

**WOKINGHAM  
BOROUGH COUNCIL**

**MEETING OF A  
PANEL TO HEAR AN APPLICATION FOR  
RENEWAL OF A  
STREET TRADING CONSENT**

**FRIDAY 28 MARCH 2014**

**AT**

**10:00AM**

**AGENDA**

**Civic Offices  
Shute End  
Wokingham  
Berkshire**

**Andy Couldrick  
Chief Executive**



## **WOKINGHAM BOROUGH COUNCIL**

### **Our Vision**

***A great place to live, an even better place to do business***

### **Our Priorities**

**Improve educational attainment and focus on every child achieving their potential**

**Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth**

**Ensure strong sustainable communities that are vibrant and supported by well designed development**

**Tackle traffic congestion in specific areas of the Borough**

**Improve the customer experience when accessing Council services**

### **The Underpinning Principles**

**Offer excellent value for your Council Tax**

**Provide affordable homes**

**Look after the vulnerable**

**Improve health, wellbeing and quality of life**

**Maintain and improve the waste collection, recycling and fuel efficiency**

**Deliver quality in all that we do**

Chief Executive's Department
P.O. Box 150
Shute End, Wokingham
Berkshire RG40 1WQ
Tel: (0118) 974 6000
Fax: (0118) 979 0877
Minicom No: (0118) 977 8909
DX: 33506 - Wokingham



# WOKINGHAM BOROUGH COUNCIL

**To: The Chairman and Members of an Appeals Panel to Hear an Application for the Renewal of a Street Trading Consent.**

A Meeting of the **APPEALS PANEL** will be held at the Civic Offices, Shute End, Wokingham on **Friday 28 March 2014 at 10:00am.**

Andy Couldrick  
Chief Executive  
14 March 2014

**Members:-** Chris Bowring, Malcolm Richards and .Barrie Patman

ITEM NO.	WARD	SUBJECT	PAGE NO.
1.00	None Specific	<b>ELECTION OF CHAIRMAN</b> To elect a Chairman for this appeal only.	-
2.00		<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest.	-
3.00	Charvil	<b>APPLICATION TO RENEW A STREET TRADING CONSENT</b> To consider an application submitted by Mr Alpar to Renew a Street Trading Consent for Alpar Kebabs, Milestone Avenue, Charvil, together with representations received.	2-12

Attached is documentation relating to the application.  
Information is enclosed from the Authority.

## **Supporting Information**

Order of procedure.

**1**

Representations from Interested Parties.

**13-30**

Information is also enclosed from Mr Alpar in support of his application.

**To  
Follow**

## **CONTACT OFFICERS**

If you need help in understanding this document or if you would like a copy of it in large print please contact one of our Team Support Officers.

**Susan Coulter**

**Senior Democratic Services Officer**

**Tel 0118 974 6319**

**Team Support Officers**

**Tel 0118 974 6053/6054**

**Fax**

0118 919 7757

**Email**

democratic.services@wokingham.gov.uk

## Order of Procedure Street Trading Consent Hearing

1. Panel to appoint Chairman for the particular appeal only.
2. Chairman of Panel to outline procedure to be followed, to ensure both parties are clear.
3. The Authority representative to outline the Application and Objections received, and to call any witnesses to give evidence.
4. The Applicant and/or representative to present their case, and to call any witnesses to give evidence.
5. The Authority's Representative and Objectors to have the opportunity to question the Applicant on their case, and the Applicant's witnesses.
6. The Panel to have the opportunity to question the Applicant and the Applicant's witnesses.
7. Any Objectors to put their case, and to call any witnesses to give evidence.
8. The Authorities Representative and the Applicant and/or Representative to have the opportunity to question the objectors and the objector's witnesses.
9. The Authority's representative to have the opportunity to summarise their case - no new evidence is permitted at this stage.
10. The Objectors to have the opportunity to summarise their case – no new evidence should be submitted at this stage.
11. The Applicant and/or representative to have the opportunity to summarise their case - no new evidence is permitted at this stage.
12. The Authority's Representative, Objectors, the Applicant and any Representatives and Witnesses to leave the appeal, and the Clerk/Legal Adviser to stay with the Panel while it considers its decision.
13. The decision will be notified in writing to all parties within three working days of the date of the hearing.

**TITLE** MR MUHAMMET ALPAR – ALPAR KEBABS  
TRADING LOCATION – MILESTONE AVENUE,  
CHARVIL  
APPLICATION TO RENEW STREET TRADING  
CONSENT

**FOR CONSIDERATION BY** A Hearing on 28 March 2014

**WARD** Charvil

**LEAD OFFICER** Karen Court, Senior Licensing Officer  
Paul Anstey – Joint Service Delivery Manager

**PURPOSE OF REPORT**

To provide relevant information for the panel to consider and determine the application from Mr Muhammet Alpar to renew his street trading consent for a further twelve months.

**OUTCOMES**

The panel to determine the application to grant, with or without variation of conditions, or refuse the application.

**RECOMMENDATIONS**

There is no officer recommendation.

**SUPPORTING INFORMATION****Background**

Mr Muhammet Alpar, trading as Alpar Kebabs, has held a street trading consent to trade at Milestone Avenue, Charvil since October 2002. His current consent is valid until 9 April 2014 with trading hours of 1700 to 0030 hours Sunday to Thursday and 1700 to 0200 hours Friday and Saturday. He sells fast food - kebabs, burgers, chicken, chips and soft drinks.

A street trading consent allows trading for a period of up to 12 months.

Mr Alpar has applied to renew his street trading consent for a period of one year.

As required by the Licensing Act 2003, Mr Alpar also holds a premises licence for late night refreshment as he sells hot food and drink to take away after 11pm. This was granted in November 2005 and runs indefinitely unless revoked and is not for consideration at this hearing.

The following documentation is attached – application form (Appendix One), location plan (Appendix Two), current consent with special conditions (Appendix Three), and representations with a summary of these (Appendix Four).

The application was received on 7 February 2014, checked and confirmed to be correctly made with all documentation in order and the fee paid.

Nominated assistants are Musa Menzat Musa and Fatih Ergun.

The consultation period ran from 10 to 28 February 2014. The police, ward member for Charvil, parish council, various internal departments and residents on the consultation register were advised by email. There are no residents within 60m of the site to consult, the nearest house is approx 130m from the location of the kebab van.

Details of the application are as follows:

Days and times of trading (same as current consent):

- 1700 to 0030 hours Sunday to Thursday
- 1700 to 0200 hours Friday and Saturday

This information was omitted from the application form, Mr Alpar has subsequently confirmed this in an email dated 11 March 2014 which is attached.

The application has been advertised correctly in accordance with the policy for street trading consultations, with two site notices displayed at the site, these were checked on 25 February 2014.

During the consultation period, representations were received from ten residents of Milestone Avenue and Milestone Crescent.

There is no technical reason for refusal, the panel is asked to consider and determine this application based on the objections received.

### **Representations from Authorities**

Thames Valley Police – no issues

Environmental Health (Environmental Protection) – no objections

Environmental Health Commercial Team (Food, Health and Safety):

“the business was last inspected for food hygiene ..... without prior appointment on 1 February 2014. ...by a contractor appointed by West Berkshire Council to carry out food hygiene inspections for the shared service.

There was one requirement matter identified at the time of the inspection regarding a sauce that was kept at ambient temperature but should have been refrigerated. The hand written report of inspection is attached (Appendix Five)

The business was given a rating of 5 (very good) at this inspection in accordance with the Food Standards Agency's Food Hygiene Rating Scheme.”

Traffic Management – no objections

## **Representations from Residents**

Representations were received from ten residents of Milestone Avenue and Milestone Crescent. The issues raised have been summarised in a separate document and include litter, rats, road safety, residential location, anti social behaviour and lack of toilet facilities. These are all issues which have been considered by members at previous hearings.

These representations and summary are included as Appendix Four.

Because of these representations, the policy is to refer the application to a hearing for the panel to determine the application.

Mr Alpar has been invited to submit any additional documentation to support his application, for circulation to all parties prior to the hearing.

Mrs Flynn has also raised concerns about the flashing illuminated "Open" sign on the van, this is attached (Appendix Six)

## **Complaints Received Since April 2013**

The Licensing Service has received the following complaints from residents about litter since April 2013. No complaints were registered with Environmental Health or Waste Services.

April 2013 Mrs Flynn reported household litter left beside the council bin, Waste Services were notified and action taken.

May 2013 Mrs Flynn emailed to say there had been a reduction in litter while the van was not trading, we were notified of this break in trading by Mr Alpar from 24 March to 16 April 2013.

## **Site Monitoring Visits**

Litter checks of the site are undertaken periodically by the Licensing Service, the findings are as follows:

<b>Date</b>	<b>Time</b>	<b>Officer</b>	<b>Summary</b>
25 February 2014	1430 hours	Karen Court	Rubbish observed but none was kebab related
7 May 2013	1100 hours	Karen Court	council bin full, reported to Waste Services

There has been no cause for concern for litter directly attributable to the kebab van.

## **Waste Services**

Waste Services monitor the area as part of their routine street checks. The council litter bin is emptied once a week and the area swept and litter cleared every six weeks, with the exception of the ditch, which is privately owned and therefore the responsibility of the adjacent landowner, Reading University.



The Street Care Technical Officer, who covers the Charvil area, has confirmed that he last visited Milestone Avenue on 7th March 2014 and found the area clean and tidy with no litter in the area. Waste Services have not received any complaints regarding litter in the area during the last year.

### **Environmental Health**

The Principal Environmental Health Officer who covers the Charvil area has provided the following statement:

“the Environmental Quality Team has received no complaints relating to the operation of this licence during 2013 and have no objections to the licence being renewed”

### **Thames Valley Police**

The Thames Valley Police Licensing Officer for the Wokingham area provided the following statement after consulting with the neighbourhood team:

“Thames Valley Police have no issues in respect of this renewal.”

### **Road Markings – Hatched Area**

We have previously liaised with the Traffic and Road Safety Team who advised that the Senior Highway Inspector was involved with agreeing the location of the kebab van and he is happy for it to remain in this location. The Highway Code Section 130 gives the appropriate instructions: -

Areas of white diagonal stripes or chevrons painted on the road. These are to separate traffic lanes or to protect traffic turning right.

- if the area is bordered by a broken white line, you should not enter the area unless it is necessary and you can see that it is safe to do so
- if the area is marked with chevrons and bordered by solid white lines you **MUST NOT** enter it except in an emergency

**[Laws MT(E&W)R regs 5, 9, 10 & 16, MT(S)R regs 4, 8, 9 & 14, RTA sect 36 & TSRGD 10(1)]**

The area in Milestone Avenue is bordered by a broken white line, and thus to respond to the Highway code instruction specifically, the interpretation that the kebab van driver would presumably cite is that it is **necessary** for him to enter the area as he has a licence to trade there. Traffic and Road Safety are of the opinion that **it would not be unsafe for him to do so**, as this particular hatched area is well away from the major dual carriageway and the remaining width of road on Milestone Ave is adequate for the low volume of one-way traffic it carries (assuming that all trading to customers is carried out on the footway side).

In addition, the police have confirmed that they would not take enforcement action against the parking on the hatched lines.

**Note about Refusal**

If the consent is refused, there is no formal right of appeal under the legislation.

**Corporate Implications (this must include Financial Implications)**

If the consent were refused, this would result in loss of income to the authority of up to £1,200 in the current year (£1,200 annual fee less £100 per month under the refund policy).

**Reasons for Decision**

In accordance with policy for street trading applications, the application is referred to a hearing for determination as representations have been received.

**Alternative Options considered, if any**

None .

**Reasons for considering the report in Part 2**

None

**List of Background Papers**

Application papers, location plans, representations

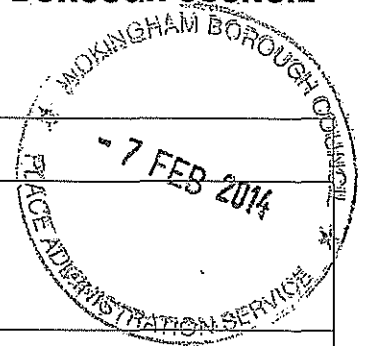
<b>Contact</b> Karen Court	<b>Service</b> Licensing Service
<b>Telephone No</b> 01635 519791	<b>Email</b> kcourt@westberks.gov.uk
<b>Date</b> 13 March 2014	<b>Version No.</b> 1

# APPLICATION FOR STREET TRADING CONSENT



**WOKINGHAM  
BOROUGH COUNCIL**

This is an application under the Local Government (Miscellaneous Provisions) Act 1982



Full Name of Applicant	MUHAMMET ALPAR
Company Name & Full Address	68 DELAMERE ROAD EARLEY RG6 1AP
Date of Birth (Applicants must be over 18 years of age)	10/05/1977
Daytime tel number (inc mobile number where applicable)	04766224428
Nature of Business (Description of ALL articles to be sold/activities to be carried out)	FAST FOOD, KEBAB, BURGER, CHICKEN, CHIPS, SOFT DRINKS
Proposed location of Trading Pitch (may be description, ordnance survey grid reference, map with location indicated)	Milestone Avenue
Are you currently trading at this location?	YES
Has owners permission been given?	YES
Name & Address of owner of site if applicable	MUHAMMET ALPAR 68 DELAMERE ROAD EARLEY RG6 1AP
Description & size of stall/vehicle to be used for trading, including registration number (where applicable)	CITROEN RELAY REG. N. X113 BCD 2m. by 5m.
Address of premises where vehicle/stall normally kept when not trading	228 NORTHUMBERLAND AVENUE READING ; RG2 4QA
Proposed days and times of trading	SUNDAY - THURSDAY FRIDAY - SATURDAY
Will you be manning the pitch yourself?	YES
Assistants: please provide names, addresses & tel no's	1) FATIH ERGUN ? 228 <sup>th</sup> NORTHUMBERLAND AVE 2) MUSA MUSA READING ; RG2 4QA 04798624192

Give details of previous street trading experience (including dates and locations)	SINCE 2001.
Have you ever been refused a licence or consent in any other area? If yes, give details	NO
Do you have any previous convictions? If yes, list on separate sheet	NO
Trading name (if any)	ALPAR KEBAB
Period of licence required (Max 1 year)	ONE YEAR
Do you hold Level 1 Food Hygiene? (essential for food handlers) - attach copy	YES
Which local authority are you registered with (as required by the Food Hygiene Regulations)?	READING BOROUGH COUNCIL

**Declaration**

The information given on this application is true and correct. I have included all necessary enclosures with this application. I agree to be bound by Wokingham Borough Council's street trading conditions and confirm I have received and read these conditions. I also authorise Wokingham Borough Council to make enquiries to the police or any other appropriate persons about this application subject to the Provisions of the Rehabilitation of Offenders Act 1974 as amended. I understand it is an offence to carry on the business of street trading without being granted a consent.

Signed M. Alpar Date 07 02 2016  
 Name (Block Caps) MUHAMMETS ALPAR Position in Company OWNER

Completed form to be returned to: Karen Court, Senior Licensing Officer, Licensing Service, Wokingham Borough Council, PO Box 155, Shute End, Wokingham, Berkshire, RG40 1WW

**Enclosures Accompanying Your Application**

- |  |                                     |   |                                     |   |                                     |
|--|-------------------------------------|---|-------------------------------------|---|-------------------------------------|
| Fee (£2,427 pa / £269 for one month)                             | <input checked="" type="checkbox"/> | Location Plan   | <input checked="" type="checkbox"/> | Copy of Food Hygiene Certificate                      | <input checked="" type="checkbox"/> |
| 2 colour passport sized photographs of yourself & any assistants | <input checked="" type="checkbox"/> | Copy of planning permission (land other than highway)     | <input checked="" type="checkbox"/> | Copy of Certificate of Insurance for public liability | <input checked="" type="checkbox"/> |
| Gas Safety Certificate   | <input checked="" type="checkbox"/> | Copy of permission of landowner (land other than highway) | <input type="checkbox"/>            | Fire Extinguisher Certificate                         | <input checked="" type="checkbox"/> |

## Karen Court

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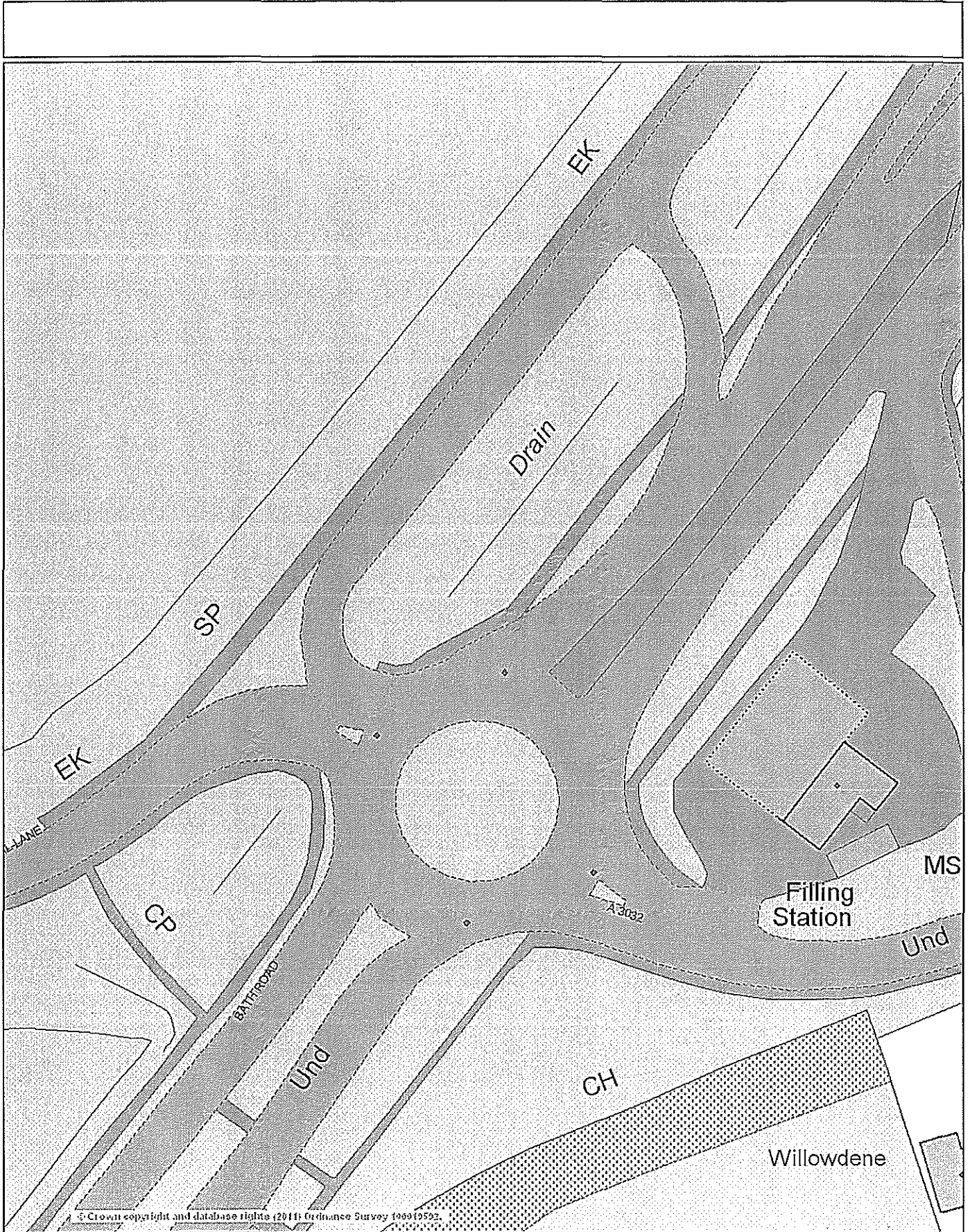
**From:** Muhammet Alpar ·  
**Sent:** 11 March 2014 16:39  
**To:** Karen Court  
**Subject:** Re: Milestone Avenue van

I confirm than opening hours from Sunday to Thursday :5pm-12:30 am, Friday-Saturday :5pm-2am  
Thank you,  
Mr. Alpar


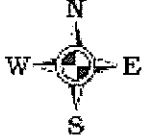
On Wed, Apr 17, 2013 at 5:08 PM, Muhammet Alpar · wrote:

Hi Karen, I would like to let you know my van is not ready, still closed till 22/04/13.  
Mr.Alpar

APPENDIX  
TWO



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 <p><b>WOKINGHAM</b> BOROUGH COUNCIL</p>	<p>(c) Crown Copyright and database rights 2011 Ordnance Survey 100019592</p>	<p>Date 7/1/2014</p> <p>Scale 1/789</p>	
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**STREET TRADING CONSENT****ST06****LOCAL AUTHORITY**

**WOKINGHAM  
BOROUGH COUNCIL**

Licensing Service  
Wokingham Borough Council  
Shute End  
Wokingham  
Berkshire RG40 1WW

Wokingham Borough Council in pursuance of the provisions of Part III, Schedule 4, Paragraph 7 of the Local Government (Miscellaneous Provisions) Act 1982 do hereby grant this consent to trade within the following consent street at the location shown on the attached plan only.

Trading is only permitted between the specified times and the registered trailer shall vacate the site no later than 15 minutes after the end of the permitted trading time.

**NAME & ADDRESS OF CONSENT HOLDER**

**Muhammet ALPAR**

68 Delamere Road Earley Berkshire RG6 1AP

**TRADING LOCATION**

**Milestone Ave Charvil Trading Location, Milestone Avenue, Charvil, Berkshire, ,**

**VEHICLE DETAILS**

Registration No. : **X113 BCD**

Model : **Relay**

Manufacturer : **Citroen**

Colour : **White**

**TRADING HOURS**

Sunday to Thursday

17:00

00:30

Friday and Saturday

17:00

02:00

**DURATION OF LICENCE**

ISSUED : **4 June 2013**

EXPIRES : **9 April 2014**

(Unless previously suspended or revoked)

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**Principal Environmental Health Officer**

**NOTES**

This consent is subject to Wokingham Borough Council's standard conditions and any special conditions attached. It remains the property of Wokingham Borough Council and must be displayed on the trailer during trading.

## Street Trading Consent

LICENCE No: ST06

Licence commences 10/04/2013 Expires 09/04/2014

Licensee Mr M Alpar

THIS LICENCE IS ISSUED SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS

**WOKINGHAM BOROUGH COUNCIL  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  
STREET TRADING CONSENT: ST6**

### SPECIAL CONDITIONS

1. Trading hours are restricted to 1700 to 0030 hours Sunday to Thursday and 1700 to 0200 hours Friday & Saturday
2. Three litter bins shall be placed in the vicinity of the trading area whenever the premises are open to the public
3. A notice shall be displayed on the van reminding customers of their responsibility to dispose of all rubbish responsibly in the litter bins provided or taken away from the site.
4. All rubbish located between the junction of Milestone Avenue and Milestone Crescent and the roundabout by the dual carriageway, which originated from the kebab van, shall be taken away at the end of each evening's trading and disposed of appropriately using a trade waste service.
5. Facilities for serving customers shall be provided at the back or the offside (pavement side) of the van
6. A sign shall be displayed stressing that customers take extra care on the road
7. Notices shall be placed prominently upon the exterior of the vehicle requesting all customers to respect local neighbours and to leave the area quietly
8. A summary log to be kept by the applicant and his staff to record any significant events occurring during the course of a day's trading



**CONSULTATION RESPONSES RECEIVED FEBRUARY 2014**

Name	Address	Date Received	Litter	Rats	Road Safety	Residential/ Rural Location	Anti Social Behaviour (ASB)	Toilet Facilities	Other
Mr Roger Connor	Applecroft, 6a Milestone Avenue	15/02/14	Excessive litter from discarded food cartons & drinks cans	Abundance of rats attracted by food debris	Magnet for HGV drivers who park overnight. Park on hatching lines. Safety - customers block pavement/ cycle path		Magnet for congregating groups, antisocial behaviour, intimidation, rowdyism, excessive noise	No toilet facilities for customers or staff, people urinate on the verge	
GD & S Brittain  13	2 Milestone Avenue			Food waste discarded by customers attracts vermin	Lorries parking & causing road damage. Vehicles use exit road to enter	Residential area			
Mrs M E Souleyman	Malabarn Milestone Avenue	21/02/14	Packaging & contents strewn far & wide	Rats seen in daylight	Encourages drivers to enter one way by exit. Attracts HGVs, overnight parking		Attracts young & unruly, intimidating towards residents	Ditches used as lavatory	Stale cooking odours
Morag & Gordon Campbell	The Paddocks Milestone Avenue	26/02/14			Narrow road, hatched area	Residential area inappropriate for kebab van	Late night trading intimidating		

APPENDIX FOUR

**CONSULTATION RESPONSES RECEIVED FEBRUARY 2014**

Name	Address	Date Received	Litter	Rats	Road Safety	Residential/ Rural Location	Anti Social Behaviour (ASB)	Toilet Facilities	Other
Mrs Janet Robson	The Shrubbery Milestone Avenue	15/02/14	Litter left, mainly kebab boxes		One way road, enter wrong way. HGVs park overnight.		Late night disturbance	Traders & customers urinate on verge	Customer stomach upset after eating from van (hearsay). Cooking smells
Mrs M Evans	Westo, Milestone Avenue	24/02/14	Litter always a problem	Rats have not diminished		Country road, residential area	Groups of people congregate		
Mrs P Roberts 14	7 Milestone Crescent	27/02/14			Large vehicles parking overnight	Residential area			
Mrs Susan Flynn	9 Milestone Crescent	22/02/14	Litter dropped by customers across the area	Litter encourages rats	One way road, signs ignored. Attracts HGVs, overnight parking. Customers block cycle path. Not a layby		Attracts gatherings of youths & unsociable behaviour, residents feel intimidated	Lack of toilet facilities, verges & hedges used for urinating	Inappropriate place for street trader
Mrs M Surridge		28/02/14			Road too narrow, dangerous pedestrians. Night parking of HGVs				

**CONSULTATION RESPONSES RECEIVED FEBRUARY 2014**

<b>Name</b>	<b>Address</b>	<b>Date Received</b>	<b>Litter</b>	<b>Rats</b>	<b>Road Safety</b>	<b>Residential/ Rural Location</b>	<b>Anti Social Behaviour (ASB)</b>	<b>Toilet Facilities</b>	<b>Other</b>
Mr John Bendall, Neighbourhood Watch co- ordinator	Milestone Crescent, Charvil	25/02/14	Frequently food boxes in surrounding areas discarded by customers	Rats attracted by van detritus invading gardens	Frequently HGVs parking in x hatched area	75% of residents opposed to this trading			

## Karen Court

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**From:**  
**Sent:** 15 February 2014 11:16  
**To:** Jayne Squires  
**Cc:** Nick Ray Private  
**Subject:** TRADING OBJECTION

APPLICATION TO RENEW STREET TRADING CONSENT  
APPLICATION NO: ST06  
APPLICANT: MR M ALPAR - ALPAR KEBABS  
TRADING SITE: MILESTONE AVENUE, CHARVIL  
TRADING TIMES: SUNDAY TO THURSDAY 1700 TO 0030 HOURS (SAME AS CURRENT CONSENT)  
FRIDAY & SATURDAY 1700 TO 0200 HOURS

Dear Ms Squires,  
I wish to object to the renewal of the above.  
I live in Milestone Avenue about 200 metres from the location of the food van.  
The following reasons are given as a result of my personal observations and experiences over the last few years.

The van acts as a "magnet" for two groups of people, both which are a real nuisance to residents.  
Numbers of people, predominately young males ,congregate very late at night and up to 2am in the morning.  
This results in various forms of anti-social  
behaviour, excessive noise, rowdiness and even extends to intimidation.

The second group attracted are drivers of HGV'S, who now regard  
Milestone Avenue as a lay- by and park up overnight. These lorries and  
indeed the food van, are parked on hatching lines which were painted on  
the road to indicate illegal parking.

Other objections made in the past are just as relevant today .  
Excessive litter from discarded food cartons and drink cans.  
People urinating on the verge as no toilet facilities for customers or staff.  
Abundance of rats attracted by food debris.

There is another , and probably , the most important issue which is **SAFETY.**

The van serves its food from one side.  
This means that customers ordering/ waiting are blocking the pavement which is also a designated cycle track..  
Pedestrians and cyclists are therefore forced to walk around the van by using the middle of the road.  
Why should this be allowed to happen ?  
If it is not considered a dangerous practice then the van should be turned around and serve customers who would  
then stand in the middle of the road.

I respectfully ask that this specific issue of safety is investigated by the appropriate authority as in important reason  
not to renew the licence .

**You are the " decision makers " and it is both your duty and obligation to do so.**

Regards  
ROGER CONNOR  
APPLECROFT  
6A MILESTONE AVENUE  
CHARVIL  
BERKS  
RG10 9TN

## Karen Court

---

**From:**  
**Sent:** 27 February 2014 21:28  
**To:** Jayne Squires  
**Subject:** Re: Renewal ST06 Alpar Kebabs, Milestone Avenue, Charvil ~[PROTECT]~

Dear Ms Squires

I am writing to object to the above application:

This a residential area and the van is attracting vermin due to food waste that is discarded by customers. Lorries are now parking in the road and some are having a problem turning their vehicles and damaging the kerb stones and the road sign. Some vehicles are using the exit road to come in to buy their food rather than the correct slip road. This is dangerous for the residents!

G.D. & S. Brittain.

APPLICATION TO RENEW STREET TRADING CONSENT APPLICATION NO: ST06  
APPLICANT: MR M ALPAR - ALPAR KEBABS TRADING SITE: MILESTONE AVENUE, CHARVIL TRADING  
TIMES: SUNDAY TO THURSDAY 1700 TO 0030 HOURS (SAME AS CURRENT CONSENT)  
FRIDAY & SATURDAY 1700 TO 0200 HOURS

The Council has today received the application to renew this street trading consent.

If you have any comments you would like to make before the application is determined, please let me have these in writing or by email by 28 February 2014.

Your comments will be taken into consideration before a decision is made.

Please note that all comments made will be open to public inspection.

If you have any queries about this application please contact me on 0118 974 6358.

Regards

Jayne Squires  
Licensing Officer  
Licensing Service  
West Berkshire and Wokingham  
Environmental Health and Licensing Service PO Box 155, Shute End, Wokingham, Berkshire RG40 1WW

[Jayne.Squires@wokingham.gov.uk](mailto:Jayne.Squires@wokingham.gov.uk)

' 0118 974 6402 ' Ext no 6402 6 0118 974 007479

DISCLAIMER

Malabarn, Milestone Avenue, Charvil, Berkshire, RG10 9TN

21<sup>st</sup> February, 2014

Dear Ms Squires,

Re Application to Renew Street Trading Consent: Application Number ST06.

Thank you for your email notifying me of the above application. My social conscience dictates that I must write to oppose the above application, but my common sense tells me that to do so is a total waste of time; however I've started so I'll finish.

If my objections sound familiar or even repetitious it is because they are; nothing has changed in the year since I last wrote to object to the renewal of this Street Trading Consent, but the salient points remain as follows:-

- . The fast-food van is still in situ in Milestone Avenue.
- . The packaging (and contents) continues to be strewn far and wide.
- . Ditches continue to be used as a lavatory.
- . Rats continue to be seen in daylight.
- . Stale cooking odours emanating from the van continue to waft around those homes near the van.
- . The van is dangerously sited which continues to encourage drivers to enter the designated one-way system by the 'exit only' route.
- . The presence of the van continues to attract HGV's over the 7.5 ton weight limit, who then to park-up overnight.
- . The presence of the van continues to attract the young and unruly, who often act in an intimidating manner towards passing residents...and I could go on!

However, despite my opening comments, I fervently hope that someone on The Panel will actually consider the seriousness of the above complaints, whilst also imagining what it would be like to be in our shoes.

Yours Sincerely,

Margaret Souleyman (Mrs)

Ms Squires,

Licensing Officer,

PO Box 155, Shute End,

RG40 1WW

## Karen Court

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**From:**  
**Sent:** 26 February 2014 15:56  
**To:** Jayne Squires  
**Subject:** Re: Renewal ST06 Alpar Kebabs, Milestone Avenue, Charvil ~[PROTECT]~

Dear Jayne

Yet again we wish to formally object to the siting of a kebab van at the entrance to Milestone Avenue.

Our main concern continues to be that the trading takes place on a narrow road which is effectively the only maintained exit for the residents of Milestone Avenue and Milestone Crescent. Trading there late at night means it can feel intimidating when there are several customers parked on what is a hatched area narrowing the road to one lane. Vehicles should only enter a hatched area if it is necessary to do so. This is not and never has been policed and by granting the licence to trade, the council is condoning this breach.

We have never felt that residents' concerns are ever fully considered when a decision is taken. The entrance to a residential area is a completely inappropriate location for a kebab van.

Regards,

Gordon and Morag Campbell

**From:** Jayne Squires  
**Sent:** Monday, February 10, 2014 4:59 PM  
**To:** mailto:licensing@thamesvalley.pnn.police.uk ; Highway operations ; Ian Jordan ; Environmental Health ; Waste Services ; Environmental Health ; Traffic Management ; 'Deane Steve' ; Property Services  
**Cc:** \_\_\_\_\_

**Subject:** Renewal ST06 Alpar Kebabs, Milestone Avenue, Charvil ~[PROTECT]~

APPLICATION TO RENEW STREET TRADING CONSENT  
APPLICATION NO: ST06  
APPLICANT: MR M ALPAR - ALPAR KEBABS  
TRADING SITE: MILESTONE AVENUE, CHARVIL  
TRADING TIMES: SUNDAY TO THURSDAY 1700 TO 0030 HOURS (SAME AS CURRENT CONSENT)  
FRIDAY & SATURDAY 1700 TO 0200 HOURS

The Council has today received the application to renew this street trading consent.

If you have any comments you would like to make before the application is determined, please let me have these in writing or by email by 28 February 2014.

Your comments will be taken into consideration before a decision is made.

Please note that all comments made will be open to public inspection.

## Karen Court

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**From:**  
**Sent:** 15 February 2014 11:33  
**To:** Jayne Squires  
**Subject:** Re: Renewal ST06 Alpar Kebabs, Milestone Avenue, Charvil ~[PROTECT]~

APPLICATION TO RENEW STREET TRADING CONSENT  
APPLICATION NO: ST06  
APPLICANT: MR M ALPAR - ALPAR KEBABS  
TRADING SITE: MILESTONE AVENUE, CHARVIL  
TRADING TIMES: SUNDAY TO THURSDAY 1700 TO 0030 HOURS (SAME AS CURRENT CONSENT)  
FRIDAY & SATURDAY 1700 TO 0200 HOURS

Dear Ms Squires,  
Thank you for your email informing of the above application.

I would like to register my objection to the application.

This object because this small one-way stretch of a one-way access loop was never intended for such use, nor for the HGVs which park there overnight. The use by the Kebab van is an unintended consequence, as the surveyors present when the loop was being constructed warned me, saying that the loop was badly designed. Cars going to the van enter it from the wrong way, and the drivers are quite abusive when blocking the road when residents need to exit. Despite the council's total ignoring of the fact, the traders and sometimes customers urinate on the verge. One resident told me he had a stomach upset soon after eating a product from the van. I know this is hearsay but it happened. The hours have been extended since the original licence was given, despite residents' objections, with the result that nearby residents are disturbed late at night.

Smells from cooking are felt in the houses in Milestone Crescent and I found this unpleasant. Although the traders are supposed to clear up litter, there is often litter, mainly kebab boxes, left around.

It is felt by those who have objected in the past that the result of the application is a foregone conclusion, and that the council has some reason for ignoring our complaints. This has gone on for so long that attrition is setting in and the licensing department has lost our respect. As I am sure you are aware, most people don't like complaining, and of those a high proportion are concerned, but don't like to 'stick their heads above the parapet.' Putting their names in writing seems to invite getting displeasure. However this whole charade is a demonstration of the way a local authority can ignore its residents and taxpayers and wear them down. The council and Mr. Alpar will cite that there haven't been any objections to various aspects of the licence, but this is no indication at all of the way residents feel or the incidents they have been involved in.

I ask you to consider very carefully whether it is really necessary for the trading hours to start at 5 and go on until 2.00 a.m. on Fridays and Saturdays. To make the hours the same each day of the week would at least restore some respite to residents, and also restore some confidence that residents are respected as much as Mr. Alpar by the council.

Yours sincerely,  
Janet Robson

Click [here](#) to report this email as spam.





Mrs M Evans  
Westo  
Milestone Avenue  
Charvil  
Reading  
Berkshire  
RG10 9TN

SAMARITANS  
www.samaritans.org

st  
Feb. 21 2014

Dear Madam

Re. Applicant No: ST06  
Mr. M. Alpat,

Time has not altered the fact that a Hebal van has no place on a country road.

The population of rats do not seem to have diminished.

Encouraging groups of people to congregate in a residential area is not a good idea.

Litter will always be a problem unless the council pays

an eye on it. With financial  
~~cutbacks~~ cutbacks surely this  
is a cost the council  
could do without?

Why should we have to  
put up with this blot on  
our landscape?

Yours truly  
A. J. [Signature]

## Karen Court

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**From:** .  
**Sent:** 27 February 2014 16:20  
**To:** Jayne Squires  
**Subject:** Application for street trading ST 06. milestone Avenue Charvil

> Sent from my iPad  
Once again I would like to lodge my objection to the kebab van trading in Milestone Avenue . this is a residential area but is attracting many. Large vehicles that are now prone to lay up over night (no parking fees for them ).

mrs P Roberts  
7 Milestone Crescent  
Charvil  
Reading. RG 10 9 RG

9 Milestone Crescent  
Charvil  
Reading  
RG10 9RG

22<sup>nd</sup> February 2014

Ms J Squires  
Licensing Officer  
Wokingham Borough Council  
Shute End  
Wokingham RG40 1BN

Dear Ms Squires

Re: ST06 Mr Alpar Street Trading Consent Renewal

I am writing to register my objections to the above application as follows:-

- Milestone Avenue is a one way road, and customers frequently ignore these signs and are thus a danger to other road users
- It attracts heavy vehicles over the 7.5 ton weight limit for this road, which frequently park over night
- Customers block the cycle path, which is a safety issue
- It attracts gatherings of youths and unsociable behaviour, and residents often feel intimidated when they go by the van
- Lack of toilet facilities leads to the verges/hedges being used for urinating
- Litter is dropped by customers within the village of Charvil, along Charvil Lane and the Bath Road which also encourages rats
- The area where the van trades is not a layby but the access to Milestone Avenue and Crescent, and the van trades (and his customers' park) on road hatchings which according to the Highway Code should only be entered and used when it is safe to do so and in an emergency. Why should a street trader be allowed to park there every day for up to 8 hours. Milestone Avenue is an inappropriate place for a street trader.

Yours sincerely

Mr & Mrs M K Flynn

## Jayne Squires

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**From:** Jayne Squires  
**Sent:** 28 February 2014 14:44  
**To:** 'Keith SurrIDGE'  
**Subject:** RE: Objection to ST06 (Kebab Van on Milestone Avenue, Charvil) ~[PROTECT]~

Dear Mr SurrIDGE

I write to confirm receipt of your email dated today. I will write again to inform you as to the action taken in respect of this street trading application.

Many thanks

Jayne Squires  
Licensing Officer  
Licensing Service  
West Berkshire and Wokingham  
Environmental Health and Licensing Service  
PO Box 155, Shute End, Wokingham, Berkshire RG40 1WW

[jayne.squires@wokingham.gov.uk](mailto:jayne.squires@wokingham.gov.uk)

☎ 0118 974 6402      ☎ Ext no 6402      ☎ 0118 974 007479

**From:** Keith SurrIDGE [mailto:ksurr@wokingham.gov.uk]  
**Sent:** 28 February 2014 13:39  
**To:** Jayne Squires  
**Subject:** Objection to ST06 (Kebab Van on Milestone Avenue, Charvil)

Dear Ms Squires

### Milestone Avenue, Charvil – Renewal of Kebab Van License – Application ST06

I am writing to register my continued objection to the location of a Kebab Van for an average of 7 hours a day at the (only) exit from Milestone Avenue onto the B438/Charvil Lane at its junction with the A4/Bath Road.

The road is too narrow, dangerous for pedestrians using the van's services and has led to continued cluttering along the length of Milestone Avenue. It has also sadly become a long term night time parking spot for heavy goods vehicles far in excess of the road's capacity to accommodate them.

I look forward the rejection of this application and its relocation to a more sensible position.

Yours sincerely,

Mrs M SurrIDGE

Click [here](#) to report this email as spam.

## Jayne Squires

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**From:** Jayne Squires  
**Sent:** 25 February 2014 12:48  
**To:** 'john bendall'  
**Subject:** RE: Renewal of street trading consent STO6, Milestone Ave., Charvil. ~[PROTECT]~

Dear Mr Bendall

I write to confirm the receipt of your email of 25 February. I will write again at the end of the consultation period to update you.

Many thanks

Jayne Squires  
Licensing Officer  
Licensing Service  
West Berkshire and Wokingham  
Environmental Health and Licensing Service PO Box 155, Shute End, Wokingham, Berkshire RG40 1WW

[Jayne.Squires@wokingham.gov.uk](mailto:Jayne.Squires@wokingham.gov.uk)

' 0118 974 6402      ' Ext no 6402 6 0118 974 007479

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

**From:** john bendall I  
**Sent:** 25 February 2014 11:46  
**To:** Jayne Squires  
**Subject:** Renewal of street trading consent STO6, Milestone Ave., Charvil.

I am writing to formally object to the renewal of the referenced licence to trade on the following grounds.

1) LITTER - Despite assurances from the van owner concerning the immediate area of the van, there is frequent evidence of food boxes being discarded by customers in surrounding areas.

2) RATS - Rats from the surrounding farm land are attracted by the detritus from the van and are now commonly invading the nearby gardens requiring residents to be involved with their removal.

3) HGV PARKING - Despite signs indicating the unsuitability of the area for such vehicles, HGVS are frequently parked in the X-hatched space.

The drivers of these are likely to regard the presence of the van as an attractive feature.

4) RESIDENTIAL OPPOSITION - Statistically sound surveys have shown some 75% of residents in Milestone Avenue and Milestone Crescent to be opposed to the operation of this trade with its consequent activity in the early hours of the morning.

I would remind the panel that permission to trade was initially refused by Wokingham Council by reason of the residential nature of the area.

In view of the above, I respectfully urge you not to renew this licence.

J. D. BENDALL,  
Neighbourhood Watch Co-ordinator,  
Milestone Crescent, Charvil.

If you need help or advice please telephone - During office hours only  
 8.30am - 5.00pm, Mon-Thurs  
 8.30am - 4.30pm Fri

# Commercial Team Inspection Form

Environmental Health & Licensing

Environmental Health and Licensing Department

West Berkshire Council, Market Street, Newbury, Berkshire RG14 5LD

Tel: 01635 503242 Fax: 01635 519172 e-mail: ehaadvice@westberks.gov.uk

Environmental Health and Licensing Department

Wokingham Borough Council, Shute End, Wokingham, Berkshire RG40 1BN

Tel: 0118 974 6765 Fax: 0118 900 7479 e-mail: environmental.health@wokingham.gov.uk

Prem Ref:	WBC/RCUN/1014	Date:	9.02	Time:	17.30
Name:	Alman Kanna				
Address:	Winton Avenue, Winton, Wokingham, RG40 1TA				
Registered Address (if different):	The Winton Arms, Winton, Wokingham, RG40 1TA				
Business Type:	Manufacturing of metal parts				
Food Business Operator:	Munir Khan				
Specific Legislation:	<input checked="" type="checkbox"/> The Food Safety and Hygiene (England) Regs 2013 <input type="checkbox"/> Other (Please Specify)				

### Summary of Matters Discussed and Documentation Checked

H = Food Hygiene & Safety	S = Structure	C = Confidence in Management	L = Legal Requirement	R = Recommendation	Compliance Date
11					
<p>11. Many of the samples were stored at ambient temperature. There is high risk of contamination once opened from original packaging. It needs to be kept below 5 degrees. You can use ice containers with dry ice to store at ambient temp is above 5 degrees, even just 2-3 hours it should not be used.</p>					Immediate

Food Hygiene Rating	(5)	4	3	2	1	None	To Follow
<input type="checkbox"/> NFA	<input type="checkbox"/> Leaflets/Advice		Next Visit within				
<input checked="" type="checkbox"/> Follow up Action	<input type="checkbox"/> Follow-up Letter						
Officers Name (print)	George NACOMITA		Person Seen (print) Fatih ERGUN				
Designation	SENIOR EPIO		Position				
Signature			Signature				

If you do not agree with the above report and cannot resolve the matter with the case officer, please contact the Principal Environmental Officer at the address above.  
 This report only covers the areas inspected at the time of the inspection. It does not indicate full compliance with any provision of the relevant legislation or any regulations thereunder. This is not a formal notice requiring works to be carried out.

APPENDIX  
SIX

**Karen Court**

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**From:** Nick Ray Private  
**Sent:** 12 March 2014 19:54  
**To:** Graham Vaughan  
**Cc:** Sue Flynn; Jayne Squires; Karen Court; Nick Ray  
**Subject:** Re: Flashing Illuminated "Open" sign on Kebab Van ~[UNCLASSIFIED]~

Hello Graham,

Not sure if you have seen the sign personally - its about 30cm by 45cm and says "Open" in flashing illuminated red, with a flashing blue light around the edge, which sort of sweeps around the word "Open" every few seconds. Quite eye catching and certainly more obtrusive than a simple illuminated open sign.

I have no idea what the legislation is for moving vehicles but I feel it is going beyond a simple illumination, in excess of what would be seen on a taxi (on/off) or a truck or van (always on).

I did a quick check of the vehicle lighting regulations and found the following:

## The Road Vehicles Lighting Regulations 1989

### You are here:

- [1989 No. 1796](#)
- [PART II](#)
- Regulation 13

### Lamps to show a steady light

13. (1) Save as provided in paragraph (2), no vehicle shall be fitted with a lamp which automatically emits a flashing light.

(2) Paragraph (1) does not apply in respect of—

- (a) a direction indicator;
- (b) a headlamp fitted to an emergency vehicle;
- (c) a warning beacon or special warning lamp;
- (d) a lamp or illuminated sign fitted to a vehicle used for police purposes;
- (e) a green warning lamp used as an anti-lock brake indicator; or
- (f) lamps forming part of a traffic sign.

This seems straightforward and I see no obvious reason why they would be exempt.

I would welcome your further comments



Many thanks

Nick

On 12 March 2014 16:23, Graham Vaughan wrote:

Dear Mrs Flynn,

I have raised the issue with another Planning Officer and an Enforcement Officer who agreed with my assessment.

I am happy to refer this to the Environmental Health department, if you wish me to do so?

Kind regards,

Graham Vaughan

Planning Officer (Development Management and Regulatory Services)

Tel: 0118 974 6694

Wokingham Borough Council, Civic Offices, Shute End, Wokingham, RG40 1WR

*Please note, this email is an opinion of an officer of this council which is of an advisory nature only, and is given without prejudice to any formal decision taken in respect of development under the Town and Country Planning Act.*

**From:** Sue Flynn [mailto:sue.flynn@wokingham.gov.uk]  
**Sent:** 09 March 2014 14:34  
**To:** Graham Vaughan  
**Cc:** Jayne Squires; Karen Court; Nick Ray  
**Subject:** Flashing Illuminated "Open" sign on Kebab Van

Dear Mr Vaughan

Thank you for your email.

The sign I refer to is a red flashing illuminated "OPEN" sign, not a painted sign indicating the van is selling kebabs. The kebab van is stationary in a residential area with the sign on seven days a week for approximately 9 hours a day

so I would hardly think this comes under the category of a vehicle commonly moving. If he had the sign on whilst moving I would think it could be considered a traffic hazard.

I am sure that I have seen the Texaco garage displaying planning application signs in their window when they wish to alter their illuminated signs.

Please could you look into this further for the residents of Milestone Avenue and Milestone Crescent.

Yours sincerely

Mrs Susan Flynn

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

From: Graham Vaughan <[REDACTED]>  
To: Jayne Squires <[REDACTED]>  
Sent: Fri, 7 Mar 2014 12:08  
Subject: Kebab Van Advertisement Query ~[UNCLASSIFIED]~

Dear Ms Squires and Ms Flynn,

Thank you for your email regarding the kebab van trading from Milestone Avenue, Charvil. In terms of the erection and display of adverts, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 provides certain types of adverts with certain types of permission. These include advertisements which the rules exceed from the planning authority's direct control; advertisements for which the rules give a 'deemed consent', so that the planning authority's consent is not required provided the advertisements is within certain rules; and, advertisements for which the planning authority's consent is always needed. I refer you to the government [website](#) for further information.

One of the types of advertisement exempt from the Planning Authority's control is adverts on vehicles which are commonly moving. As an informal opinion, I would say the advertisement you describe on the kebab van comes under this type and therefore does not require the Planning Authority's consent for it. I think if it were to be causing a nuisance then it would need to be referred to the Environmental Health department.

I hope this clarifies but please let me know if you need any further information.

Kind regards,

Graham Vaughan

Planning Officer (Development Management and Regulatory Services)

Tel: 0118 974 6694

Wokingham Borough Council, Civic Offices, Shute End, Wokingham, RG40 1WR