

# Notice of Hearing



Contact: Susan Harbour, Democratic Services Officer  
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Email: [susan.harbour@southandvale.gov.uk](mailto:susan.harbour@southandvale.gov.uk)  
Date: 7 January 2014  
Website: [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

**A Licensing Acts Panel meeting will be held on  
Wednesday 22 January 2014 at 2.00pm  
in The Abbey House, Abingdon  
to consider the following matter:**

the relevant representations received in respect of an application for a premises licence for Faringdon Kebab Van, Pioneer Road, Faringdon under the Licensing Act 2003.

The parties to this hearing are:

Cevdet Arslan (applicant)  
Anna-Marija Lewickyj (Objector)  
Tim Williams (Environmental Health Officer)

A handwritten signature in black ink, appearing to read 'M. Steed', written in a cursive style.

Head of Legal and Democratic Services

# Agenda

## Open to the Public including the Press

### Map and vision

(Page 3)

A map showing the location of the venue for this meeting is attached. A link to information about nearby car parking is [http://www.whitehorsedc.gov.uk/transport/car\\_parking/default.asp](http://www.whitehorsedc.gov.uk/transport/car_parking/default.asp)

The council's vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

#### 1. Election of a chairman

To elect a chairman for this hearing.

#### 2. Declarations of interests

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

#### 3. Procedure

(Pages 4 - 8)

To note the procedure for this meeting.

#### 4. Application for a premises licence for Faringdon Kebab Van, Pioneer Road, Faringdon

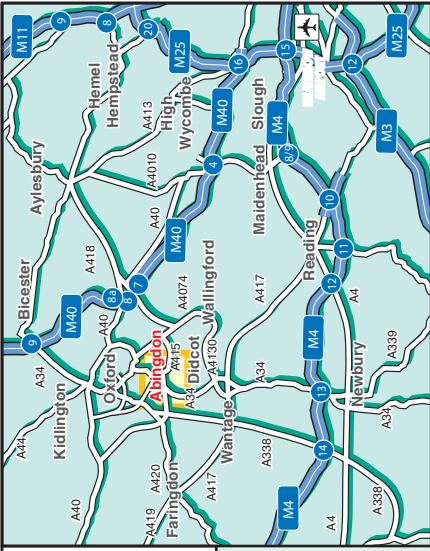
(Pages 9 - 23)

To consider the head of legal and democratic service's report.

## Exempt information under section 100A(4) of the Local Government Act 1972

None

**Vale of White Horse District Council**  
 Abbey House, Abbey Close, Abingdon, OX14 3JE  
 Tel: 01235 520202 Fax: 01235 532217  
[www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)



© www.giveaway.co.uk 2008 Tel: 0800 019 0027.  
 Mapping sourced from  
 OS data. PU100040256. Crown ©2008.

KEY: Car Parks	
	Abbey Close
	Cattle Market
	Charter Multi-storey
	Civic
	Rye Farm
	Hales Meadow
	Audlett Drive
	West St Helen Street

**By rail** – the nearest main line railway stations to Abingdon are either Didcot Parkway (seven miles) or Oxford (eight miles). Radley railway station is located on the main line between Oxford and Didcot and is three miles from Abingdon town centre. For details of train times visit [www.nationalrail.co.uk](http://www.nationalrail.co.uk) or call 08457 484950

**By bus** – there are a number of bus routes serving Abingdon town centre. For details of services and timetables, visit Oxfordshire County Council's website at [www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk). Contact details for bus operators can be found on the travel information pages on our website [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

**Parking** – details of car parks charges can be found on our website

## VALE OF WHITE HORSE DISTRICT COUNCIL

### LICENSING ACT 2003

#### LICENSING ACTS PANEL – PROTOCOL AND PROCEDURE

##### 1.0 Introduction

- 1.1 This protocol and procedure has been adopted by the council's Licensing Acts Committee in order to ensure that all meetings are carried out in accordance with the law and all parties receive a fair hearing.
- 1.2 For the purposes of this protocol and procedure the following terms have the meanings assigned to them:-
- (a) "the Act" means the Licensing Act 2003.
  - (b) "the parties" means all persons to whom a notice of hearing has been given.
  - (c) "the regulations" means the Licensing Act 2003 (Hearings) Regulations 2005 as amended.
  - (d) "exempt information" means those categories of information set out in Schedule 12A to the Local Government Act 1972 as amended.
- 1.3 This document has been prepared having regard to the statutory provisions contained in the Act, the Regulations, the Guidance issued by the Secretary of State for Culture, Media and Sport dated 7 July 2004 and the LACORS Guidance for Local Authorities dated March 2005.
- 1.4 The second edition replaces the protocol and procedure approved in August 2005.

##### 2.0 The licensing objectives and statement of policy

- 2.1 The Act sets out four licensing objectives which are fundamental to the decision making of the panel. The licensing objectives are follows:-
- (a) The prevention of crime and disorder.
  - (b) Public safety.
  - (c) The prevention of public nuisance.
  - (d) The protection of children from harm.
- 2.2 Any application or licensing matter which comes before a panel will be treated on its own merits having regard to the following issues:-
- (a) The promotion of the four licensing objectives.
  - (b) The council's statement of licensing policy.
  - (c) The guidance issued by the Secretary of State for Culture, Media and Sport dated 7 July 2004.
  - (d) The merits of the application and the representations received from the parties.

### 3.0 **Before the hearing**

- 3.1 The council has a duty to hold a hearing within a timescale specified in the regulations. In most cases (12 out of 18) the timescale is 20 working days calculated from the end of the relevant representation period. However, there are other cases where the timescale is shorter ranging from between 5 and 10 working days depending on the nature of the case in question. The council will ensure adequate notice is given to the parties involved.
- 3.2 The council will send all parties a notice of hearing giving details of the date, time and venue for the panel meeting. This notice will normally be sent giving at least 10 working days' notice of the hearing, although in some cases a shorter notice period is required.
- 3.3 The council will use its reasonable endeavours to email the notice to any of the parties who consent to that approach but shall also send the notice and the accompanying documents by first class post in every case.
- 3.4 The notice of hearing will be accompanied by an agenda, together with a report from the licensing officer which shall set out the details of the case.
- 3.5 The sub-committee will take into account the party response forms when considering the procedure to be adopted at the hearing.

### 4.0 **The panel**

- 4.1 The membership of the panel has been determined by the Licensing Acts Committee.
- 4.2 Members will only be permitted to take part in determining a case if they have been present throughout the whole hearing and have no conflict of interest in the matter.
- 4.3 The quorum is 3 members who shall determine any issue by a simple majority of votes. If the votes are tied the chairman of the sub-committee will have a second or casting vote.

### 5.0 **Hearing general principles**

- 5.1 The parties have the right to attend the hearing and to be assisted or represented by any person (whether legally qualified or not) such as a relative, friend, their solicitor or counsel.
- 5.2 The parties will be entitled to address the members of the panel at the hearing and question any other party if given permission to do so by the panel. They will also be able to provide further information in support of their case on any points upon which the council has sought further clarification or explanation.
- 5.3 Each party will have a maximum of 20 minutes to make their representations and present their evidence unless there are some exceptional reasons to justify a longer period.
- 5.4 There is a presumption that any hearing will take place in public so that the sub-committee's decisions can be made in an accountable and transparent way, but on occasions it may be necessary to exclude the public and members of the press if the

sub-committee considers that it is in the public interest to do so. Members will consider that matter having regard to any exempt information which may need to be disclosed by any of the parties during the hearing.

- 5.5 If any party does not attend or are not represented at the hearing then the panel may take the following action:
- (a) When a party informs the council that they do not intend to attend or be represented at the hearing the panel will proceed in their absence unless it is in the public interest to adjourn the hearing to a new date. For example, if the council is informed a person cannot attend due to unforeseen personal circumstances such as illness, then the panel may adjourn the hearing to a new date.
  - (b) If any party fails to inform the council whether they intend to attend or be represented at a hearing then it is likely the panel will proceed in their absence unless there are exceptional circumstances making it necessary in the public interest to adjourn the hearing to a new date.
  - (c) Where the hearing proceeds in the absence of any party the panel will consider their representations or documentation contained in the list of documents.
- 5.6 If for any reason the hearing is adjourned to a new date the council will notify all parties of the new date, time and place of the adjourned hearing.
- 5.7 Late representations and evidence will only be considered by the panel with the agreement of all the parties present at the hearing.
- 5.8 The panel has the right to exclude any parties disrupting the hearing but will allow any excluded party to submit any information in writing which they would have given to the panel had they not been required to leave.
- 5.9 The panel will be assisted and advised by one of the council's solicitors or legal advisers and a democratic services officer will also be present to assist the members in providing a record of proceedings.
- 5.10 The licensing officer from the council will also be at the hearing to present a report and to offer advice and expertise based upon their professional knowledge of the application but without making any recommendations.
- 6.0 **Hearing procedure**
- 6.1 Election of chair - the panel will elect a chairman for the hearing (if not previously appointed) in the presence of the parties.
- 6.2 Welcome and introductions - the chairman will open the meeting, introducing the members of the panel and officers to the parties and then invite the parties or their respective representatives to introduce themselves.

- 6.3 Outlining the procedure – the chairman will then outline the nature of the application, the decisions to be taken and the procedure to be followed. If there are any preliminary issues made in any of the party response forms, those issues will be addressed and determined at this stage.
- 6.4 Licensing officer's report – the hearing will begin with a presentation by the council's licensing officer who will outline the application, any relevant representations received and deal with all policy and statutory guidance matters by reference to their report. members of the panel may then ask any relevant questions of the licensing officer.
- 6.5 The parties' cases – the chairman will invite the respective parties to present their cases in the following order:
- (a) the applicant
  - (b) each responsible authority
  - (c) each interested party
  - (d) the licence holder if not the applicant
- and on each occasion the cases will be dealt with in the following way:
- (a) the relevant party shall address the panel and present any witnesses within the time limit allowed by the panel.
  - (b) Members can then ask relevant questions.
  - (c) the licensing officer may also ask relevant questions through the chairman of the panel.
  - (d) although there is no intention to allow parties to cross-examine others, they may ask relevant questions through the chairman.
- 6.6 Final submissions – each party will be given the opportunity by the chairman to summarise their respective cases if they wish for a maximum period of 5 minutes each. Final submission shall be made in the following order:
- (a) interested parties
  - (b) each responsible authority
  - (c) the applicant
  - (d) the licence holder if not the applicant
- 6.7 Chairman's final comments – the chair will invite the parties to state they have had a fair opportunity to put their respective cases. The panel will deal with any issues arising prior to retiring to make their decision.

7.0 **After the hearing**

- 7.1 At the end of the hearing, the panel will retire or ask everyone to leave the room while the panel considers its decision. Members may call its solicitor or legal adviser, and the democratic services officer, if it needs legal or procedural advice.
- 7.2 If the panel wishes to clarify any point which arose during the hearing, it will recall all parties even if only one is asked for further explanation.
- 7.3 When the panel has made its decision, members will return to the room or invite the parties back into the room and the chairman will report the decision of the panel to those present.
- 7.4 The chairman will also inform them that a written decision notice explaining the reasons behind their decision will be sent to all parties within 5 working days of the hearing. The decision notices shall be in a form or substantially in the form as set out at the end of this document.

8.0 **Record of proceedings**

- 8.1 The democratic services officer shall prepare a record of the panel's proceedings which shall be signed by the chairman of the panel and will be sent to the parties on request.
- 8.2 The record of the proceedings shall be retained by the council for a period of 6 years from the date of determination or the disposal of any appeal.

Updated 18 May 2012



# Licensing Acts Panel



Report of Head of Legal & Democratic Services

Author: Richard Brown, Licensing Officer

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Textphone: 18001 01235 547642

E-mail: richard.brown@southandvale.gov.uk

To: Licensing Acts Panel

DATE: 22 January 2014

## **Application for a premises licence for Faringdon Kebab Van, Pioneer Road, Faringdon**

### **Recommendation**

That the panel consider the application for a premises licence and the relevant representations and decide whether to:

- a) grant the licence as applied for,
- b) grant the licence after modifying any conditions to such extent as the authority considers necessary for the promotion of the licensing objectives,
- c) exclude from the scope of the licence any of the licensable activities to which the application relates,
- d) refuse to specify a person in the licence as the premises supervisor or
- e) reject the application.

### **Purpose of Report**

- 1 To present the facts and relevant representations received in respect of an application for a premises licence for the Faringdon Kebab Van, Pioneer Road, Faringdon, to the Licensing Acts Panel in order that it can determine the application under Section 18 of the Licensing Act 2003.

### **Strategic Objectives**

- 2 The relevant strategic objective is that of 'building the local economy'. The relevant corporate priority is that of 'maintain low levels of crime and anti-social behaviour'.

## Background

3.1 The Licensing Act 2003 ('the Act') established a single integrated scheme for licensing premises which are used for the supply of alcohol, regulated entertainment, late night refreshment or permission to carry on some or all of these activities. In the Act these activities are referred to collectively as the 'licensable activities'.

3.2 Any assessment of licensable activities must consider and promote the four licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

3.3 Licences will normally be granted by the licensing officer under delegated powers but in the event of relevant representations being received regarding the grant of a premises licence the application is then referred to the Licensing Acts Panel to be considered.

3.4 An application has been received for a new premises licence (**Appendix 1**). The application is for the provision of late night refreshment, as follows:

Licensing Activity	Proposed Days and Times
Provision of late night refreshment	Sunday – Thursday, 2300-0000 Friday – Saturday, 2300-0130
Hours premises are open to the public	Sunday – Thursday, 2300-0000 Friday – Saturday, 2300-0130

3.5 No representation has been received from Thames Valley Police.

3.6 No representation has been received from Environmental Protection.

3.7 One representation has been received from a resident of Park Road, Faringdon which adjoins Pioneer Road; attached at **Appendix 2**. A map showing the location of the van, the respondent's address and the surrounding area is attached at **Appendix 3**. This resident has been visited by Environmental Protection and a report from them is attached at **Appendix 4**. Further photographs will be provided at the hearing.

3.8 The applicant's business partner currently holds a premises licence for late night refreshment for a similar van with the same trading name further along Park Road towards the A420. However the location specified on the licence has been built over and the van has not actually traded there for a number of years. The current van has been lawfully trading at the Pioneer Road location between the hours of 1700-2300 since the beginning of November 2013.

3.9 The applicant has agreed to an additional condition on the licence requiring the display of a notice requesting patrons to desist from causing un-necessary disruption to neighbouring residents. The applicant has suggested the following wording: 'Please respect our neighbours by keeping noise to a minimum, by not shouting, not revving engines, closing vehicle doors softly and leaving quietly'.

4.1 In determining the application the authority must give weight to:

- representations received from Responsible Authorities
- relevant representations received from other persons
- the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003
- the council's statement of licensing policy and
- the steps necessary to promote the licensing objectives

4.2 In view of the above, the panel is requested to consider the application for a premises licence and decide whether to:

- (a) grant the licence as applied for,
- (b) grant the licence after modifying any conditions to such extent as the authority considers necessary for the promotion of the licensing objectives
- (c) exclude from the scope of the licence any of the licensable activities to which the application relates,
- (d) refuse to specify a person in the licence as the premises supervisor,
- (e) reject the application.

## **Financial Implications**

5 Should the applicant or any other person wish to appeal against a decision of the council, they may do so to the Magistrates' Court. The council would incur costs should this occur, although the court may decide to award costs if the council's decision was upheld.

## **Legal Implications**

6.1 The Human Rights Act 1998 requires public bodies to ensure everything they do is compatible with Convention Rights and makes it unlawful for a public authority to act incompatibly with those rights. When determining whether to grant the application the panel will be aware of human rights considerations, specifically Part 1, Article 6, the right to a fair trial, Part 2 and Article 8 the right to respect for private and family life for those making representations.

6.2 The hearing of all applications is subject to the principles of natural justice.

6.3 Section 17 of the Crime and Disorder Act 1998 states, 'without prejudice to any other obligation imposed on it, it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area'.

6.4 Under Schedule 5, Part 1 of the Licensing Act 2003, any person aggrieved by the decision in respect of the application may appeal to a Magistrates' Court within 21 days of the date of the decision.

## **Conclusion**

7 This report provides information submitted by the applicant, one respondent and responsible authorities. The panel should determine this application with a view to promoting the four licensing objectives. It must, having had regard to all the relevant representations and the evidence it hears, decide whether; a) grant the licence as applied for, b) grant the licence after modifying any conditions to such extent as the authority considers necessary for the promotion of the licensing objectives, c) exclude from the scope of the licence any of the licensable activities to which the application relates, d) refuse to specify a person in the licence as the premises supervisor or e) reject the application.

## **Background Papers**

None.

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

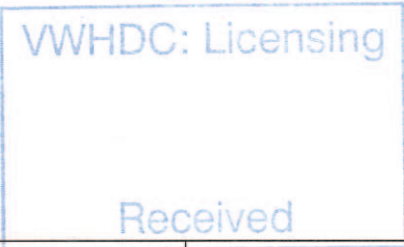
Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

I/We CEVDET ARSLAN  
*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description <b>SIDE OF THE PIONEER ROAD, FARINGDON OXON</b>			
			
<b>Post town</b>	FARINGDON	<b>Postcode</b>	
<b>Telephone number at premises (if any)</b>	07500831801		
<b>Non-domestic rateable value of premises</b>	£ N/A		

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> ARSLAN			<b>First names</b> CEVDET		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		78 REVENGLASS ROAD WESTLEA			
Post town	SWINDON		Postcode	SN57BW	
<b>Daytime contact telephone number</b>		17 500 3197			
<b>E-mail address (optional)</b>					

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	5	112013

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
TREALER OF THI KEBAB VAN.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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)

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	17.00	00.00			
Tue	17.00	00.00			
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Wed	17.00	00.00			
Thur	17.00	00.00			
			<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 5)		
Fri	17.00	01.30			
Sat	17.00	01.30			
Sun	17.00	00.00			



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 8).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	17.00	00.00	<b>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</b> (please read guidance note 5)
Tue	17.00	00.00	
Wed	17.00	00.00	
Thur	17.00	00.00	
Fri	17.00	01.30	
Sat	17.00	01.30	
Sun	17.00	00.00	

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

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 9)

Business is a Kebab Van selling limited hot food and soft drinks to passing customers only. It is not expected to attract large numbers of people at any one time.

□□□

**b) The prevention of crime and disorder**

I have CCTV cameras on my Kebab Van. There is no incentive for customers to remain in the are.

after they have purchased food.

**c) Public safety**

. I have got Health and Hygiene License and Van is registered with the Vale of White Horse District

Council Food Safety Team. The van is off the main road.

**d) The prevention of public nuisance**

I will keep the area clean at all times and ensure area is clean when I leave.

Van is situated on an industrial estate with consent of the Landowner in a quiet location.

Only noise is from a quiet generator.

All rubbish will be taken away and van is not kept at the location when not in use.

**e) The protection of children from harm**

It is not expected that children will come to the van unescorted. No age related products sold.

**Checklist:**

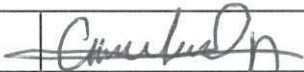
**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	26.11.2013
Capacity	owner

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Richard Brown - Fwd: Kebab Van, Travis Perkins Car Park, Pioneer Rd., Faringdon, Oxfordshire**

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**From:** Licensing unit  
**To:** Richard Brown  
**Date:** 04/12/2013 16:47  
**Subject:** Fwd: Kebab Van, Travis Perkins Car Park, Pioneer Rd., Faringdon, Oxfordshire

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Licensing  
Legal & Democratic Services  
Vale of White Horse District Council

Tel: 01235 540570 / 540384  
For textphone users add 18001 before you dial

Email : [licensing.unit@whitehorsedc.gov.uk](mailto:licensing.unit@whitehorsedc.gov.uk)

Visit us at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

>>> marija lewickyj <[annamarija@msn.com](mailto:annamarija@msn.com)> 04/12/2013 16:26 >>>  
A-M Lewickyj, 76 Park Road, Faringdon, Oxfordshire, SN7 7BZ.  
Tel: [01367 242400](tel:01367242400)

Members of the Licensing Committee, Vale of the White Horse, District Council.

I am contacting you with regard to the licensing application to extend the trading hours of the Kebab Van, which appeared on the car park of Travis Perkins, opposite my home at the beginning of November 2013. They are requesting a revised licence to trade until 12 am Sunday to Thursday and 1.30 am on Friday and Saturday.

Travis Perkins trade 6 days a week starting work at 7.00 am with all of the associated noise of a builders merchants warehouse. (forklift trucks etc.)

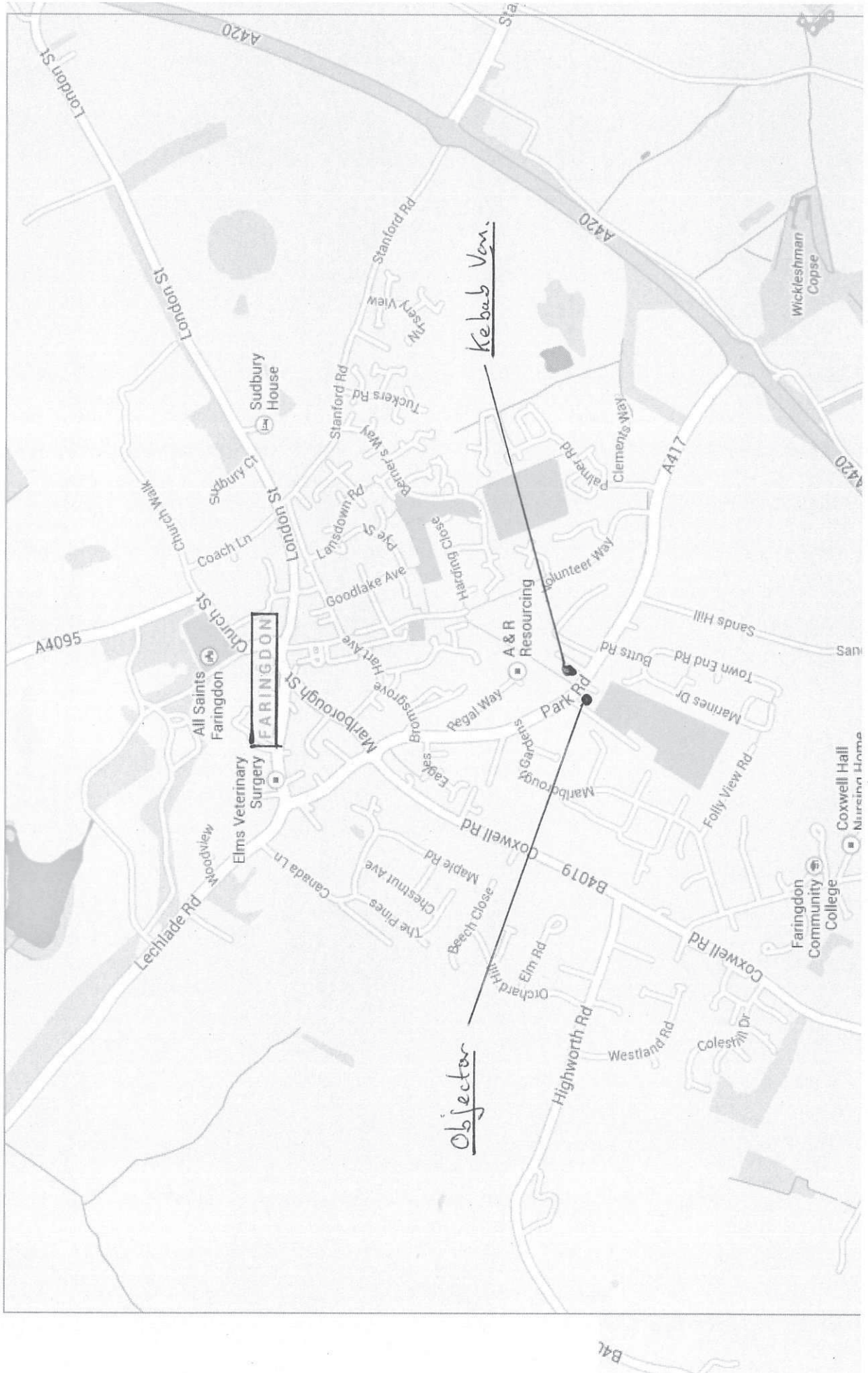
The Kebab Van from 5.00pm when Travis Perkins have closed, has brought with it, increased noise from clientele, increased car traffic, and their doors slamming, a constant drone from it's generator, and it is lit up with very bright lights.

All of this combining to make sleep, very difficult, I feel it must be a residents right to the opportunity to try to get eight hours sleep a night and certainly more than five and a half hours on a Friday night, before Travis Perkins start their working day.

I respectfully request that you take my comments into consideration when making your decision on this application.

Anna-Marija Lewickyj

screen, use the "Print" link next to the map.



**Richard Brown - Late refreshment license application-Mobile food van Pioneer Road Faringdon**

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**From:** Tim Williams  
**To:** Richard Brown  
**Date:** 13/12/2013 11:24  
**Subject:** Late refreshment license application-Mobile food van Pioneer Road Faringdon

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Hi Richard, I've visited the objector who lives in a first floor flat about 45 m from the mobile unit. The issues raised are, 1. noise from the generator, 2. light from the mobile unit and 3. noise from customers (door slamming and shouting).

I understand that the mobile currently trades on this site until 23.00 and the application is for an extension for an hour till midnight during the week and until 01.30 on Saturday and Sunday mornings.

1. The generator noise is not audible inside the objectors house. There is a hum which is just audible outside the property but I believe that this is from the nearby electricity sub station and not from the generator which is quiet and shielded by the mobile unit.
2. The mobile unit is just visible (at an oblique angle) from her front window. It is lit up and visible, however in my opinion it is not as bright as the street lighting in the area and lighting is not a significant issue.
3. Park Road lies between the objectors flat and the mobile unit. This road is busy with traffic during the daytime but traffic flow and resultant background noise are greatly reduced at night. The objector alleges that the noise from car doors slamming and noisy customers will disturb her sleep. This is possibly an issue and in order to quantify the extent of the existing noise and assess any potential impacts later on I have offered her the use of noise recording equipment to record the noise. She advised me that she will discuss this with her husband and get back to me.

I will advise you further when I hear back from her.

**Tim Williams**  
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**Richard Brown - Burger van -Pioneer Rd Faringdon**

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**From:** Tim Williams  
**To:** Richard Brown  
**Date:** 20/12/2013 09:56  
**Subject:** Burger van -Pioneer Rd Faringdon

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Hi Richard further to my previous email I have heard back from the objector who has declined the offer of noise recording equipment to assess the extent of the alleged noise from customers and car doors banging under the existing trading pattern.

In view of this I will not have enough information to make an assessment of these possible impacts and so I am not in a position to make an objection. Instead I believe that the applicant should be made aware of the potential impacts of noise from customers and slamming car doors, with a view to controlling them as far as possible, on the understanding that if substantiated complaints are received the licence will be called in for review and could be revoked. Perhaps a condition could be included on the licence to reflect this.

Regards

**Tim Williams**  
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Health & Housing  
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