



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,  
ELY, CAMBRIDGESHIRE CB7 4EE  
Telephone: 01353 665555

MEETING: **LICENSING SUB-COMMITTEE**  
TIME: 11:00am  
DATE: 22<sup>nd</sup> August 2019  
VENUE: Council Chamber, The Grange, Nutholt Lane, Ely  
ENQUIRIES REGARDING THIS AGENDA: Adrian Scaites-Stokes  
DIRECT DIAL: (01353) 665555 EMAIL: [adrian.scaites-stokes@eastcambbs.gov.uk](mailto:adrian.scaites-stokes@eastcambbs.gov.uk)

## Conservative Members:

Councillor Julia Huffer  
Councillor Alan Sharp

**Quorum:** 3 Members

## Liberal Democrat Member:

Councillor Sue Austen  
Councillor Alec Jones  
Councillor Alison Whelan

# A G E N D A

- 1. Election of Chairman**  
Election of Chairman of the Licensing Sub-Committee for the remainder of the municipal year
- 2. Appointment of Vice Chairman**  
Appointment of Vice Chairman of the Licensing Sub-Committee for the remainder of the municipal year
- 3. Declarations of Interest**  
To receive declarations of interest from Members for any items on the Agenda in accordance with the Members Code of Conduct
- 4. DETERMINATION OF AN APPLICATION FOR CONSENT TO TRADE FROM A LOCATION DEFINED AS A CONSENT STREET IN ACCORDANCE WITH THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**  
To consider the above matter in accordance with the Hearings Procedure (attached)

**NOTES:**

1.	The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints, this will normally give a capacity for public attendance of 60.
2.	<p>Fire instructions for meetings:</p> <ul style="list-style-type: none"><li>▪ If the fire alarm sounds please make your way out of the building by the nearest available exit - i.e. the back staircase or the fire escape in the chamber. Do not to use the lifts.</li><li>▪ The fire assembly point is in the front staff car park by the exit barrier.</li><li>▪ This building has an auto-call system to the fire services, so there is no need for anyone to call the fire services.</li></ul> <p>The Committee Officer will sweep the area to ensure that everyone is out of this area.</p>
3.	Reports are attached for each agenda item unless marked “oral”.
4.	<p>If required all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail:</p> <p><a href="mailto:translate@eastcambbs.gov.uk">translate@eastcambbs.gov.uk</a></p>
5.	<p>If the Committee wishes to exclude the public and press from the meeting a resolution in the following terms will need to be passed:</p> <p>“That the press and public be excluded during the consideration of the remaining items no. X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 1, 2 and 7 Part I Schedule 12A to the Local Government Act 1972 (as Amended).”</p>

## **STREET TRADING LICENCES – HEARING PROCEDURE**

The Hearing will normally be in public.

However, where the subject matter of the hearing is likely to involve consideration of exempt matters, then the Hearing will usually take place in private.

A Legal Officer will assist the Committee on matters of law, evidence and procedure.

### **Procedure:**

1. The Chair will welcome the Applicant/Licence Holder (representative) and where appropriate Complainant(s), introduce Members/Officers present, and explain the procedure to be followed.
2. The Chair will ask whether the Applicant/Licence Holder has received the report.
3. The Chair will ask the Licensing Officer to present the report.
4. The Chair will ask the Applicant/Licence Holder whether the content of the report is accurate and follow up if he/she says that it is not.
5. The Chair or Members may ask questions of the Licensing Officer.
6. If a Complainant is present he or she will be asked to give details of their complaint and/or refer to any statement appended to the report.
7. The Chair, Members, or Legal Officer may ask the Complainant questions.
8. The Applicant/Licence Holder may ask the Complainant questions.
9. The procedure will be repeated where there is more than one Complainant.
10. The Applicant/licence Holder (or his/her representative) will be invited to address the Committee in support of their case. He or she may call witnesses in support of his/her case.
11. The Chair/members, or Legal Officer may ask questions of the Applicant/Licence Holder or their witnesses.
12. The Chair will ask whether any officers present have any comments to make or questions to raise. If the officers make any comments they may be asked questions.
13. The Applicant/Licence Holder will then be invited to make a closing statement.
14. The Members and Legal Officer will go into close session. The members will make a decision and record the reasons for this.
15. The Members of the Committee will then return to open session and bring everyone else back into the room. The Chair will announce the decision with reasons and advise that a letter confirming the decision and rights of appeal will be sent within the next 7 days.

## AGENDA ITEM NO. 4

**TITLE: DETERMINATION OF AN APPLICATION FOR CONSENT TO TRADE FROM A LOCATION DEFINED AS A CONSENT STREET IN ACCORDANCE WITH THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982.**

Committee: Licensing Sub-Committee

Date: 22 August 2019

Author: Senior Licensing Officer – Stewart Broome

[U51]

### 1.0 PURPOSE/SUMMARY OF REPORT

1.1 To consider an application to trade from a location defined as a Consent Street within the East Cambridgeshire district boundary.

### 2.0 RECOMMENDATION(S)

2.1 That Members consider the report, and determine:

- (i) To grant the application as applied for; or
- (ii) Grant the application with any variation deemed reasonably necessary subject to the Council's approved standard conditions and any other specific conditions or restrictions the Committee deem reasonable and appropriate.
- (ii) To refuse the application.

### 3.0 BACKGROUND

3.1 The Local Government (Miscellaneous Provisions) Act 1982 contains adoptive provisions enabling local councils to control street trading by designating streets as Licence Streets, Consent Streets or Prohibited Streets.

3.2 Street trading is only permitted in Licence or Consent Streets if the Council has given permission by way of a licence or consent. Permission cannot be given to trade in Prohibited Streets. Street trading is not controlled in streets that have not been designated by the Council, or in areas covered by one of the exemptions within the legislation.

3.3 The Council reviewed its street trading resolutions in 2015, and following a consultation exercise all streets (as defined by the "1982 Act") in the district were designated as Consent Streets, with the exception of the A10, A11 and A14 trunk roads which were designated as Prohibited Streets. This change took effect from 1 April 2016.

3.4 In accordance with the Council's Street Trading Policy, applications that do not attract objections can be dealt with via delegated powers to officers. However, if an objection is received, the application must be determined by Members.

3.5 In April 2018 minor amendments were made to the Street Trading Policy, to enable the Licensing Sub-Committee, or the main Licensing Committee to determine such applications. These amendments came into effect on 11 April 2018.

#### 4.0 THE APPLICATION

4.1 A new application has been received from a Mr Pektas of 11 Bakers Corner, Ely, Cambridgeshire, CB6 1BJ to sell hot food and drink from a catering unit to be permanently located on the car park of the Haddenham Sports and Social Club, Brooklands Centre, Chewells Lane, Haddenham, Ely, CB6 3SS during the times listed in the table below:

Day	Hours
Monday to Sunday	16:00 to 22:00

4.2 The full application form, location plan, and a photo of the trading unit can be found in **Appendix 1**.

4.3 In accordance with the Council's policy the following organisations/ people were consulted:

- Cambridgeshire Constabulary
- Cambridge County Council highways department,
- Environmental Services
- Markets
- Facilities
- Communities Team
- Planning
- Ward, City, town and parish councils
- Property owners within 100metres who directly overlook the proposed location (static pitches only)

4.4 During the consultation period Officers received a total of six valid objections to the granting of consent (**see Appendix 2**), and nine valid comments supporting the application (**see Appendix 3**). Officers also received one comment they considered to be neutral from the local Parish Council. Although considered neutral, it has been included as it provides information that may be useful to Members (**see Appendix 4**).

4.5 Those opposing the application cited noise, odour, rubbish, and traffic issues as reasons for their objections.

4.6 The supporting comments included statements that this is a welcomed facility and a much needed alternative to the other limited offerings in the area, and that it removed the need to travel further afield.

4.7 In the period since Mr Pektas submitted his main application he has traded legally on 16 occasions using the full quota of daily permits that are permitted per calendar year, and are not subject to the normal consultation process.

4.8 One member of the public contacted the Licensing Authority during this time to voice concerns over noise, smells, and litter. The comments submitted by the Senior EHO came as a result of visiting on one of these trading occasions.

#### 5 CONSIDERATIONS

5.1 In considering applications for the grant of a Street Trading Consent, as well as the individual merits of the application and the relevant legislation, the Street Trading Policy provides that the Council may have regard to the number, nature and type of

traders already trading within a consent area when determining an application, and when determining an application for the grant or renewal of a Street Trading Consent the following factors will be considered:

a) Public Safety

Whether the street trading activity represents, or is likely to represent, a substantial risk to the public from the point of view of obstruction, fire hazard, unhygienic conditions or danger that may occur when a trader is accessing the site.

b) Public Order

Whether the street trading activity represents, or is likely to represent a substantial risk to public order.

c) The Avoidance of Public Nuisance

Whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance to the public from noise or misbehaviour, particularly in residential areas.

d) Highway

The location and operating times will be such that the highway can be maintained in accordance with the Cambridgeshire County Council's requirements and that there are no dangers to those who have a right to use the highway and no obstruction for emergency access.

e) Compliance with legal requirements

Trading should only be conducted from a trading unit that complies with relevant legislation. Observations from relevant officers will be considered on this point.

5.2 The Council's Street Trading Policy states that the Council will normally grant a Street Trading Consent unless, in its opinion:

- A significant effect on road safety would arise either from the siting of the trading activity itself, or from customers visiting or leaving the site;
- Where there are concerns over the recorded level of personal injury accidents in the locality where the street trading activity will be sited;
- There would be a significant loss of amenity caused by traffic, noise, rubbish, potential for the harbourage of vermin, odour or fumes;
- There is already adequate like provision in the immediate vicinity of the site to be used for street trading purposes but note that competition issues will not be a consideration;
- There is a conflict with Traffic Orders such as waiting restrictions;
- The site or pitch obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger when in use for street trading purposes;
- The trading unit obstructs the safe passage of users of the footway or carriageway;
- The trading unit is not considered to be suitable in style or in keeping with the location requested.

- The pitch interferes with sight lines for any road users such as at road junctions, or pedestrian crossing facilities;
- The site does not allow the Consent Holder, staff and customers to park in a safe manner;
- The street trading activity is carried out after dusk and the site is not adequately lit to allow safe access and egress from the site for both customers and staff.
- In the case of a renewal application the previous year's fees have not been settled, and/or the consent holder has been the subject of substantiated complaints.

5.3 The Street Trading Policy allows Members and Officers to depart from the policy where there are clear and compelling reasons for doing so.

5.4 The site is a car park that is open at all times and provides access to a nursery and pre-school. The car park is also used by those attending club functions at the Social Club.

5.5 Haddenham Sports and Social club is a busy community asset that holds a Club Premises Certificate. This Certificate allows its members, and guests of member's access to entertainment and alcohol during the following times:

The times the certificate authorises the carry out of qualifying club activities		
Plays	Friday to Saturday	20:00 - 22:30
Films	Monday	11:00 - 22:00
	Friday to Saturday	11:00 - 22:00
Indoor Sporting Events	Weekends	14:00 - 17:00
Supply of Alcohol	Sunday to Friday	11:00 - 23:30
	Saturday	11:00 - 00:00
Live music	Sunday	20:00 - 00:00
	Friday to Saturday	20:00 - 00:00
Recorded music	Wednesday	20:00 - 23:00
	Saturday	10:00 - 00:00
Performance of dance	Weekends	14:00 - 23:30

5.6 Beyond the Sports and Social club, Chewells Lane leads to an allotment and a cemetery. Beyond this, Chewells Lane turns into a farm track and then a dead-end.

5.7 Having been made aware of the objections the applicant suggested moving their trading location to the location indicated on **Appendix 5**. Although Officers are not permitted to amend the details of the application that is being consulted upon, Officers contacted Cambs County Highways to see if this change of location would cause them concerns, and they responded stating that they foresaw no issues, **Appendix 6**.

5.8 It has also been indicated that the resident who would be most affected if members considered this change of location is supportive of this move.

## 6.0 LEGISLATIVE POSITION/LEGAL IMPLICATIONS

6.1 Schedule 4 paragraph 7(2) of the “1982 Act” provides that the Council may grant a consent if they think fit, subject to observing the mandatory grounds for refusal at sub-paragraph 7(3). No mandatory grounds of refusal are applicable to this application.

6.2. The Council is not under any duty to grant a Street Trading Consent and need not specify any of the statutory grounds for refusal. Therefore, the matter to grant or refuse an application for a Street Trading Consent is at the total discretion of the Council. However, the Council must have regard to its Street Trading Policy, which outlines the approach that it will take in determining applications of this sort, and any comments submitted in support of, or in opposition to the granting of the application. Members will need to give full reasons for their decision.

6.3. Accordingly the Committee may:

- (i) Grant the application as it stands in which case it will be subject to the Council’s approved standard conditions (**see Appendix 7**).
- (ii) Grant the application with any variation deemed reasonably necessary subject to the Council’s approved standard conditions and any other specific conditions or restrictions the Committee deem reasonable and appropriate.
- (iii) Refuse the application.

6.4 Street Trading Consents can be issued for a maximum of twelve months, but can be issued for shorter periods.

6.5 Street Trading Consents can be revoked at any time.

## 7.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

7.1 There are no costs associated with this report, other than the author’s time. However, should the Council’s decision be subject to a judicial review, legal fees to defend the review would be accrued.

7.2 An Equality Impact Assessment (EIA) is not required as this does not relate to a service provided by the Council or a decision on a change of policy, but a regulatory disciplinary matter relating to an individual.

## 8.0 APPENDICES

- 8.1 Appendix 1 - Application, location plan, and trading unit photo
- Appendix 2 - Objections
- Appendix 3 - Supporting comments
- Appendix 4 - Neutral comment
- Appendix 5 - Revised trading location
- Appendix 6 - Cambs County Council response to revised trading location
- Appendix 7 - Standard trading conditions



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**Background Documents****Location****Contact Officer**

Local Government  
(Miscellaneous Provisions)  
Act 1982

Room SF208  
The Grange  
Ely

Stewart Broome  
Senior Licensing Officer  
01353 616477  
stewart.broome@eastcambs.gov.uk

East Cambs Street Trading  
Policy 2016



East Cambridgeshire  
District Council

## Local Government (Miscellaneous Provisions) Act 1982

### APPLICATION FOR STREET TRADING CONSENT

- Please familiarise yourself with our terms and conditions before completing this application
- It is an offence to give false information - all questions must be answered.
- An application will not be deemed valid unless the Licensing Authority receives the following documents in addition to a completed and signed application form, and the relevant fee:
  1. One Passport style photo for each applicant ✓
  2. Proof of right to work in the UK<sup>1</sup> for each applicant ✓
  3. A copy of a map clearly identifying the proposed trading location(s) and trading unit boundaries with a red line. ✓
  4. A photo of the front, rear, left and right aspects of the van, cart, barrow, other vehicle or stall from which trading is intended to take place. ✓
  5. Proof of third party and public liability insurance for street trading with a minimum of £2,000,000 liability cover is, or will be in place during the street trading activity. ✓
  6. Gas safety certificate issued by a Gas Safe registered gas engineer, if applicable. ✓
  7. Written report of electrical safety issued by a NICEIC registered electrical contractor, if applicable. ✓
  8. Evidence to confirm food handlers have undertaken a satisfactory level of food hygiene training, if applicable. ✓
  9. Confirmation that the mobile unit is registered under the Food Premises (Registration) Regulations 1991, if applicable. ✓
  10. Where the proposed street trading is from a fixed position, written permission from the land owner of the proposed trading location. ✓

<sup>1</sup> Consents will not be issued to any person who does not have a right to work in the UK at the time of application. In order to confirm your right to work, all applicants must supply suitable documentation such as, a Passport, Biometric Residence Permit, birth certificate, or other approved home office documents.

#### **Please Note**

The Licensing Authority reserves the right to request a DBS criminal record certificate from all applicants stated on the application form. If such a check is required the Licensing Authority recognises the DBS "Update Service" scheme. For more information, please see our website [www.eastcambs.gov.uk](http://www.eastcambs.gov.uk).

### METHOD OF COMMUNICATION

- The Council's primary method of communication is by email.
- The Council may also communicate with you via text message to your mobile phone. As the Council is not a telecommunications company it will be necessary to use the services of a 3<sup>rd</sup> party such as BT or Virgin to provide this facility. Where text messaging is used the Council will observe the principles of General Data Protection Regulations (GDPR) and the Data Protection Act 2018.
- By signing this application form you are agreeing to permit the Council to contact you using email, phone, text, and traditional paper based communication.

### CONSENT PERIOD

Street trading consents will last 12 months, or until the last daily permit date requested has passed in all cases, unless surrendered by the consent holder, or withdrawn by the Licensing Authority. The period between the first daily permit and the final daily permit cannot exceed 12 months. Street trading consent fees can be found on [www.eastcambs.gov.uk](http://www.eastcambs.gov.uk).

### APPLICANT TYPE

Please indicate who will be the proprietor of the business:

- Sole trader  (complete sections 1 to 8, and 24 onwards)
- Partnership  (complete sections 1 to 16, and 24 onwards)
- Limited Liability Partnership (LLP)  (complete sections 17 onwards)
- Limited Company  (complete sections 17 onwards)

### PROPRIETOR DETAILS

1. Surname: PEKTAS
2. Forename(s) OZGUR
3. Current registered address: 11 BAKERS CORNER, ELY
- Postcode: CB6 1BJ
4. Date of birth: [REDACTED]
5. Telephone: [REDACTED]
6. Mobile: [REDACTED]
7. Email: [REDACTED]
- 8(a). Are you permitted to work in the UK?: Yes  No
- 8(b). Are there any restrictions?: Yes  No  (If yes, please detail them below)
- [REDACTED]

### ADDITIONAL PROPRIETOR DETAILS

9. Surname:
10. Forename(s)
11. Current registered address:
- Postcode:
12. Date of birth:
13. Telephone:
14. Mobile:
15. Email:
- 16(a). Are you permitted to work in the UK?: Yes  No
- 16(b). Are there any restrictions?: Yes  No  (If yes, please detail them below)

### OTHER PROPRIETOR DETAILS

17. Ltd Company/LLP name:

18. Current registered address of Ltd Company/LLP:

Postcode:

19. Ltd Company/LLP registration number:

20. Mobile:

21. Telephone:

22. Email:

23. Director/ Partner/Company Secretary names:

(please indicate all persons registered with Companies House, in the order you would like us to contact you)

### PENDING PROSECUTIONS

24. Does any person named on this application form have any foreign or domestic prosecutions pending against them?: Yes  No

(If yes, please give details and continue on a separate sheet if needed)

Date of Court hearing	Offence	Court

### CRIMINAL CONVICTIONS, CAUTIONS, and/or WARNINGS

25. Has any person named on this application been convicted of any foreign or domestic offences, or received any Police cautions, or warnings?: Yes  No  (If yes, please give details and continue on a separate sheet if needed)

**NB: There is no need to declare any offences considered "spent" under the Rehabilitations of Offenders Act 1974.**

Date	Offence	Court	Sentence

### TRADING DETAILS

Trading name (if applicable):	HADDENHAM BURGER VAN
Street name (fixed location), or the name of all the streets you wish to trade (mobile trading):	Chewells Lane, Haddenham, CB6 3SS Haddenham Sports and Social Club

Please indicate whether you wish to apply for a daily permit or an annual consent?:	Annual: <input checked="" type="checkbox"/> Permit: <input type="checkbox"/>		
Annual consent trading days and times?	<b>Day</b>	<b>Start time</b>	<b>Finish time</b>
	Monday	4 pm	10 pm
	Tuesday	4 pm	10 pm
	Wednesday	4 pm	10 pm
	Thursday	4 pm	10 pm
	Friday	4 pm	10 pm
	Saturday	4 pm	10 pm
	Sunday	4 pm	10 pm
Please enter all daily permit trading dates and times (e.g. 4 <sup>th</sup> July – 9am to 7pm, or 4 <sup>th</sup> to 10 <sup>th</sup> July – 9am to 7pm):			

<b>GOODS TO BE SOLD (please tick all relevant boxes)</b>	
Clothing	<input type="checkbox"/>
Electrical spares	<input type="checkbox"/>
DIY products	<input type="checkbox"/>
Hot food and drink (please tick all relevant boxes)	Baked Potatoes <input type="checkbox"/> <del>Fish</del> /Chips <input checked="" type="checkbox"/> Curry <input type="checkbox"/> Burgers <input checked="" type="checkbox"/> Hot Dogs <input type="checkbox"/> Kebabs <input checked="" type="checkbox"/> Fried Chicken <input type="checkbox"/> Crepes/Pancakes/Doughnuts etc <input type="checkbox"/> Sausage/Bacon/Eggs etc <input type="checkbox"/> Other (please state below) <input type="checkbox"/>
Furniture	<input type="checkbox"/>
Records, CD's and DVD	<input type="checkbox"/>
Household cleaning goods	<input type="checkbox"/>
Books	<input type="checkbox"/>
Fresh fish	<input type="checkbox"/>
Fresh meat	<input type="checkbox"/>
Fruit and Veg	<input type="checkbox"/>
Delicatessen	<input type="checkbox"/>
Flowers and plants	<input type="checkbox"/>
Ice-cream vendor	<input type="checkbox"/>
Cakes/bakery	<input type="checkbox"/>
Arts and crafts	<input type="checkbox"/>
Other (please state type of goods)	

DETAILS OF TRADING UNIT	
Type of trading unit:	Mobile Catering Unit <input checked="" type="checkbox"/> Barrow <input type="checkbox"/> Ice-Cream Van <input type="checkbox"/> Cart <input type="checkbox"/> Stall <input type="checkbox"/> Other (please state) <input type="checkbox"/> .....
Vehicle registration (if applicable):	<b>MX 58 TNE</b>
Trading unit measurements:	Height: <b>2</b> .....mtrs <b>31</b> .....cms Width: <b>2</b> .....mtrs <b>38</b> .....cms Length: <b>5</b> .....mtrs <b>67</b> .....cms

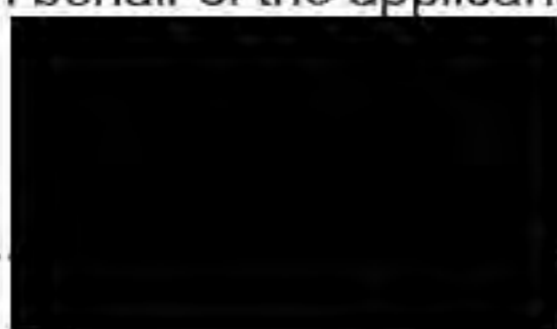
SUPPORTING DOCUMENTS CHECKLIST	
1. One Passport style photo for each applicant endorsed as a true likeness by a person of professional standing.	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/>
2. Proof of right to work in the UK for each applicant	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/>
3. A copy of a map clearly identifying the proposed trading location(s) and trading unit boundaries with a red line.	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/>
4. A photo of the front, rear, left and right aspects of the van, cart, barrow, other vehicle or stall from which trading is intended to take place.	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/>
5. Proof of third party and public liability insurance for street trading with a minimum of £2,000,000 liability cover is, or will be in place during the street trading activity.	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/>
6. Gas safety certificate issued by a Gas Safe registered gas engineer, if applicable.	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/> N/A: <input type="checkbox"/>
7. Written report of electrical safety issued by a NICEIC registered electrical contractor, if applicable.	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/> N/A: <input type="checkbox"/>
8. Evidence to confirm food handlers have undertaken a satisfactory level of food hygiene training, if applicable.	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/> N/A: <input type="checkbox"/>
9. Confirmation that the mobile unit is registered under the Food Premises (Registration) Regulations 1991, if applicable.	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/> N/A: <input type="checkbox"/>
10. Written permission from landowner of trading location	Enclosed: <input type="checkbox"/> To follow: <input type="checkbox"/> N/A: <input type="checkbox"/>

DECLARATION
<p><b>Fraud Act 2006</b></p> <p>I hereby declare that I fully understand, have read and checked the details and questions on this application form and the foregoing statements are true. I understand that it is a criminal offence if I or anyone else gives false information, or makes a false representation, or fails to disclose information in order for me to obtain street trading consent. I am fully aware that the provision of a false statement, or information in order to obtain a licence is an offence under the above Act which may result in the refusal of this consent application and any subsequent consent applications for a period of one to three years. I am also aware that any consent granted as a result of breaching the above Act will be immediately withdrawn. A refusal or revocation decision is not reliant on a formal conviction under the above Act being secured.</p>

I have read the Street Trading Policy, and I undertake, in the event of a consent being granted, to observe and comply with such conditions.

Signed by or on behalf of the applicant<sup>2</sup>

Signed (by the applicant):



Date: 2 JULY 2019

Print name:

OZGUR PEKTAS Capacity: OWNER

Signed (by the applicant):

Date:

Print name:

Capacity:

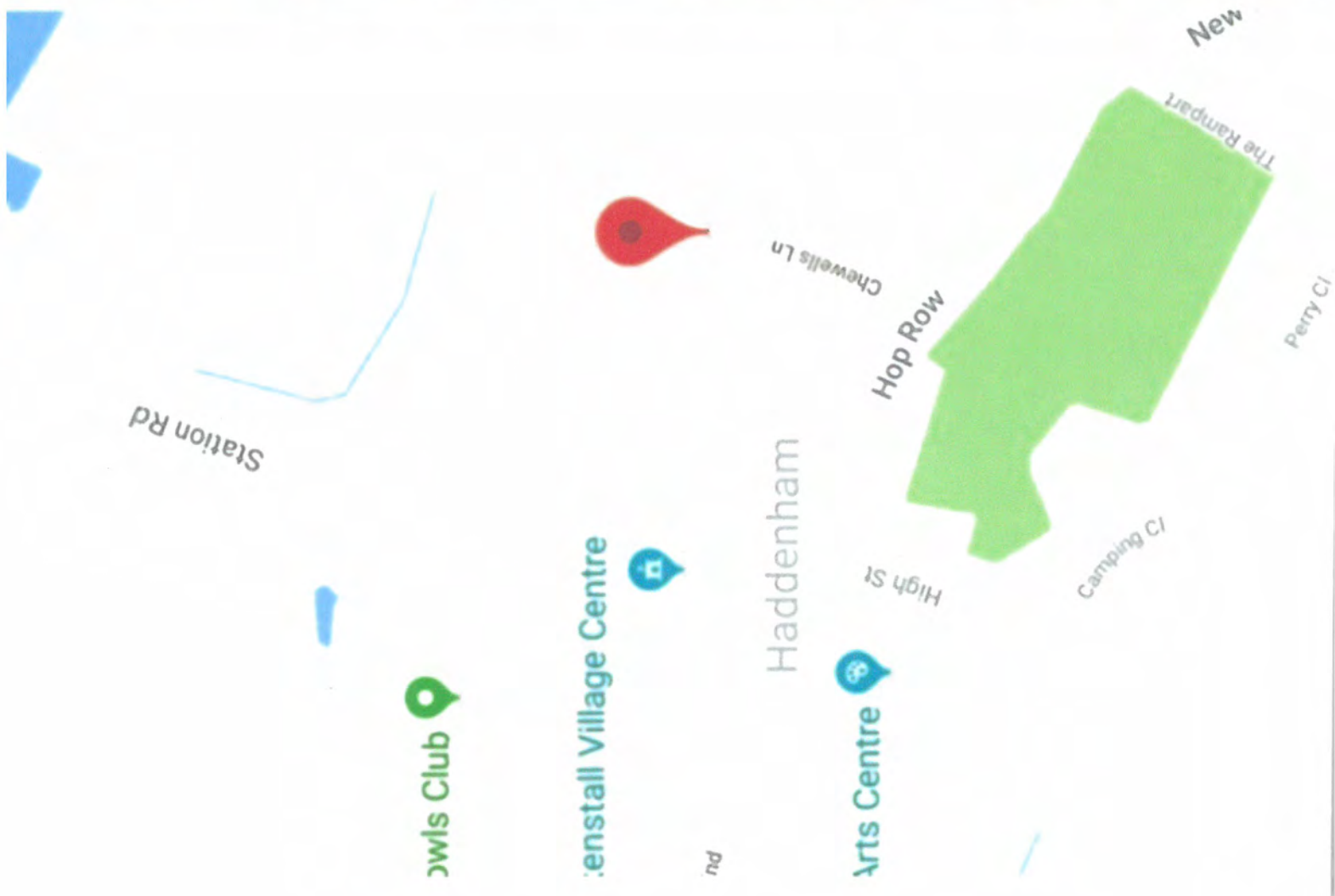
<sup>2</sup> If signing on behalf of a Ltd Company or LLP only one responsible person needs to sign.

### GDPR AND THE DATA PROTECTION ACT 2018

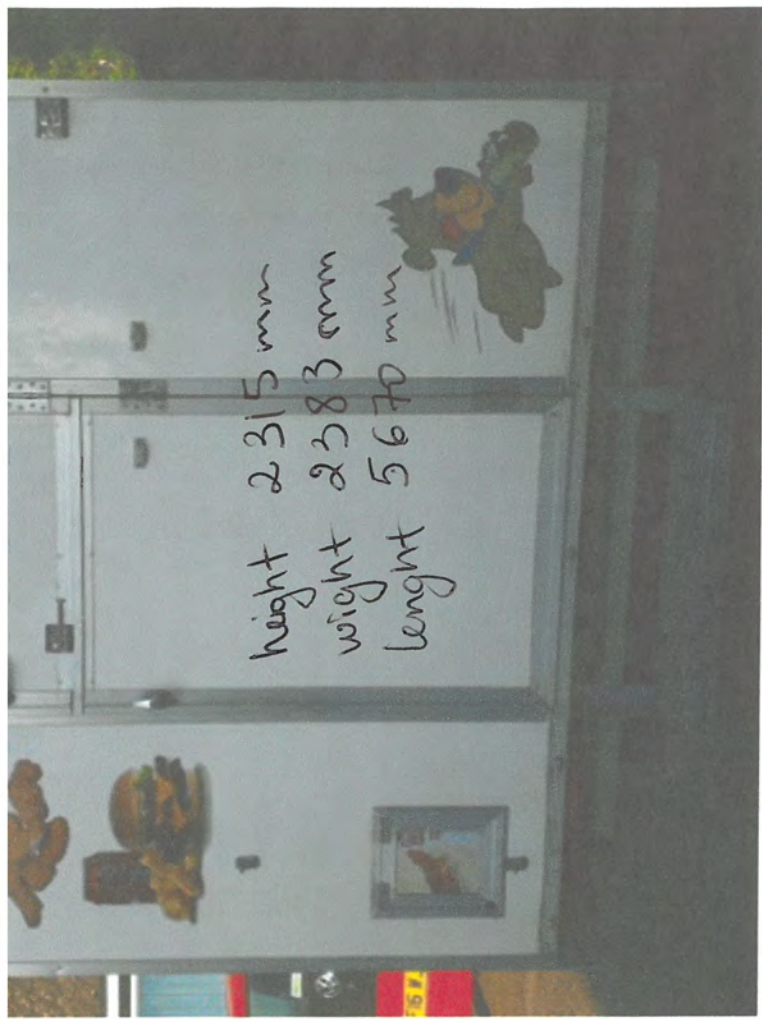
In line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, East Cambridgeshire District Council is fully committed to protect the privacy of our constituents, staff and members. We ensure the safe processing of personal data through strict guidelines for collection, storage and retention of information. Where appropriate, data sharing protocols are entered into and robust security measures are in place. The council maintains its Public Services Network (PSN) compliance, demonstrating its on-going commitment to supporting best practice in the maintenance and handling of data.

For further information contact: The Data Protection Officer, The Grange, Nutholt Lane, Ely, Cambs., CB7 4EE (email: [dataprotection@eastcambs.gov.uk](mailto:dataprotection@eastcambs.gov.uk))

The Licensing Authority maintains a data retention and sharing policy in accordance with GDPR rules, which explains how your information could be used by the Licensing Authority. Further details are available on the Council's website [www.eastcambs.gov.uk](http://www.eastcambs.gov.uk).







# OBJECTION 1

**Stewart Broome**

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**From:**  
**Sent:** 30 July 2019 12:01  
**To:** Licensing  
**Subject:** Request to run food & drink van from Haddenham Sports & Social Club

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Stewart

Dear Mr Broome

With regards to the above request I would just like to register my concerns:

Living so close to the Social Club we are used to noise at the weekends with parties/disco's etc and everyone who buys a house in this close has to accept that but with the van from 4-10pm 7 days a week, and particularly in the summer, we don't get a break from the noise of cars arriving, doors slamming, loud music playing and the smell of food cooking which is very strong if the wind is in the north. It can really spoil a nice sunny afternoon/evening in the garden. Admittedly, during last weeks extreme heat wave they didn't come every day which is understandable. I know these concerns won't be as relevant in the winter .

With the school's having broken up for the summer holidays I feel that will bring a new set of problems with young teenagers hanging around and the associated noise that goes with it.

We have a problem in the village with anti social behaviour with performance cars driving around late at night & with the first 'event' two weekends ago with drag racing on approach roads and simultaneous revving of engines in the village centre late into the night - my worry is that they could converge in the car park in the future as food will be available to them. I know these particular events move around from town to town but it would be a nightmare if it became a meeting point.

And finally, I did notice during the first week that there was someone working in the van with a plaster cast on his arm which is surely a health hazard when working with food.

Yours sincerely  
Margaret Benton  
8 Paddock Way  
Haddenham



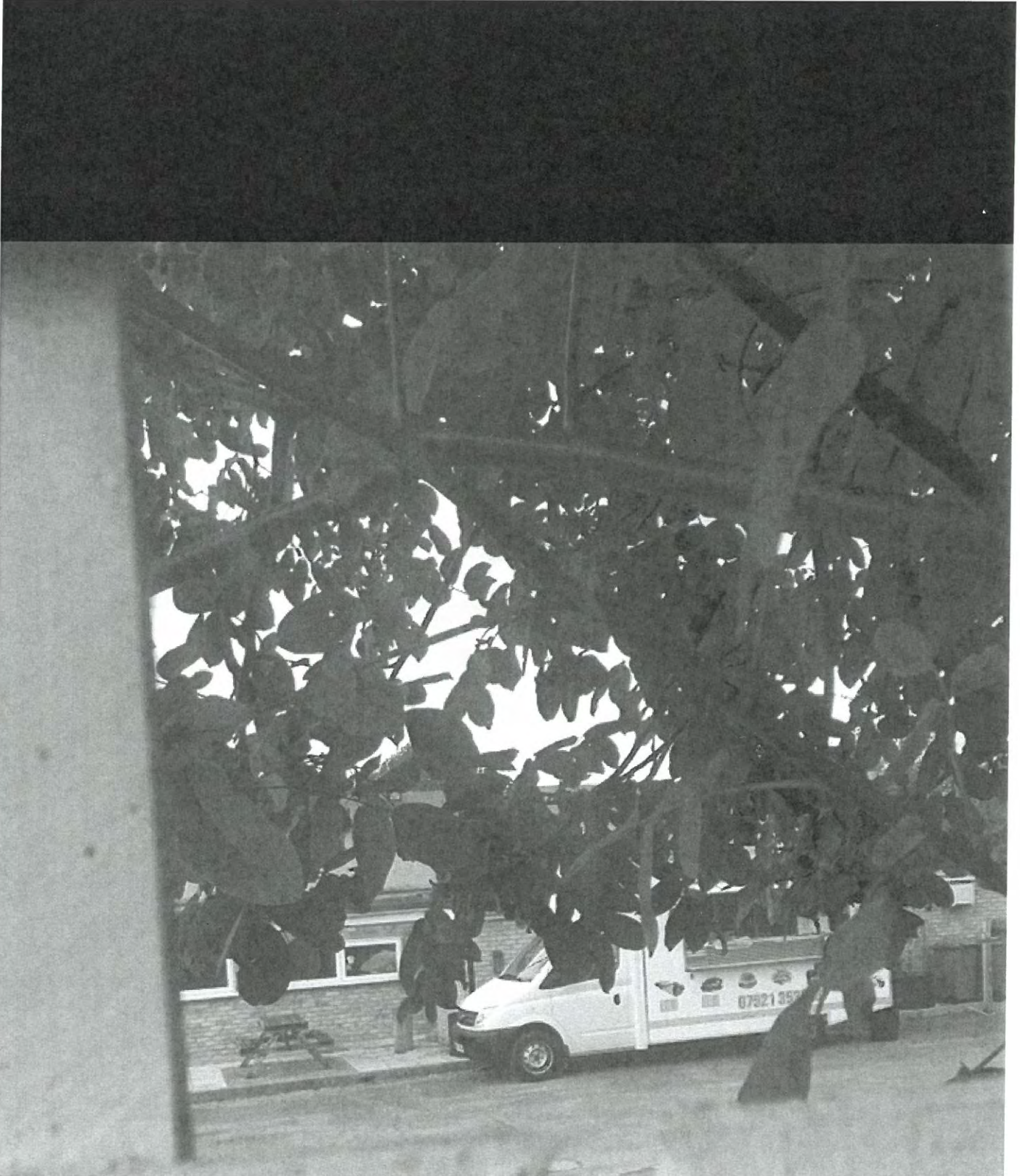
Virus-free. [www.avg.com](http://www.avg.com)

# OBJECTION 2

**Stewart Broome**

---

**From:** [Redacted]  
**Sent:** 31 July 2019 20:31  
**To:** Licensing  
**Subject:** Proposed Street Trading - Haddenham Kebab Van  
**Categories:** Stewart





**Kenneth Cooney**

### Haddenham notices and events (Cambs)

1 hr ·

To the idiots that keep leaving waste food and litter down by the cemetery. PLEASE STOP!

Children and dogs walk down there every day. We are forever trying to stop my lab from eating junk food left behind.

There are bins there, how difficult is it to get out of your cars and put it in the bin?

Also the lady who stops and has her lunch on Chewalls Lane, I've seen you throw your junk into the hedgerow. Next time I see you do it, it will be thrown back into your car with no remorse from me as to where it lands.

You, Anne Thorpe and 25 others

Like

Comment



I have received your letter dated 4th July and would like it on record that I strongly object to the siting of the Kebab Van in the Social Club car park in Haddenham.

### Visibility

Please see attached picture showing the view from my garden, kitchen/dining room and of course upstairs windows. The van sits no more than 7 metres from my back fence. It is only obscured more by my neighbours overgrown tree, which of course will shed its leaves in winter, making the view of the van more clear. I have already had to raise the height of my fence due to unsociable behaviour from the social club as items being thrown into my garden.

### Noise

I have been at home for all the times the kebab van has been present. Firstly the workers do not seem to be able to speak at a normal level and with my kitchen window open I can hear every word they say. There is a constant 'whirring' noise which I can only assume is the gas or similar. I have witnessed people turn up and leave their engines on against my fence whilst they wait for their kebab, mainly the younger generation who sadly at the moment see fit to congregate in the car park. This is a noise and pollution issue.

I have witnessed people come out from the social club and buy food. As they are not allowed to eat food within the club, they are standing outside eating. Again, I appreciate I have chosen to live near the social club, but this now creates more noise closer to my home. The amount of cars coming in and out has increased again making more noise and pollution.

### Smell

This is my main concern and has actually caused me distress over the last four weeks. The smell is horrific. I can only describe it as 'chip fat like'. The first night the van was present my son who was unaware of its presence, left his coat outside. In the morning he picked it up and asked what I'd been cooking as it stank! That coat had been left over 12 hours in the fresh air after the van had left and been subjected to 6 hours of the kebab van cooking. That shows how strong the smell is.

I am having to bring my washing in at 4pm every day due to the smell. We are a family of six. I have five children I care for. One has a disability and one is a looked after child ( I am a foster carer for the local authority). I have washing out all day every day if I can, and now I am limited due to the smell. This is not

acceptable. I would also add the we have found them smell intolerable both in the garden and house. I pride myself on my home and have lived here 12 years. I keep it to a certain standard as I foster children and part of fostering means promoting a safe and healthy environment. I would not now take a child in the garden due to the smell and we cannot have our windows open, which again makes breathing easier for all and circulates fresh air. The first Saturday night the kebab was present, I don't mind admitting I was in tears in my bathroom at 1045pm, which I hasten to add he was still present. This was because the whole house stank of fat. Everyone is entitled to a clean lifestyle and should be able to sleep/ live with windows open.

The kebab van backs on to the allotments and graveyard. The smell is just as bad down there depending on the wind direction. I visit the graveyard on a regular basis as my dear friend is buried there. I do not want to smell cooking fat when I do this and I am positive anyone working on their allotment would want to either.

### Rubbish

Please see attached picture. Members of the public have already noticed the increase in litter. The bin in the carpark has been over flowing and this is with the kebab van being there four nights a week. The increase in rubbish and food being dropped will encourage vermin to the local environment. We have in the past had issues with rats in the area.

### Meeting point

The kebab van had encouraged (as above) the local adolescents to meet. As above these have been hanging around until 1pm and waking up my children who sleep at the back of the house. I have never complained to the social club about the noise before, but the noise from the club and recent events, including fights, illegal selling of alcohol and drug use are issues will become worse if the kebab van is there and every night. I have reported these to Police.

### Local Residents

The siting of the van is completely inappropriate. This is a residential area. It is worth noting two of the residents of Paddock way work at the social club/are on the committee and are unlikely to object through worry of losing their job etc. From the Facebook page I can see the van has been popular, from those who have eaten from there. But this has been a 'not on my doorstep' culture. It has been asked who would like a kebab van 7 metres from their home 7 days a week for six hours a night and no one replied in a positive manner.

The van starting at 4pm is not appropriate either. The car park is used by a private nursery and a pre school. The lighting is poor and come winter this will become a hazard for all involved.

As I have said, I have lived here for 12 years. I have just spent upwards of fifteen thousand renovating my house. My house was valued a short while ago, but an estate agent will confirm having the kebab van present for that amount of times per week, will devalue my house. I pride myself in providing a safe, healthy and happy environment for my own children and the children who come into my care via the Local Authority. This would not be possible with a kebab van effectively outside my house 7 days a week. Seven says a week is also excessive and I cannot see the need for it, nor the start time of 4pm. The van needs to be in a different location where residents aren't not affected as I am.

Please acknowledge receipt of my email,

Yours faithfully,

Charlotte Davey  
6 Paddock Way  
Haddenham  
Cb63TN.

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-1 AUG 2019 DMS

DISTRICT COUNCIL

Open and also be able to sit  
in our garden, we could  
even smell it in our car  
when we went out

And as my husband is  
under going chemo at the present  
time laying in bed or sitting  
on the patio makes it very  
unpleasant for him.

We already have problems  
with the sewer smell from that  
property at times and our  
neighbours constant bbqs  
we dont wish to have another  
smell added to it

Not very good if we wish to  
sell our property!

If they could position it at  
the end of the property facing  
the road I dont think it  
would cause such a problem.

Regards

V Thistlethwaite

3. PADDOCK WAY  
HADDENHAM  
HADDENHAM SOCIAL CLUB. NR ELY  
CAMBS

CB6. 3TN

Dear Sir

I'm writing with regards  
to the food, drink van that  
wishes to trade from the  
Social club car park.

While I don't want to spoil  
it for people if they wish  
to purchase something different  
from fish, chips or Chinese  
that we have in the village  
we do find when the wind  
is in a certain position we  
have an awful smell of  
stale fat coming into our  
property and we should be  
able to have our windows



**Stewart Broome**

---

**From:** Suzie Dew [REDACTED]  
**Sent:** 27 July 2019 18:21  
**To:** Stewart Broome  
**Cc:** Licensing  
**Subject:** Haddenham kebab van

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Stewart

Dear sir,

We object to the arrival of this kebab van to the social club car park on the following grounds,  
Proximity to houses. The van is parked directly opposite our house and due to the height of the serving hatch they can look directly into all of our windows, two of them being my boys bedrooms. (I have attached a picture to show the view from my dining room, which I heard them say "she is taking a picture") I do not feel that we can use our garden with them there.  
Smell, with the hot weather we have had recently it has been difficult to have the windows and doors open due to the smell created.

Litter, we seem to have a litter problem in the village and this will not help things.

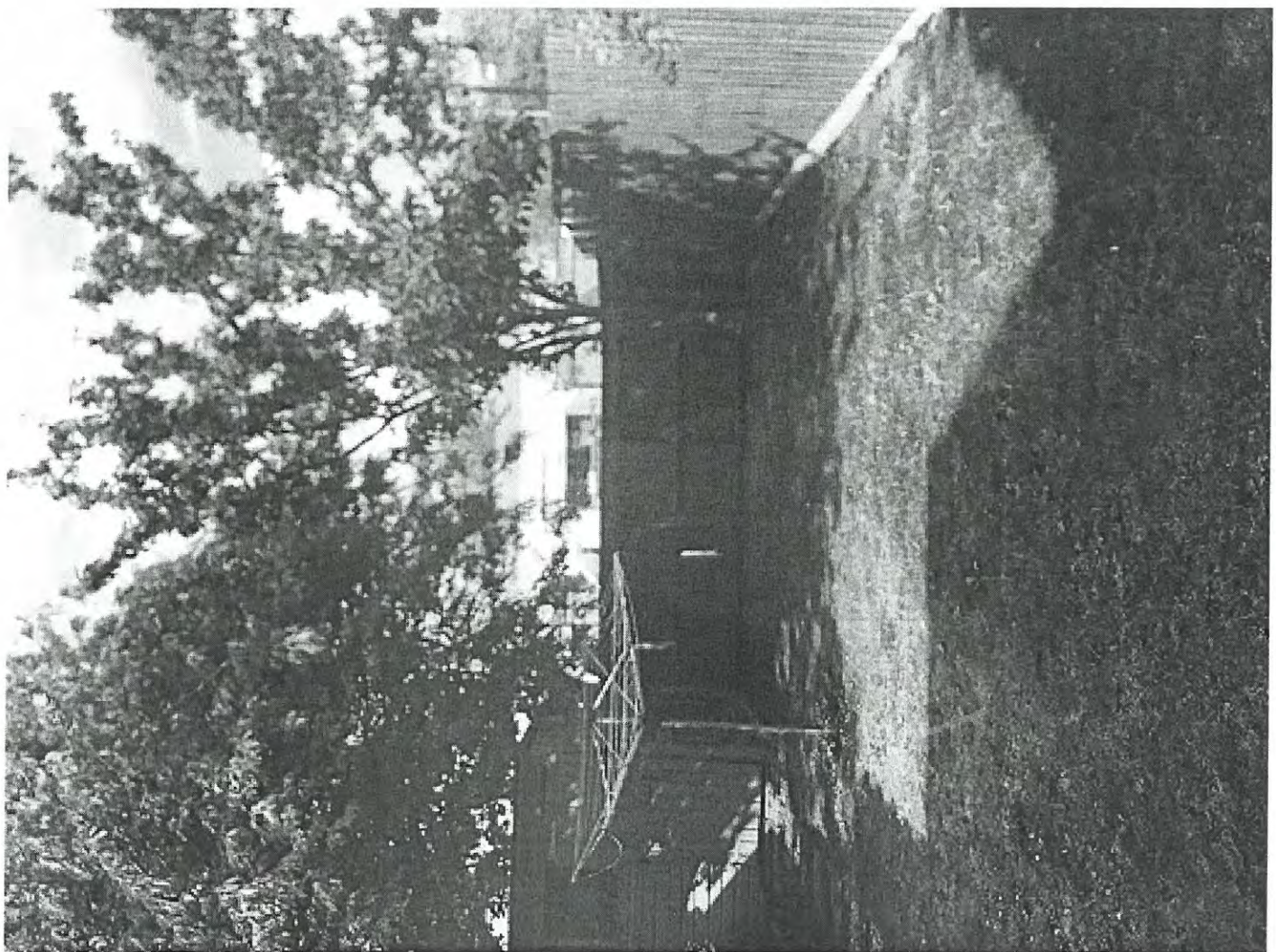
Traffic, being a social club car park the arrival of this van has increased the number of vehicles back and forth which has increased the noise and people congregating outside. The car park is used by Haddenham pre-school and Little Teds Nursery which are both still open when the van arrives so there are small children around.

In summary we feel this is not the best place for this kebab van and strongly object to them being given a permanent permit.

Regards

Mr and Mrs C Dew







**From:** andrea@[REDACTED]  
**Sent:** 29 July 2019 20:55  
**To:** Licensing  
**Subject:** Fwd: neighbour response to application Chewells Lane Haddenham (2)  
**Attachments:** kebabvansmell.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Stewart

apologies. resending this time with pdf attachment

----- Original Message -----

Subject: neighbour response to application Chewells Lane Haddenham  
Date: 2019-07-29 20:50  
From: <andrea@[REDACTED]>  
To: <licensing@eastcambs.gov.uk>

Dear Mr Broome

We are writing to you concerning the application for a kebab van to trade from the Social Club car park on Chewells lane, Haddenham.

The van at present has been trading Thursday to Sunday 4pm until 10pm and we understand the trader is intending on being there 7 days a week should their application be approved.

We would like the Licensing Authority to take into account

Public Safety.

The Social Club car park is already used by those using the Social Club for any reason, the pre-school, nursery and it is often used as a general overflow carpark for the village. Especially those who use the allotments or go walking nearby.

On a weekday evening between 4pm and around 6pm the nursery still has children leaving with their parents, often on foot with pushchairs.

We've seen the queue for the van stretch right across the car park and children running around the queue whilst cars are coming and going both to pick children up from nursery and to purchase food.

There is no designated walk way/pavement in the carpark and we can only imagine this risk to pedestrians is likely to be worse in the winter months when it dark by 4pm.

The van itself uses up two or three parking spaces and parking spaces are something we are very short of in Haddenham. It seems fairly counter productive to block several parking spaces with a vehicle that then has people drive to it to purchase food. Counter-productive and not very eco friendly.

We're also slightly concerned about the trader using the electricity supply from the social club which appears to be an extension cable running from the van to the building somewhere as this could present a fire hazard.

The Avoidance of Public Nuisance.



2025

2025

The location the trader has chosen to trade from has brought a substantial increase in noise pollution to those who live near the Social Club.

We are used to not being able to sleep with our windows open because of live music in the club. We are resigned to the fact that drunk people don't seem to be able to get to their cars and leave the venue quickly or quietly at the end of the night but the noise has increased greatly over the last few weekends with the kebab van in residence.

The noise has increased throughout the evening both from people leaving the club doors open (so we hear the music at a greater volume) and from people socialising, drinking and eating outside around the van.

There is also the issue now of cars arriving and leaving throughout the entire evening - often leaving their engines running whilst they are served.

This blurring of 'outside' and 'inside' of the club is extremely detrimental to us as neighbours.

We believe this is not the best place for this trader to base himself in the village.

There is a fish and chip van that visits the village which parks up on the road in four or five locations one night a week. This would be, in our opinion, a better model for the van to follow as opposed to increasing and exacerbating issues that already exist in one single location.

He might also consider the car park on the Village recreation ground, further away from any residents and where he could use the electricity supply from the Sports Pavillion. This location would not have the same level of noise for local residents as it's not drawing drunk people from immediately just the other side of the door of a licensed premises towards the smell of fast food.

The other big issue we have is with the smell that issues from the van itself. It stinks. We seriously don't want the continuous smell of doner kebab meat. We are tucked right away at the end of Paddock Way with a tree and a hedge between us and the van and we can still smell it wafting across into our front garden. Closer to the van I'm told by my neighbours that the smell is a constant but further away I presume wind direction is a massive factor.

In return for your aerial photograph with a not so red and not so accurate star on it I have attached an image showing where we have smelled the van from (denoted by noses) and helpfully added a circle to show the radius from the van (represented by a little cloud of whiffiness).

Walking up and down the road we live on the smell is farly intense most days the van is there. It's horrendous and not what one expects to have to live with in a wholly residential street. Four days a week has been bad enough and I am losing sleep over imagining what it will be like having it there every. single. day.

On the whole, above and beyond our personal issues with it -we feel this is just the wrong place to have a kebab van. It's not what you'd expect to see in a mostly residential area and right next door to a nursery (aren't we meant to be encouraging less obesity not more?) and it WILL increase litter and dropped food over time. I already regularly pick up McDonalds packaging on Chewells Lane when the nearest MaccyD's is in Ely. People WILL drop their wrappings.

Add those issues to the increase in noise and to the health and safety of other users of the car park and please, please don't foist this on us as residents.

Yours sincerely

Al and Andrea Chambers  
13 Paddock way  
Haddenham







OBJECTION 6.

**Stewart Broome**

---

**From:** Karen See  
**Sent:** 08 August 2019 16:25  
**To:** Licensing  
**Cc:** Domestic Licence Consult  
**Subject:** RE: Street trading licence, Chewells Lane Haddenham

Dear Stewart,

Apologies if my initial email did not clearly identify the potential concerns I have with respect to the application as it stands.

This application has proved a difficult assessment to undertake, mainly due to the existing use of the car park and the uses of the premises that are already on this site, that being a Social Club and a Nursery. Existing noise levels from the buildings themselves and from persons arriving and leaving may sometimes be quite high, and occur late at night. Odours could be caused from the existing use of the kitchen in the club.

However looking at the proposal submitted I have concerns and therefore must **object** to the application. An additional noise and odour source would be introduced into an area close to residential properties and although I would not expect impacts to be sufficient to be considered a statutory nuisance there are likely to be adverse impacts at times.

Measures could be taken to address these, through the positioning of the unit further away from the residential properties (and hence reducing the likelihood of odours being detectable in residential gardens) and by reducing the days of operation of the unit, particularly to minimise operations on Sundays which are likely to be the existing quieter days. Wherever the unit is placed it is likely that cars will use the car park and there may be instances when persons sit in their cars to eat or congregate in the car parking area and there are no measures I can suggest to prevent this from occurring, the only mitigation being restricting days or times of operation.

If adequate control measures could be agreed with the applicant, then on balance I would be able to support the application.

Let me know if you need any further clarification.

Kind regards

Karen See  
Senior Environmental Health Officer (P/T) Alternate Weds, Thurs and Fridays.

East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely, Cambs CB7 4EE

Tel: 01353 665555 (Main Switchboard)

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In line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, East Cambridgeshire District Council, who are running this survey, are fully committed to protect the privacy of the respondents. Officers at East Cambridgeshire District Council will be able to view the data you input, but will only use this in relation to this specific survey and your responses will be deleted once the consultation period has closed.

**From:** Licensing  
**Sent:** 08 August 2019 15:51  
**To:** Karen See <Karen.See@eastcambs.gov.uk>  
**Subject:** RE: Street trading licence, Chewells Lane Haddenham

Good afternoon Karen

Thank you for your email. Can you please clarify for me whether you intended your email below to be considered as an objection to the application, or not?

Kind regards

Stewart.

Stewart Broome  
Senior Licensing Officer  
East Cambs District Council  
The Grange  
Nutholt Lane  
Ely  
CB7 4EE  
01353 616287

**Pay, report, apply online 24 hours a day**



**From:** Karen See  
**Sent:** 28 July 2019 21:09  
**To:** Stewart Broome <Stewart.Broome@eastcambs.gov.uk>  
**Cc:** Domestic Licence Consult <DomLicenceConsult@eastcambs.gov.uk>  
**Subject:** Street trading licence, Chewells Lane Haddenham

Hello,

I visited the takeaway unit at the above site on Friday evening and spoke with the owner.

The unit was operating at the time of my visit and served a customer. They have an internal extraction unit and use electricity from the club so although there was some noise when the extract unit was turned up during cooking, the sound levels were relatively low. It is likely that the extract would be audible at the nearest residential properties when no other sounds are around, but due to the position of the van in front of the clubs existing fan unit that is on the single storey roof, and another cooling unit on the wall just above head height, I do not consider the noise from the unit would be above existing plant noise from this site. In addition the club holds music events in the evening and it is likely that music will be dominant in the vicinity. However that said there is likely to be people noise from customers to the takeaway unit generally, and there is little control over such sounds, and on evenings when there are no events the background noise levels will be low and people noise would be audible in the rear gardens of the houses nearby. In addition the unit will be operating 7 days a week including Sundays when club noise is not likely to be occurring.

Odours may be noticeable at nearby residential gardens depending on levels of cooking and wind direction. I do not consider that the extent of odours would be sufficient to cause a statutory nuisance but they would be detected at times.

The only practical measures to address the issues would be to reduce the number of days the unit operates from this site, avoiding the clubs quieter days such as Sunday and Monday, or moving the unit so it is further away from residential properties. There is a potential space to the side of the club on the road and although this is opposite another property the operators have assured me this resident works at the club and would be agreeable to this arrangement.

Kind regards.

***Karen See***

***Senior Environmental Health Officer***





SUPPORT 1

**Stewart Broome**

---

**From:** [REDACTED]@btinternet.com  
**Sent:** 01 August 2019 13:55  
**To:** Licensing  
**Subject:** Haddenham kebab van, feedback  
  
**Categories:** Stewart

My property backs onto the Haddenham social club car park where the new kebab van trades. It has been going for about a month now, I will admit I had some reservations about it, expecting late night noise and extra rubbish. But I am pleased to say this has not been the case. There has been no extra noise or litter, and the van has always gone promptly by 10 o'clock, often before. The busiest time appears to be teatime rather than night time. I think it is good to have a variety of takeaway food in the village and its a mixture of old and young people who are taking advantage of it.

People are always quick to complain, so I thought I would take the time to give some praise



**Stewart Broome**

---

SUPPORT 2

**From:** Clare Crane [REDACTED]  
**Sent:** 31 July 2019 14:16  
**To:** Licensing  
**Subject:** Haddenham Kebab and Burger Van  
  
**Categories:** Stewart

We would like to say that we are in favour of the van staying and wish something like that would happen in our own village.

In the surrounding villages of Ely there are only fish and chip shops which are a combined Chinese take away. There is nothing like this in Haddenham, Stretham, Wilburton or Sutton.

We have found the food to be hotter than if bought from Ely and there's better parking too.

We would continue to use it.

Mr and Mrs Crane  
4 Cambridge Road  
STRETHAM  
CB6 3LW



**Stewart Broome**

---

SUPPORT 3

**From:** Daniel Phillips [REDACTED]  
**Sent:** 31 July 2019 19:04  
**To:** Licensing  
**Subject:** Haddenham Kebab Van  
  
**Categories:** Stewart

Hi there,

I have just seen that the kebab van are looking to now get a proper license for Haddenham and I just thought I would say that this is exactly the sort of thing that the village has been calling out for for a long time. These guys were great, always making everything in a proper manner with great respect to food hygiene (from what I could see from standing outside) and we were served with a great smile and true feeling customer care every time.

Up until now we had to travel to either Ely or Willingham for this sort of food so having one in the village has been incredible and I really hope to see them return.

All the best,

Daniel Phillips

10 Crossways, The Green  
Haddenham  
CB6 3TP



**From:** Harriet Ware [REDACTED]  
**Sent:** 02 August 2019 12:27  
**To:** Licensing  
**Subject:** Support of the kebab van  
  
**Categories:** Stewart

Hello

I would just like to put across that the kebab van in Haddenham has been a great thing to have in our village, the Chinese shop is a hit and miss with their food but the kebab van has never disappointed. I have heard that their has been a couple of complaints, one about how loud their generator is when they don't have one, they use the electric from the social club. Also another complaint about the smell, but there isn't a smell unless the wind is blowing a certain way, I get the smell at my house from the Chinese shop more than what I get it from the kebab van, which doesn't bother me anyway!

The men are all lovely who work there and also I have seen them going along the road to collect any rubbish that has been left each evening, which is never much as there isn't anywhere for people to sit and eat. It's also a bonus for our village as it is also helping fund the social club which defiantly needs the help, with people going in for a drink while they wait for their food and also with the money the kebab van gives the club this helps pay for things the club needs as well.

Thank you  
Harriet Ware

4 Chewells Lane  
Haddenham  
Ely  
Cambridgeshire  
CB63SS





**Stewart Broome**

---

SUPPORT 5

**From:** Judith Bethell [REDACTED]  
**Sent:** 31 July 2019 21:09  
**To:** Licensing  
**Subject:** Haddenham kebab van  
  
**Categories:** Stewart

Dear sir or maddam

I have no objections to the kebab van being in haddenham social club car park,I think it is a asset to the local community.

Yours faithfully

Mrs Judith Bethell

16 Chewells Lane

Haddenham

Ely

Cambs

Cb6 3ss

Sent from my iPad

337 338 339 340 341 342

**Stewart Broome**

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SUPPORT b

**From:** Mandy Bethell [REDACTED]  
**Sent:** 31 July 2019 20:47  
**To:** Licensing  
**Subject:** Haddenham kebab Van  
  
**Categories:** Stewart

To whom it may concern , we have no concerns regarding the kebab van being at the Social Club, it has not caused us any problems and the food is excellent.  
Mandy Bethell.

Paddock View  
Chewells Lane  
Haddenham

Sent from my iPhone



**From:** sarah fulcher [REDACTED]  
**Sent:** 01 August 2019 11:50  
**To:** Licensing  
**Subject:** response to kebab van in haddenham  
  
**Categories:** Stewart

greetings licensing committee,

My name is Sarah Fulcher and I live at number 5 Paddock Way in Haddenham. I am contacting you today mostly on behalf of my parents, who live at this same address, as they are presently away. As you may know, Paddock Way is situated just behind the Haddenham Social Club car park where the kebab van is situated.

I was informed that the meeting in which the kebab vans fate will be decided is to be held this Friday and was asked to contact the council leaving feedback as to how it has been received.

Although the kebab van has not been in situ for the greatest amount of time, I feel he has made a positive impression on the village already. I have been born and raised in the village so I know a lot of local people, most of whom have reported that they have enjoyed the food and would certainly go back again, my parents included and several of our neighbours in the street. I myself have frequented the van, enjoyed the food and was pleased to see that the van is nice and clean and the owner polite.

I feel that the vendor has been respectful to the immediate environment. There has been no noise pollution, no litter from his van left in the social club car park or approaching street and he has never stayed open beyond his stated serving hours despite people wanting late night snacks!.

I have heard a couple of my neighbours comment on the smell of food coming from the van, although I myself and my parents have not had such a waft come our way yet, I suppose it all depends on the direction of the wind. In the vendors defence, it is not just the smell of food that catches the air in this fenland farming village, at this time of year when we all have our windows open we also have the delights of bbq's and bonfires and later on muck spread on surrounding fields. Its just something you get used to, its part of village life and where we may not be able to control the wind surely the position of the van could be rotated in future to help prevent the smell of food drifting a certain way.

I feel that the vendor has made a promising start to the new business venture and has done well to ingratiate himself into our village community, which isn't always the easiest thing to do in a close knit village like Haddenham where people don't always like change. A good reputation takes a while to build up but I feel the Haddenham Kebab van is making every concerted effort to please and fit in with the locals and thus far appears to be achieving this. As I said earlier, I have only heard good things about the food, there are always people waiting for him when he gets there and several people have described the van as an asset to the village clearly enjoying the variety on offer.

I hope that my and my family's feedback can help you in making your decision many thank from Sarah, Sue and Jeff Fulcher  
5 Paddock Way, Haddenham

1998-1999

**Stewart Broome**

SUPPORT 8

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**From:** Tracey Off grid [REDACTED]@gmail.com>  
**Sent:** 31 July 2019 14:34  
**To:** Licensing  
**Subject:** Haddenham kebab van  
  
**Categories:** Stewart

I'm in full support of Haddenham kebab van and just wanted to express how good the food is and professional the service is.

Warmest wishes  
Cllr Tracey Branson  
Enchanted Hill  
Aldreth road  
Haddenham  
Ely  
Cb63pn  
--  
Enchanted Hill  
Free range  
Smallholding





**Stewart Broome**

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Support 9

**From:** Licensing  
**Subject:** FW: Haddenham Kebab Van

-----Original Message-----

From: Julie Clark [REDACTED]  
Sent: 16 July 2019 13:30  
To: customerservices <customerservices@eastcambs.gov.uk>  
Subject: Haddenham Kebab Van

Good afternoon,

I'm not really sure who to send this to but, please could it go to the correct person.

I write regarding the above, not to complain but, to put across mine and a lot of people who use this service views.

The village has looked forward to this for along time, the owners are very polite, keeping within their opening hours, always keep the area clean and tidy and I've also seen them walk along the road to collect any rubbish that people are too lazy to take home or put in the bins provided.

On our village page there is one person who constantly complains about everything, and I know has complained about the 'smell' from the van. I live along Chewells Lane and can quite honestly say that you get an occasional 'whiff' depending on which way the wind is blowing but, no way near the smell that is constant from the Fish and Chip shop down the High Street! [REDACTED]

We as a village have spoken about getting a petition up to keep the Kebab van. Opening from 1600-2200hrs for 4 days a week doesn't seem a lot to ask for a service for the village. It has also brought a lot more people together, using the Social Club for a drink while waiting for food, having a chat and being social, which is great for us all.

I hope that we keep this service, and I would also like to add that people from around surrounding villages are also coming to use this facility.

Kind regards  
J A Clark



NEUTRAL

**Stewart Broome**

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**From:** Clerk2 Haddenhampc <[REDACTED]@outlook.com>  
**Sent:** 25 July 2019 10:43  
**To:** Licensing  
**Subject:** Application for a street trading permit for Haddenham Sports and Social Club Car Park, Chewells Lane, Haddenham, CB6 3SS.

**Categories:** Stewart

To Whom it May Concern,

Haddenham Parish Council has no serious concerns with the siting of the kebab van at the Social Club car park. Although the site is owned by the Parish Council, the Social Club are the tenant and should therefore make the ultimate decision as to whether they wish the van to be present or not. The Council have no objections whilst the Club is content with the arrangement, but will liaise with the Club at the end of the trial period in 3 months' time.

It is noted that several complaints have been received from local residents but the Council understand that the Social Club and the trader have dealt with these as well as possible. The van has been moved to the other site of the car park to prevent the smell drifting into Paddock Way and the trader meticulously clears the car park of any rubbish at the end of each evening. It should also be noted there have been many voices in support of the venture.

Many Thanks

Tor Taylor  
Assistant Parish Clerk  
Haddenham Parish Council

[www.haddenham.org.uk](http://www.haddenham.org.uk)  
01353 749919

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## Stewart Broome

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**From:** Licensing  
**Subject:** FW: Application for a street trading permit for Haddenham Sports and Social Club Car Park, Chewells Lane, Haddenham, CB6 3SS.

**From:** Joyce Pam [REDACTED]  
**Sent:** 30 July 2019 11:02  
**To:** Stewart Broome <Stewart.Broome@eastcambs.gov.uk>  
**Subject:** RE: Application for a street trading permit for Haddenham Sports and Social Club Car Park, Chewells Lane, Haddenham, CB6 3SS.

Hi Stewart

If the van is not obstructing or creating a hazard for the passing public then we would not have any objections. From where it is supposed to be on the picture you provided I cannot see that being a problem.

Kind regards

Pam

Mrs Pam Joyce  
Local Highway Officer

## **Standard conditions applicable to Street Trading Consents**

### **General**

These Standard Conditions will apply to all licences unless dis-applied or varied by the Environmental Services Manager, or they are over-ridden by the special conditions for special events/markets.

### **Standard Conditions**

1. Definitions
  - i. 'street' includes –
    - a) any road, footway, beach or other area to which the public have access without payment, and
    - b) a service area as defined in section 329 of the Highways Act 1980 and also includes any part of a street
  - ii. 'street trading' means –

the selling or exposing for sale of any article (including a living thing) in a street
2. The Consent granted by the Council is personal to the holder.
3. The consent holder (or a person nominated by the consent holder) shall attend in person at the Consent position for not less than 75% of the time on any day which trading is carried out.
4. The street trading consent only relates to the vehicle/premises stipulated within the Consent.
5. The consent holder can only trade in the goods stipulated in the consent.
6. Ancillary items can be sold where relevant to the goods being traded.
7. Any van, vehicle, barrow, cart or stall shall only be positioned within the designated area as outlined on the plan attached to the Consent, and goods should not migrate outside of the permitted area.
8. Where appropriate the consent holder of any street trading consent and the stall and/or vehicle must comply with all relevant road traffic and highways legislation.
9. Any stall, vehicle, van, barrow, or cart authorised by the Council must be equipped with safe and adequate lighting for operation during the hours of darkness.
10. Where appropriate the consent holder of the street trading consent and the stall and/or vehicle must comply with all relevant food hygiene legislation.
11. The consent holder shall only trade from a stall or vehicle approved by the Council in writing.
12. The Consent may only be transferred to another person with the prior written consent of the Environmental Services Manager.
13. The consent holder shall not use the street for any trading purpose other than the purpose as permitted by the Consent and then only during the permitted hours.
14. The 'permitted hours' will be those stipulated within the Consent.
15. Unless stipulated within the Consent, the van, vehicle, barrow, cart or stall shall be removed from the site at the end of each trading day.

16. The consent holder will vacate the site within 30 minutes of the end of the permitted hours.
17. The consent holder shall not trade in any street designated by the Council as a prohibited street.
18. WC facilities must be made available for staff and members of the public if seating is made available for consumption of food on site.
19. The consent holder shall maintain the stall or vehicle in a clean state and its structure shall be kept in good order, repair and condition to the satisfaction of an Officer of the Council authorised in writing under the appropriate legislation.
20. The consent holder shall conduct his/her business in such a manner to ensure that he/she does not:
  - a) Cause a nuisance from noise, vibration, smoke or smell to the occupiers of adjoining property.
  - b) Cause an obstruction to the vehicles or pedestrians in the street.
  - c) Cause a danger to occupiers of adjoining property or to other users of the street.
21. The consent holder shall not seek to attract attention or custom by shouting or making undue noise or by permitting the playing of music, music reproducing or sound amplification apparatus or any musical instruments, radio or television sets whilst trading under this Consent, other than as specified in the Consent.
22. Refuse storage must be provided adjacent to the sale area. The storage must be of a substantial construction, waterproof and animal proof. The trade waste must be removed at the end of each working day or if the amount of refuse warrants it, when the container is full, whichever is the sooner.
23. The consent holder shall ensure that the whole of the lay-by and adjacent verge/ footpath (but not the carriageway) to a distance of 10 metres be kept free of litter and refuse at all times whilst resident.
24. A copy of the Consent, suitably protected against the weather shall be displayed in a prominent position on the stall or vehicle at all times when trading is taking place.
25. The holder, or any employee of the holder, shall produce a copy of the Consent on demand when required by a Police Officer or an authorised officer of the Council.
26. Nothing in any consent shall purport to grant to the holder any other licence or permissions required under any other Enactment or requirement and the consent holder is specifically advised to obtain such other approvals as may be required.
27. The holder shall not place on the street any furniture or equipment or advertisement other than as specified in the Consent.
28. No poster, advertisement, signage or decoration of an unsuitable material or nature shall be displayed, sold or distributed on or about the vehicle or premises. For the purpose of this condition, material is unsuitable if in the opinion of an Officer of the Council authorised under the appropriate legislation, it is indecent, scandalous, offensive or likely to be harmful to any person likely to apprehend it. Items including but not limited to items used for sexual stimulation, and/or weapons likely to cause harm would be considered unsuitable. Material may also be considered to be unsuitable if it is of such a nature as to distract motorists driving on the highway.
29. The name and business address of the consent holder and other address at which the trailer is normally kept or garaged must be conspicuously and legibly displayed upon it in a place where the public may view it. Where this is a private address, suitable contact details must be displayed. The sign must be approved in writing by the Environmental Services Manager.



30. No signage or objects shall be placed on the highway or area surrounding the vehicle / premises without the appropriate permit.
31. Where a structure is not removed at the end of the trading day, no additional permanent or semi-permanent additions or paving shall be erected or constructed adjacent to the structure for which Consent has been granted.
32. Failure to comply with any condition attached to the street trading consent may result in the revocation of such Consent.
33. The holder shall notify the Environmental Services Manager at the Council Offices, The Grange, Nutholt Road, Ely, CB7 4EE in writing of any criminal convictions or other legal proceedings arising out of the use or enjoyment of the Consent.
34. The holder of a Consent shall carry public liability insurance of not less than £10 million, evidence of which shall be supplied to the Council prior to the grant of the Consent.
35. The Council may revoke the Consent at any time.
36. The holder will return the Consent to the Council immediately upon revocation or surrender.
37. In the event of the Consent being surrendered or revoked no refunds will be given. Where Consent is withdrawn by the Council for reasons other than an offence or breach being committed, a proportioned refund will be given.
38. The Council may at any time vary these Conditions without notice.
39. If the Consent Holder Street Trades from any Council Land he/she shall indemnify the Council from and against all loss, damage, costs, liabilities and claims whatsoever arising from its use and occupation of the land.<sup>22</sup>.
40. The Consent Holder and persons manning the stall will ensure their activities do not cause direct and permanent damage the grass and gardens and/or disturb wildlife.

**Additional conditions applicable to Special Events/Markets**

41. All stalls to be issued with a number that must be displayed on the stall.
42. The consent holder should keep records of each stallholder present on the market, to include the stallholder's pitch number, name and company name, their address, vehicle registration and a contact telephone number. This must be produced on request to an authorised officer.
43. The consent holder must not allow the sale of offensive weapons (including imitation fire-arms, standard firearms, airguns, swords and crossbows)
44. The consent holder must not allow the sale of materials considered offensive, indecent, or considered adult in nature.
45. If the Public Conveniences are required to open beyond 17:00 a charge will be levied in accordance with the Council's fees and charges.
46. If additional Street Cleaning is required as a result of the event, a charge will be levied in accordance with the Council's fees and charges.



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**Sent:** 18 August 2019 21:19  
**To:** Stewart Broome  
**Subject:** Haddenham Kebab Van- Paperwork

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

Dear Stewart,

I have had time to re read the paperwork sent to me and hope that in my absence on Thursday this email will be read too.

5.6 is factually incorrect. Beyond the social club, graveyard and farm track is a dead end..there is a residential property down the bottom of the track? Conways. Also the Bethells's (support 5) home is down this track too.

Has it also been considered when support 5, Judith Bethell sells her land and permission is granted, 34 houses will be built?

If the van parks in this new location, is there enough room for people who are visiting the graveyard to pass in their cars? There certainly is not enough room for an emergency vehicles to pass.

With reference to support letters, I do believe you should be aware of households that have a vested interest in the social club:

Support 1 - Son is on the committee

Support 2 - Does not live in the vicinity so no impact on them.

Support 3 - Does not live in the vicinity.

Support 4/9 - Same household.

Support 5 - Manages the social club.

Support 6 - Related to support 6.

Support 7 - On the committee for the social club.

Support 8 - Not in the vicinity.

Support 9 - As above same as 4.

It is also worth nothing from the neutral support represented by Tor Taylor that the van has moved. If you see my previous emails to yourself you will see I pointed out from the start that he was not in the position he was supposed to be. The position he has been in does NOT prevent any smells coming into Paddock Way.

The social club has not dealt with any complaints the best they can. They have in fact not responded to emails sent and when I have spoken to Support 7, who is head of the committee he has not wanted to speak to me at all, instead saying I should direct my complaints to yourself.

I note the emails from Karen Lee. I disagree with her comments about what I describe as the 'whirring noise' being the extractor fan would be drowned out by other noise from the club. I can hear it from my garden. There is limited activity at the club between the hours of 4-7, which is when as a family we would be in the garden and subjected to this noise.

I also note she says that the odours would not constitute a statutory nuisance. Again this cannot be correct. The objection letters seem to suggest otherwise. My understanding is the council would have to send two 'sniffers' out at various times to determine if this was a statutory nuisance. This has not happened. I would like to invite Karen See and any member from within her team to my house or garden within a certain time of the kebab van starting up to smell what we have to smell. I did not have a night where I could NOT smell the odour.

The definition of quieter days is not correct either as per my previous email. Music/entertainment is mainly Friday and Saturday nights. Other nights consist of bingo, line dancing and table tennis with little noise.

Kind regards,

Charlotte Davey.

(2)

you can take that as a support as this lady lives 2 villages away so the smell and noise won't bother her, I would totally support it if I lived where she does, As with Support 3+8 they don't live nearby either. Support 4+9 live in the same house so should only be counted as one!

Support 5 is employed by the club and support 6 is her Sister-in-law.

Support 7 is connected to the club and the comments about delights of having bbq's, bonfires and muck spreading, the later two is part of parcel of living next to the allotments which we knew when we purchased our house 37 years ago and as for the fact she said

(1)

16.8.19.

Dear Mr Broome

Thank you for your letter dated 12/8/19.

I'm sorry but this if the first I knew of any meeting!

I'm not sure if we can attend as it clashes with my husband's chemo treatment but I would like to make

a few points known after reading the Agenda.

Firstly I didn't realize that addresses were left in for

everyone to see apart from Support one!! There name was blacked out so they are

~~probably~~ probably employed by the club or connections to it

and didn't want people to know. are they afraid of something Support (2) I can't see how

(4)

a better idea which you could probably try for a couple of weeks to see what the outcome is, and do we really need a Kebab van 7 evenings - 4-10 probably just fri + sats evenings is another option.

I'm not totally against it as it's a nice income for the club and that's a facility we don't want to lose but it needs careful consideration on the position of it so it doesn't affect people's way of life who live there.

We are a very small estate of 11 houses and this has caused a lot of ill feeling amongst us.

Awaiting your reply.  
Regards

(3)

Several neighbours have enjoyed food off the van, I don't think so as most of us have objected.

Another point is that they hire the club out for funerals and I'm sure if <sup>you</sup> were having your wake there mourning the loss of a loved one the last thing you <sup>would</sup> like is a Kebab van starting up in the car park and if the funeral party was already there he wouldn't get on the car park anyway.

The van takes up several car parking spaces so the cars would then park down the farm track and round Paddock Way which they do on several occasions.

Putting it at the end of the club facing the road would seem

(4)

a better idea which you could probably try for a couple of weeks to see what the outcome is, and do we really need a Kebab van 7 evenings - 4-10 probably just fri + Sat's evenings is another option.

I'm not totally against it as it's a nice income for the club and that's a facility we don't want to lose but it needs careful consideration on the position of it so it doesn't effect people's way of life who live there.

We are a very small estate of 11 houses and this has caused a lot of ill feeling amongst us.

Awaiting your reply.  
Regards

V. Thistlethwaite

3. Paddock Way