

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

<b>Premises licence number</b> LN/210004363
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**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	[REDACTED]		
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.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| 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

<b>Boxing or wrestling entertainments</b> <b>Standard days and timings (please read guidance note 8)</b>			<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"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<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.		
Tue					
Wed			<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.		
Thur					
Fri			<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)		
	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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
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)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Wed			<b><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></b> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri					
Sat			<b><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></b> (please read guidance note 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon	23.00	24.00			
Tue	23.00	24.00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Wed	23.00	24.00			
Thur	23.00	24.00	<b><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></b> (please read guidance note 7)		
Fri	23.00	24.00			
Sat	23.00	24.00			
Sun	23.00	24.00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>State any seasonal variations for the supply of alcohol</u></b> (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						
Fri	12.00	24.00						
Sat	12.00	24.00						
Sun	12.00	24.00						
						<b><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></b> (please read guidance note 7)		
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						

K

<p><b>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</b> (please read guidance note 10).</p>
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L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
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	
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<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b> 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 5<sup>th</sup> 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 30<sup>th</sup> 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: 5<sup>th</sup> March 2009**

**Assistant Director Neighbourhoods**



REV			



**CAPITAL REFRIGERATION SERVICES LTD**

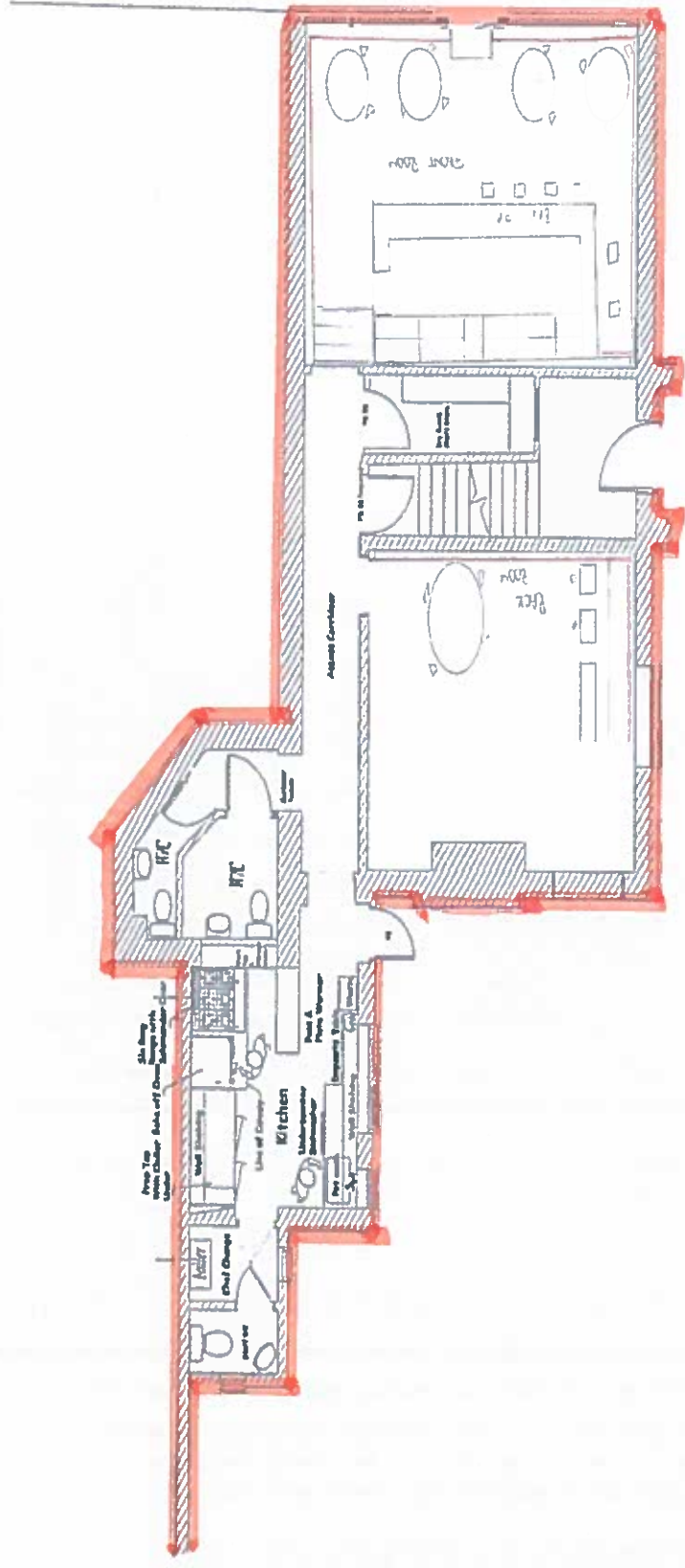
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WATKINS AVENUE  
MILWAUKEE, WI 53212  
TEL: 414-224-4444  
WWW.CAPITALREFRIG.COM

Hazel Scott  
"Scottie"

162 High Street  
Chipping Chagon  
Essex

Proposed change of use  
to Cafe Diner  
Ground Floor Proposals

REV	DATE	BY	SCALE
2008-030	03/03/08	1:175	ASHT



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

Notice is given this day 30<sup>th</sup> 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)

20<sup>th</sup> 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

14<sup>th</sup> June 2019

Dear Sirs,

Reference Mihal 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

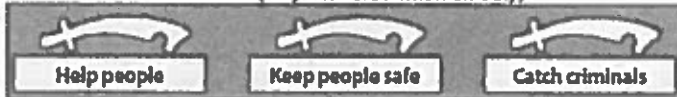
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**From:** Licensing Epping and Brentwood  
<licensing.epping.and.brentwood@essex.pnn.police.uk>  
**Sent:** 17 June 2019 10:36  
**To:** Licensing  
**Subject:** RE: 162 High Street, Ongar - Premises Variation  
**Attachments:** 162 High Street - Conditions.docx; 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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*Peter Jones (7706) MIOL, MBII*  
Essex Police Licensing Officer  
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Direct Tel. 01279 625405 | Internal. 313604  
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Peter  
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Essex Police Licensing Officer  
Epping Forest | Harlow  
Direct Tel. 01279 625405 | Internal. 313604  
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<162 High Street - Conditions.docx>

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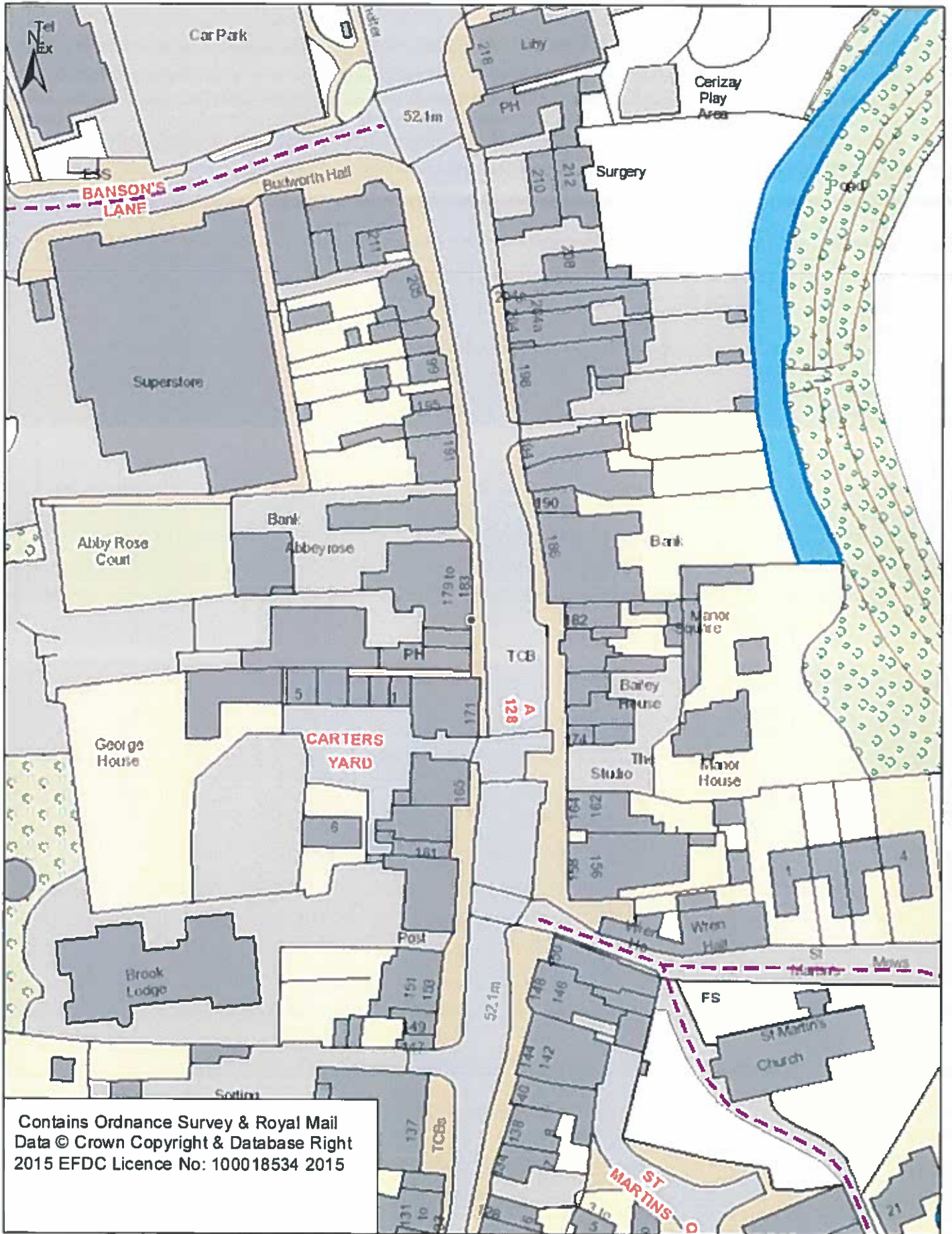
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