

Public Document Pack



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8 May 2017

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **REGULATORY COMMITTEE** will be held in the Council Chamber at these Offices on Tuesday 16 May 2017 at 10.00 am when the following business will be transacted.

Members of the public who require further information are asked to contact Jemma Duffield on (01304) 872305 or by e-mail at jemmaduffield@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to be "Jemma Duffield", written over a white background. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Chief Executive

Regulatory Committee Membership:

B W Butcher (Chairman)
P S Le Chevalier (Vice-Chairman)
B Gardner
S J Jones
D P Murphy

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointment of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 4)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES** (Pages 5 - 6)

To confirm the attached Minutes of the meeting of the Committee held on 10 January 2017.

PROCEDURE FOR HEARING (Pages 7 - 12)

The procedure for the Hearing is attached.

5 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - APPLICATION FOR STREET TRADING CONSENT** (Pages 13 - 73)

To consider the attached report of the Licensing Team Leader.

6 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR LIVERIED TAXI ADVERTISING** (Pages 74 - 79)

To consider the attached report of the Licensing Team Leader.

7 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 80)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

8 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A DRIVER'S LICENCE** (Pages 81 - 96)

To consider the attached report of the Licensing Team Leader.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as

practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.

- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Jemma Duffield, Democratic Support Officer, telephone: (01304) 872305 or email: jemmaduffield@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Minutes of the meeting of the **REGULATORY COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 10 January 2017 at 10.00 am.

Present:

Chairman: Councillor B W Butcher

Councillors: M I Cosin
P S Le Chevalier
S J Jones
D P Murphy

Officers: Contentious and Regulatory Lawyer
Licensing Team Leader
Democratic Support Officer

21 APOLOGIES

An apology for absence was received from Councillor B Gardner.

22 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillor M I Cosin was appointed as a substitute for Councillor B Gardner.

23 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

24 MINUTES

The Minutes of the meeting of the Committee held on 1 November 2016 were approved as a correct record and signed by the Chairman.

25 CHAIRMAN'S ANNOUNCEMENT

The Chairman advised that agenda item No 7 had been withdrawn by the applicant and would not be considered at the meeting.

26 HIGHWAYS ACT 1980 - SECTION 115E - HOPE AND LANE, 92A HIGH STREET, DEAL

The Committee considered the report of the Licensing Team Leader on an application by Mr Sean Humphreys of Hope and Lane, 92A High Street, Deal CT14

6EG. The original application was for the placement of 5 tables and 10 chairs, 3 tables and 6 chairs at the side of the premises (in St George's Passage) and 2 tables and 4 chairs at the front of the premises. The furniture would be placed between 08:30hrs to 17:00hrs every day.

Following consultation, 3 representations were received and the comments passed to the applicant. As a result the applicant amended the application and requested to seek permission to site 3 tables and 6 chairs in St George's Passage only and removed the request for 2 tables and 4 chairs at the front of the premises. PC S Noddings, on behalf of Kent Police, subsequently withdrew his representation following the amendment. The two remaining representations received from Deal Town Council and Councillor B Gardner were amended. Both objected to the siting of furniture in St George's Passage stating that the furniture would be an obstruction to pedestrians in what was a busy part of the High Street.

The applicant advised that St Georges Passage was to the side of the premises, off the main high street, and was a wider pedestrianised area being approximately 3.8 metres wide and with bollards at one end.

In accordance with the approved procedure the Contentious and Regulatory Lawyer and the Committee withdrew to consider the application and representations and upon returning it was

RESOLVED: That having regard to Section 115E of the Highways Act 1980, the application by Mr S Humphreys of Hope and Lane, 92A High Street, Deal CT14 6EG for the siting of 3 tables and 6 chairs in St George's Passage (as amended), between 08:30 hrs to 17:00 hrs every day be approved subject to:

- (a) A minimum of 1.2 metres of pavement for pedestrians must be maintained at all times beyond the seating area in St George's Passage;
- (b) A maximum of 2 chairs to be placed at each table.

The meeting ended at 10.30 am.

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE PROCEDURE FOR HEARINGS

INTRODUCTIONS AND PRELIMINARIES		
1	Chairman	The Chairman invites all present to introduce themselves.
2	Legal Adviser	The applicant is asked to confirm receipt of: <ul style="list-style-type: none"> • the agenda • Licensing Officer's report • Council's policy guidelines • procedure for hearing
HEARING		
3	Licensing Officer	The Licensing Officer: <ul style="list-style-type: none"> • advises of the purpose of the hearing • presents the Licensing Officer's report • summarises any issues
4	Licensing Officer	The Licensing Officer may call any witnesses. Each witness in turn: <ul style="list-style-type: none"> • Will give evidence • May be questioned by the applicant or applicant's representatives • May be questioned by the Committee • May, if necessary, be re-questioned by the Licensing Officer
5	Applicant or applicant's representative	The applicant is asked to present his/her case and any particular issues (including whether the applicant accepts the facts presented or wishes to correct them).
6	Applicant or applicant's representative	The applicant or the applicant's representative may call any witnesses (including the applicant themselves). Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the Licensing Officer • may be questioned by the Committee • may, if necessary, be re-questioned by the applicant/applicant's representative.
7	Members	The Committee may ask further questions of any of the parties or any witnesses for the purpose of obtaining further relevant information or clarification.
8	Licensing Officer	The Licensing Officer may give their final submission.
9	Applicant or applicant's representative	The applicant/applicant's representative may give their final submission.

DETERMINATION		
10	Members	The Committee withdraws to consider in private. The Legal Adviser and Clerk may be invited to assist the Committee.
11	Members	If the Committee requires any further information from any party or any further evidence, all parties will be recalled and the meeting reconvened. Any Member of the Committee who has not been present during the whole of the proceedings must not take part in the decision making.
12	Legal Adviser	The Committee reconvenes. Any legal advice given to the Committee in private will be summarised to the Applicant.
13	Chairman	The decision of the Committee is given to all parties.

NOTES

1. The opportunities given to the parties within this procedure to ask questions should be used only for that purpose - to ask questions. The person asking the question will not be allowed to use this right as an opportunity to make statements.
2. Members of the Committee are, as a general rule, expected to ask questions of the various parties in accordance with this procedure. However circumstances may arise where it is desirable for a Member to seek immediate clarification or a point made by a witness or by a party during the course of giving evidence, answering questions being put to him by another party or making a submission. This should be permitted by the Chairman provided that the question is relevant and is conducive to the proper conduct of the hearing. Where additional questions are permitted after the Applicant's case has been summed up, the Applicant or his/her representative will always be given the final right of reply.
3. Under no circumstances must the parties or their witnesses offer members of the Committee information in the absence of the other party. Similarly Members must not attempt to gain information from any party at the hearing in the absence of the other. These are essential requirements of the proper application of the rules of natural justice.
4. The Chairman may vary this procedure as circumstances require but having full regard to adhering to the rules of natural justice.

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE PROCEDURE FOR HEARINGS LICENSING OF A DRIVER, VEHICLES AND OPERATORS

INTRODUCTIONS AND PRELIMINARIES		
1	Chairman	The Chairman invites all present to introduce themselves.
2	Chairman	The Chairman advises the applicant of the reason for the Hearing and the procedure.
3	Legal Adviser	The applicant is asked to confirm receipt of: <ul style="list-style-type: none"> • the agenda • Licensing Officer's report • Council's policy guidelines • procedure for hearing • extract from the Rehabilitation of Offenders Act 1974
HEARING		
3	Licensing Officer	The Licensing Officer: <ul style="list-style-type: none"> • presents the Licensing Officer's report • summarises any issues
4	Licensing Officer	The Licensing Officer may call any witnesses. Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the applicant or applicant's representatives • may be questioned by the Committee • may, if necessary, be re-questioned by the Licensing Officer
5	Applicant or applicant's representative	The applicant is asked to present his/her case and any particular issues (including whether the applicant accepts the facts presented or wishes to correct them).
6	Applicant or applicant's representative	The applicant or the applicant's representative may call any witnesses (including the applicant themselves). Each witness in turn: <ul style="list-style-type: none"> • will give evidence • may be questioned by the Licensing Officer • may be questioned by the Committee • may, if necessary, be re-questioned by the applicant/applicant's representative.
7	Members of the Committee	The Committee may ask further questions of any of the parties or any witnesses for the purpose of obtaining further relevant information or clarification.
8	Licensing Officer	The Licensing Officer may give their final submission.
9	Applicant or applicant's representative	The applicant/applicant's representative may give their final submission.

DETERMINATION		
10	Committee members/Legal Adviser	The Committee will withdraw to consider its determination. The Legal Adviser may be requested by the Chairman to accompany the Committee.
10	Committee members	If the Committee requires any further information from any party or any further evidence, all parties will be recalled and the meeting reconvened. Any Member of the Committee who has not been present during the whole of the proceedings must not take part in the decision making.
11	Legal Adviser	Any legal advice given to the Committee in private will be summarised to the Applicant.
12	Chairman	The decision of the Committee is given to all parties. In the event of a decision to refuse, suspend or revoke an application, the applicant is told that he/she has the right of appeal through the Magistrates Court and then to the Crown Court.

NOTES

1. The opportunities given to the parties within this procedure to ask questions should be used only for that purpose - to ask questions. The person asking the question will not be allowed to use this right as an opportunity to make statements.

2. Members of the Committee are, as a general rule, expected to ask questions of the various parties in accordance with this procedure. However circumstances may arise where it is desirable for a Member to seek immediate clarification or a point made by a witness or by a party during the course of giving evidence, answering questions being put to him by another party or making a submission. This should be permitted by the Chairman provided that the question is relevant and is conducive to the proper conduct of the hearing. Where additional questions are permitted after the Applicant's case has been summed up, the Applicant or his/her representative will always be given the final right of reply.

3. Under no circumstances must the parties or their witnesses offer members of the Committee information in the absence of the other party. Similarly Members must not attempt to gain information from any party at the hearing in the absence of the other. These are essential requirements of the proper application of the rules of natural justice.

4. The Chairman may vary this procedure as circumstances require but having full regard to adhering to the rules of natural justice.

Subject: **Local Government (Miscellaneous Provisions) Act 1982
Application for Street Trading Consent**

Meeting and Date: **Regulatory Committee – 16 May 2017**

Report of: **Licensing Team Leader**

Classification: **Unrestricted**

Purpose of the report: **To consider an application for a Street Trading Consent**

1. Summary

1.1 Mr Ben Palmer has applied to the Council for permission to trade from a catering van on the grass that runs alongside Deal Promenade in front of Deal Castle.

2. Introduction and Background

2.1 The Council controls street trading having adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

2.2 Paragraph 1 of Schedule 4 to the Act states that:

“street” includes –

(a) any road, footway, beach or other area to which the public have access without payment”

2.3 With effect from 1 April 1994 Dover District Council passed a resolution to designate a number of streets within the district as ‘Consent Streets.’
In a Consent Street, street trading is prohibited without the consent of the Council.

The area requested is the Promenade which is designated a Consent Street. A list of all the designated consent streets within the District is included within the Street Trading Guidance Notes shown at **Appendix A**.

2.4 In relation to Street Trading Consents, Paragraph 7(2) of Schedule 4 states that:

“...the Council may grant a consent if they think fit.”

Paragraph 7(10) goes on to say that:

“a Street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.”

2.5 Mr Benjamin Palmer has applied to the Council for permission to trade from a catering van on the grass that runs alongside Deal Promenade and in front of Deal Castle.

The application is to trade every day from 10:00hrs to 18:00hrs.

The application is to sell ice cream, hot and cold beverages, hot food and cold snacks including sausages and burgers, cakes, wrapped snacks, confectionery, crisps, fruit, etc.

A copy of the application is shown at **Appendix B**.

A copy of the location plan is included at **Appendix C**.

2.6 Following receipt of a valid application on 9 March 2017, a 28 day consultation exercise was conducted with notices posted to properties in the vicinity of the proposed site and consultation with the Highways Authority, Deal Town Council, Kent Fire & Rescue, Kent Police and various internal Council departments

2.7 34 representations were received objecting to the application during the consultation period:

- 1 **Mrs J V Letheren** has objected to the application as she prefer too see an ice cream van in this location, as has been in the past. Mrs Letheren is concerned about the smell of onions and burgers in this area.
- 2 **Deal Town Council** strongly object to this application as they feel it will be detrimental to the area, and out of character to the location.
- 3 **Carol Davies – Webb** objects to this application as she would prefer for an ice cream van to have permission to trade from this location, as he has in the past.
- 4 **Sidney Ingleby** objects on the grounds that there has never been a requirement for any catering facilities on this site in the past as there are so many other catering facilities nearby. He feels that littering will be inevitable, and the smell of hot food will pervade local residencies.
- 5 **S G Holyoake** objects due to littering problems, and feels that it will distract from the castle unique appearance. Furthermore, there are plenty of well established refreshment establishments a short walk from Deal Castle.
- 6 **Mr and Mrs Newland** object as the proposed site is close to their home and they feel this would do nothing to enhance the experience of a visit to the castle.
- 7 **Peter Shaw** objects as he feels there are more than enough cafes and restaurants within the area, and the siting of this unit would mar the area and could lead to further applications for commercial enterprises along the promenade. He also raises concerns as to pollution from a van.
- 8 **Mr and Mrs Burton** strongly object as they are concerned about litter, smells of stale fried oil and onions, sea gulls, and increased noise levels.
- 9 **Elizabeth Clarke** feels that this application is completely inappropriate for this area.
- 10 **Councillor Bob Frost** strongly objects to this application as there are many catering establishments within this area already. He says that there was an ice cream van trading near this spot in the past, which is preferable. Councillor Frost is concerned about the smell of frying onions along the sea front.
- 11 **Audrey Crawford** objects strongly due to smells, seagulls being attracted to the food, and the unsightly appearance of the catering van.
- 12 **Cowan Galloway** objects as he feels that the proposal would blight the view of the castle walls and cause pollution with unsavoury smell of cooking food and onions. He is concerned that litter would increase and attract seagulls.
- 13 **Doreen Schofield** objects as she feels that English Heritage should be looking at other ways to gain revenue.
- 14 **Mary Heard** feels this application is inappropriate for the area and wonders why English Heritage is promoting the sale of burgers, sausages and ice creams as their contribution to the English diet.

15. **John Potter** is in favour of this application and feels that it is about time something like this was done along the seafront for people to stop and enjoy whilst admiring the views.
16. **N Dear** wishes to lodge an objection to this application due to the fact that this would gravely endanger this aspect of the seafront. English Heritage have plenty of space within the castle grounds and car parks to sell drinks and snacks if they wish to do so. The presence of an outlet of this kind is completely out of keeping with the rest of the area.
17. **Colin and Celia Spicer** object as there are no such units trading on the whole of Deal Parade and sea front. They are concerned that the view from their property will be spoiled, and also that there will be cooking smells and litter and sea gull problems.
18. **Nicholas Bateman and Marietta Ryan** object as they feel this will have a detrimental effect on those living in close proximity. They are concerned about unpleasant smells, and noise pollution from generators.
19. **Ms Franky Eynon** objects on the basis that the smell of fired onions and burnt fat would permeate the air along the promenade, the green space surrounding the castle would be ruined, and the type of snacks being suggested are not healthy.
20. **John Ellis-Mitchell** objects for a number of reasons, including that there are already enough catering outlets in the area, the site proposed is residential, there are no toilets in the area, smells, litter, etc.
21. **Melanie McGrath** objects to this application as she feels that a food and beverage facility on the promenade side of Deal Castle would gravely endanger this aspect of the seafront. It would also set a precedent for commercial activity along the promenade.
22. **Mr J and Mrs V Swallow** object as they feel this will it will cause congestion in this area, it will set a precedent for other such commercial activity, and will spoil the view of the castle from the seashore and vice-versa.
23. **Penny Downie** objects as this area from the sea to the castle is iconic in so many of Deal's historical photographs and works of art. Ms Downie feels that granting this consent would be the beginning of the destruction of the serene beauty of this place.
24. **Val Horlser** objects as this is a quiet, attractive spot for walkers, cyclists and tourists to enjoy, and its pleasantness would be spoilt by the noise and smells, and there is potential for litter. Is concerned that this will set a precedent for other commercial activities.
25. **Ewen Dunn** feels that the introduction of street traders in this part of Deal will lower the attraction of what was recently described as "the jewel of East Kent". Would like to see burger vans on the Green only where they are needed for events, and in keeping. Thinks that a burger van should be trialed at Dover Castle instead.
26. **Rupert Frazer** does not understand why English Heritage are putting such an application forward. There is more than enough space in the car park adjacent to the castle for such an outlet.
27. **Doris Cohen** objects because she is concerned about traffic congestion, excessive smells from onions cooking, seagulls being attracted to the area, litter, lowering the tone of the castle and town.

28. **Mike Wilkinson** objects to the siting of this van due to smell of frying food, litter, attracting seagulls. Feels this is an inappropriate siting at this location or anywhere in the lovely town of Deal. There are plenty of other fast food outlets within close walking distance of the castle.
29. **Christine Clarke** objects as this is an historic site and the seafront will be blighted by greasy, unhealthy and smelly food.
30. **Jenny Domane** does not understand why English Heritage would want to vandalize and deface the promenade with a burger van which would more suit a boot fayre.
31. **Philip Healey** feels that this will do nothing to enhance the image of Deal, which has enjoyed favorable reviews in recent years in the national press.
32. **Jean Methven** objects as the castle is a historic building and should not have something like a burger bar in the vicinity of the castle itself. Apart from the seagulls this will encourage, the smell of onions all day would be unpleasant to residents in the area.
33. **Peter Broughton** objects as he feels that the effect on the surrounding residences would be detrimental to peaceful and pleasant living. The smell of fried onions would enter the homes of local residents and be intolerable.
34. **Edward McGarrell** objects due to the large size of the proposed vehicle, interruption of the view of the castle, potential increase in traffic flow, feels that English Heritage should look at putting a refreshment facility inside the castle instead. Mr McGarrell goes on to say that this could potentially cause an increase in traffic flow and intense urban traffic and congestion. Grass areas already so limited so should be appreciated and valued, not wrecked and diminished.

2.8 Copy of the representations are included at **Appendix D**.

2.1 Identification of Options

Options:

- (a) To grant permission for the Street Trading Consent to be issued for a period not exceeding 12 months.
- (b) To refuse permission

2 Evaluation of Options

Options:

- (a) The Committee may choose to issue the consent for a shorter period than 12 months for review.
- (b) If the Committee felt that there were insufficient reasons to grant the consent then the application should be refused.

Members should have regard to criteria at page 7 of Appendix A.

3 Appendices

Appendix A – Street Trading Guidance Notes including a list of designated consent streets
 Appendix B – Application
 Appendix C – Location plan

Appendix D -
Representations

4 Background Papers

Local Government (Miscellaneous Provisions) Act 1982
Dover District Council Street Trading Guidance Notes

Contact Officer: Rebecca Pordage, Licensing Team Leader. Ext.2279



DOVER DISTRICT COUNCIL

STREET TRADING GUIDANCE NOTES

STREET TRADING

Statutory Powers

Street trading is controlled by an adoptive code contained in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. The code was adopted by the Council on 12 October 1963. Having adopted Schedule 4 the Council may by resolution designate any street (a) a prohibited street, (b) a licensed street or (c) a consent street.

Definitions

- Prohibited Street: This is a street in which trading is prohibited.
- Licensed Street: This is a street in which street trading is prohibited without a licence granted by the District Council.
- Consent Street: This is a street in which street trading is prohibited without the consent of the District Council.
- Street: Includes any road, footway, beach or other area to which the public have access without payment.
- Street Trading: Means, subject to certain exemptions, the selling or exposing or offering for sale of any article.

Exemptions

The following types of trading are excluded from the definition of street trading and those traders are not required to obtain a licence or consent. They may also trade in a street designated as a prohibited street:-

- (a) Trading by a person acting as a pedlar.
- (b) Anything done in a market or fair the right to hold which was acquired by virtue of a grant, enactment or order.
- (c) Trading in a trunk road picnic area.
- (d) Trading as a news vendor subject to a restriction upon articles sold and the type of stall used.
- (e) Trading which is carried on at petrol filling stations or at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop.
- (f) Roundsmen
- (g) The use for trading under the Highways Act 1980 of an object or structure placed on, in or over a highway (pavement cafes etc.).
- (h) The operation of facilities for recreation or refreshment under the Highways Act 1980.
- (j) Street collection.

Essential Differences

The main differences between the two types of street designation are as follows:-

<u>Licensed</u>	<u>Consent</u>
(1) District Council obliged to grant a licence unless the application ought to be refused on one or more of the grounds specified in the Act.	District Council under no duty to grant a street trading consent and need not specify statutory grounds for refusal.
(2) District Council may only revoke or refuse to renew a licence on the statutory grounds relating to principle terms (i.e. days, times, articles for sale).	No statutory limitation on a District Council's power to revoke or refuse to renew a street trading consent.
(3) Before a District Council may vary a principle term of a street trading licence or before it may refuse to grant or renew or revoke a street trading licence it must first invite the applicant/licence holder to make representations and then afford that person a reasonable opportunity to make those representations.	No notice requirements apply to a street trading consent.
(4) Statutory grounds of appeal against the refusal, revocation or variation of a principal term of a street trading licence are contained in the Schedule.	There is no right of appeal against the refusal to grant or renew a consent or against the revocation or variation of a consent.
(5) A licence holder may be prosecuted for a breach of the "principle terms" which relate to the street in which the days and times upon which and the articles in which the holder trades.	A street trading consent holder may only be prosecuted for a breach of a condition where he trades from a stationary van, cart, vehicle or from a portable stall in a place or at a time not included in the consent, or for breach of the condition relating to the positions and times in which he may trade but not for a breach of a condition relating to the type of article to be sold.
(6) A District Council may recover from a licence holder such reasonable charges as they may determine for the collection of refuse and the cleansing of streets etc.	A District Council may not charge the holder of a street trading consent for the collection of refuse and cleaning of streets etc.
(7) Where a licence is surrendered or revoked the Council has a discretion to remit or refund any fee paid to it.	Where a consent is surrendered or revoked a Council is under a duty to remit or refund the whole or part of any fee paid for the consent.
(8) The consent of the Highway Authority is necessary for the designation of a street as a licensed street.	Highway Authority consent is not required before the designation of a street as a consent street

Street Trading Licences (Street Markets)

Broadly speaking the licensing system is designed to cover street markets. It is rather complex and has been designed in an attempt to maintain a balance between the needs of stallholders who are dependent upon street trading for their livelihood and those of the Council.

Unless previously revoked or surrendered a street trading licence remains valid for a determined period not exceeding 12 months.

Street Trading Consents (Itinerant Traders)

Street trading consents provide a separate form of control than the licensing system with no rights of appeal for the trader. It is intended to cover the activities of itinerant traders ranging, for example, from the single flower seller with a basket to the ice-cream vendor or hot dog stall.

The Council may attach to a consent such conditions as they may consider reasonably necessary including conditions designed to prevent obstruction of the street or danger to persons using it or nuisance or annoyance (whether to persons using the street or otherwise).

If a street trading consent includes permission for its holder to trade in a consent street either (a) from a stationary van, cart or other vehicle or (b) from a portable stall it may be made subject to conditions as to where and the times between which or periods for which trading may take place.

A street trading consent may be granted for any period not exceeding 12 months and may be revoked at any time.

General Provisions

The holder of the street trading licence or consent may employ any other person to assist him in his trading without a further licence or consent being required subject to no such person being under 17 years of age.

A decision by the Council to designate a street is not irrevocable if one form of control or the absence of it proves inappropriate a new resolution may be made.

Designation Procedure

Before designating a street under any of the three categories mentioned notice of such intention has to be published in a local newspaper and a copy served on the Chief Officer of Police and the Highway Authority, the consent of the Highway Authority being required in the case of licensed streets. A period of not less than 28 days must be given for the submission of representations and these have to be considered by the Council before proceeding, if they think fit, to pass the proposed resolution. Public notice has also to be given of the passing of the resolution and the date specified for the coming into force of the designation must be not less than 28 days after the first publication of that notice.

Fees

The level of fees set by the District Council for the grant or renewal of a street trading licence or consent need not be restricted to the recovery of the cost of administration. The Council may set different fees relating to the duration of a licence or a consent and relating to the street and articles to be sold recognising that market forces may be taken into consideration to a certain extent in determining the different fee levels. Whilst there is no requirement to publish notice of fees payable for the issue of a licence or consent a District Council must give notice to the licence holders and publish notice of fees to be charged for the cleansing etc. of street and any variations thereof.

Offences

A person who:-

- (a) Engages in street trading in a prohibited street.
- (b) Engages in street trading in a licensed street or a consent street without being authorised to do so.
- (c) Contravenes any of the principal terms of a street trading licence.
- (d) Being authorised by a street trading consent to trade in a consent street:
 - (i) trades from a stationary van, cart, barrow or other vehicle
 - or
 - (ii) from a portable stallwithout first having been granted permission to do so.
- (e) Contravenes certain conditions shall be guilty of an offence, subject to a statutory defence.

In addition a person who, in connection with an application for a street trading licence or consent, makes a false statement which he knows to be false in any material respect or which he does not believe to be true shall also be guilty of an offence.

LICENCE\MISCIST-GN

DOVER DISTRICT COUNCIL - PRESENT POSITION

In order to obtain the benefit of greater flexibility the District Council has designated those streets or parts thereof, together with any road, footway, beach or other area detailed in Appendix A to which the public has access without payment which is adjacent to the street or part of it.

In addition every other street adjoining any street referred to in Appendix A for a distance of 20 metres from its junction with each such designated street have also been designated as consent streets.

The Council has, on individual application, also designated additional streets as consent streets for specific dates in connection with Deal and Dover carnivals and Deal braderie.

Criteria

All applications for consent will be considered on their merits but regard will be had to the following criteria:-

- (a) In the case of persons wishing to trade on a commercial basis the goods to be sold should usually be restricted to food, beach goods and souvenirs.
- (b) Consents should not be granted when there already exists sufficient retail outlets in the area.
- (c) Consent should not be granted if there is insufficient space and undue inconvenience and interference to pedestrians or road users will be caused or where to do so would be prejudicial to highway safety.
- (d) The Council should be satisfied as to the suitability of the applicant.
- (e) That street trading should only be permitted to take place between specified hours.

Roundsman

For the purposes of exemption "Roundsman" has been defined as follows:-

A person who regularly travels a set route making deliveries to regular customers at their home.

Consent Conditions

Details of the general conditions applying to a consent are attached at Appendix B.

Fees

The Council has established the following criteria in respect of fees.

- (i) The annual fee should be such that the costs of the service are met by the users thereof.
- (ii) A daily fee is also payable in respect of one off applications.
- (iii) Local carnivals, braderies and tourism promotions - to be determined by Officer in consultation with Co-Chairmen of the Technical Services Committee.
- (iv) Registered charities - no charge.

In the event of an application being refused the whole fee is refunded and in those cases where consent is prematurely surrendered or revoked a proportion of the fee relating to the unexpired completed months is refunded upon request.

Determination of Applications

Applications must be made on the correct form (Appendix C) and be accompanied by the appropriate fee.

The Council will seek the views of the Chamber of Trade, Town Council, Local Police and any other organisation that may be deemed appropriate prior to the matter being placed before the relevant Committee of the Council. As meetings of the Committee are some weeks apart time scales should be discussed with the relevant member of staff.

Consents

Consents are issued for a maximum of 12 months and applications for renewal should be made in good time.

If you sell the business that has the benefit of a street trading consent you must notify the Council immediately. The new owner of the business must apply to the Council for consent.

A consent holder may employ other persons to assist in his trading without further consents being required.

Enforcement

The Licensing Manager is empowered to revoke consents in the event of a breach of conditions or institute legal proceedings against anyone trading in a designated consent street without the benefit of a valid consent.

The submission of an application for consent does not permit trading.

White Cliffs Business Park
Dover
Kent
CT16 3PJ

1 March 1995

DOVER DISTRICT COUNCIL
DESIGNATED CONSENT STREETS

Deal

Albert Road
Alfred Square (High Street to Alfred Row)
Beach Street
Broad Street
Court Road
Cornwall Road
Deal Castle Road
Dover Road (Ripple Road to The Strand)
Duke Street (High Street to Robert Street)
Farrier Street (High Street to Middle Street)
George Alley
Gilford Road
Godwyn Road
Golf Road (Godwyn Road to Western Road)
Granville Road
Griffin Street (High Street to George Street)
Hamilton Road
High Street
Ivy Place
King Street
Kingsdown Road
London Road (Queen Street to Sholden New Road)
Manor Road
Marine Road
Marina, The
Market Street (High Street to Middle Street)
Middle Deal Road
Middle Street (King Street to Market Street
King Street to Middle Street Car Park
Broad Street in southerly direction for 20 metres
South Street in northerly direction for 20 metres)

Mill Hill
Mill Road
Mongeham Road (London Road to St Richards Road)
New Street
Oak Street (High Street to Middle Street)
Park Avenue
Park Street (High Street to eastern boundary of No. 4)
Peter Street
Prince of Wales Terrace
Promenade (From junction of The Marina/Beach Street to southern boundary of Deal Castle)
Queen Street
St George's Road (High Street to western boundary of Town Hall Car Park)
St Georges Passage
St Richards Road
Salisbury Road
Sondes Road

South Court
South Parade
South Street
Stanhope Road (High Street to eastern boundary of Astor Theatre)
Station Road (Dover Road to Court Road)
Strand, The
Union Road (High Street to western boundary wall of Union Road Car Park)
Victoria Parade
Victoria Road
Water Street (High Street to Robert Street)
Wellington Road (High Street to eastern boundary wall of No. 27)
Western Road

Dover

A20 (Eastern Dock to Court Wood Interchange)
Alkham Road (Abbey Road to London Road, Temple Ewell)
Astor Avenue
Barton Road
Beaconsfield Avenue
Beaconsfield Road
Bench Street
Biggin Street
Bridge Street
Brookfield Avenue (Whitfield Avenue to Buckland Avenue)
Buckland Avenue
Cambridge Road
Camden Crescent
Cannon Street
Castle Hill Road (Maison Dieu Road to Upper Road)
Castle Street
Chapel Lane
Charlton Green (Frith Road to Maison Dieu Road)
Cherry Tree Avenue
Chilton Way
Church Street
Coombe Valley Road
Connaught Road
Crabble Hill
Crabble Road
Dieu Stone Lane (Cannon Street to bridge over the River Dour)
Dolphin Lane
Dolphin Passage
Dolphin Place
Duoro Place
Eaton Road
Edwards Road
Effingham Crescent
Elms Vale Road (Elms Hill to Folkestone Road)
Esplanade
Fishmongers Lane
Flying Horse Lane
Folkestone Road (Little Farthingloe Farm to Priory Road)
Frith Road
Gaol Lane
High Street

Honeywood Road
King Street
Ladywell
Last Lane
Lewisham Road
London Road, Dover
London Road, River
London Road, Temple Ewell (Railway Bridge to London Road, River)
Maison Dieu Place
Maison Dieu Road
Marine Parade (Waterloo Crescent to Townwall Street)
Market Square
Market Street
Melbourne Avenue
Mill Lane
New Bridge
New Street
Park Avenue
Park Place
Pencester Road
Peter Street
Priory Hill (High Street to the western boundary of the United Reformed Church)
Priory Road
Priory Street
Queen Street
Queens Gardens
Russell Street
St James Lane
St James Street
St Mary's Passage
Snargate Street (Service Road)
Stembrook
Tavernors Lane
Tower Hamlets Road
Tower Hamlets Street
Unnamed road between Cambridge Terrace and Waterloo Crescent
Victoria Crescent
Waterloo Crescent
Wellesley Road
Whitfield Avenue
Whitfield Hill
Wood Street
Woolcomber Street
Worthington Street
York Street

NB. The promenade of Dover has been specifically excluded from consent street provisions but the prior approval of the Dover Harbour Board is required.

Sandwich

All streets within area bounded by The Butts, Millwall, Ropewalk, The River Stour and The Guestling Stream

The Ash Road (A257) (Town Wall to Sandwich Bypass)

Deal Road (Dover Road to Sandwich Bypass)

Dover Road (Town Wall to Deal Road)

Ramsgate Road (High Street to Sandwich Bypass)

Woodnesborough Road (Town Wall to Sandwich Bypass)

CCGENIST-GN

STANDARD CONDITIONS APPLICABLE TO STREET TRADING CONSENT

1. The consent is personal to the trader and is not transferable.
2. The holder may only site the permitted structure at the approved location(s).
3. A plate bearing THE NAME OF THE HOLDER AND THE NUMBER OF HIS CONSENT or a copy of the consent, shall be shown in a conspicuous place.
4. The holder may only trade between the approved times.
5. The holder may only sell articles approved by the Council.
6. The holder shall indemnify the District Council against any claims in respect of injury damage or loss arising out of the grant of this consent (except insofar as any claim in respect of injury damage or loss is attributable to the negligence of the Council) and shall if required maintain a public liability insurance policy with a limit of indemnity of up to .5 million. The holder shall produce the certificate of insurance and any renewal thereof within 24 hours of the original expiry date.
7. The name and address of all employees shall be notified to the relevant local Police Station at least 48 hours before the commencement of the period of employment.
8. All employees must be issued with an identification/authority card.
9. No person under the age of 17 years shall engage or be employed in street trading.
10. Suitable fire extinguishers shall be provided in appropriate cases.
11. A suitable first aid box shall be provided.
12. The prior consent of the Council shall be obtained to the use of temporary electrical fittings and such fittings are to be correctly wired and powered via recognised standard electrical outlets. Electrical leads to such fittings are to be run out of reach of the public and all electrical lampholders within reach of the public shall be kept fitted with lamps or otherwise protected.
13. The holder shall take all reasonable and proper precautions for the safety of all other persons using the street(s) and to prevent danger to persons using the street(s).
14. The consent holder shall not cause any nuisance or annoyance howsoever arising to the occupiers of the adjoining properties or to any person using the said properties or adjoining streets, nor shall he cause any obstruction of the highway.
15. The consent holder shall comply with the reasonable requests of a duly authorised officer of the Council to take such action as is considered necessary to abate any nuisance or obstruction.
16. Public highways shall be maintained in a clean condition during each days trading and all rubbish and waste paper accumulated throughout the daily operation of this consent shall be removed at the end of each days trading.

17. The consent holder shall observe perform and comply with all relevant statute law, common law and bye law provisions, including Road Traffic Regulation Orders made by the Highway Authority.
18. The prior approval of the local police is needed in connection with the entry into pedestrian areas of any vehicle associated with the consent.
19. Any vehicle or stall etc. used in connection with the operation of this consent shall comply with all relevant food hygiene and health and safety legislation.
20. Any vehicle used in connection with the operation of this consent shall be properly taxed, have a valid certificate of motor insurance and, where appropriate, a valid M.O.T. Certificate.
21. The consent holders vehicle shall not wait for the purposes of loading in any residential street for a period of longer than 30 minutes in any period of 3 hours.
22. The issue of a street trading consent shall purport to grant to the holder any other licence or permission required under any other enactment or requirement.
23. A consent may be surrendered at any time.

CCGENST-GN

Useful contacts:

Environmental Health Food Safety Team: 01304 872216

http://www.dover.gov.uk/environment/environmental_health/food_safety.aspx

Kent County Council Highways: 08458247800

www.kent.gov.uk

Trading standards: <http://www.tradingstandards.gov.uk/kent/contact.htm>

For information on starting up a business: <https://www.gov.uk/>

DOVER DISTRICT COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

APPLICATION FOR STREET TRADING CONSENT

APPLICANT

SURNAME:	Palmer
FIRST NAME(S) in full	Benjamin Charles Philip
TRADING AS PERMANENT ADDRESS	Deal Castle Victoria Road Deal Kent
COUNTY	POST CODE Ct14 7BA
TELEPHONE NO:	Code ()
DATE OF BIRTH:	

TRADING DETAILS

NAME OF STREET(S):	In front of Deal Castle along side the promenade
DATES OF TRADING:	01/04/17 onwards
BETWEEN THE TIMES:	10 am AND 6 pm
DESCRIPTION OF ARTICLES TO BE SOLD:	Ice cream, Hot and Cold Beverages, Hot Food and Cold Snacks including Sausages and Burgers, Cakes, Wrapped snack, confectionery, crisps, fruit etc

Is any cart, barrow, stationary van or other vehicle or portable stall to be used in connection with the trading of the above articles: <p style="text-align: center;">YES/NO Van</p>	
IF YES (i) SPECIFY TYPES:	English Heritage Catering Van
(ii) GIVE DETAILS INCLUDING DIMENSIONS:	Length 4.26m Width 1.99m Height 2.3m
(iii) DETAIL PRECISE LOCATION REQUIRED:	On the grass that runs along side the Promenade and in front of Deal Castle
(iv) REGISTRATION NO. (if appropriate):	

HAVE YOU SOUGHT THE ADVICE OF THE ENVIRONMENTAL HEALTH OFFICER IN RESPECT OF FOOD HYGIENE AND HEALTH AND SAFETY MATTERS

YES/NO

IF YES, PLEASE ATTACH COPIES OF RELEVANT CORRESPONDENCE

HAVE YOU EVER BEEN REFUSED A STREET TRADER'S LICENCE OR CONSENT IN THIS OR ANY OTHER AREAS?

YES/NO

IF YES, PLEASE GIVE DETAILS

HAVE YOU EVER BEEN CONVICTED OF ANY OFFENCE INVOLVING DISHONESTY, VIOLENCE OR FOOD MATTERS. IF YES, PLEASE GIVE DETAILS

YES/NO

- * I DECLARE THAT I HAVE CHECKED THE INFORMATION GIVEN ON THIS APPLICATION FORM AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS CORRECT.
- ~ I ENCLOSE £490.00 BEING THE APPROPRIATE FEE (£130 FOR AN OCCASIONAL)
- ~ TWO RECENT PHOTOGRAPHS OF MYSELF (PHOTOS CAN BE TAKEN AT THE OFFICES BY PRIOR APPOINTMENT)
- ~ WRITTEN APPROVAL FROM THE OWNER OR OCCUPIER OF ANY PRIVATE LAND FORMING PART OF THE APPLICATION

SIGNED:

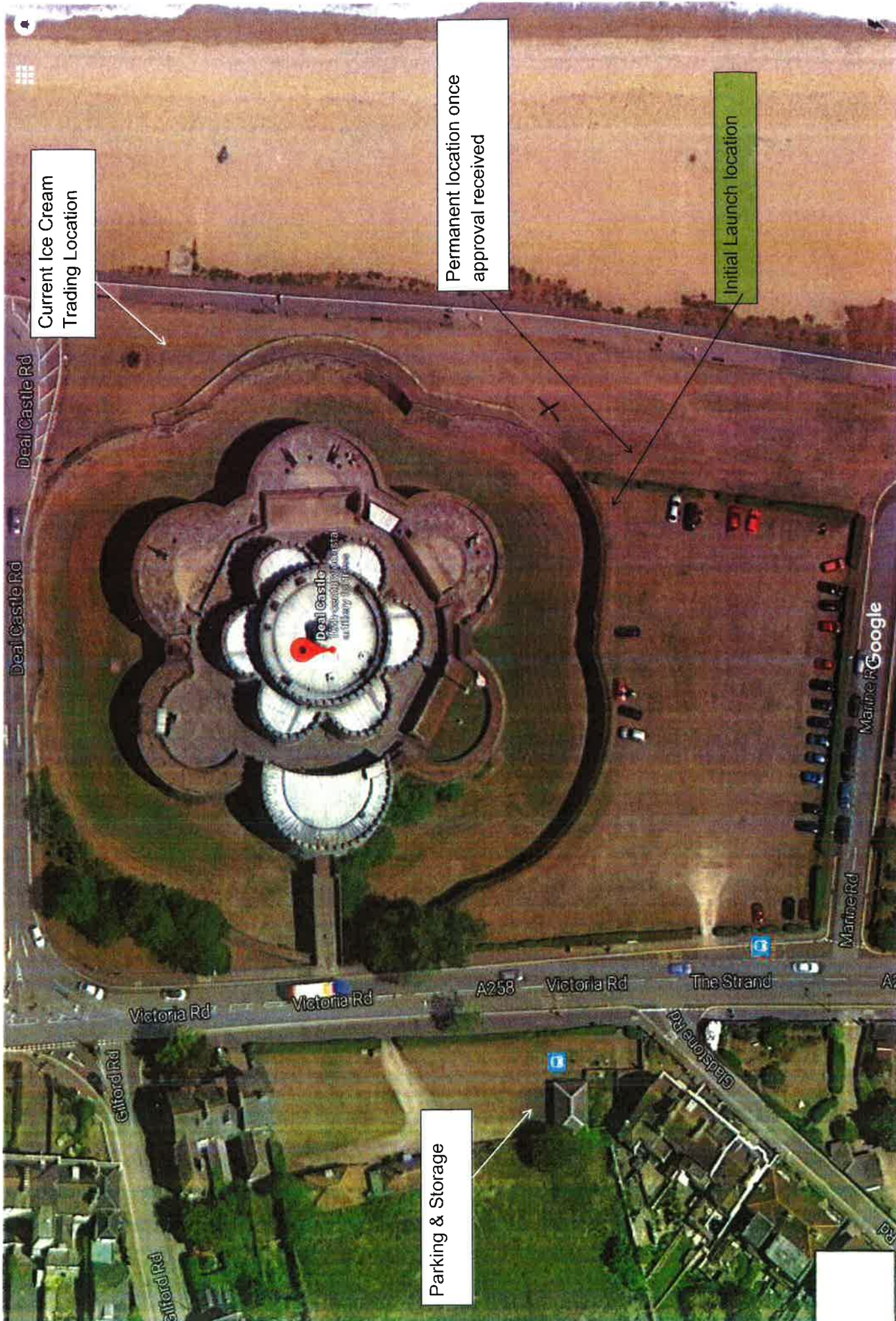
DATED: 20/02/17

NOTE:

If any person makes a false statement or omits any material particular in giving the foregoing information knowingly he shall be guilty of an offence under Paragraph 10 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, and shall be liable on summary conviction to a fine not exceeding four hundred pounds.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on the form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

LICENCE\MISC\STAPPL



Current Ice Cream Trading Location

Permanent location once approval received

Initial Launch location

Parking & Storage



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Title: Dover District Council

Author: Dover District Council

Scale 1:1,250

Map Dated: 02/05/2017

Dover District Council
 Honeywood Close
 White Cliffs Business Park
 Whitfield
 DOVER
 CT16 3PJ



①

6 APR 2017

5 Beckland Road

Cliffe

Rochester

Kent ME3 7RR

Dear Sir / Madam

My husband and I (and our friends) often visit Deal as it has the best fish + chip restaurant on the seafront and also the cheapest and most delicious ice cream from Melvins ice cream van.

We are all extremely disappointed to hear that 'Melvins' can no longer trade on the seafront and is to be replaced by a burger bar of all things!

What happened to supporting the 'small' trader? Why could the Burger Bar not be moved further down the front and Melvins stay where he always is

Anyway who wants the rotten smell of onions + burgers when you're trying to breathe in the fresh sea air!!

Yours Parth Jolly

Katy Sharp

From: [redacted]@...uk
Sent: 07 April 2017 11:19
To: Katy Sharp
Subject: Street Trading Application

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Katy,

Please see below Deal Town Council's recommendation on the below Street Trading application at Deal Castle:

Deal Town Council '**strongly object**' for the following reasons:-

- *Detrimental to the amenity value of the surrounding area*
- *Totally out of character to its location*
- *Out of keeping in front of a Grade 1 listed building*
- *Currently no other street stalls along promenade*
- *Will cause damage to the visual aspect to a Grade 1 listed building*

Please could you submit these comments where necessary

Thanks Katy

Kelly
Planning Clerk
Deal Town Council

From: Katy Sharp [[mailto:](#)]
Sent: 10 March 2017 14:10
To: DDC EnvHealth; DDC Parking Services; Deal % Walmer Chamber of trade; Deal Town Council; fire east; fire south; Kent Highways; DDC DevelopmentControl; DDC PortHealth; DDC CustomerServices; Brinley Hill; DDC PropertyServices
Subject: Street Trading Application

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
STREET TRADING CONSENT

DOVER DISTRICT COUNCIL in pursuance of the provisions of the Highways Act 1980, Section 115
**HEREBY GIVES NOTICE THAT AN APPLICATION FOR STREET TRADING ON A DESIGNATED
CONSENT STREET AT THE LOCATION DETAILED BELOW HAS BEEN RECEIVED FROM
ENGLISH HERITAGE, DEAL CASTLE, VICTORIA ROAD, DEAL, KENT, CT14 7BA.**

To Sell: Ice Cream, Hot and Cold Beverages, Hot Food and Cold Snacks including: Sausages, Burgers, Cakes, Confectionary, Crisps and Fruit
Timings: 10:00 to 18:00 Monday to Sunday
Location: In front of Deal Castle alongside the promenade (see plan attached)

Katy Sharp

From: Carol Davies-Webb <
Sent: 01 April 2017 17:48
To: DDC Licuser
Subject: Deal Castle

I have seen an application for English Heritage to open a "food stall " on the sea side of Deal Castle. There is normally an Ice Cream Seller/Van on this green, what will happen to his permission to trade? I wish to object that a national enterprise is given a permit in preference to a local tradesman.

Carol Davies-Webb
Sent from my iPad

4

Katy Sharp

From: sidney ingleby
Sent: 02 April 2017 11:02
To: DDC Licuser
Subject: application for a mobile catering facility at Deal castle

I object to the proposal by English heritage for the siting of a mobile catering facility on the green, seaward of Deal Castle.

There is no discernible requirement for it (visitors and passers-by have done without for years as many catering facilities paying rent and rates are within a short walk in South or North).

Littering of the green, beach and surrounding streets is inevitable.

With winds normally from s/sw/west the smell of hot food preparation will pervade residencies downwind and will generally miss the Castle and its visitors.

The proposal to park the catering van at night outside the gate entrance to the Captains Garden is simply not acceptable. This is a busy road.

I am a member of EH and have voiced my disgust. I have asked that they withdraw this application and consider the provision of a permanent catering facility within their development plans for the Captains Garden.

Thankyou.

SIngleby
22 The Queens
Ranelagh Rd
Deal CT14 7BD

Sent from Mail for Windows 10

⑤

68, Park Ave,
Deal,
Kent.

CT 14 9 AW

22 March '17

Dover District Council

- 3 APR 2017

Licensing Section

Dear Sirs

I note with dismay that English Heritage have themselves applied to erect a stall on the green on the seaward side of Deal castle... and that it is to sell ice cream, sausages, burgers + hot food.

The litter and the smell will be appalling.

As Deal's historian, I frequently take visitors and parties on walking tours of Deal + walves and our starting point is Deal castle.

I point out the unique shape, since it was built for cannon fire. This needs to be appreciated at a distance - low, round, squat. A permanent stall will distract from the castle's unique appearance.

Further, there have been several proposals
in the past to erect stalls on Deal seafront.
It is recognised that this will instantly cheapen
our unsuspect Georgian/Victorian appearance.
One stall will open up the way for more →
along Walmer Green + Deal seafront.
There are plenty of well established cafes
and parlours already in the vicinity selling
ice cream + hot food - just a short walk
away from Deal castle.

S G Holyoake

6

Katy Sharp

From: Beryl Newland
Sent: 03 April 2017 18:05
To: DDC Licuser
Subject: Proposed application by English heritage for a mobile hat food outlet

To whom it may concern

Ref the above.

As this will sited close to our home , we must protest at this proposal and hope you will reject the application as unsuitable for the site adjacent to us , as well as Deal Castle As their motto is,We bring History To Life , this proposal would do nothing to enhance the experience of a visit to historical Deal Castle

Sent from my iPad

7

Katy Sharp

From: peter george shaw
Sent: 03 April 2017 21:41
To: DDC Licuser
Subject: Application for Street Trading Consent by English Heritage for site by Deal Castle.

I have read the notice posted at this site and wish to object most strongly.

One of the main reasons for coming to live in Deal over ten years ago was the beautiful stretch of greensward which runs from Deal Castle up to and beyond the Downs Sailing Club. It truly is delightful and I try to walk it daily even though I am in poor health. I happen to know the east coast of England pretty well and cannot think of anywhere to match it. The intrusion of a catering facility would mar it and could lead to other applications for commercial enterprises along this lovely stretch.

There are more than enough cafes and restaurants in Deal to cater for residents and visitors so a shortage of eateries cannot justify this application. Moreover the application does not make clear what sort of building would be used to house the facility, if indeed a building is to be used. Or will the service be provided from a motor van? If so would it be allowed to run its engine to power the heating required for cooking, and also to power a refrigerator? Running the engine would create air pollution, already a topic before the Government.

Clarification of these aspects of the application is required - quite frankly the application smacks of arrogance.

I trust permission for a license will be refused.

Peter Shaw
The Holme
Wellington Road
Deal CT14 7AL

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Katy Sharp

From: LindaRichard Burton
Sent: 03 April 2017 18:26
To: DDC Licuser
Subject: Proposed burger van by Deal beach

We strongly oppose the siting of a burger van on the green between the sea & Deal castle. It would be extremely detrimental to Deal's reputation as a lovely town-by-the-sea & establish it as a litter-strewn seaside town smelling of stale fried oil & onions, with screaming attacking sea gulls. It is very difficult to reconcile this proposal with the aims & philosophy of its sponsor English Heritage. The increased noise level, noxious smells of this proposed eye-sore would badly affect the quiet elderly residents of the Queens, of which we are two. Please, for the sake of Deal's reputation, refuse this unnecessary & damaging proposal.

Yours sincerely,
Linda & Richard Burton, 49, The Queens, Ranelagh Road, Deal.



Katy Sharp

From: Elizabeth Clarke >
Sent: 03 April 2017 15:21
To: DDC Licuser
Subject: Street Trading Application in front of Deal Castle

Follow Up Flag: Follow up
Flag Status: Completed

I have seen plans for a licence to sell burgers, sausages and ice creams etc in front of Deal Castle. This is a totally inappropriate site and I am horrified that English Heritage is applying for this. At the moment the walk between Walmer Castle and Deal Castle is charmingly unspoilt, which will not be the case if this plan for commercialisation goes ahead.

Elizabeth Clarke
4 Golden Street
Deal

Sent from my iPad

10

Katy Sharp

From: Bob Frost
Sent: 04 April 2017 13:35
To: DDC Licuser
Subject: Application for 'street trading' from English Heritage (Deal Castle)

Sir/Madam,

I wish to express my strong objection to the proposed 'burger van' to be parked on the seafront by Deal Castle.

I am a Dover District Councillor and a Deal Town Councillor and my 'phone has been ringing 'off the hook' with objections from people living nearby.

Deal has justifiably become one of THE places to visit/live in the South East as evidenced by numerous articles in the 'quality' press and magazines.

It is particularly noted for being an 'old fashioned' sea side with many excellent food offerings.

Coming south from the Royal Hotel we have the Black Douglas, 81, No1Cafe, a traditional fish and chip outlet, an ice cream parlour, the Burger Brothers, the Hythe Seafood Restaraunt and Dunkerlys to name but a few all offering an 'upmarket' sea side experience of the sort looked for by the clientele we are attracting to the town.

Towards the castle we already have a traditional ice-cream van who has been trading for years close to the spot where the 'burger van' wishes to trade, plus the ice cream/sweet outlet at the paddling pool in summer.

The last thing we would expect or want to see is a van selling burgers wafting the smell of frying onions along the sea front. This is the sort of outlet which one might expect to find (and which I have used) in a B&Q car park or a seaside like Skegness or Margate.

As for parking it up opposite Deal Castle in the 'Captain's Garden words almost fail me. English Heritage have allowed the buildings there to deteriorate over the years though it would appear that they are finally getting round to sorting out the state of the roof and doing them up. Having now got them close to a presentable state they wish to park a burger van across the front of them!

This would also be immediately adjacent to the Burma Star memorial garden. One wonders what will happen during the yearly memorial service held there. Presumably the van will be moved so that the old soldiers can assemble or will it stay in position hoping to flog a few hot-dogs to the be-medalled participants?

I trust that the application will be turned down. There is a place for such vans but it is certainly not on Deal sea-front immediately adjacent to a historic castle.

Bob Frost (DDC/DTC Councillor)

--
Also at 46 Victoria Road,DEAL,Kent,CT14 7BQ

Tel | Mobile | 78 1254



Katy Sharp

From: Audrey Crawford <
Sent: 04 April 2017 14:48
To: DDC Licuser
Subject: Proposed burger bar.

I object strongly to the proposal of having a large burger van adjacent to Deal castle.

The smells, the seagulls attracted to the food, and the unsightly appearance of the Burger Van, are not adding anything attractive to this historic area.

We are not the type of town that needs extra food supplies for its visitors.

Please note this objection.

Yours faithfully,
Audrey Crawford, 13 The Queens, Deal CT14 7BD

Sent from my iPad

Katy Sharp

From: cowan galloway <
Sent: 31 March 2017 15:35
To: DDC Licuser
Subject: Fw: Deal Castle - Street Trading

Dear Sir,

I write to register my objection to this application made by English Heritage. The proposal would blight the view of the castle walls and cause pollution of the air with the unsavoury smell of cooking food and onions. The pollution would also increase the litter on the sward and promenade and encourage seagulls to attack the unwary as they eat this unhealthy type of food. They can remove foodstuff from bins, further creating litter as they rip apart any papers holding scraps. And all of this from 10 am till 6 pm throughout the week. The proposal is ill-conceived and detrimental to the environment around this unique fortress.

I look forward to your comments in due course.

Yours faithfully,

Cowan Galloway,
Old Coach House,
Orchard Mews,
Gladstone Road,
Deal CT14 7TR

13

Katy Sharp

From: Doreen Scholfield
Sent: 30 March 2017 22:18
To: DDC Licuser
Subject: Burger van Deal Castle

Follow Up Flag: Follow up
Flag Status: Flagged

You cannot be serious! Having done an amazing job on the buildings opposite the castle I now here that there is the proposal of a burger van by the castle. Come on some decorum please. Look at renting those buildings opposite to increase revenue. Unfortunately, English Heritage is looking at ridiculous ways of getting revenue. There are so many options to get revenue rather than resorting to these sad efforts.
Sent from my iPad

Katy Sharp

From: Mary Heard <
Sent: 30 March 2017 23:08
To: DDC Licuser
Subject: Objection to burger van in Deal

Follow Up Flag: Follow up
Flag Status: Flagged

Dear sir/madam

Subject: Deal castle EH food van proposal

I wish to object to the proposal by English Heritage to put one of their vans selling food on the open aspect green between the Castle railings and the promenade. I feel this is inappropriate for activity by EH: such a facility should be kept within the railings and in keeping with being a service just for visitors and not passersby. Further, why is EH promoting the sale of burgers, sausages and ice creams as their contribution to the English diet?

Yours faithfully,
Mary Heard
Willingdon Place Walmer

Sent from my iPad

15

Katy Sharp

From: John >
Sent: 30 March 2017 22:29
To: DDC Licuser
Subject: Deal Castle Burger Van

Follow Up Flag: Follow up
Flag Status: Flagged

Good Evening,

I would just like to say that I am very much in favour of English Heritage putting a Van outside of Deal Castle for all to use. It's about time something like this was done long the seafront for people to stop at and enjoy whilst admiring the views.

Regards

Mr J Potter
19 CT149LZ

Sent from my iPhone

16

66 The Marina
Deal CT14 6NS

Licensing Team Leader
Licensing Section
Dover District Council
White Cliffs Business Park
Dover CT16 3PJ

5.3.2017

Dear Sir or Madam,

Re: APPLICATION FOR STREET TRADING CONSENT
ENGLISH HERITAGE, DEAL CASTLE, VICTORIA ROAD, DEAL CT147BA

I wish to lodge an objection to this application. The seafront promenade at Walmer has long enjoyed being essentially un-commercialised, and this contributes to its unique beauty and status as a visitor attraction.

What appears to be some kind of burger-van parked seven days a week on the promenade side of Deal Castle would gravely endanger this aspect of the seafront. It also sets a precedent for commercial activity along the promenade which has worrying implications for the future.

English Heritage at Deal Castle have plenty of space within the Castle grounds and car-parks to sell drinks and snacks if they wish to do so. The presence of an outlet of this kind on the seafront itself is completely out of keeping with the Walmer Green area.

For these reasons I believe this Application should not be approved.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'N Dear', written in a cursive style.

N Dear

(17)

To.
Licensing Department
Dover District Council
White Cliffs business Park
Dover Kent
CT16 3PJ

From
Mr Colin Spicer
39 The Queens
Ranelagh Road
Deal CT14 7BD

ref Application by English Heritage for a License to Trade
Ice Creams, Burgers, Sausages Confectionery etc
on the sea front side of Deal Castle.

My wife & I residents of The Queens, who's apartment over looks Deal Castle and the area in which the mobile unit is intending to trade, strongly object to this application being granted and further more am amazed that English Heritage with its rich in history, Deal Castle, would ever want its visitors sea view broken by such a unit let alone the the cooking burgers etc. smells.

We object on the following grounds

1. No such unit trades on the whole of Deal Parade and Sea front, let alone our famous Castle this is because Deal wishes to remain the special town it is, and that visitors expect.
2. The south facing aspect of our apartment, has not only wonderful views, but is open to the prevailing S—SW winds
So not only will this unit be in view alongside the castle, we will be receiving the cooking smells which means an outlook with sun throughout the day will need to be unvented to avoid this notorious smell. (even if 50 yards away).

I would add here, the Ice-Cream “stop me and buy one van”, which arrives at this spot on days when sun shine and visitors are on the promenade, he then goes as the trade thins and we have no objection except, point 3.

- 3 The Price of Wales seafront corner into Deal Castle Road, is right beneath our window it is a one way section of road and the wide corner has quadrons markings to keep the corner clear and double yellow lines usually serves for passing cars and even the coach to stop to use.
To have a more permanent facility will not only encourage this illegal park, but also encourage the usual, driving onto the prom and the grass area, an accident waiting to happen .

4 The facility will also be using paper or some other means of carrying or wrapping the waste food or scraps and or though the unit may comply with regulations the general public do not always comply with disposal and even if the bins are used any access is quickly seized upon by the Sea-gulls and the other offender for which the Sea-gull is blamed is the Fox which patrols the prom and the beach at dusk and each morning at 04.30 and our bin men have to clear up or very often local residents do so.

Because the residents of The Queens, due to cut backs, have taken over the front flower tubs cultivation as part of Deal in Bloom and any assistance in keeping our seafront special is a pleasure to support

Thank you for taking the time to record this objection to English Heritages inconsiderate application

Yours sincerely

Colin & Celia Spicer

cc to Deal ~~District~~ Council

From

Nicholas Bateman and Marietta Ryan
Residents at:

Clanwilliam House
Marine Road
Walmer
Kent CT14 7DN

To

Licensing Section,
Dover District Council,
White Cliffs Business Park,
Dover, Kent.
CT16 3PJ

27th March,
2017

To whom it may concern,

RE: Licence Objection

I understand from notices posted near our house that English Heritage have applied to erect a food stall selling burgers, sausages and other hot food on the green on the seaward side of Deal castle.

We wish to raise an objection to this.

This is based on direct experience of the detrimental effects such a stall will have on those, like us, living in close proximity. Over the last few years there have been increasing numbers of temporary burger-wagons and ice-cream van using the greens in the summer months (whether officially or unofficially I don't know, though I suspect the latter). They park up in the early morning and leave in the late afternoon. When the wind is in the wrong direction (depending on whether this is the green to the south of our house or the green to the north; both are used from time to time) this leads to:

- a) Most unpleasant smells of frying and cooking settling over our house and garden (and those of others) and generally affecting the quality of life, especially outdoors.
- b) Constant noise pollution from the generators required to run refrigeration etc in the wagons (likewise affecting quality of life, etc)

We have not registered objections before because these events were intermittent. The wagons would only appear on the hottest of days. However with a proposal for a full-time stall operating throughout the summer months this makes it very different.

We therefore wish to lodge a strong objection to the granting of the requested and required licences.

Yours sincerely

Nicholas Bateman
(address as above)

19

Katy Sharp

From: F Eynon <...>
Sent: 25 March 2017 18:29
To: DDC Licuser
Subject: Objections to English Heritage application to sell burgers and ice cream on, Deal promenade

Follow Up Flag: Follow up
Flag Status: Completed

Hello Licensing department,

I've used bullet points to summarise my objections to English Heritage selling their burgers and ice creams on the promenade, adjacent to Deal castle:

- The smell of fried onions and burnt fat would permeate the air for quite a way along the promenade. I walk along the promenade daily, and the smell would take away that pleasure completely.
- Simply, I enjoy the green space. It would spoil the green and pleasant area surrounding Deal castle
- I feel they are taking away our space. English Heritage has plenty of space on their own land for this sort of venture - opposite Deal Castle in Victoria Road.
- It could be the beginning of making Deal into just another seaside town, with too many fried food outlets.
- Lastly, as an aside, I am surprised English Heritage hadn't thought of something more original and healthy to sell.

Regards,

Ms Franky Eynon

66 Gladstone Road, Deal, CT14 7ET

20

9 Prince of Wales Terrace Victoria Parade Deal CT14 7BU

Licensing Section
Dover District Council
Whitfield
Kent

Dover District Council
20 MAR 2017
Licensing Section

16th March 2017

Dear Sir,

English Heritage - application for a catering van to be sited on the green beside Deal Castle

I wish to object to the above planning application.
I feel the proposed site is most inappropriate for the above use.

1. The site proposed is totally in a residential area, the nearest commercial outlets [general shops and food outlets/bars] are, to the south on Walmer Strand, to the north behind the promenade in South Street and with nothing to the west apart from residential housing which surrounds the entire area. Prince of Wales Terrace, Marine Road, Victoria Road, Castle View Rd, Gladstone Rd & rd all surround the Castle & the lawn and all are basically devoid of commercial ventures - it is a residential area.
2. Along the Walmer & Deal seafront there is adequate catering. From 'The cafe on the Green', there are cafes, take-away sites, bars, and restaurants along The Strand. Along the promenade there is the children's paddling pool, with its own catering facilities and within a short walk of Deal Castle there is the multitude of cafes on the seafront of Deal itself.
3. Unlike all the above there are no toilets around the proposed area, nowhere for staff or customers to use nowhere for the disabled nor for children, yet it's proposed to sell food & drink.
4. The application appears to be for basically a 'burger van' selling hot fried/grilled foods which gives off a strong odour, of course there will not be any form of extraction to neutralise the cooking fumes which will be carried on the wind across to all the homes along the promenade.
5. The area is beside a heritage site. Visitors in the castle currently looking out onto the shore line and the sea will look out directly onto a burger van with I expect an array of gas cylinders, tables, chairs, 'A' boards and litter instead.
6. There is no facility for the van to come & go apart from over a public promenade or a grassed area. Also there is no other access for a delivery and any emergency vehicles again will have to mount the footpath and drive along the promenade which is already shared by pedestrians & cyclists. There is no public parking in the area save congested Marine Rd.
7. The area is renowned for being muddy part of the year, driving a van on & off the land will cause a mess, a car driven onto the area can easily sink 2-3 inches into the ground within minutes, a heavy van will not be stable.
8. Unless it is proposed to remove the van every night & drag it in every morning do we require such an eyesore to be permanently sited in an open space, prone to vandalism.
9. For a catering venture there is no facility for a water supply, removal of waste water, general drainage. Is this all to be brought in & taken out again over the promenade.
10. The occasional ice-cream van was seen to cause problems with pedestrians & cyclists who all use the promenade, should this operation involve tables & chairs, is there any reassurance that they will not be on the promenade causing an obstruction.
11. The application is certainly for a change of use from an ice-cream van to a commercial food out-let with a greatly changed variety of merchandise.
12. An application for a similar venture a matter of a few yards away was turned down by the council a little time ago as it was again proposed along the seafront opposite residential properties as this application is.
13. Deal has a fine seafront with a wide, long, flat promenade, The area is rightly within conservation and from the remains of Sandown Castle along to Kingsdown is a delight to visitors. It is as unspoilt as it can be, natural, well kept and enjoyed by so many. The area proposed to site a burger van is used by families throughout the year, it is flanked by memorial benches and Deal Castle. I can see the memorial benches being used as seating areas with the remains of burgers, hot dogs, chips and drink containers & such left on then / under them.

I am sure that the Licensing section appreciates how fragile the quality of life is in such historic towns as Deal and how difficult it is to maintain a standard whilst allowing progress, so necessary to survive. Allowing a carbuncle beside an historic building on such a natural coastline would, I feel, be dreadful.

Yours faithfully

John Ellis-Mitchell

21

Katy Sharp

From: Melanie McGrath
Sent: 05 April 2017 11:32
To: DDC Licuser
Subject: Objection to Application for Street Trading Consent at Deal Castle by English Heritage

10&11 The Marina

Deal CT14 6NF

Licensing Team Leader

Licensing Section

Dover District Council

White Cliffs Business Park

Dover CT16 3PJ

5.4.2017

Dear Sir or Madam,

Re: APPLICATION FOR STREET TRADING CONSENT

ENGLISH HERITAGE, DEAL CASTLE, VICTORIA ROAD, DEAL CT147BA

I wish to lodge an objection to this application. The seafront promenade beside Deal castle is a unique community asset and visitor attraction. A great part of its value as an asset and attraction lies in its historic and essentially uncommercialised nature.

A food and beverage facility on the promenade side of Deal Castle would gravely endanger this aspect of the seafront. It also sets a precedent for commercial activity along the promenade. As well as being an eyesore and a source of unwanted smells along a popular walking route, the facility will contribute to litter and seagull nuisance around the perimeter of the castle and be of detriment to the business of established cafes at Walmer Green and by Deal pier.

English Heritage at Deal Castle have plenty of space within the Castle grounds and car-parks to sell drinks and snacks if they wish to do so. The presence of an outlet of this kind on the seafront itself is surplus to requirements and completely out of keeping with the unique and historic character of Walmer Green.

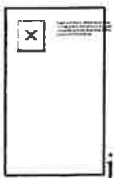
For these reasons I believe this Application should not be approved.

Yours faithfully,

Melanie McGrath

--
Melanie McGrath

1



Katy Sharp

From: J and V Swallow
Sent: 05 April 2017 09:35
To: DDC Licuser
Subject: Burger van proposal by English Heritage at Deal

Dear Sir/Madam

I am perturbed sufficiently to write about the proposed siting of a burger van by English Heritage between the castle and the seafront for the following reasons:

- I thought EH were about maintaining our heritage buildings in a sensitive way (their website) not overt commercialism
- Many people walk along the footpath, some with their dogs. This will create congestion in that area
- Frequently this site is used for outside events where people collect, such as marathons.
- The burger van proposal is in direct competition to the local traders who do not have the advantages of a national organisation with charitable status
- Siting the van here creates a precedent
- The proposal will despoil the view of the castle from the seashore and vice-versa looking out from the castle to the sea.

Jeremy and Val Swallow
Foxtrot
Hawksdown
Walmer
CT14 7PN

23

Katy Sharp

From: Penny Downie <[redacted]>
Sent: 05 April 2017 14:22
To: Laila Summers
Subject: Re: Proposed burger van in front of Deal Castle: OPPOSITION TO APPLICATION FOR STREET TRADING

Dear Ms Summers,
Yes, I would like to address my objection to the licensing application. Thankyou so much for bringing it to my attention.

Best Wishes,
Penny Downie.
(do you need the application ref?)
Sent from my iPhone

> On 5 Apr 2017, at 14:14, Laila Summers <[redacted]> wrote:

>
> Dear Penny,
>
> Following your previous email you addressed this to planning.
>
> Could you please confirm if you wish to object under the licensing application.
>
> Thank you

>
>
>
>
> Laila Summers
> Technical Support Officer (Licensing)
> Dover District Council
> Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
>
> Tel: [redacted]
> Email: [redacted]
> Web: dover.gov.uk

>
>
>
>
> -----Original Message-----
> From: Penny Downie [mailto:[redacted]]
> Sent: 05 April 2017 11:41
> To: DDC Licuser
> Subject: Proposed burger van in front of Deal Castle: OPPOSITION TO APPLICATION FOR STREET TRADING

>
> Dear Dover Planning,
>
> I write to declare my opposition to the application by English Heritage to site a Burger Van on one of the most beautiful strips of green in the Historic town of Deal.

> English Heritage of all people should be doing its best to maintain and promote the uncommercialised appearance of the great castle that attracts so many to the town.

> This area from the sea to the castle is iconic in so many of Deal's historical photographs and works of art. It's quiet green uninterrupted elegance has always been enjoyed by all who live in Deal as well as our visitors. By giving consent to this 'business' in what one can only assume will be just the beginning of the destruction of the serene beauty of this place by encroaching commercialisation, it is my opinion that this is extremely counter to the preservation of the integrity of Deal's History and beauty. The promenade has always been a place for local people to enjoy uninterrupted exercise, peace and reflection. A 'Burger Van', really?

> Yours sincerely,

>

> Penny Downie

> 66 The Marina,

> Deal CT146NS

>

>

> -----

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24

Katy Sharp

From: Val Horsler <v >
Sent: 05 April 2017 15:58
To: DDC Licuser
Subject: Burger van by Deal Castle

Dear Sirs

I am writing to express my opposition to the proposal to allow a burger van to be sited on the seafront by Deal Castle. This is a quiet, attractive spot for walkers, cyclists and tourists to enjoy, and its pleasantness would be spoilt by the noise and smelliness of such a trading outlet, not to mention the potential for litter. I am also worried that it could be the thin end of the wedge in terms of commercial activities along that peaceful stretch of beach.

I urge you not to allow the application to proceed.

Yours faithfully
Val Horsler

(Prince of Wales Terrace resident)

Sent from my iPad



Katy Sharp

From: ewen dunn
Sent: 05 April 2017 18:33
To: DDC Licuser
Subject: Application for a Burger Van at Deal Castle

Sirs,

To date, Deal has been praised for its High Street, won awards for its pier, become attractive to commuters thanks to High Speed rail and gained recent praise as a desirable place to live/retire. The introduction of Ice Cream Vans, Burger Vans and Kiss Me Quick hats will contradict all the accolades that have been heaped upon Deal. Do you, as a successful and responsible District Council, really want to lower the attraction of what was recently described as “the jewel of East Kent” to the lowest common denominator? Reserve licenced Burger Vans to events on the Green where they are needed and in keeping. English Heritage seems hell bent on denigrating our proud history under its current management, Easter Eggs have already been discarded in favour of Cadbury Eggs!! If you want a Burger Van would it not be more sensible to trial it at Dover Castle?

Ewen Dunn.
67, The Strand, Walmer, Deal. CT14 7DP.
Sent from [Mail](#) for Windows 10

26

Katy Sharp

From: Rupert Frazer ·
Sent: 06 April 2017 14:01
To: DDC Licuser
Subject: Re: Street trading application outside Deal Castle

Please forgive the error in my earlier email. I intended, of course, to write DEAL Castle, not the one in Dover.
Thank you,
Rupert Frazer

Sent from my iPad

> On 6 Apr 2017, at 18:20, Rupert Frazer <_____> wrote:

>

> Dear Sir or Madam,

> I wish to object to the application for a burger van to conduct business on the promenade in front of Dover Castle. I am finding it difficult to understand how English Heritage of all institutions are putting such an application forward. There is more than enough space in the car park adjacent to the castle for such an outlet. To allow the promenade to be commercialised would, in my opinion, be deeply regrettable.

> I strongly oppose the application.

> Yours,

> Rupert Frazer

>

> Sent from my iPad

27

Katy Sharp

From: Doris Cohen < >
Sent: 06 April 2017 15:58
To: DDC Licuser
Subject: Burger van outside Deal Castle License application.

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs,

Referring to the above application, I strongly object for the following reasons:-

Traffic congestion on a very dangerous corner.

Excessive smells from the cooking with onions.

Attraction for swarms of seagulls.

Extra refuse.

Lowering the tone of the castle and town.

Yours faithfully, Mrs D.M. Cohen, 27 The Queens, Deal. CT14 7B.D.

Sent from my iPad

Katy Sharp

From: Mike Wilkinson <...>
Sent: 05 April 2017 16:30
To: DDC Licuser
Subject: Burger Van

Follow Up Flag: Follow up
Flag Status: Completed

There is a notice posted to site a mobile Burger Van on the green sward near the 500 year old Deal Castle, probably the finest remaining example of an Henry VIII Tudor Rose Castle in the country. I object to the siting of the van in any instance. It will bring into effect the smell of frying food, especially fried onions, litter, attract the seagulls which cause enough problems with litter bins and ripping open dustbin bags. It is a totally inappropriate siting at this location or anywhere in our lovely town of Deal. There are plenty of fast food outlets within close walking distance of the castle. I wish my objection to be taken into consideration

Michael Wilkinson, Flat 4, Adelaide House, 119/121 Beach Street, Deal CT14 6JJ

29

Katy Sharp

From: Christine Clarke
Sent: 07 April 2017 08:26
To: DDC Licuser
Subject: Burger van

We object most strongly to a burger van outside Deal Castle .The reasons are so obvious , an historic site and seafront blighted by greasy , unhealthy and smelly food .
We will be sending our objections to English Heritage .
Alan @ Christine CLARKE

Sent from my iPad

Katy Sharp

From: Jenny Domane
Sent: 06 April 2017 23:07
To: DDC Licuser
Subject: Campaign against deal castle burger van

Totally against this.

Why would English Heritage plan to vandalise and deface our promenade with a burger van which would more suit a boot fare.

Why not a kiosk complimentary to Deal Castle Heritage within its grounds - it certainly needs refreshments.

We have icecream vans which compliment and fit in a seaside town.

It will be detrimental - give course for our poor seagulls to get even more bad press and further litter our promenade as we already lack sufficient waste bins.

Let's keep our 'prom cred' if you don't mind please.

All Dealites will be against this.

Jenny Domane Deal Resident of
6 albion road

31

Katy Sharp

From: Philip Healey < >
Sent: 06 April 2017 22:59
To: DDC Licuser
Subject: PROTEST AGAINST BURGER CAN AT DEAL CASTLE

hello

I have read with dismay at the plans to site a van selling hamburgers at Deak castle this summer. What are English heritage thinking of here, when they think this will enhance a visitor attraction?? (After all, hamburgers are essentially an American dish, not English!)

This is Ali's detrimental to the many small businesses in deal who sell food and so have to pay (recently increased) business rates, which is hardly fair in them to deprive them access to the 40,000 visitors per year that English hermitage claim

This will nothing to enhance the image of deal, which has enjoyed favourable reviews in recent years in the national press, and this ill thought idea will only diminish this hard earned status.

Regards

Philip healey
Ct149PN

Philip Healey

Katy Sharp

From: Home
Sent: 07 April 2017 10:41
To: DDC Licuser
Subject: Proposed burger bar at Deal Castle

I am writing to object to the proposal to have a burger van placed within the grounds of Deal Castle. The Castle is an historic building and should not be having something like a burger bar in the vicinity of the Castle itself. Apart from the seagulls which this would encourage, the smell of onions all day would be very unpleasant to the residents in the area and to those people walking along the sea path enjoying the fresh sea air.

Sent from my iPad

23

Katy Sharp

From: peter.broughton < . . . >
Sent: 07 April 2017 15:15
To: DDC Licuser
Subject: English Heritage Application

Dear Sir/Madam,

I wish to object most strongly to English Heritage's application to mount a wagon to dispense hot and cold food and beverages on the shore side of Deal Castle.

When first made aware of the application I thought it was an April Fool joke. The affect on the surrounding residences would be very detrimental to peaceful and pleasant living.

Residents of The Queens living on the south side of the building need their windows open throughout the day in the summer period to keep their apartments cool. The smell of fried onions etc. would enter their homes and be intolerable.

I ask your assistance in preventing this aberration from coming to pass.

your's faithfully,
Peter D Broughton,
20, The Queens,
Ranelagh Road,
DEAL,
Kent. CT14 7BD.

(34)

Katy Sharp

From: Edward McGarrell < >
Sent: 06 April 2017 21:42
To: DDC Licuser
Subject: English Heritage Application for Street Trading Licence by Deal Castle

Dear Sir, Madam, Licensing Officer

I object to the above application on the following grounds :

Commercialisation of greenery in short supply in the immediate area ;

The large size (4.62m x 1.99m x 2.31m) of the proposed vehicle ;

Interruption of the view of the Castle from certain angles along the promenade ;

Inappropriate clutter so near a Scheduled Monument - this wonderful place is the best example of 'pure' Tudor Fortification in England , even better than Maws Castle in Cornwall ;

English Heritage (EH) could liaise with the quango Historic England to create an imaginative solution for Visitors' Refreshment inside the Castle . I refer to the services already existing at Walmer Castle and Dover Castle. Deal Castle is far smaller than either of those locations but the demand should also be lower. As a member of English Heritage I would prefer all services to be contained within their own managerial boundaries. I visit Deal Castle often and would maintain there is scope for such an internal development, at least for basic refreshment, in spite of EH saying there is not ;

Potential increase in traffic flow and longer parking-time of visitors in an area of, at times, intense urban traffic and even congestion. All that is along and around an arterial 'A' road where accidental death has already occurred ;

Not all visitors park within existing amenity parking . This proposal may make it harder for locals to park. The basic EH philosophy really should be for shortish visits to Deal Castle with longer visits to Walmer and Dover Castles where the surrounds do not overlap so much with an immediate 'urbanscape' ;

Deal Castle is an asset for EH to manage . It does not own the site. Such management should be done sensitively bearing in mind that Deal Castle is also an equal asset for the residents of Deal and Walmer, whether they visit or not . English Heritage should always work in tandem WITH local residents and local councils. It is possible that EH may alienate part of the residency with the proposed location of the Catering Van. Such would not be ideal for either party ;

It is not wise for any public grassland in the Deal area to be used by EH. They have destroyed the green area within the castle ground currently used for parking. Why ? Because they increased visitor months to twelve every year from seven a year. The months the castle were closed before (c.Nov to March) gave the grass time to recover from the use over the in-season months. EH took no visible steps to reinforce the grass before extending the visitor opening days each year. The grass's current state is appalling : large swards of dried MUD and patchy grass. This sorry state is of their own making. EH is meant to protect OUR Heritage , and should not be allowed to abuse it. The surrounding Grass to Castle Building ratio is almost 50:50 - the entirety of the site as well as that precarious ratio is OUR Heritage, it is not theirs. Grass areas already so limited should be appreciated and valued , not wrecked nor diminished.

Yours faithfully

Edward McGarrell
10 Gladstone Road
Walmer, DEAL
CT14 7ET

Subject:	Local Government (Miscellaneous Provisions) Act 1976 – Application for liveried taxi advertising
Meeting and Date:	Regulatory Committee – 16 May 2017
Report of:	Licensing Team Leader
Classification:	Unrestricted

Purpose of the report:	To consider an application to place advertising on licensed Hackney Carriage / Private Hire Vehicles.
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Recommendation:	That the Committee determine the application
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1. Summary

1.1 Mr Scott Dumigan of Unity Cars has written to the Council asking for permission to place different style signs onto his vehicles.

2. Introduction and Background

2.1 Dover District Council’s Hackney Carriage and Private Hire Licensing Policy 2016 – 2021 states the following in relation to company signs for private hire vehicles:

At 25.1: -Company (Operator) signs shall be displayed on the two front doors.

At 25.4: - All company signs shall be the same for each vehicle.

2.2 Mr Dumigan has submitted a written request to display different signage on different types of vehicles (Appendix A) and colour images of the signage (Appendix B). He wishes to use 4 different signs – Unity Cars, Unity Eco, Unity VIP, and Unity Plus with differing colours.

2 Identification of Options

Options:

- (a) To approve the application for proposed advertising detailed at Appendix A and Appendix B.
- (b) To refuse permission for the proposed advertising.

3 Appendices

Appendix A – Email submitted by Mr Dumigan

Appendix B – Proposed vehicle graphics submitted by Mr Dumigan

4 Background Papers

Dover District Council Hackney Carriage & Private Hire Licensing Policy 2016 - 2021

Contact Officer: Rebecca Pordage, Licensing Team Leader. Ext.2229

From: Scott Dumigan
Sent: 04 May 2017 15:07
To: Louise Bentley
Subject: FW:

Hi Louise

Please see attached Logo's for Unity cars and the proposed Logo's for our range of fleet Unity VIP (8 Seater)
Unity Eco (Hybrid Vehicle) Unity + (Wheelchair Vehicle)

This is more for our customers to determine what the nature of the vehicle is, making them easy to identify,,,

Kind Regards

Scott

UNITY CARS

Unity ECO

UNITY VIP

UNITY +

DOVER DISTRICT COUNCIL

REGULATORY COMMITTEE – 16 MAY 2017

EXCLUSION OF THE PRESS AND PUBLIC

Recommendation

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involve the likely disclosure of exempt information as defined in the paragraph of Part I of Schedule 12A of the Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Item No 8 – Local Government (Miscellaneous Provisions) Act 1976 – Application for a Driver’s Licence	1	Information relating to any individual.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item No 8

Document is Restricted

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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