

Charlie Fletcher
Licensing Officer
Bracknell Forest Council

████████████████████
██████████ Shepherds Lane
Bracknell
RG42 ██████████

19th July 2018

Dear Charlie

Further to our meeting with yourself and Tina McKenzie-Boyle on 5th July 2018 we would like to formally request that the street trader A&A Plus Kebabs who have been granted a Street Trading Consent to trade along Bull Lane in Bracknell have their Consent revoked and removed from this location. The reasons for this being:

1. Constant disturbances every day from noisy customers. This being in the form of loud conversations and raucous laughing whilst ordering and waiting for their food orders. Customers have to shout to be heard above the trader's generator. The traders themselves can also be heard conversing with each other in irate argumentative shouting including late at night which we believe would contravene Street Trading Consent point 19). On one occasion the trader's family, children, possibly having been brought to the van by another family member, were witnessed screaming and shouting at 22.40 hrs again we believe contravening Street Trading Consent point 19).
2. Constant disturbance every day of cars coming and going banging their doors and on numerous occasions car horns being sounded on departure or passing by the trader directed at customers waiting at the van.
3. Constant disturbances from the trader's fridge/cupboard doors being banged shut and the banging of cooking utensils on the hotplate whilst preparing food orders. Constant smell of nauseating greasy cooking smells throughout their trading time 17.00-23.00 hrs. When packing up for departure at 23.00 hrs, and later on a regular basis, all doors are banged shut to secure the van creating a disturbance late at night.
4. In the Street Trading Consent regarding location we believe Bracknell Forest Borough Council have made a serious oversight regarding this trader. The Consent states *trading as A&A Plus to trade within the consent street at the location shown on the attached plan only: Bull Lane (opposite Wick Hill Car Park) Bracknell*. The oversight is that the parking bay in which this trader pitches extends along the full length of the car park which is parallel to our property. The trader already regularly pitches up closer and closer to our property due to parked cars in the parking bay. The Consent effectively gives them the freedom to pitch up anywhere in the parking bay opposite the car park right alongside our house/garden. The trader has no respect for our privacy or the noise nuisance their trading encourages. We regularly witness them leaving after 23.15 around 23.20/23.25 after making a lot of noise banging the vans serving hatch/doors. The generator can also be heard and when shutting it

down causes a loud whistling sound. This we believe effectively breaks the Street Trading Consent in point 18).

Due to the constant disturbances every day we cannot sit and relax in our garden without listening to customers and traders raising their voices to converse with each other. The constant banging of cupboard/fridge doors and cooking utensils banging is annoying and unsettling. There have been groups of youngsters at the trader late in the evening using foul language which is threatening especially as they leave the trader passing our property. Some are obviously drunk due to the language and the shouting.

We are regularly forced indoors due to the noise and smell of cooking. Laundry has to be taken indoors before 17.00hrs or all our clean clothes will smell of greasy food. The noise is intensified in our bedroom and bathroom. Unless we close our windows and doors our whole house is flooded with nauseating greasy cooking smells.

We have invested a lot in our house and our garden but now feel from 17.00-23.00 hrs we are denied the enjoyment of our own home. We cannot relax or feel at peace due to the constant disturbances.

We have also had a bag of food thrown on our lower roof for which we have photographs and is highly likely to be the produce from the trader. We have never experienced this prior to the trader being in Bull Lane and will inevitably encourage unwanted vermin.

We understand that the trader selected the site along Bull Lane with little regard as to the proximity to our house and their only concern being to maximise trade. The Council also exercised little regard for us as residents when granting the Street Trading Consent which we would also like to add was granted without any consultation with residents. The trader may argue that they have a large following of customers which is great but the customers all walk/drive away off home but we have to endure these disturbances every day for six hours, or more!

We have completed a lengthy Nuisance Record Form and examples of these disturbances have been recorded and will be submitted as evidence if/when required to do so.

Also, of note the traders request to extend their New Premises Licence for late night trading 23.00-01.00 hrs was revoked earlier this year 23/2/2018. Within the letter revoking this licence *the Panel bore in mind the promotion of the four licensing objectives, the relevant objectives being the potential for noise and smell nuisance in a residential area*. The Panel went on to state *that granting this licence would have an adverse impact on the promotion of the licensing objectives, in particular the public nuisance associated with the smell from cooking and noise nuisance associated with the current street trading activities*. The Panel also stated *that as there was unacceptable noise levels already existing the Panel saw no way that by allowing trading it would be anything other than extending the noise later into the night*. This statement acknowledges that the level of public nuisance associated with this trader already existed and given the Nuisance Record Form and recorded evidence we feel this is proof enough that the Consent in its entirety should now be revoked and the trader moved to a more appropriate site away from residential housing. The proximity of this trader is actually within 50 metres, and less on a regular basis, from our property

and the cooking smell and noise nuisance then has an even more devastating impact on our daily lives.

The judgements given under Reasons within this letter outlines exactly why this Consent should not have been given in the first place.

Following our meeting on 5th July 2018 we understand that with the receipt of our letter of complaint a Panel will be convened to review these issues and the Consent granted by the Council for A&A Plus Kebabs to trade in Bull Lane given the high level of disturbances and close proximity to our property. We understand that due to the timescale involved organising such a meeting and due to members availability, this may take some weeks to organise. In the mean time we will continue to record the disturbances for evidence.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Copy: Mrs Tina McKenzie-Boyle