

Civic Offices, New Road, Grays  
Essex, RM17 6SL

Licensing Department

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27th August 2019

Dear Mehmet Ceylan

**RE: Muzzy's Kebab, Car Park, High Street, Aveley, Essex,**

Please find attached the decision notice in relation to the hearing on the 21st August 2019.

Please note there is no right of appeal against this decision.

If you have any questions about this, or would like to discuss it further, please contact me on the above number.

Yours sincerely



Paul Adams  
Principal Licensing Officer

We write further to your Application for a Street Trading Consent.

This matter was brought before Sub-Committee following a number of objections received from the local community wishing for the application not to be granted.

The Sub-Committee first heard from the Licencing Officer who outlined her report. No questions were put to the Licencing Officer from the Sub-Committee, complainant's representative or yourself.

The complainant's representative, Theresa, then expressed concerns regarding the 14-foot trailer being placed in the car park and selling food, which subsequently takes up parking spaces the community need and concerns were raised regarding noise nuisance, pollution, littering and anti-social behaviour. It was also expressed that this trailer would be in proximity of the sheltered accommodation area therefore would be inconsiderate to the elderly residents. It was of the resident's opinion that there were already enough food venues in the area and the kebab trailer was not needed. Hygiene concerns were raised regarding the ventilation of the van and toilet facilities. Concerns regarding previous vans trading in that area were aired and further concerns were raised.

Sub-Committee then heard from your representative who stated that the sole purpose of setting up your business was to earn a living and to provide an alternative variety of food to the area. Sub-Committee heard that assurances were given that litter and noise would be controlled by staff. Sub-Committee were informed that you would be taking steps to install a CCTV system. It was also stated that the trailer is new and has a hand washing facility therefore all areas of hygiene had been covered.

Councillor Collins then asked you to confirm the size of the trailer to which you replied between 10 and 12 foot.

Councillor Potter then asked if the trailer was going to be left in the car park over night or if it was going to be taken away to which you stated you had not yet applied for planning permission to leave the trailer in the car park during hours you are not going to be trading therefore, the trailer will be removed at the end of the shift each evening.

Theresa, complainant's representative then asked about the cleaning and hygiene of the van. You answered by saying that all equipment will be turned off 15-30 minutes before the end of the shift to allow time for staff to clean. You explained that fresh stock will be delivered daily and that you have appropriate storage facilities for that food.

You were then questioned about who would be locking the gate and securing the car park once your business was closed as currently the gate is locked at 7:00pm by post office staff. You informed Sub-Committee that should the application be granted you would take steps to obtain a spare gate key so that you can lock-up once you leave.

Each party then summed up their position and the Sub-Committee retired to consider its decision.

Whilst Sub-Committee were sympathetic to the concerns raised by the community, they felt that by imposing conditions to the licence they would be satisfied those

conditions met the objections when balanced against the licensing aims. Not all members agreed and therefore the decision was made on a majority decision and not unanimously.

In addition to granting the license it was suggested that the following conditions be added to the licence: -

- The application be granted on a quarterly basis.
- The consent is limited until 10:30pm each evening rather than 11:00pm as applied for.

The Committee would remind all parties that there is no right to appeal this decision.