

APPENDIX B
Agenda Item No. 5

Director of Community Services

**REPORT ON APPLICATION FROM THE
MEDITERRANEAN, CAMBRIDGE STREET,
AYLESBURY UNDER THE LICENSING ACT
2003 FOR A PREMISES LICENCE**

Local Members: Councillors Bray and Khaliq

1. THE APPLICATION

Applicant(s): Mohammed Saadouni

Premises: Mediterranean, 175 Cambridge Street, Aylesbury, HP20 1BQ

The application is for a new Premises Licence under section 17 of the Act. The detail in respect to the hours and activities applied for are set out in the application form, attached as appendix 1.

The steps the applicant intends to take to promote the licensing objectives are set out in the operating schedule (see appendix 1, Part P of application form).

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Thames Valley Police – No representation

Bucks Fire and Rescue – No representation

Environmental Health –

Based on complaints relating to noise disturbance the District Environmental Health Officer asks for an earlier terminal hour. The full representation is attached as appendix 2.

Planning – No representation

Trading Standards – No comment

Area Child Protection Committee – No comment

2.2 Interested Parties

During the consultation period 5 representations were received from interested parties. These are attached as appendix 3.

3. NOTICE OF HEARING AND RESPONSES

All parties were served Notices of Hearing on receipt of the representation along with the document, 'Licensing Act 2003 – The Procedure to be followed at Hearings'. The parties have therefore been notified of the consequences of failing to attend.

Attached as appendix 4 is a copy of a letter sent by the applicant's representative, Mr May of 'Pubexpert' following service of the Notice of Hearing. As Mr May is representing both these premises and the Oasis, the takeaway next door and the applications are almost identical, he has no objection to combining both hearings if Members and the other parties are in agreement. Members will be notified of any further responses at the hearing.

4. GENERAL INFORMATION

The general information Members need to have regard to when determining applications made under the Licensing Act 2003 is set out in a separate document which is attached to the Agenda under cover of which this report has been published.

5 ISSUES RAISED BY THE APPLICATION

The issues raised by the application are for the Sub-Committee to determine having regard to all the relevant considerations. Whatever, the Sub-Committee decides, it must give reasons.

To assist Members and the parties further, The Licensing Services Manager will draw attention to any issues arising from this application at the hearing.

Contact Officer
Background Documents

Peter Seal 01296 585083

Ps-lsc-hst- Mediterranean – greens may 2003
Licact1392005

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that
your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We NOAH MED SANDOZ apply for a premises licence under section 17 of
(Insert name(s) of applicant)
the Licensing Act 2003 for the premises described in Part 1 below (the premises)
and I/we are making this application to you as the relevant licensing authority in
accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>MEDITERRANEAN KEBAB SHOP</u> <u>175, CAMBRIDGE STREET</u> <u>r</u>	
Post town <u>AYLESBURY</u> <u>BUCKS</u>	Post code <u>HP20 1BQ</u>

Telephone number at premises (if any)

01296 394800

Non-domestic rateable value of premises

£ 800-00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

MEDITERRANEAN KEBAB SHOP
175 CAMBRIDGE STREET

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick
✓ yes

I am 18 years old or over

Current postal
address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS.

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year

2nd Appointment Date

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)

located on a street mixed
Commercial + residential properties

Brick built

Take Away occupying Ground
Floor, Flat above
2 storey building

*Serving hot food etc

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</u>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<u>Please give further details here (please read guidance note 3)</u>	Both		
Tue						
Wed				<u>State any seasonal variations for performing plays (please read guidance note 4)</u>		
Thur						
Fri				<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</u>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<u>Please give further details here (please read guidance note 3)</u>	Both		
Tue						
Wed				<u>State any seasonal variations for the exhibition of films (please read guidance note 4)</u>		
Thur						
Fri				<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y](please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> <u>[Y]</u> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both		
Tue						
Wed				<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises</u> <u>for the performance of dance entertainment at different times</u> <u>to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Will this entertainment take place indoors or <u>outdoors or both – please tick [Y]</u> (please read guidance note 2)	Indoor	
Day	Start	Finish		Outdoor	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar</u> <u>description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					

Sat			<p>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Sun			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing							
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both	
Indoors										
Outdoors										
Both										
Day	Start	Finish								
Mon			Please give further details here (please read guidance note 3)							
Tue										
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)							
Thur										
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)							
Sat										
Sun										

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)							
			<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both		
Indoors										
Outdoors										
Both										
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing							

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor
Mon				Outdoor
				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

X

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	12:30pm	04:00am	<p>Please give further details here (please read guidance note 3)</p> <p>PERMISSION FOR LATE NIGHT OPENINGS TO SERVE HOT FOOD AND BEVERAGES IN A TAKE AWAY.</p> <p>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</p> <p>NO VARIATIONS SAME TIMES SEVEN DAYS A WEEK.</p> <p>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</p> <p>AS ABOVE.</p>		
Tue	12:30pm	04:00am			
Wed	12:30pm	04:00am			
Thur	12:30pm	04:00am			
Fri	12:30pm	04:00am			
Sat	12:30pm	04:00am			
Sun	12:30pm	04:00am			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
				Both	
Mon			<p>State any seasonal variations for the supply of alcohol (please read guidance note 4)</p> <p>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		
Tue					
Wed					
Thur					
Fri					
Sat					

Sun			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name.....

Address.....

Postcode.....

Personal Licence number(if known)

Issuing licensing authority (if known).....

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

P

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

ADVERTISE IN SHOP WINDOW.

b) The prevention of crime and disorder

WILL DEAL WITH PROBLEMS AS THEY
ARISE IN THE APPROPRIATE MANNER.

c) Public safety

KITCHEN AND SERVING AREA IS
CLOSED OFF FROM THE PUBLIC.

d) The prevention of public nuisance

AS ABOVE IN (B)

e) The protection of children from harm

AS ABOVE IN (C)

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature *[Handwritten Signature]*

Date 4-05-05

Capacity _____

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature _____

Date _____

Capacity _____

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
<i>AS ON THE FRONT.</i>	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

AYLESBURY VALE DISTRICT COUNCIL
MEMO

To: Kerryann Burke
Licensing

From: Richard Swan
Environmental Health Division

Tel ext: 5084

Date: 03/08/05

Our ref: rqs/05/01541

Your ref:

Subject: Subject: Mediterranean Kebab Shop, 175 Cambridge Street, Aylesbury

Further to your licensing consultation dated 25^h July 2005.

The Council has received a large number of complaints in recent years regarding noise from customers of food businesses and the other businesses operating through the night in Cambridge Street.

Cambridge Street is currently a mix of commercial and domestic premises with a relatively large amount of traffic being attracted into it until the early hours of the morning. Previously complainants have been told the Council could not control the noise outside the individual businesses and that the late night food businesses did not require a licence.

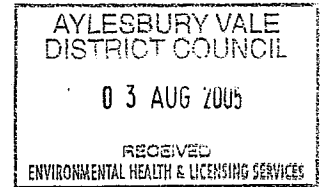
In view of the historical problems in Cambridge Street I cannot support this application for a food business to run through the night in this area.

Please accept this as my objection to this application. I would like to see conditions on this business introducing a closing time of twelve midnight, at the latest, on any night of the week. I am aware that this is totally at odds with the present operation of this business but it was only tolerated up to this point because the Council lacked the powers to intervene on behalf of the residents. In my view the Council would not previously have licensed any food business in this area until 4am and this is the argument that I will put forward in support of the midnight close down.

Richard Swan

Licensing Officer
Aylesbury Vale District Council
66, High Street
Aylesbury
Bucks.

2, Bierton Road
Aylesbury
Bucks
HP20 1EJ



2nd August, 2005.

Dear Sir,

Mediterranean Kebab Shop - Cambridge Street.

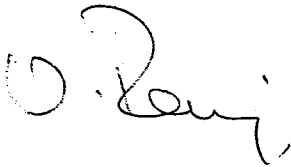
I am objecting to Mediterranean Take away being granted extended hours opening.

My reasons are :

1. This shop seems to bring a lot of trouble to Cambridge Street, fighting on a great number of occasions where the police have had to be called, along with the Oasis next door.
2. I worry about the amount of young children that hang around there late at night. This is not the place for youngsters.
3. Members of the Public won't walk past this shop late at night out of fear from some of the customers.
4. This shop has become a real nuisance to all local residents with noise and food wrappers being thrown on to the streets. I have already complained about the Oasis to you and this shop is just the same.

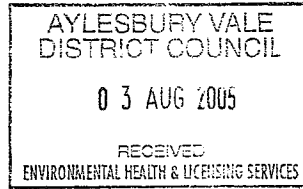
Please don't extend their hours. Midnight is late enough for any take away.

Yours truly,



Vincent Reidy.

Licensing Officer
Aylesbury Vale District Council
66, High Street
Aylesbury
Bucks.



2 Bierton Road
Aylesbury
Bucks
HP20 1EJ

2nd August, 2005.

Dear Sir,

Re: 175, Cambridge Street, Mediteranean Kebab Shop

I am writing to object to an extended hours license being granted to The Mediteranean Kebab Shop.

This shop is already open all hours and seems to bring all the drunks of Aylesbury for late night eating. They don't just get their food and go home, they have to argue and fight and leave their litter all over the place even though there are bins provided for their rubbish.

This kind of shop is already making Cambridge Street a rubbish dump, please don't grant a license as this will only continue to ruin our street.

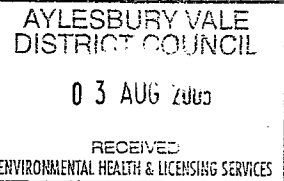
I have already written to you regarding the Oasis next door to this shop and my feelings are the same.

Yours faithfully,

Chris Reidy.

Licensing Officer
Aylesbury Vale District Council
66, High Street
Aylesbury
Bucks.

2, Bierton Road
Aylesbury
Bucks
HP20 1EJ



2nd August, 2005.

Dear Sir,

Re: Mediteranean Take Away - 175, Cambridge Street, Aylesbury.

This is a letter of objection to the application of extended hours for the Mediteranean Take Away Shop, 175, Cambridge Street.

I think the hours should probably be 11 a.m. to 11 p.m. Sunday to Thursday and 11 a.m. to Midnight Friday and Saturday.

For too many years us local residents have had to put up with such a lot of hassle from these take away shops, and hopefully now we can have our say. The Police seem to be able to do nothing much to help when they are called, and as soon as they leave the premises the hassle starts up again.

We have all of the following:

1. Noise from fights and arguments going on until the very early hours.
2. There are always a lot of cars and taxi's parked and double parked outside this shop. It's not just the parking, it's the noise of the radio's and revving of engines and shouting that goes with it. I have noticed that for the last couple of weeks the Oasis next door has had a note in their window asking the patrons to keep quiet at night, but they don't take any notice and the noise is just as bad.
3. Cambridge Street and the surrounding areas are always in a mess from people not just from this shop, but all the take aways. They have no respect for other people's property and throw their cartons anywhere. These take aways are also a breeding ground for rats, which the council I know are fully aware.

The kebabs are the worse though where vomit is concerned. They don't seem to be able to keep them down until they reach home and you can often find a pile of someone's sick along the pavements along with coleslaw and an empty box.

And of course at these late opening hours a lot of people need the toilet and they will either go in the bus shelter, inside the opening of Bierton day centre or Ridgeway Court.

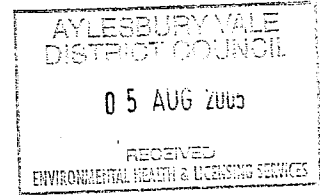
I hope you turn down this application of extended hours and will do so for any other food establishment in Cambridge Street also, as We the residents have had our fair share of noise and mess over the years, and now we are able to hopefully put a stop to this with the new licensing laws that have at long last been brought out.

I did write to you in July about the Oasis next door and my concerns are just the same for this shop.


Mrs. Susan Reidy.

Licensing Officer
Aylesbury Vale District Council
66 High Street
Aylesbury
Bucks

2 Berton Road
Aylesbury
Bucks HP20 1EJ



2nd August, 2005.

Dear Sir,

Re: The Mediteranean Take Away - 175, Cambridge Street.

I am writing to object to The Mediteranean Kebab Shop being granted a licence to open until 5a.m. on the grounds of Public Nuisance.

These premises are already open until 5 or 6 a.m. and there is always some sort of trouble there. The police have been called out numerous times to deal with fighting etc., as is happening next door at 177.

We local residents need a bit of peace and quiet, and don't want to be up half the night listening to all the goings on coming from The Mediteranean or the Oasis.

Please reject this application.

Yours truly,

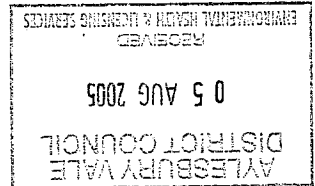
Robert Reidy.

Licensing Officer,
Aylesbury Vale District Council,
66, High Street,
Aylesbury,
Bucks.

7, Ridgeway Court,
Aylesbury,
Bucks,

01296 481663

2nd August, 2005.



Dear Mr. Seal,

Once again I write a letter of objection with regard to the extension opening hours applied for by The Mediteranean Take Away Shop.

This particular take away seems to have lots of people frequenting it who are not obviously purchasing take away meals.

What they are there for has always been open to speculation.

One would suppose that the demand for take away meals must diminish after a certain hour, and would only become a very occasional requirement not necessitating extra hour opening.

The residents of Ridgeway Court have been long suffering with regard to cars parking and take away rubbish being thrown into our garden, and the use of same being used as a public toilet by the take away customers.

I hope and trust that the Council will as always give their consideration to the residents of Cambridge Street who are long suffering in respect of these take always

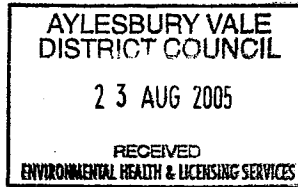
I am yours sincerely,

Mrs. Mary Goodchild.

Longdown Farm Cottage
Cadsden
Princes Risborough
Bucks HP27 0NF

Tel: 01844 355296
Mobile: 07866 758056

Email: info@pubexpert.com
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Peter Seal
Licensing Officer
Aylesbury Vale District Council
66 High St
Aylesbury
HP20 1ZL

CC A Erriass, Oasis
M Saadouni, Mediterranean

Dear Mr Seal

20th August 2005

Oasis and Mediterranean takeaways - representations

As you know I am preparing to represent the operators of these two businesses at a hearing on 13 September. To save time for the committee, my clients and I would have no objection to combining the hearings, so long as it is clearly understood that the EHO representation was not made in time to affect the hearing into the Oasis.

For your information I enclose copies of two letters sent today to the EHO and one of the interested parties. I have copied all these letters to the Police licensing officer in case the Police want to comment on the reference I have made to policing the late night trade in Aylesbury.

This hearing has the potential for an unjust outcome, so I am documenting everything carefully in case an appeal will need to be pursued.

Yours sincerely

Rob May

Longdown Farm Cottage
Cadsden
Princes Risborough
Bucks HP27 0NF

Tel: 01844 355296
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Mr R Swan
Environmental Health Division
Aylesbury Vale District Council
66 High St
Aylesbury
HP20 1ZL

Dear Mr Swan

20th August 2005

Mediterranean takeaway - representations

I am preparing to represent the operators of the Oasis and the Mediterranean at a hearing on 13 September. You have made a valid representation on the Mediterranean and I am very concerned about the position you have taken.

These are not daytime businesses. The whole point of these businesses is to provide a catering service during anti-social hours, for hospital night staff, taxi drivers, rail workers, Police, other emergency services and shift workers, as well as to the home-going late pub and club trade. They have been operating for many years on this basis, providing a valuable and well-patronised service.

If their hours are curtailed to midnight, as you suggest, these businesses will not survive. This is a serious Human Rights concern, as there has never previously been any suggestion that the authorities could prevent them trading during their key hours – the scope of any previous discussion has been to ensure that such trading does not cause any statutory nuisance. Despite your representation, excessive noise CAN be dealt with by the Council using the EPA 1990. These operators continue to try to ensure that such nuisance does not arise.

The Police have raised no objection. They know that town centre late night takeaways can be a potential flashpoint for trouble, but these ones are in the right place to mitigate that type of problem. They are not in the town centre; they are on a main traffic route back to their homes on foot or by taxi and so encourage late clubbers to start dispersing in an orderly manner. At that time of night there is no public transport. Most club patrons have to walk, and food intake on the way home reduces drunkenness and therefore reduces the potential for trouble.

Representations by Relevant Authorities or interested parties must relate to the premises themselves and to matters in the control of the operators. Even if these takeaways were closed in the early hours of the morning, the street would still be noisy with pedestrians making their way home from the town centre, with taxis and HGVs, which my clients tell me routinely use this road at night. The early morning pedestrians would still be merry and noisy, and sometimes sick.

I hope you will reconsider.

Yours sincerely



R F May MA, FRICS, ABII



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Mrs M Goodchild
7 Ridgeway Court
Aylesbury
Bucks

Dear Mrs Goodchild

20th August 2005

Oasis and Mediterranean takeaways - representations

I am preparing to represent the operators of these two businesses at a hearing on 13 September.

In your letter about the Mediterranean you have made a rather vague statement that "This particular takeaway seems to have lots of people frequenting it who are not obviously purchasing takeaway meals. What they are there for has always been open to speculation." It is difficult for me to respond constructively to this kind of statement so I would be grateful if you could clarify what you mean.

It is part of my role and that of the sub-committee to consider what steps can be taken to mitigate specific nuisances to local residents, when they are clearly expressed.

Yours sincerely

A handwritten signature in black ink, appearing to read "Rob May". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rob May