. Please see below for the licensable activities applied for:

Hours premises are open to the public:

Monday to Thursday 07:00am- 23:00pm

Friday to Saturday 07:00am- 01:00am

Sunday 08:00am-23:00pm

Supply of Alcohol:

Monday to Thursday 08:00am- 23:00pm

Friday to Saturday 08:00am- 01:00am

Sunday 10:00am-23:00pm

The start date of the consultation will be the 16th May 2019, end of consultation will be 12th June 2019. Please let me have any comments or objections by then.

I have attached a copy of the premises licence, please note that this is unredacted and not for public viewing.

Kind Regards

Mrs Handan Ibrahim

Licensing Compliance Officer

Tel: 019925 64153

Email: hbrahim@eppingforestdc.gov.uk

Monday to Wednesday

(Please cc Mrs Denise Bastick, Licensing Compliance Officer dbastick@eppingforestdc.gov.uk Tel: 01992 564334 Thursday-Friday)



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Epping Forest District Council
Postmaster@Eppingforestdc.gov.uk

Handan Ibrahim

From: Amy Beales [REDACTED]
Sent: 05 June 2019 15:08
To: Handan Ibrahim
Subject: Re: Application to vary a premises licence- Baylis Food & Wine, 159 High Road, Loughton, IG10 4LF

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the contents is safe.

Dear Handan Ibrahim,

thank you for your email and the attached application from Baylis Food and Wine.

As you know, Baylis is at the end of the high road, an area which was previously known to be a source of disruption. The extension of the opening hours would not benefit local residents and if anything would contribute towards anti-social behaviour in the early hours of Friday and Saturday mornings on Loughton high road.

I do not agree that this is essential, or for the benefit of the community/local residents and therefore cannot support the application.

Best Wishes
Cllr Amy Beales
Forest Ward Councillor

On Wed, 15 May 2019 at 11:30, Handan Ibrahim <hibrahim@eppingforestdc.gov.uk> wrote:

Dear Colleagues,

Please ignore previous email and application as an error was made on the previous application on the premises details on the front page, the applicant named the premises as Baylis food and wine LTD. The business is not listed as a LTD company. This has now been amended by the applicant. I have reattached the amended application.

I have received an application to vary the premises licence for the above premises. The application is to extend the opening times and supply of alcohol times due to providing a new online service and delivery service. Please see below for the licensable activities applied for:

Hours premises are open to the public:

Monday to Thursday 07:00am- 23:00pm

Friday to Saturday 07:00am- 01:00am

Sunday 08:00am-23:00pm

Supply of Alcohol:

Monday to Thursday 08:00am- 23:00pm

Friday to Saturday 08:00am- 01:00am

Sunday 10:00am-23:00pm

The start date of the consultation will be the 16th May 2019, end of consultation will be 12th June 2019. Please let me have any comments or objections by then.

I have attached a copy of the premises licence, please note that this is unredacted and not for public viewing.

Kind Regards

Mrs Handan Ibrahim

Licensing Compliance Officer

Tel: 019925 64153

Email: hibrahim@eppingforestdc.gov.uk

Monday to Wednesday

(Please cc Mrs Denise Bastick, Licensing Compliance Officer dbastick@eppingforestdc.gov.uk Tel: 01992 564334 Thursday-Friday)



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Epping Forest District Council
Postmaster@Eppingforestdc.gov.uk

Denise Bastick

From: Debra Paris <Debra.Paris@loughton-tc.gov.uk>
Sent: 05 June 2019 10:10
To: Licensing
Subject: Planning & Licensing Committee Meeting: 3 June 2019

Dear Denise/Handan

Please find below the comments of the Planning & Licensing Committee following its meeting on 3 June 2019:

PL695 Licensing Applications

695.1 Notice of application to vary a Premises Licence under the Licensing Act 2003 in respect of Baylis News, 159 High Road, Loughton, IG10 4LF

The Committee noted the contents of a letter of objection.

The Committee OBJECTED to this application as the shop has residential units opposite and nearby. The proposed opening and licensing hours to 1am on Fridays and Saturdays (including the provision of a new delivery service) would cause disturbance to those residents.

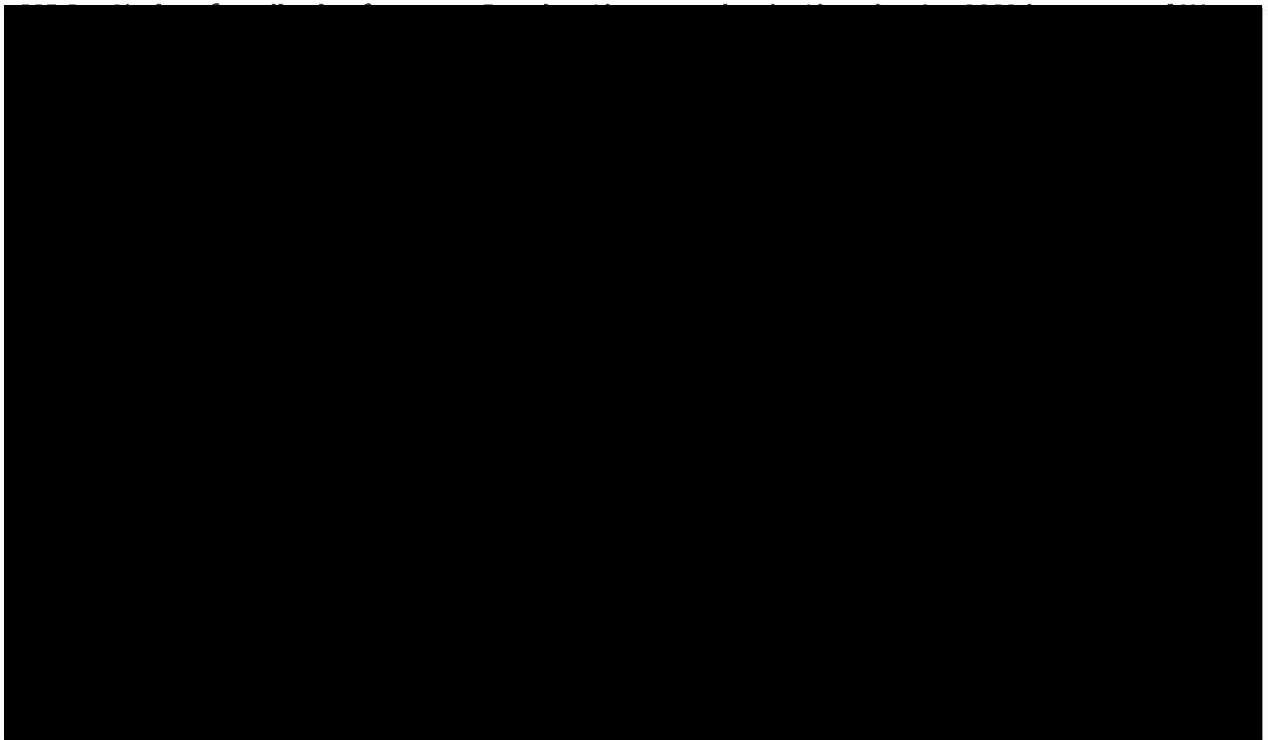
Members also expressed concern for possible crime and disorder in the area caused by the sale of alcohol at these hours, when other nearby licensed premises had closed.

This would be contrary to the following licensing objectives:

- 1) The prevention of crime and disorder;
- 2) The prevention of public nuisance; and
- 3) The protection of children from harm.

Members would be willing to waive their objection if the opening and licensing hours were restricted to the following:

Monday to Thursday	07:00hours – 23:00hours
Friday to Saturday	07:00hours – midnight
Sunday	08:00hours – 23:00hours



I would be most grateful if you could confirm receipt of this email and its contents.

Kind regards

Debra Paris

Planning and Licensing Committee Clerk Loughton Town Council

Loughton Library & Town Hall, Traps Hill, Loughton, IG10 1HD

Tel: 020 8508 4200

Fax: 020 8508 4400

E-mail contact@loughton-tc.gov.uk

Web: www.loughton-tc.gov.uk



Jessel Green Community Fun Day, Jessel Drive, Loughton IG10 2EQ
Remember the date fun for all the family 12 - 4 pm

www.jesselgreen.org.uk - discount for advance bookings



By contacting Loughton Town Council you agree that your contact details may be held and processed for the purpose of corresponding with you. You may request access to the information we hold on you and you may request to be removed as a contact at any time by emailing: contact@loughton-tc.gov.uk A copy of Loughton Town Council's Privacy Notice may be viewed at: <https://tinyurl.com/y8sxohqs>

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Denise Bastick

From: Debbie Houghton
Sent: 17 May 2019 08:57
To: Licensing
Subject: FW: licensing application for 159 High Road Loughton
Attachments: Licensing application, 159 High Road May 2019.doc

Passed to Denise

*Miss Debbie Houghton
Licensing Officer
Neighbourhoods Directorate
Tel: 01992 564336
E-mail: dhoughton@eppingforestdc.gov.uk*

From: David Linnell <[REDACTED]>
Sent: 16 May 2019 21:11
To: Licensing <Licensing@eppingforestdc.gov.uk>
Subject: licensing application for 159 High Road Loughton

Hi

I attach the LRA Plans Group comments on this application, which are also shown below.

regards

David Linnell
chairman, Loughton Residents Association Plans Group
+++++

Loughton Residents Association Plans Group



[REDACTED]
020 8508 2932
16 May 2019

[REDACTED] Eleven Acre Rise,
Loughton,
Essex [REDACTED]

LICENSING APPLICATION, 159 High Road Loughton

This shop has residential units opposite and nearby. Indeed, with the exception of the relatively short Old Station Road, all the roads leading to and from the shop are residential, including the High Road, which has residential units above and behind the shops.



Under the provisions relating the prevention of public nuisance, we object to the proposal to vary the hours for the supply of alcohol to 1am on Fridays and Saturdays because of the disturbance this would inevitably cause to residents nearby.

We think that 11pm is the latest that an off-licence shop - or on Fridays and Saturdays, midnight at the very latest - should be selling alcohol to customers visiting the shop, as the noise of such customers and their vehicles arriving and leaving late at night – at a time when other daytime noises are much reduced - would obviously disturb residents.

We are also concerned about the prevention of crime and disorder, as the shop would be selling alcohol after nearby licensed premises had ceased to do so.

There is a long and sorry history of disorder in Loughton High Road caused by the availability of alcohol after midnight, and we have no wish to see this happen again.

However, we note that the licensee intends to introduce a new online service and delivery service. While the noise of any delivery vehicles obviously has the potential to disturb nearby residents, we would find the provision of the new service less objectionable, *provided that* off-sales to personal customers visiting the shop were not permitted after 11pm.

Yours sincerely

David Linnell, for LRA Plans Group.



Virus-free. www.avq.com

Loughton Residents Association Plans Group



[REDACTED]
020 8508 2932
16 May 2019

[REDACTED] Eleven Acre Rise,
Loughton,
Essex [REDACTED]

LICENSING APPLICATION, 159 High Road Loughton

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Yours sincerely

[REDACTED]
David Linnell, for LRA Plans Group.

Rec'd 30.5.19

Abbeyfield Loughton Society Limited

Rider House, 121 High Road, Loughton, Essex
IG10 4LT

T: 020 8508 8887



28 May 2019

The Licensing Team
Epping Forest District Council
Civic Offices
High Street
Epping
Essex
CM16 4BZ

Dear Sirs

Notification of consultation – an application in respect of premises licences

Applicant: Mr Ali Kemal Balamir

Address of Premises: Baylis News, 159 High Road, Loughton, Essex, IG10 4LF

As Chair of trustees of Abbeyfield Loughton Society Limited I am writing on behalf of the Board and residents of Rider House, 121 High Road, Loughton, the latter having been asked to respond to your letter, to object to the extension of licensing hours for the above premises.

Rider House is a residential home for the elderly situated on the High Road, very close to a bus stop and taxi cab office, which means that many people pass the front door on a daily basis and at all times of the day and night. There is also a car park at the side of the house, which is easily accessed from the road and which has from time to time been used as a toilet. Also, it is not unusual to find bottles and cans discarded in the car park or on the front garden.

As trustees we are responsible for the wellbeing and safety of our residents and we feel that the extension of a licence allowing the sale of alcohol until exceptionally late hours is quite unnecessary and will inevitably afford the opportunity for crime and disorder and general public nuisance. We are therefore opposed to this licence being extended.

Yours faithfully

[Redacted signature]

C M Franklin (Miss)
Chair
Abbeyfield Loughton Society Limited

We are a member of The Abbeyfield Society
Royal Patron HRH The Prince of Wales

Registered Charity No. 227729 Company No. 758621
Registered Office: Rider House, 121 High Road, Loughton, Essex IG10 4LT
Registered in England and Wales

Denise Bastick

From: Sharon Famiglietti [REDACTED]
Sent: 05 June 2019 09:17
To: Licensing
Subject: Baylis News

Hi

This is to object to the additional hours to supply alcohol at this newsagent. As a local resident living in proximity to this shop and as a safeguarding governor for Roding Valley High School - also in close proximity I think that these licensing hours will increase the level of anti-social behaviour and incidents of crime in the area.

As a school safe guarding governor - increasing numbers of our pupils are being mugged in close vicinity of the school due to gangs coming into the town from outside the area. Making alcohol more readily available for longer hours will exacerbate this problem. In addition like any school unfortunately we have pupils who may themselves try to buy alcohol underage and this is much easier for them in a small shop than in a large supermarket.

As a resident I am concerned about the increased level of disorder, fights and anti-social behaviour this will bring.

Every time we have had extended licensing in the area - for example with Nu bar and Luxe there have been violent incidents. I don't want police coming to my garden to search for discarded weapons or be afraid that myself or teenage sons cannot walk home without encountering threats or intimidation.

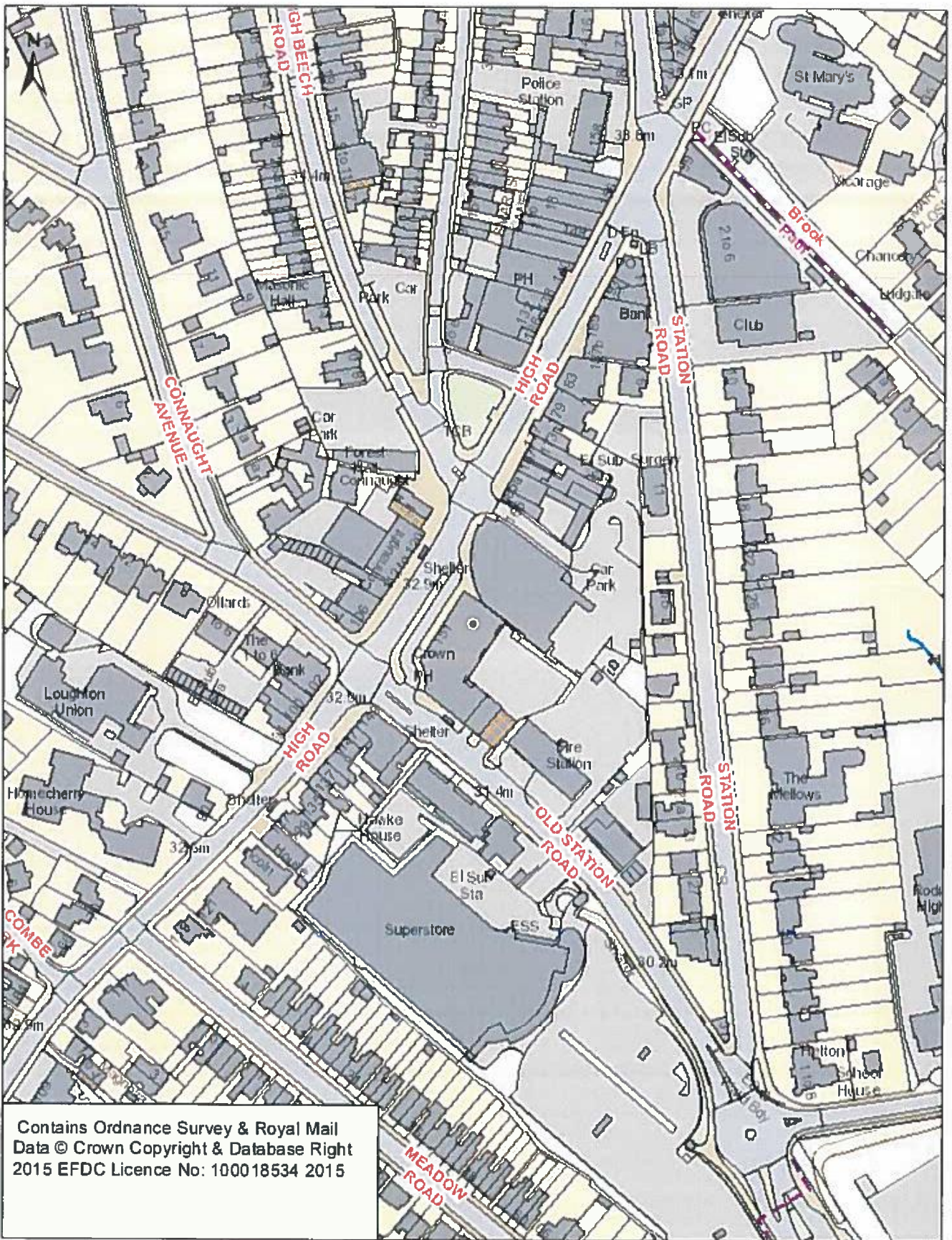
There are several large supermarkets in Loughton where people can buy alcohol we do not need increased provision.

Kind regards

Sharon Famiglietti

[REDACTED] Station Road
Loughton

[REDACTED]



Report to the Licensing Committee

Date of meeting: 9th July 2019



**Epping Forest
District Council**

Subject: Application to vary an existing premises Licence for Turkwise, 162 High Street, Ongar, Essex, CM5 9JJ

Responsible Officer: Debbie Houghton (01992 564336).

Democratic Services Officer: Gary Woodhall (01992 564470).

Decisions Required:

To consider the application for a variation of an existing Premises Licence under the Licensing Act 2003

Report:

Application

1. An application has been made by Mihai Valeriu Chesnoiu, the Premises Licence Holder, for a variation to the existing premises licence for the above premises. The authority received the application on the 29th May 2019. The application sets out the varied licensing activities applied for and times requested. A copy of the present licence for the premises, detailed plans the application for variation and the public notice are attached.
2. The applicant is requesting a change of name for the premises to Porterhouse-Wine Bar and Kitchen, and to vary the times of the licensable activities and opening times as set out below.
3. Live Music Friday and Saturday only 18.00 – 00.00(midnight)
Recorded Music Monday to Sunday 12.00 – 00.00(midnight)
Late Night Refreshment Monday to Sunday 23.00 – 00.00(midnight)
The Sale by Retail of Alcohol Monday to Sunday 12.00 – 00.00(midnight)
Opening hours of the Premises Monday to Sunday 12.00 – 00.00(midnight)

Licensing Act 2003

4. When considering an application for a licence the licensing authority must have regard to the promotion of the licensing objectives.
These are—
 - (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

6. The Responsible Authorities have received a copy of the application, it was properly advertised at the premises and in a local newspaper, a copy of the Public notice is attached to the report.
7. The authority has received 4 representations from local residents
8. The representations relate to. The Prevention of Public Nuisance, The Protection of Children from Harm, The Prevention of Crime and Disorder
 - There was a response from Essex Police who have agreed conditions and recommendations with the applicant, a copy of the agreed conditions is attached to this report.

Guidance Issued by the Secretary of State

9. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
10. Sections 2.1-2.6 and 2.15-2.21 of the Guidance are relevant to this application.

Options

11. In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:
 - to modify the conditions of the licence; or
 - to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

Determination

The Sub-committee is asked to determine the application having regard to

- (a) the content of this report and representations
- (b) any additional information obtained from the hearing
- (c) the Council's statement of licensing policy
- (d) Guidance issued by the Secretary of State, and
- (e) the steps appropriate to promote the licensing objectives.

Appeal

If any party is aggrieved with the decision they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.

Background Papers Used In Preparing This Report:

- The Licensing Act 2003
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003
<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary>
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

-

Attached documents

- An application to vary the existing premises licence
- A copy of the existing Premises Licence
- Detailed Plans
- Copy of the notice
- Representations from Interested Parties
- Responses from Essex Police
- Map showing the area

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WK201917223

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mihai Valeriu Chesnoiu, Director of Turkwise Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/210004363
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 162 High Street			
Post town	Ongar	Postcode	CM5 9JJ

Telephone number at premises (if any)	01277366770
Non-domestic rateable value of premises	£4026.20

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)
We would like to change the name of the restaurant from Turkwise to Porterhouse-Wine Bar & Kitchen and to extend the opening hours from 09.00-23.00 to 09.00-24.00

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Tue					
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> <u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u> <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) No live music at the moment, however we might consider for special events such as private parties, Christmas, New Year's Eve.		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) According to our premises license anexe 3, the music will only be permitted in the front room of the restaurant overlooking the high street.		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	18.00	24.00			
Sat	18.00	24.00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5) The music will be played through our restaurant speakers and will not be amplified		
	12.00	24.00			
Tue					
	12.00	24.00			
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
	12.00	24.00			
Thur					
	12.00	24.00			
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
	12.00	24.00			
Sat					
	12.00	24.00			
Sun					
	12.00	24.00			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon	23.00	24.00						
Tue	23.00	24.00						
Wed	23.00	24.00				<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23.00	24.00						
Fri	23.00	24.00						
Sat	23.00	24.00						
Sun	23.00	24.00				<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)					
Mon	12.00	24.00						
Tue	12.00	24.00						
Wed	12.00	24.00						
Thur	12.00	24.00				<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	12.00	24.00						
Sat	12.00	24.00						
Sun	12.00	24.00						

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon			
	12.00	24.00	
Tue			
	12.00	24.00	
Wed			
	12.00	24.00	
Thur			
	12.00	24.00	
Fri			
	12.00	24.00	
Sat			
	12.00	24.00	
Sun			
	12.00	24.00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.
There's already a copy of it at the council.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Strong management and training of all staff so they are aware of requirements to meet the four licensing objectives with attention to:

- no selling of alcohol to underage people
- no drunk and disorderly behaviour on the premises area
- vigilance in preventing the use and sale of illegal drugs at the restaurant area
- no violent and anti-social behaviour
- no any harm to children

b) The prevention of crime and disorder

Drugs, drunkenness and under age drinking will not be tolerated on the premises. A CCTV system will be installed according to Essex Police instructions that I already agreed and a sign will be displayed by the entrance.

Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises at all times.

c) Public safety

There will be a first aid box on the premises.

d) The prevention of public nuisance

Doors and windows will be kept closed during service time. The DPS shall monitor the volume of music to ensure does not cause a public nuisance.

Service of alcohol shall be by waiter/waitress only to patrons seated at a table and who have or intend to have a substantial meal.

When presenting the bill and taking the payment the waiter/waitress will inform the customers about the services of taxi and private hire operators and they will be asked if we can arrange that for them.

The waiter/waitress will also notify the guest that any open containers, bottles, glasses will not be permitted to be removed from the premises and to reinforce that the duty manager will always be present by the door when customers are leaving.

Customers will be asked not to stand around loudly talking in the street outside the premises and won't be allowed to re-enter the premises by the duty manager.

e) The protection of children from harm

No children will be permitted to buy alcohol.
 A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

The premises shall clearly display signs advising customers that a 'Challenge 25' policy is in force.
 The waiting staff will be trained by the management about requirements for person identification, age establishment, etc.
 All the details will be provided in Training Record Book available at the restaurant.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Mihai Valeriu Chesnoiu
Date	28/05/2019
Capacity	Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	

Capacity	
----------	--

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Same as above (the applicant)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

TRANSFER + U+J.
EFF 6-4-17.

PREMISES LICENCE

Part A



Premises licence number:

LN/210004363

Part 1 – Premises details:

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

Turkwise
162 High Street,
Ongar
Essex

Post Town: Ongar Post code: CM5 9JJ

Telephone number: 01277366770

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

Live Music
Recorded Music
Supply of Alcohol

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

Recorded Music Monday – Sunday 09.00-23.00

Live Music Friday – Saturday 09.00-23.00

Supply of Alcohol Monday – Sunday 09.00-23.00

The opening hours of the premises:

Monday – Sunday 7.30-23.00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:

On Only

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Turkwise Ltd, 204C High Street Ongar, Essex, CM5 9JJ

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

Limited Company 10411863

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

Mihai Valeri Chesnoiu, [REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

[REDACTED]

Mandatory Conditions

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

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.

3. (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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (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 licences 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.
6. 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) 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.

Minimum Drinks Pricing

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 –

$$P = D + (D \times V)$$

Where –

(i) P is the permitted price

(ii) D is the amount 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) "value 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 the 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 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.

If the Premises Licence allows 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 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 any person 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(c39) (authority to determine suitability of video works for classification).

**If the Premises Licence has conditions in respect of Door Supervision
except theatres, cinemas, bingo halls and casinos**

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, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

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 (c12) (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, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) 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 Sch

Annex 2 – Conditions consistent with the Operating Schedule:

The Prevention of Crime and Disorder.

1. Drugs, drunkenness and under age drinking will not be tolerated on the premises.

Public Safety

1. There will be a first aid box on the premises.

Prevention of Public nuisance

1. Doors and windows will be kept closed during service times.
2. The Designated Premises Supervisor (or representative) shall monitor the volume of music emanating from the premises and adjust the volume to ensure that any amplified sound or other music from the licensed premises does not cause a public nuisance.

The Protection of children from harm

1. No children will be permitted to buy alcohol.

Annexe 3 -- Conditions attached after a hearing by the licensing authority:

Hearing on Thursday 5th March 2009

The Prevention of Public Nuisance

1. There will be no Live music Sunday – Thursday
2. There will be no off premises sales.

Hearing at Harlow Magistrates Court 30th June 2009

Live Music will be permitted only in the front room of the premises being the room overlooking the High Street.

Annexe 4 – Plans:

Plans held at Epping Forest District Council

**PREMISES LICENCE
SUMMARY**

Part B



Premises licence number:

LN/210004363

Premises details:

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

**Turkwise
162 High Street
Ongar
Essex**

Post Town: Ongar

Post code: CM5 9JJ

Telephone number: 01277366

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

**Live Music
Recorded Music
Supply of Alcohol**

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

**Recorded Music Monday – Sunday 09.00-23.00
Live Music Friday – Saturday 09.00-23.00
Supply of Alcohol Monday – Sunday 09.00-23.00**

The opening hours of the premises:

Monday – Sunday 07.30-23.00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:

On Only



Corporate Support
Services

Name, (registered) address, of holder of premises licence:

Turkwise Ltd, C High Street Ongar Essex CM5 9JJ

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

Limited Company 10411863

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mihai Valeri Chesnoiu

State whether access to the premises by children is restricted or prohibited:

N/A

Dated: 5th March 2009

Assistant Director Neighbourhoods

REV	DATE	DESCRIPTION



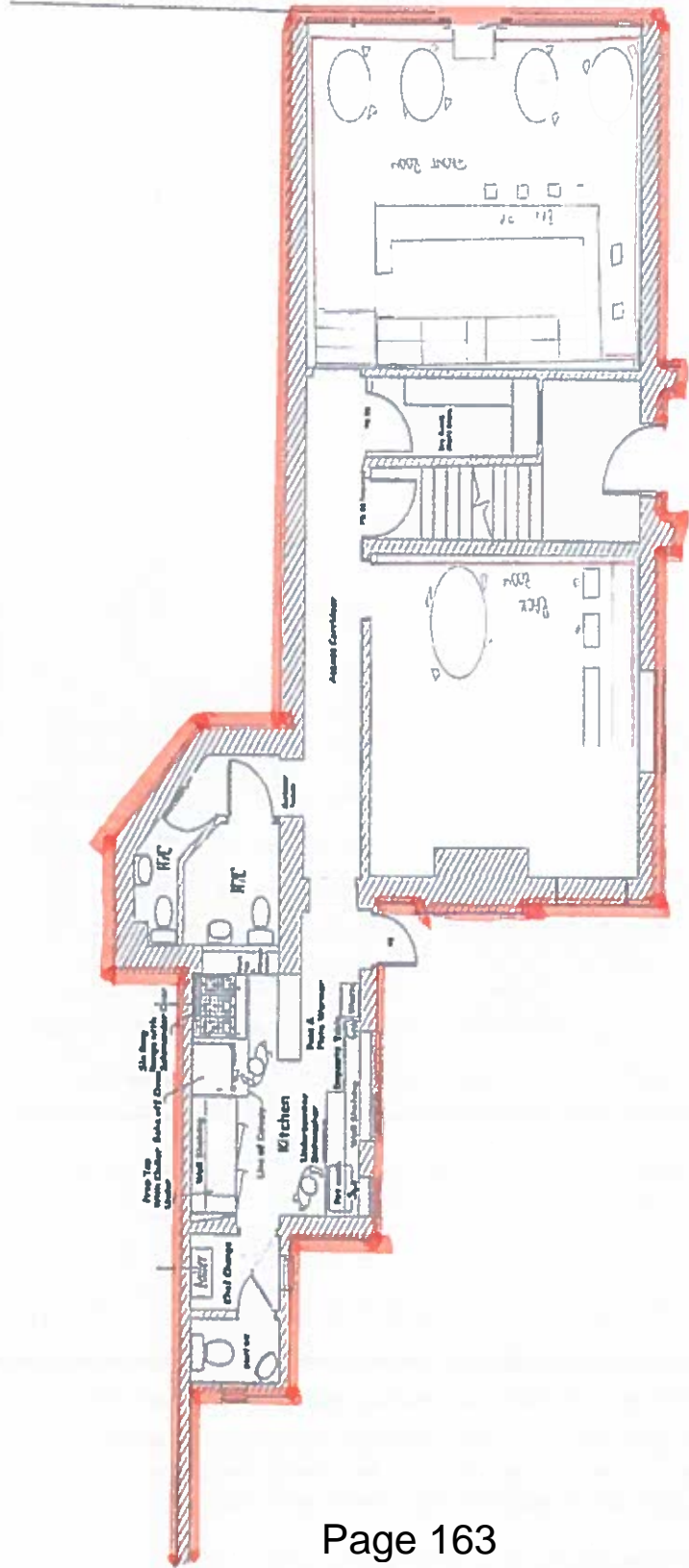
CAPITAL REFRIGERATION SERVICES LTD
 111A BROADWAY
 WALTHAM CROSS
 UXTON, OXFORDSHIRE
 OX10 9EJ
 TEL: 01295 444477
 FAX: 01295 444478
 WWW: www.capitalref.com

Hazel Scott
 "Scottie"

162 High Street
 Chipping Ongar
 Essex

Proposed change of use
 to Cafe/Diner
 Ground Floor Proposals

REV	DATE	DESCRIPTION	SCALE



Notice of Application for a Variation of an existing Premises Licence
under the Licensing Act 2003

Notice is given this day 30th May 2019 that Mihai Valeriu Orescui has applied to the Licensing office of Epping Forest District Council for a Variation of the existing Premises Licence in respect of Turkwise, 162-164 High Street Ongar Essex CM5 9JJ

The proposed variation of the licence is for an additional hour on each licensable activity for the Sale by Retail of Alcohol, Live Music, Recorded Music and Late Night Refreshment and to change the name to Porterhouse Wine Bar and Kitchen

The Operating hours to be varied are for Live Music Friday and Saturday only 18.00-00.00

Recorded Music Monday to Sunday 12.00-00.00,

Late Night Refreshment Monday to Sunday 23.00-00.00,

The Sale by Retail of Alcohol Monday to Sunday 12.00-00.00

Hours premises will be open to the public will be Monday to Sunday 12.00-00.00 (Midnight)

The register of licensed premises is maintained at the Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4BZ. Applications for premises licences may be inspected at this office during office hours. Anyone wishing to oppose this application must give written notice to the Licensing Office within 28 days of this notice. It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £5000)

20th June 2019

Dear Licensing Team

Licence application for extension of hours and live music at Porterhouse Wine-Bar and Kitchen (formerly Turkwise), 162-164 High St , Chipping Ongar, CM5 9JJ

As a resident of Castle Street, I have been approached by you concerning the above application. I am a neighbour of 162-164, High St, as my property backs onto the common space shared by the premises.

My concerns are related to

1. The prevention of public noise nuisance,
2. The prevention of crime and disorder, and
3. It is an intrusive activity.

It has the potential for public noise nuisance due to its Sensitive Location:

- It is situated
 - in Chipping Ongar Town Centre Conservation Area
 - in a long-established residential area of the High Street in the medieval part of Chipping Ongar.
 - in a rural area, such as Chipping Ongar, with an open nature where noise travels further than when blocked by high-rise buildings in cities, so the extent of the noise is likely to be heard far beyond the immediate vicinity.
 - Very close to many Grade II listed buildings that are without the benefits of modern sound insulation or double glazing so residences will be adversely affected by any local noise, especially after 11 pm. The premises themselves, by virtue of their age, also lack sound insulation thus increasing the decibels escaping to the surrounding area. Live music, by its nature, is louder than recorded music, and could be contrary to adopted local policy DBE9 residential amenity (noise). Furthermore a wine bar might be expected to have a louder volume of music.
- The extension of hours of the wine-bar and kitchen would cause noise and disturbance to the residents in the neighbouring houses and also to the flat-owners above the shops. The opening hours until 12 pm every night would create noise and disturbance beyond that time from customers and also the staff clearing up and putting out rubbish, vehicle noise, extractor vent etc. Furthermore as alcohol is consumed on the premises, the noise levels would increase!

It has a potential for crime and disorder because:

- There is nothing to stop customers spilling out onto the pavement, especially on warm evenings, thus adding to the noise level, and probably litter.

- Policing in Ongar, especially after 11 pm at night, is virtually non-existent so, if the application were to be granted, the business would be best advised to employ security staff to help to ensure the quiet enjoyment of local residents, and an orderly shutdown at 12 pm, every night of the week.

It is an intrusive activity because:

- The extension of hours and live music would cause loss of sleep in neighbouring properties. This is an example of detrimental 'loss of amenity' for the existing residences which include neighbouring cottages and the flats above the shops.
- There is no 'identified community need' such as demand for longer opening hours of an existing restaurant or bar in this locality.
 - There are already some 16 restaurants, cafes, public houses and takeaways from the Two Brewers and café opposite just over the bridge to Zinc Arts Café, south of the 4 Wantz, including those serving and delivering pizzas. Additionally there are several A3 in Shelley just north of the 4 Wantz and several other restaurants and takeaways within a mile of Ongar. This existing number could be considered disproportionate in the small town without any increase. Of the 3 bars close by, two of them have occasional 'live music' events. There is already a pub, The Kings Head, open from 11 until 12pm on Friday and Saturday.

As a "potentially intrusive activity" it should be refused as having adverse effects on the character and appearance of the Conservation area and as likely to cause excessive noise or other disturbance to nearby residents or those seeking quiet recreation.

Summarising,

- The application proposes an intrusive activity in a long-established residential area.
- Noise levels are likely to be unacceptable.
- The premises themselves and neighbouring properties are not soundproofed to modern standards.
- There is no need for another live music outlet in the area.
- Late-night drinking (for an hour after other local venues have closed) could give rise to additional public order issues.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Dr Peter and Mrs Joy Merrett

19 JUN 2019

█ House,
█ Castle Street,
Ongar,
Essex █

Epping Forest District Council
High Street,
Epping,
Essex,
CM16 4BZ

14th June 2019

Dear Sirs,

Reference Mihai Valeriu Chesnoiu
Address Turkwise 162 / 164, High Street, Ongar CM5 9JJ

In respect of the Prevention of Public Nuisance and the Protection of Children from Harm.

We do not want the above premises to have their licencing hours extended to midnight because of the noise of customers leaving and starting their cars. We also do not wish to hear recorded music till mid-night and live music at all. We can already hear the live music from the "Cock Tavern" which is further away from us and this keeps us awake. How will the children in the area get to sleep!

There are already problems from the "Kings Head" late at night.

The combination of the late opening hours of this and existing premises will have a detrimental effect on the high street in Ongar.

Yours faithfully,

█
Mrs. K. Jenkins.

Debbie Houghton

From: Chris Watson [REDACTED]
Sent: 05 June 2019 10:36
To: Licensing
Cc: Choppers
Subject: Licence application // Ref WK/201917223

Morning,

We would like to make a representation regarding the following application:

Ref WK/201917223

Applicant Name: Mihai Valeriu Chesnoiu

Address of premises: Turkwise, 162-164 High Street, Ongar, CM5 9JJ

On the grounds of The Prevention of Public Nuisance the proposed extension of drinking licence with live and recorded music until midnight would impact on the houses in St Martins Mews. Our house is in close proximity to the premises and any music will be clearly heard. We are on a quiet road and some of the houses have small children - including ourselves. Music and extension of licence is not appropriate and not required. The premises are small and confined which would help resonate any noise and disturbance into the immediate surrounding area. We can already hear when glass bottles are thrown into the bins on the premises so any live or recorded music will clearly be heard.

On the grounds of The Prevention of Crime and Disorder, any extension to licencing hours will create more drinking opportunity and potentially unsocial and criminal behaviour.

We fully support local businesses and want the high street to flourish but feel this extension of licensing and potentially loud music being played will have a negative impact on Ongar High Street in general and will be a nuisance to local residents which in turn can affect health and well being.

Thank you

Mr and Mrs Watson

[REDACTED] St Martins Mews

Ongar

Essex



Debbie Houghton

From: David J Wheal [REDACTED]
Sent: 05 June 2019 23:55
To: Licensing
Subject: TURKWISE (to become Porterhouse Wine Bar) 162-164, High Street, Ongar.

Dear Licensing Team,

I am writing in response to your letter 29th May 2019 re the above.

I own and reside at [REDACTED] St Martins Mews, Ongar and strongly object to certain aspects of the application, namely live and recorded music being played until Midnight, this should be restricted to 2300 at the latest, preferably earlier, as it will cause a considerable public nuisance to residents living close by of which I am one. Also, presumably the intention is to attract a larger and younger customer base (than previously attended the premises when it was a low key restaurant - Turkwise) therefore I would like to know the owner's plans for clientele parking. I am sure that EFDC is no doubt well aware that the parking situation in the High Street is and has been for some time, at a critical and dangerous level, especially in this vicinity with several restaurants, take aways, pubs etc., all exacerbating the problem. The parking often spills over in to local residential streets causing huge inconvenience as well as restricting access for emergency vehicles.

Hopefully you will consider my objections as I am sure that they are shared by other local residents and I feel very valid.

Thank you.

Sincerely,

David J Wheal

David J Wheal

Email : [REDACTED]

Mobile [REDACTED]

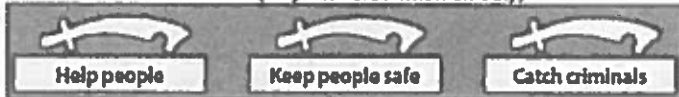
Debbie Houghton

From: Licensing Epping and Brentwood
<licensing.epping.and.brentwood@essex.pnn.police.uk>
Sent: 17 June 2019 10:36
To: Licensing
Subject: RE: 162 High Street, Ongar - Premises Variation
Attachments: 162 High Street - Conditions.docx; ATT00001.txt

Good morning,

Please see the below email from the applicant agreeing to all the Essex Police recommendations; therefore Essex Police make no objections to this application.

Peter
Peter Jones (7706) MIOL, MBII
Essex Police Licensing Officer
Epping Forest | Harlow
Direct Tel. 01279 625405 | Internal. 313604
Mob. 07870 909762 (only answered when on duty)



From: Mihai Chesnoiu <[REDACTED]>
Sent: 14 June 2019 14:49
To: Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.pnn.police.uk>
Subject: Re: 162 High Street, Ongar - Premises Variation

Dear Peter,
Following our earlier conversation over the phone, we'll be very happy to agree on all the conditions.
Thank you so much for your time and your advice on this matter.
Best Regards
Mihai Chesnoiu
Director

Sent from my iPhone

On 7 Jun 2019, at 08:46, Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.pnn.police.uk> wrote:

Dear Sir,

I am writing in respect of your application to vary the premises licence for 162 High Street, Ongar.

Essex Police feel that the operating schedule is pitiful with no real enforceable conditions to promote the licensing objectives. As such Essex Police seek to agree a schedule of conditions that are appropriate and proportionate to your premises.

We previously agreed a schedule of conditions and would ask once again that you consider the attached which are the same as before.

Kind regards,

162 High Street, Ongar – Recommended Conditions

Prevention of Crime and Disorder

The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:

- i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
- ii. CCTV cameras shall cover {all public areas including} all entrances and exits and all areas where the sale of alcohol takes place;
- iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days;
- iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
- v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
- vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure this will be recorded immediately.

Signs must be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.

Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises at all times.

Prevention of Public Nuisance

Customers will not be permitted to remove from the premises any drinks supplied by the premises in open containers.

A written dispersal policy will be formulated and provided to the police and licensing authority which amongst other things details:

- How patrons leaving the premises shall be directed away from the premises;
- How patrons will be informed of the services of taxi and private hire operators;
- What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;
- Any 'wind' down periods;
- Methods to prevent re-entry to the premises;
- How bottles and glasses will be prevented from being removed from the premises at closing time.

Service of alcohol shall be by waiter/waitress only to patrons seated at a table and who have or intend to have a substantial meal.

Protection of Children from Harm

A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

The premises shall clearly display signs advising customers that a 'Challenge 25' policy is in force.

Debbie Houghton

From: Licensing Epping and Brentwood
<licensing.epping.and.brentwood@essex.pnn.police.uk>
Sent: 07 June 2019 08:46
To: [REDACTED]
Cc: Licensing
Subject: 162 High Street, Ongar - Premises Variation
Attachments: 162 High Street - Conditions.docx; ATT00001.txt

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Kind regards,

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<image001.png>

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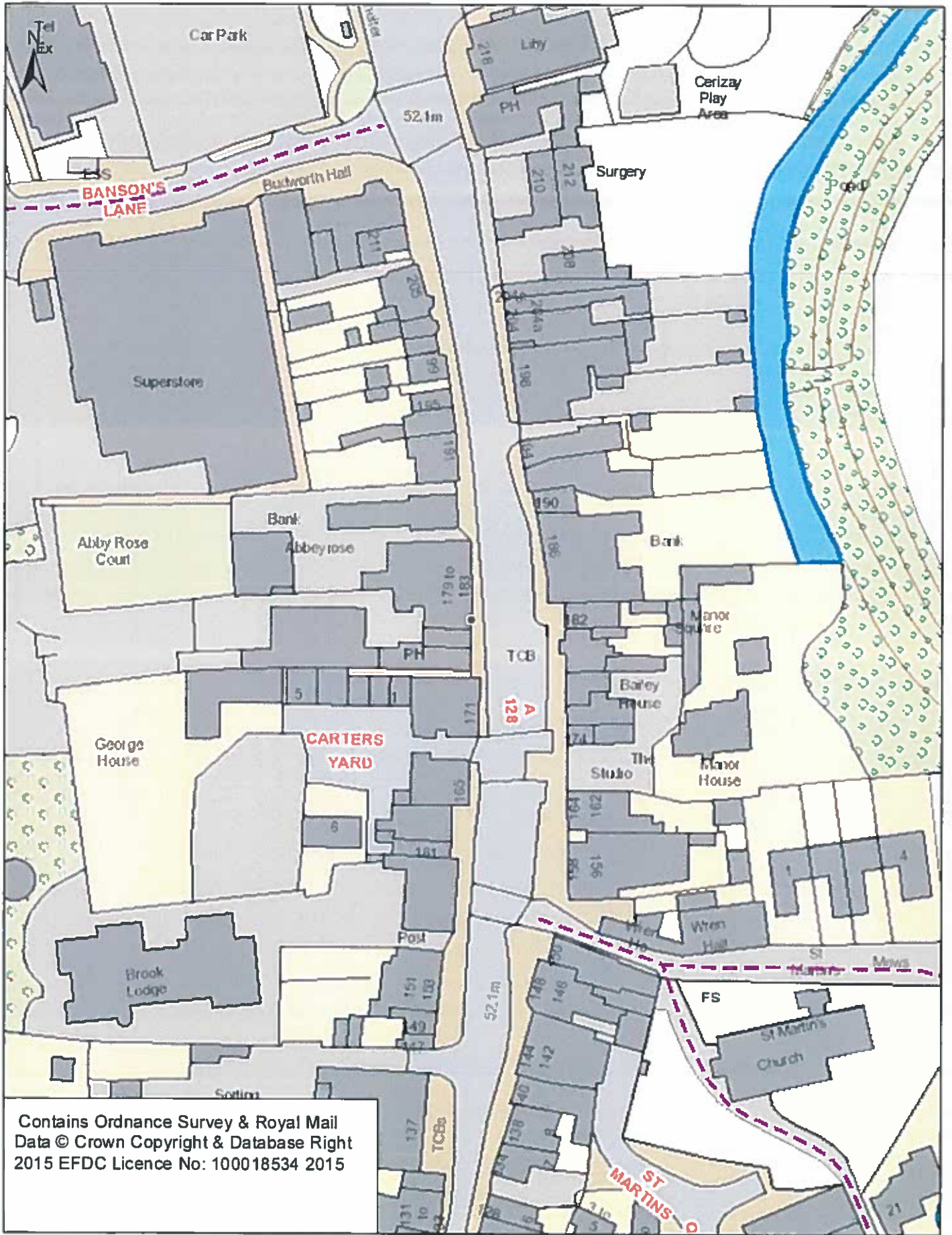
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