

**Minutes of the meeting of the Planning Committee
Held on 1st March 2010 at 7.00 p.m. in the Bush Room**

Present: Cllrs. John Head (Chairman), Mike Webb, John Cutland, Brian Lee, Terry Hunt, Bob Phillips (Clerk).

Apologies accepted for absence

None

1. Public Participation

Mr Maurice Gibbons. Silverleaze. Silverhill Brake, Rudgeway. Re. the Street Trading License Renewal Application for Mr Ozgur Kayaoglu T/A Simply Delicious.

As you know my neighbours and I attended and objected to the day time operator having his license renewed. For the reasons we gave in respect of him, you can take it as read that these are the same objections for the evening/night operator plus our increased concerns about the complete lack of toilet facilities for both the operator and more importantly the customers who use our gardens as their toilets. This is even more an issue at night time when they believe their actions are not visible to passers by. In addition the noise created by the vans customers late at night, primarily shouting and loud music from the cars of the late night customers on their way home who stop for a kebab and the constant beeping of car horns which goes on into the early hours from passing cars. This is illegal after 11pm and is totally unacceptable.

Another issue altogether is the substantial increase of vehicles using the bus stop to park as following the first renewal meeting, both operators are now parking their vans in the correct place in accordance with their respective license terms which now means large vehicles cannot enter the lay-by to park either whilst buying a kebab or for that matter taking a rest, thereby defeating the whole reason for the lay-by's existence.

The lay-by is not suitable for this operation; it's far too small, in the wrong location resulting in residents having to put up with anti-social behaviour in terms of noise, cleanliness and the total disregard of the fabric of the area.

2. Declaration of Interests

None

3. Planning Applications

9.125 Resolved. The Parish Council have no objection to the applications listed below.

PT10/0277/F	30 Strode Common	Erection of single storey rear and first floor side extension over existing garage to include front and rear dormer windows and rear balcony to provide additional living space.
PT10/0322/TRE	Alveston Grange, Courville Close.	Works to lift crown by 4 metres and crown thin by 15% 1 no. Horse Chestnut tree covered by TPO No. 444 dated 14th May 1998.
PT10/0294/CLP	The Nook, 40 Rudgeway Park.	Application for certificate of Lawfulness for the proposed erection of a two storey extension.

9.126 Resolved. The Parish Council strongly objects to the Street Trading License Renewal listed below.

Mr Ozgur Kayaoglu T/A Simply Delicious	A38 Lay-by, Rudgeway ,	Renewal Application for Hot food and refreshments to be sold from a trailer. Mon-Frid 16.00 – 00.00 Sat 16.00 – 01.30 Sun 16.00 – 23.00
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Alveston Parish Council strongly objects to the renewal of the street trading license for the following reasons:

1. If the trader adheres to his location requirements, because of a lack of a through route, the lay-by is effectively closed to commercial transport, a key reason for its existence. Large commercial vehicles are regularly parked in the bus lay-by and on the footpath or grass verges causing a huge amount of damage.
2. The existence of this trader at this location attracts a great deal of anti-social behaviour. The evening and late night customers are creating a significant nuisance to the local residents. Loud music is played; groups of rowdy youths in cars gather late into the night, there is much sounding of car horns and screeching tyres. The problem is such that it prevents residents from sleeping until the trader eventually closes down. It has become common practice for many drivers when passing this trader in the evening to sound their car horn as a greeting, another anti-social activity.
3. It would appear that many of the terms of the original license have been broken by the trader over the past year resulting in resident complaints, visits by the enforcement officer and plainly visible signs of lack of care by both the trader and his customers. It would appear that this trader is completely incapable of trading under the terms of his licence.
4. The hedges, neighbouring land and the lay-by are covered with rubbish, food waste, excrement, discarded packaging and other detritus.
5. The lay-by road edges are all but destroyed by parked vehicles.
6. The grass verges are churned up by vehicles driving over the ground.
7. There have been instances of trespass by the trader on to private land locally which is supported by clear photographic evidence.
8. Although not necessarily directly caused by the trader himself, it is clear the surrounding bushes and woodland are being used as a public toilet. Local residents have observed incidents with late night customers. If used as a normal un-occupied lay-by, some misuse of the surroundings may well occur but nothing like the volume that is currently being experienced.
9. A large amount of rubbish and food waste has been dumped on adjacent private land creating a major health risk. Unfortunately this land is owned by an absentee landowner who shows no interest in clearing the problem.

During the original application process, the Parish Council raised their fears about the suitability of this site and with the second trader operating on the same site together they create a daily 17 hour fast food outlet; this is clearly a major problem in a residential area.

Although sited on the main road, there are many residential properties in reasonably close proximity and these two enterprises have totally changed the character of the neighbourhood. There have been many incidents of anti-social behaviour, late night gatherings, multiple vehicle gatherings, early morning “breakfast meets” and very large transport vehicles creating noise and obstruction.

As with the previous “license renewal” a few weeks ago, local residents attended the Parish Council meeting to express their concerns. All residents were asked to individually write or contact the Licensing department to air their views.

The Parish Council fully supports every issue and complaint raised by the residents and is unanimously opposed to the renewal and to the future use of this lay-by for any commercial enterprise. There appears to be no reason why the Licensing Authority is allowing this site to be used by a trader and the Parish Council is very disappointed that in all their communications with District Council in licensing matters, they are either ignored or their views given no credibility.

4. Planning Permissions Granted

None

5. Planning Permissions Refused

None

6. Applications Withdrawn

None

7. Notice of appeal (Written Submissions)

None

8. Appeal decisions

None

9. Representations at Planning Meetings

None

10. Enforcement

None

11. Information

None

12. Any Other Business

None

The meeting closed at 7.30 pm