

# AGENDA

## LICENSING SUB-COMMITTEE MEETING

Date: Friday, 20 November 2015

Time: 10.00 am

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Paul Fleming, Lesley Ingham and Ghlin Whelan

Quorum = 3

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	Pages
1. Apologies for Absence and Confirmation of Substitutes	
2. Notification of Chairman and Outline of Procedure	
3. Declarations of Interest	

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

**Advice to Members:** If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Director of Corporate Services as Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

4. Application for a New Premises Licence under the Licensing Act 2003	1 - 66
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To consider an application for a new premises licence at 1 & 2 Limes Place, Preston Street, Faversham, Kent, ME13 8PQ.

**Issued on Monday, 9 November 2015**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Licensing Act 2003 Committee, please visit [www.swale.gov.uk](http://www.swale.gov.uk)

**Corporate Services Director, Swale Borough Council,  
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

## Swale Borough Council

**Report to:** Licensing Sub – Committee (Under the Licensing Act 2003)  
**Date:** 20<sup>th</sup> November 2015 at 10am  
**Report Author:** Mohammad Bauluck – Licensing Officer  
**Subject:** Domino Pizza, 1&2 Limes Place, Preston Street, Faversham, ME13 8PQ

### **Purpose and summary of report:**

To consider an application, to which representations have been made, for a new Premises Licence under the Licensing Act 2003 – application reference number FAV/SWALE/189/0643

### **Recommendations:**

The Committee is asked to determine the application and decide whether to grant a licence. Members are asked to consider the application on its merits.

Background papers: The Licensing Act 2003  
DCMS Guidance Documents issued under Section 182 of the Licensing Act 2003 as amended.  
Swale Borough Council Statement of Licensing Policy.

Contacts: Mohammad Bauluck at [mohammadbauluck@swale.gov.uk](mailto:mohammadbauluck@swale.gov.uk)  
Telephone: 01795 417 364

The Licensing Act 2003 Act requires the Council to publish a 'Statement of Licensing Policy' that sets out the policies the Council will general apply to promote the licensing objectives when making decision on applications made under the Act. The Policy will be available at the meeting for reference purposes. The Policy is also available on website. The link is <http://www.swale.gov.uk/assets/Licensing/Licensing-Policy-Leaflet.pdf>

Under the 2003 Act, it is the duty of all licensing authorities that, in carrying out their functions, they must have regard to guidance issued by the Secretary of State under section 182. The Guidance cannot anticipate every possible scenario or set of circumstances that may arise. Provided that the licensing authority has properly understood and considered the Guidance, it may depart from it when it has reason to do so. However, as the licensing authority is under a duty to have regard to the Guidance, it will need to give full reasons for its departure from it. This would be a key consideration for the courts should departure from the Guidance result in a determination which gives rise to an appeal or judicial review. Should the need arise the Guidance will be available at the meeting for reference purposes.

The Licensing Authority must, under the Act refer any application for hearing to the Licensing Act 2003 SubCommittee , if relevant representations are made by a responsible authority or other person.

A copy of the Council's approved procedure for hearings of the Subcommittee in relation to an application, along with a copy of the Hearings Regulations has been circulated to all parties prior to the meeting.

**Report Title:** Domino Pizza, 1&2 Limes Place, Preston Street, Faversham, ME13 8PQ

Application for: A premises licence to be granted under the Licensing Act 2003.

### **Purpose of the report**

The report advises Members of an application for a Premises Licence to be granted under the Licensing Act 2003, made by Zaan (UK) Ltd, Director Babar Mumtaz, in respect of the premises Domino Pizza, 1&2 Limes Place, Preston Street, Faversham, ME13 8PQ (**Appendix A and B**) in respect of which thirteen (13) representations (**Appendix C**) has been received from other persons.

The Planning Department have made representations - **Appendix D**.  
The Police made representations but these were withdrawn following the applicant's agreement to amend the operating schedule to include suggested conditions **Appendix E**

### **Issues to be decided**

1. Members are asked to determine whether to (i) grant subject to conditions consistent with the Operating Schedule modified to such an extent as considered appropriate for the promotion of the licensing objectives and any mandatory condition, (ii) reject the application.

### **2. Background**

The Licensing Act requires the Council as licensing authority to carry out its various licensing functions so as to promote the following four licensing objectives:

- i) the prevention of crime and disorder;
- ii) the protection of public safety;
- iii) the prevention of public nuisance: and
- iv) the protection of children from harm

### **3. The Application**

- a. On 18<sup>th</sup> September 2015 an application was received from Babar Mumtaz but was validated with a payment on 21<sup>st</sup> September 2015 for the grant of a premises licence under section 17 of the Licensing Act 2003 in respect of premises Domino's Pizza at 1&2 Limes Place, Preston Street, Faversham. The application is for provision of Late Night Refreshment The proposed hours of operation are:

Sunday – Thursday 23:00 – 00:00 (midnight)  
Friday – Saturday 23:00 – 02:00

#### **Opening Hours**

Sunday – Thursday 11:00 – 00:00 (midnight)  
Friday – Saturday 11:00 – 02:00

- b. A copy of the application, which includes the operating schedule that details the steps the applicant intends to take to address the licensing objectives, is shown as **Appendix A**

- c. The application has been correctly advertised in the local press and a notice has been displayed for the whole of the consultation period.
- d. There is no proposed Designated Premises Supervisor as no sale of alcohol will take place

## Representations

### 1. Responsible authorities:

- **Kent and Medway Fire & Rescue Service** – No representations
- **Kent County Council Trading Standards** – No representations
- **Kent County Council Social services Children & Families** – No representations
- **Planning Department** – Swale Borough Council, it would be in breach of planning conditions to operate beyond 00:00 – representation is shown at **Appendix D**

The fact that a grant of a premises licence would permit activity under the Licensing Act 2003 after the end time of a condition restricting planning consent is not impossible of itself. Any activity that took place would remain in breach of planning condition and subject to planning enforcement until such time as any variation of planning condition were applied for and granted. Licensing and Planning are two separate regulatory regimes and there is no power in licensing to refuse a matter simply because planning consent is not yet in place. Planning considerations relate mainly to land use and licensing ones to the operation of a premises, however, some considerations may be similar. This committee will consider objections in relation to the licensing objectives only.

- **Environmental Pollution** – Swale Borough Council – No representations
- **Kent County Council Public Health** – No representations.
- **Kent Police** - Applicant has agreed to amend his operating schedule to include conditions requested by the Police – **Appendix E**

Conditions agreed:

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
  - a) Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.

- b) Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 28 days and handed to Police upon reasonable request.
  - c) The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.
  - d) In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time  
(licensing.north.division@kent.pnn.police.uk)
2. The Licence holder shall erect and maintain clear and prominent notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
  3. Premises must close to visiting customers from 00:00 hours (midnight) on Friday and Saturday and thereafter operate a home delivery service only.
  4. That pull down blinds be fitted in the windows of the premises and that at 00:00 hours blinds be pulled down such that it appears to the passing public that the premises is closed.
  5. That signage, no smaller than A3 size be placed on the entrance of the premises adverting that it is closed to visiting customers from 00:00 hours(midnight).

## 2. Other Persons

There have been 13 valid representations received from other persons. Their comments are shown as **Appendix C**

The content of some representations put forward did not contain sufficient information related to impact on the 4 licensing objectives.

As a result of this, a representation form was sent to give them an opportunity to clarify their objections.

<b>Other person</b>	<b>Licensing Objective</b>	<b>Associated Documents</b>	<b>Appendix</b>
1. Mrs J Phillips	Public Nuisance Crime and Disorder	Letter	<b>C</b>
2. Michael & Jayne Kent	Public Nuisance Public Safety Crime and disorder Protection of Children	Letter Rep form	
3. Dr J Hogan	Public Nuisance and disorder	Rep form	
4. Miss Alison Baxter	Public Nuisance	Letter	
5. Robert L Stanley	Public Nuisance	Letter Rep form	
6. Mr Ciro Ferraro	Public Nuisance	Letter	
7. Jennifer Shepherd	Public Nuisance	Letter	
8. Miss S D Maun	Public Nuisance	Letter	
9. Mr Simon Weston	Public Nuisance Public Safety Crime and Disorder Protection of children	Email	
10. Mr P J Cumberland	Public Nuisance	Letter	
11. William Dickenson	Public Nuisance	Letter	
12. Victoria Dickenson	Public Nuisance	Letter	
13. Miss Jennifer Wong	Public Nuisance	Letter	

### **3. Policy Considerations**

The following provisions of the Secretary of State's Guidance apply to this application:

Chapter 2 – The licensing objectives

Chapter 8 – Applications for premises licences

Chapter 9 – Determining applications

Chapter 10 – Conditions attached to Premises Licences

The following paragraphs of the Council's Statement of Licensing Policy apply to this application:

Part 1, overview, particularly para 1.3 relationship between licensing and planning.

Appendix 1, Sections 1.1 to 1.4 – These sections set out the four licensing objectives and identifies matters that may be relevant to the promotion of each licensing objective.

#### **4. Determining the application – Options of the Panel**

The Sub Committee must, when reaching a decision on the outcome of the application, take into account the licensing objectives. Having had proper regard to the matters above the Panel may:

1. Grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application; modified to such an extent as the Licensing sub-committee considers appropriate for the promotion of the licensing objectives and any relevant mandatory condition
2. Reject the application.

Members of the Licensing Act 2003 – Licensing Sub – Committee are reminded of their duty under the Section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the Licensing Authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

**Section 17 of the Crime and Disorder Act 1998** states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that is reasonably can to prevent crime and disorder in its area".

#### **5. Implications Assessment**

The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

#### **6. Human Rights**

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

#### **7. Recommendations**

Members must ensure that the application is considered on its merits, as well as against the relevant guidance, policy and statutory framework.



## **8. List of Appendices**

Appendix A – Application form  
Appendix B – Plan of premises  
Appendix C – Representation (Other Persons)  
Appendix D – Representation from Planning.  
Appendix E – Representation from the Police  
Appendix F – Plan of area  
Appendix G – Order of proceedings

## **9. Appeals**

The applicant or any other person (objector) may appeal the Licensing Act 2003 Sub Committee's decision within 21 days beginning with the day on which the Appellant is notified. All/any appeals must be lodged with the Magistrates' Court. Parties should be aware that they MAY incur an Adverse Cost Order should they bring an appeal.

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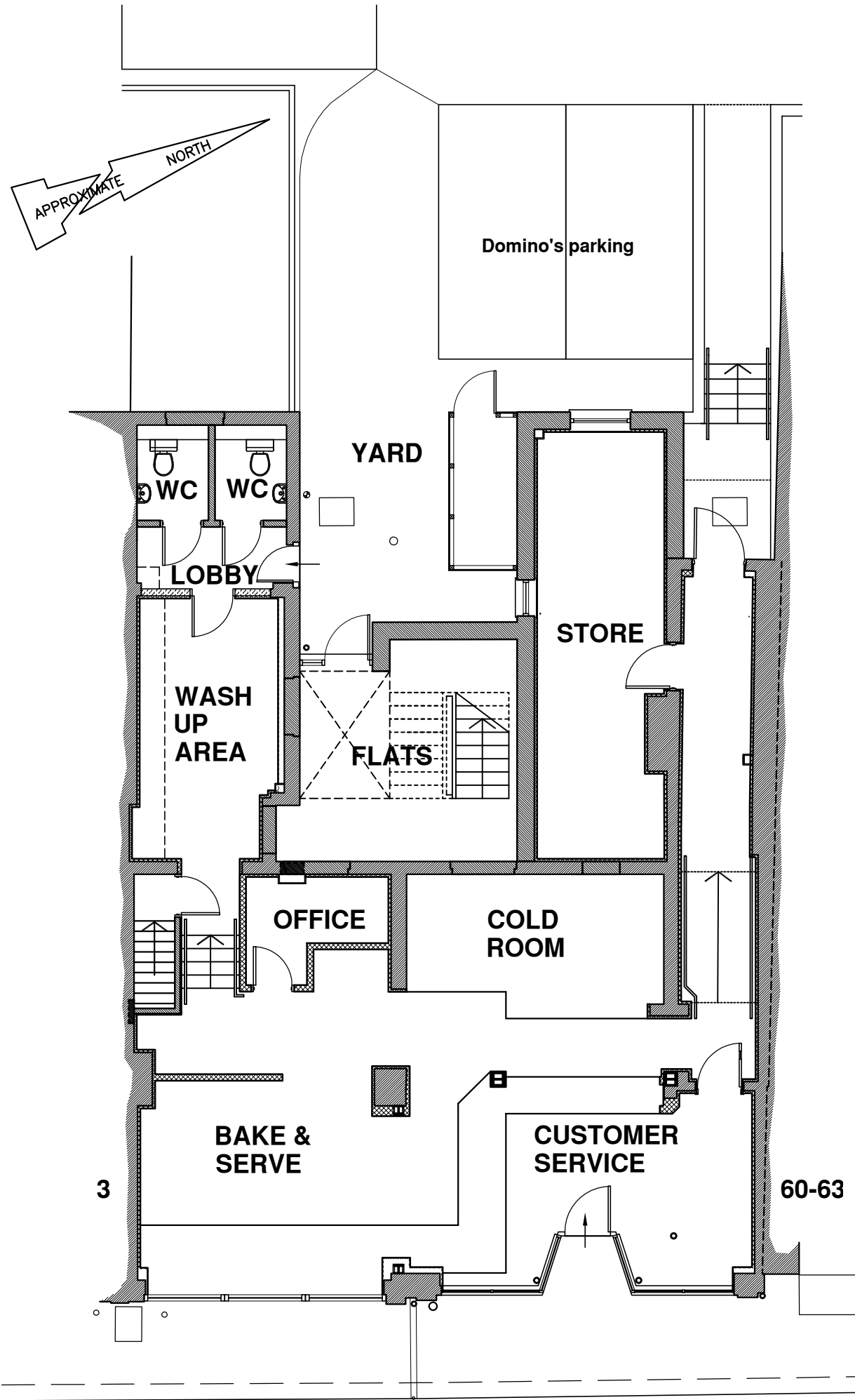
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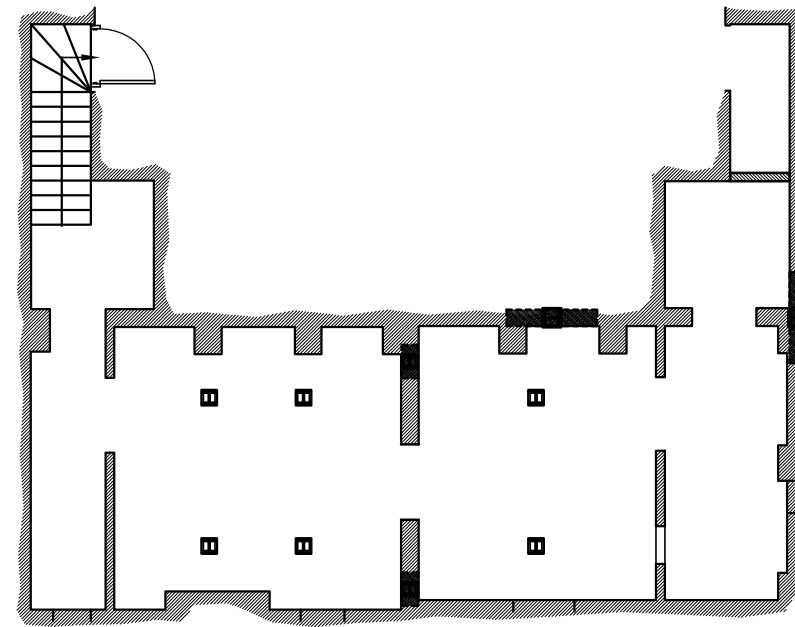
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GROUND FLOOR PLAN Page 1 PRESTON STREET



CELLAR FLOOR PLAN

REV	AMENDMENT	DATE
<p>CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR PREPARING MANUFACTURING DRAWINGS</p> <p>ANY DISCREPANCIES ON THIS DRAWING ARE TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY</p> <p>HATTRELL DS One Architects LLP COPYRIGHT HATTRELL DS One Architects LLP ACCEPT NO RESPONSIBILITY OR LIABILITY FOR DRAWING ALTERATIONS CARRIED OUT BY OTHERS AND HAVE NOT CHECKED SUCH ALTERATIONS</p>		
<p><b>HATTRELL DS One Architects LLP</b> CHARTERED ARCHITECTS</p> <p>COVENTRY MANCHESTER</p> <p>UNIT 20 ENSIGN BUSINESS CENTRE WESTWOOD WAY WESTWOOD BUSINESS PARK COVENTRY CV4 8JA T: 024 7647 3974 e-mail: b.croom@hattrelldone.co.uk</p> <p>ARTHUR HOUSE CHORLTON STREET MANCHESTER M1 3EJ T: 0161 236 3521</p>		
<p>CLIENT Domino's Pizza UK &amp; Ireland Limited</p>		
<p>PROJECT 1-2 Limes Place, Preston Street, Faversham, Kent ME13 8PQ (ID 14/154)</p>		
<p>TITLE LATE NIGHT LICENSING PLANS</p>		
SCALE @ A3 1:100	DRAWN BY BSC	DATE 15/09/15
DRAWING No <b>C4954-P17</b>		REVISION

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Swale Borough Council  
Swale House  
East Street  
Sittingbourne  
Kent  
ME10 3HT

~~23 September 2015~~

Dear Swale Borough Council,

**Ref: New Premises Licence for 1 & 2 Limes Place, Preston Street, Faversham, Kent,  
ME13 8PQ**

I am writing with regards to the above address and I would like object to the application for Domino's to extend their opening hours and provision of late night refreshment.

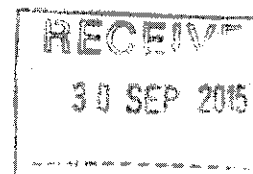
As a resident of Preston Street, I live in close proximity of the premises. I feel that there is already substantial noise which is created by Domino's at late hours of the evening caused by their delivery mopeds and cars revving and speeding down Preston Street.

I believe that by allowing Domino's to open beyond their opening hours as it currently stands would only provide a hot spot for people who have drunk too much to loiter and cause anti-social behaviour. It is already an issue which we see occasionally from the surrounding pubs of Preston Street but this would only reinforce the issue.

There are so many people who live on Preston Street and it would be unfair to subject the residents to this type of noise and anti-social behaviour on a regular basis. It is already an issue with Domino's not having permission to open beyond midnight. I am reluctant to find out what the situation could be like with their opening ours extended beyond midnight on Fridays and Saturdays.

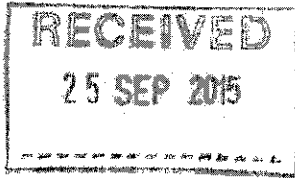
I hope that you take all of the issues I have raised into careful consideration and that you do not approve the application proposed.

Yours sincerely,









MICHAEL KONT.



LICENSING DEPT.

FIRSTLY —

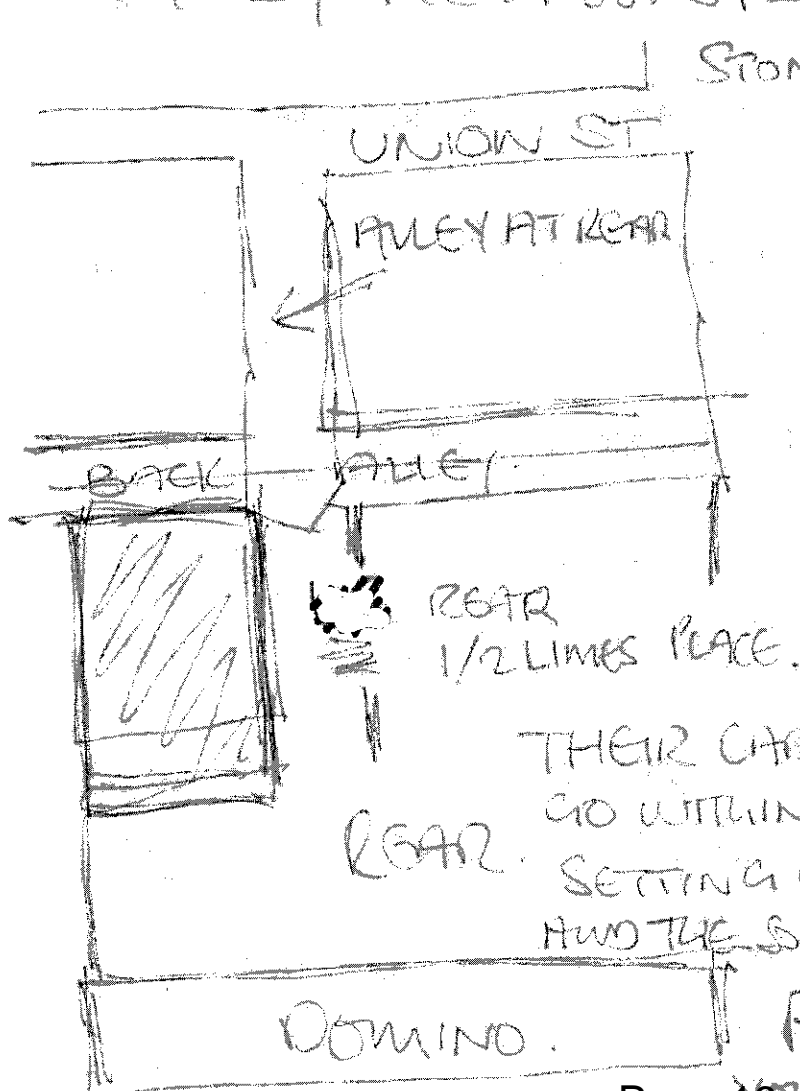
APPLICATION FOR LATE NIGHT  
REFRESHMENT. DOMINO PIZZA.  
PRESTON ST. FRYER SHAW. FRI/SAT.

23.00 — 2.00.

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THIS IS UTTERLY OUTRAGEOUS.  
WE LIVE AT THE REAR DIRECTLY BEHIND.  
AND SHARE THE LAWN OUT BACK. WE  
BOUGHT THE PROPERTY FROM COOKS ASS  
WHO SOLD THE MAIN PROPERTY TO  
DOMINO. SO FAR THE OWNER HAS  
VIOLATED EVERY PLANNING CONCEPT.  
NO GATE. DELIVERY ~~BIKES~~ BIKES PARKED  
AT REAR. DELIVERY FROM REAR. NO  
PARKING PROVIDED FOR FLATS. AND NOW

HE HAS APPLIED TO OPEN TILL  
 2 O'CLOCK IN THE MORNING WHICH  
 MEANS STAFF LEAVING ANYTIME  
 FROM 2 - TILL 3 O'CLOCK IN THE  
 MORNING. VISIT OUR PROPERTY AND  
 YOU TELL ME HOW YOU'D WELCOME  
 THIS. PLEASE TURN THIS APPLICATION  
 DOWN AND AT LAST DO THE RIGHT  
 THING BY RESIDENTS.



PLEASE DO NOT  
 WRITE TO OUR  
 ADDRESS.

ANY MAIL TO  
 C/O MICHAEL KENT  
 [redacted] OSWINGE  
 ST.  
 ME 13 [redacted]

THEIR CARS HAVE TO  
 GO WITHIN FEET OF OUR HSE.  
 SETTING OFF SECURITY LIGHTS.  
 AND THE SOUND OF ENGINES ECT.

PHONE AND SEE FOR

YOURSELVES HOW BAD  
 IT WOULD BE !!!!

**Licensing Act 2003**

**REPRESENTATION FORM FROM OTHER PERSONS**

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	MICHAEL / JAINE KENT
Organisation name OR Name of body you represent	
Postal Address	OSPRINGE C/O STREET. FIVERSHAM ME13
Email address	
Daytime contact number	

Name of premises you are making a representation about	DOMINO PIZZA PRESTON ST FIVERSHAM.
Address of premises you are making a representation about	1/2 LIMES PLACE PRESTON STREET FIVERSHAM.

RECEIVED  
 30 SEP 2015



Are you registered to vote?

[www.swale.gov.uk/all-about-voting](http://www.swale.gov.uk/all-about-voting)

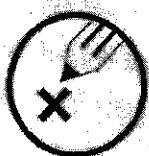


Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder		WE BELIEVE IT WILL BRING ABOUT CRIME AND DISORDER - PEOPLE OUT AND ABOUT AFTER THE PUBS CLOSE WORSE FOR WEAR !!
Public Safety		AS ABOVE: THERE IS USUALLY TROUBLE LATE AT NIGHT WITH PEOPLE OUT THAT LATE AND TOO MUCH TO DRINK !!
Prevention of public nuisance		AS ABOVE: CARS. NOISE - SHOUTING. RISK OF FIGHTING. HOUSES NEAR BY THAT SUFFER FROM ALL THE ABOVE.
Protection of children from harm		SOME CHILDREN NO DOUBT WILL BE WORKING IN THE EARLY HOURS AND THE FOOD IN NOT THAT HEALTHY BEHIND !! SO PROTECT THEM FROM HARM !!

SIGNED: [Redacted Signature]

DATED: 28/9/15



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[www.swale.gov.uk/all-about-voting](http://www.swale.gov.uk/all-about-voting)



## NOTES:

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing Sub Committee and any subsequent appeal proceeding. If you do not attend, the Committee will still take into consideration any representations that you have made.
2. This form **MUST** be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises OR the date specified in the Public Notice in the newspaper.
3. Representations can only relate to the four licensing objectives:
  - i. Prevention of crime and disorder
  - ii. Public safety
  - iii. Prevention of public nuisance
  - iv. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be made public.
5. Please return this form, when completed, to:  
*Licensing Section*  
*Swale House*  
*East Street*  
*Sittingbourne*  
*Kent*  
*ME10 3HT*  
Or by Email to: [licensing@swale.gov.uk](mailto:licensing@swale.gov.uk)

ALSO / THE CONCERN ALSO IS FOR  
RESIDENTS BEING WOKEN BY STAFF  
LEAVING LATE INTO THE NIGHT. IT IS USUALLY  
A QUIET AREA ONCE THE PUBS HAVE CLOSED  
AND MOST PEOPLE GO HOME. THE PREMISES  
OPEN THAT LATE WILL ONLY ATTRACT PEOPLE  
WORSE FOR WEAR AS STATED AND THE ADDED  
NUISANCE OF STAFF LEAVING.



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Swale House, East Street,  
Sittingbourne, Kent ME10 3HT  
DX59990 Sittingbourne 2  
Phone: 01795 417567  
www.swale.gov.uk



Making Swale a better place

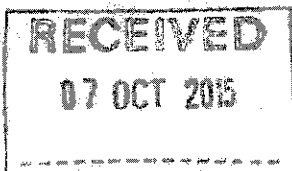
## Licensing Act 2003

### REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	DR J HOGAN
Organisation name OR Name of body you represent	
Postal Address	[REDACTED] Upper St Ann Rd Faversham ME13 [REDACTED]
Email address	[REDACTED]
Daytime contact number	[REDACTED]

Name of premises you are making a representation about	
Address of premises you are making a representation about	DOMINO PIZZA Preston St Faversham



Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet

of paper if necessary

Prevention of crime & disorder

Public Safety

Prevention of public nuisance

Protection of children from harm

Proposed extension of opening hours to 02.00 will encourage late night drinkers to the premises. More litter will result as well as attracting this undesirable element to centre of town.

SIGNED:

DATED:

03.10.15



To spend licensing Dept -  
 - in the place  
 - in the area  
 - including parking for bicycles etc  
 from them. The people in Sussex L.D.  
 have no regard for the residents  
 in the area seem to be

RECEIVED  
 07 OCT 2015

Amison by their own interests -  
- in giving license to what suits  
them where ever. You are responsible  
for demonstrating this historic town,  
and conveying distress to many people  
- Amison - scooters - still  
go in Amison. The alley way  
- both the open

RECEIVED  
28 SEP 2015

R.L. Stanley.  
Preston Street,  
Faversham.  
M.E. 13

TEL

To whom it may concern.

A proposition to open Dominos Preston Street Faversham on Fridays and Saturdays until 2 a.m. is absolutely ridiculous.

There are already 15 food outlets in this short street.

Dominos delivery cars are parked everywhere even the church forecourt, when tackled about the so called manager stated with a lie that they have no delivery cars.

The extra noise in the early hours will be intolerable. Arguments can be heard even now after midnight.

We as residents have not been notified about this application.

Yours Sincerely

01 13 12  
11 11 11

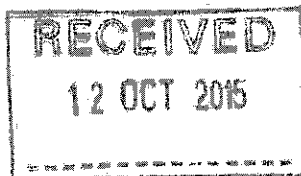
## Licensing Act 2003

### REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	ROBERT L. STANLEY.
Organisation name OR Name of body you represent	
Postal Address	PRESTON STREET FAVERSHAM KENT M.E.13.
Email address	
Daytime contact number	

Name of premises you are making a representation about	DONINO'S PIZZA.
Address of premises you are making a representation about	1 + 2 LINES PLACE. PRESTON STREET. FAVERSHAM. M.E.13 8PG



Are you registered to vote?

Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder		
Public Safety		
Prevention of public nuisance	YES	LATE OPENINGS WILL ATTRACT DRINKERS FROM ALL OVER THE TOWN WE ALSO HAVE COUNTED SIX CARS DELIVERY PIZZAS ARE THESE INSURED FOR BUSINESS PURPOSES
Protection of children from harm		

SIGNED:



DATED:

8 OCT 2015



Are you registered to vote?

[www.swale.gov.uk/all-about](http://www.swale.gov.uk/all-about)



Swale Borough Council  
Swale House  
House  
East Street  
Sittingbourne  
Kent  
ME10 3HT

Mr Ciro Ferraro  
Flat ■ Riverside  
■ Preston Street  
Faversham  
Kent  
ME13 ■

23 September 2015

Dear Swale Borough Council,

**Ref: New Premises Licence for 1 & 2 Limes Place, Preston Street, Faversham, Kent, ME13 8PQ**

I am writing with regards to the above address and I would like object to the application for Domino's to extend their opening hours and provision of late night refreshment.

I am a resident of Preston Street and I live opposite this premises. I am often woken up to the sound of their mopeds and cars revving and speeding down Preston Street late at night. Their customers are also often loud and scream and shout whilst they wait outside.

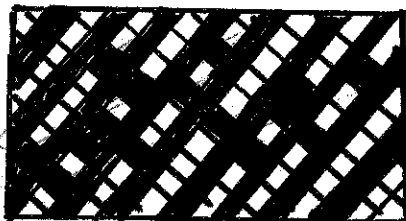
I don't know about you, but I value the sleep I get and require a restful night in order to function properly for work every day. It is frustrating when I am unable to do this because of the noise the Domino's creates and wakes me up. If you approve their opening hours to extend, this would only get worse.

There are so many people who live on Preston Street and even some young children. Being subjected to this type of noise isn't really the best type of lifestyle we ought to be promoting, especially for children.

Swale Borough Council are meant to protect the people in your borough and if you decide to approve this application, you will be failing all of the residents in the surrounding properties on Preston Street, Limes Place and Union Street. Please consider the negative effects this will have on the residents.

Yours sincerely,

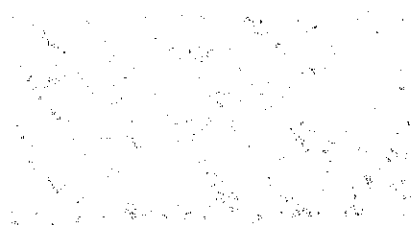
Ciro Ferraro



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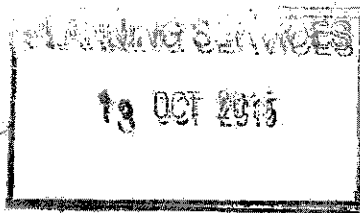
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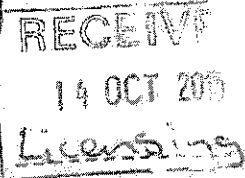




SWALE BOROUGH COUNCIL  
SITTINGBOURNE.



8 October  
2015



To whom it may concern,

I am writing to you regarding the new Domino's Pizza franchise that has opened on Preston Street. As a resident of nearby Victoria Place I have learnt that said pizza outlet has applied to <sup>Service on Friday & Saturday</sup> carry a late night take away (until 2am). I would object strongly to this. The business already has a negative effect on our neighbourhood with noisy motorbikes taking the back street (Union and Victoria Place) to park their bikes. An operation like this should never have been allowed to open. With cars and bikes clogging up Preston Street, take away pizza boxes strewn around the area and the noise of

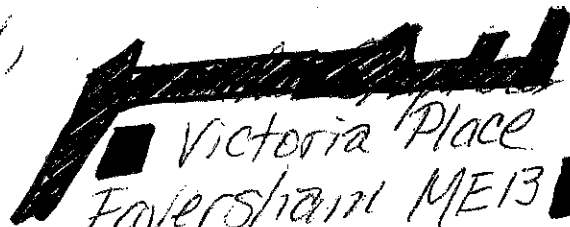
- 2 -

of delivery bikes and their frames.  
Preston St. already has a considerable  
number of take away outlets. It is  
congested and busy, day and night.  
The lack of foresight in allowing  
an operation that needed considerable  
parking and constant vehicle movement  
is unforgivable, and irresponsible.  
I object to any extension to what  
was already a bad decision on  
your part to allow Domino's to  
operate on Preston St. in the first  
place.

Please consider the views of people who  
live in the area.

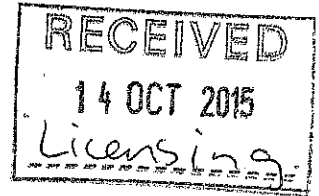
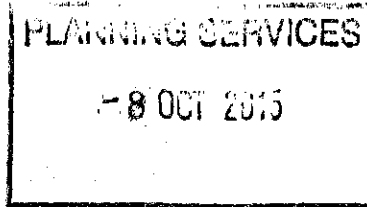
Thank you for your attention on this  
matter

Sincerely,

  
Victoria Place  
Faversham ME13

MISS. S. D. MAUN,  
Preston Street,  
Faversham,  
Kent. ME13

Swale Borough Council  
Swale House  
East Street  
Sittingbourne  
Kent  
ME10 3HT



23 September 2015

Dear Swale Borough Council,

**Ref: New Premises Licence for 1 & 2 Limes Place, Preston Street, Faversham, Kent, ME13 8PQ**

I am writing with regards to the above address and I would like object to the application for Domino's to extend their opening hours and provision of late night refreshment.

As a resident of Preston Street, I live in close proximity of the premises. I feel that there is already substantial noise which is created by Domino's at late hours of the evening caused by their delivery mopeds and cars revving and speeding down Preston Street.

I believe that by allowing Domino's to open beyond their opening hours as it currently stands would only provide a hot spot for people who have drunk too much to loiter and cause anti-social behaviour. It is already an issue which we see occasionally from the surrounding pubs of Preston Street but this would only reinforce the issue.

There are so many people who live on Preston Street and it would be unfair to subject the residents to this type of noise and anti-social behaviour on a regular basis. It is already an issue with Domino's not having permission to open beyond midnight. I am reluctant to find out what the situation could be like with their opening ours extended beyond midnight on Fridays and Saturdays.

I hope that you take all of the issues I have raised into careful consideration and that you do not approve the application proposed.

Yours sincerely,

A rectangular area with diagonal hatching, used to redact the sender's signature.



## Mohammad Bauluck

---

**From:** simon weston <[REDACTED]>  
**Sent:** 15 October 2015 13:53  
**To:** Angela Seaward; Licensing Resource (SBC)  
**Subject:** Zaan (UK) Ltd t/a Dominos , 1-2 Limes Place (Preston Street) Faversham.  
**Attachments:** PP SW\_13\_0399--1487390.pdf

I write in relation to the application of a Premises licence in respect of 1-2 Limes Place (Preston Street), Faversham, that would allow Zaan (UK) Ltd, t/a Dominos, to open from 11pm to midnight Sundays to Thursdays and 11pm to 2am on Fridays and Saturdays, whilst also allowing the provision of late night refreshments during these hours.

Firstly I would like to make you aware that the 19<sup>th</sup> July 2013 planning consent for the Dominos unit (attached) has a condition that the unit cannot be open to the public or operate outside the hours of 9am till 12 midnight on any given day of the week. The reason provided in the permission is 'in the interests of residential amenity'. In case you wish to clarify this yourself, the Swale Borough Council planning officer that handled the application was Graham Thomas. This alone should give you the necessary evidence to dismiss the application outright.

Notwithstanding the 19<sup>th</sup> July 2013 planning consent referred to above, I object to the application. The hours applied for are too late for the residential status of the area of the town where the retail unit is located. There are 1st floor and 2<sup>nd</sup> floor residential units in the immediate vicinity of the premises that will be affected by the public nuisance late into the evenings. A number of 3 storey family houses are located less than 40 meters further along Preston Street. These houses, having ground floor windows right on top of the pavement (literally), are most affected by the additional nuisance these proposed hours of operation will create. Many of these residential buildings are listed and therefore not permitted to alter their single glazed sash windows to insulate against noise pollution. This makes them most vulnerable to the extra noise and activity that occurs during the hours proposed. The activity created by both customers and staff will therefore create unacceptable levels of noise that will disturb these residential units and family houses late into the evenings, creating disturbance to unacceptable levels.

I am aware of other opening hours and late night refreshment licences currently held on Preston Street. Just because these other licences exist does not mean they are correct or are currently being utilised to their full capacity. They should not set a precedent for the granting of other licences on similar terms.

In addition, the nature of these other late night refreshment outlets differs in so far as they don't operate a business model that relies heavily on deliveries being made by multiple motorcycles, scooters and vehicles traveling to and from the premises, creating extensive noise at and around the premises, disturbing the surroundings.

As time passes planning permissions are granted, often under permitted development rights, allowing conversions of commercial units to residential units. These permissions change the make-up of a town,

deeming existing licences historic and vulnerable to review proceedings. In the case of the section of upper Preston Street, where Zaan (UK) trade from, the residential make-up of the Street in that section makes the application unviable and it should be refused.

Such planning permissions under permitted development rights have been granted recently on Preston Street; the most relevant one at 1-2 Limes Place - the subject premises itself. This planning permission allowed 1-2 Limes Place to be extended and a total of 5 residential units are now located in the same building Zaan (UK) trade from (a copy of this planning consent has already been referred to in this email and is attached for your attention).

This is yet more prime evidence why the application should be dismissed outright:- according to the plans associated with the permission, 3 of these residential units are located on the floor directly above Zaan (UK) Ltd's premises. The common entrance to these flats shares walls with Zaan (UK) Ltd's premises. The levels of disturbance travelling through the walls and ceilings/floors into those residential parts, from the normal operation of the A5 hot food takeaway below, will be at such a level that mitigation measures will not prevent the nuisance from occurring on a regular basis late into the evenings.

I also outline below some additional reasons why the application should be refused:-

#### **Prevention of crime and disorder**

People congregating outside the unit late into the evenings, often having been drinking alcohol, thereby increasing the prospect of disorder in a public area. Increase in litter.

#### **Public safety**

People congregating outside the unit late into the evenings, often having been drinking alcohol, thereby creating extra noise and disturbance to the public.

#### **The Prevention of public nuisance**

People congregating outside the unit late into the evenings, often having been drinking alcohol, thereby creating extra noise and disturbance to the public. Customer traffic, staff traffic, smell of convenience food late into the evenings.

#### **The protection of children from harm**

Noise levels late into the evenings when sleeping. Windows open during warm summer evenings. The smell of convenience food late into the evenings.

Regards, Simon Weston, ☎ Preston Street, Faversham, ME13 ☎

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Sittingbourne, Kent ME10 3HT  
DX59900 Sittingbourne 2  
Phone: 01795 417850  
Fax: 01795 417141  
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Making Swale a better place

TOWN AND COUNTRY PLANNING ACT 1990

Application: SW/13/0399

Case no: 03946

### NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

TO: Cook Associates  
1-2 Limes Place  
Preston Street  
Faversham  
Kent  
ME13 8PQ

TAKE NOTICE that Swale Borough Council, in exercise of its powers as a Local Authority under the Town and Country Planning Acts, **HAS GRANTED PERMISSION** for development of land situated at:

1-2 Limes Place, Preston Street, Faversham, Kent, ME13 8PQ

and being Change of use of part of 1-2 Limes Place from B1 (business) use to A5 (hot food takeaway) use; the extension of 1-2 Limes Place; and its use as 5 residential properties.

referred to in your application for permission for development accepted as valid on 04<sup>th</sup> April 2013 and as amended by drawings received on 3 May 2013 and 4 June 2013.

SUBJECT TO THE CONDITIONS specified hereunder:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Grounds: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby approved shall be carried out in accordance with the following approved drawings: 002, 003B, 004F and 005B

Grounds: For the avoidance of doubt.

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

For further conditions & grounds – see attached sheet

2.2 – 06.06.13



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TOWN AND COUNTRY PLANNING ACT 1990

Application: SW/13/0399

Case no: 03946

Pre-Commencement Conditions

- (3) Prior to commencement of the commercial use hereby approved full details of the mechanical extraction duct system shown on the approved drawings shall be submitted to and approved by the Local Planning Authority, and upon approval the system shall be installed, maintained and operated in a manner that prevents the transmission of odours, fumes, noise and vibration to neighbouring premises.

Grounds: In the interests of residential amenity and the character and appearance of the conservation area

- (4) Prior to commencement of the commercial use hereby approved full details of the design, siting, discharge points and predicted acoustic performance of any air conditioning, ventilation or refrigeration equipment to be installed shall be submitted to and approved by the Local Planning Authority, and upon approval this equipment shall be installed, maintained and operated in a manner that prevents the transmission of odours, fumes, noise and vibration to neighbouring premises.

Grounds: In the interests of residential amenity

- (5) Prior to commencement of the commercial use hereby approved a scheme for the provision of on-site refuse storage facilities shall be submitted to and approved by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the commercial use hereby permitted is commenced, and thereafter they shall be permanently retained. No refuse shall be stored outside the building otherwise than in accordance with the approved scheme.

Grounds: In order to protect residential amenity and preserve or enhance the character and appearance of the conservation area

- (6) Prior to the commencement of development hereby approved, detailed drawings of all new external joinery work and fittings shall be submitted to and approved by the Local Planning Authority, together with sections through glazing bars, frames and mouldings. The details shall include: elevations at 1:20; vertical and horizontal sections showing the location of frames within the walls, and 1:1 or 1:2 scale sections through all individual components. The development shall be carried out in accordance with the approved details.

Grounds: In order to preserve or enhance the character and appearance of the conservation area

For further conditions & grounds – see attached sheet

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TOWN AND COUNTRY PLANNING ACT 1990

Application: SW/13/0399

Case no: 03946

- (7) Prior to the commencement of development hereby approved, details at a scale of 1:5 of the roof eaves and verge, dormer window construction and brick window arches shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Grounds: In order to preserve or enhance the character and appearance of the conservation area

- (8) Notwithstanding the references to "Velux" rooflights on the approved drawings, prior to the commencement of development hereby approved, construction details of and proposed sizes of rooflights shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Grounds: In order to preserve or enhance the character and appearance of the conservation area

- (9) Prior to the commencement of development hereby approved, a 1m square sample panel of brickwork shall be constructed on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples and the sample panel shall be retained on site until the brickwork has been completed.

Grounds: In order to preserve or enhance the character and appearance of the conservation area

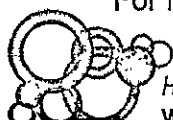
- (10) Prior to the commencement of development hereby approved, details in the form of samples of external finishing materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and works shall be implemented in accordance with the approved details.

Grounds: In the interest of visual amenity

- (11) Prior to the commencement of development hereby approved, full details of the external staircase and cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Grounds: In order to preserve or enhance the character and appearance of the conservation area.

For further conditions & grounds – see attached sheet



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TOWN AND COUNTRY PLANNING ACT 1990

Application: SW/13/0399

Case no: 03946

- (12) Prior to the commencement of development hereby approved full details of the arrangements for the storage of building materials on the site during the construction are to be submitted to and approved in writing by the Local Planning Authority.

Grounds: In the interest of visual and residential amenity

- (13) Prior to the commencement of development hereby approved full details of the parking arrangements for construction/contractors on site shall be submitted to and approved in writing by the Local Planning Authority.

Grounds: In the interests of visual and residential amenity.

- (14) Prior to the commencement of the development hereby approved full manufacturer's details and drawings to show the exact specification and location of electronically controlled gates to control access to the rear of the premises are to be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and the approved gates shall be installed, and thereafter retained and used at all times in a manner such that the yard and parking areas to the rear of the premises remain used only by vehicles used by residents and staff of the premises - such use not to conflict with the requirements of condition 13 below which prevents deliveries to or from the rear of the commercial parts of the premises.

Grounds: In the interests of residential amenity

Post-commencement conditions

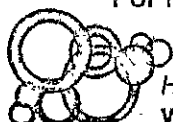
- (15) The commercial use hereby permitted shall not be open to the public, nor shall it generate deliveries to customers, except between the hours of 09:00 to 24:00 on any day.

Grounds: In the interests of residential amenity

- (16) All deliveries to the commercial use hereby permitted and all deliveries to customers from the premises, other than refuse collections, shall take place only through the front doors of the premises on to Preston Street. No deliveries to customers shall be made using vehicles that are parked to the rear of the premises.

Grounds: In the interests of residential amenity

For further conditions & grounds – see attached sheet



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TOWN AND COUNTRY PLANNING ACT 1990

Application: SW/13/0399

Case no: 03946

- (17) No deliveries to the commercial premises hereby permitted shall take place outside the hours of 07:00 to 19:00 Monday to Friday, or before 07:00 or after 13.00 hours on any Saturday. No deliveries to the commercial premises shall be permitted on Sundays or Bank Holidays.

Grounds: In the interests of residential amenity

- (18) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730 - 1900 hours, Saturdays 0730 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Grounds: In the interests of residential amenity

- (19) All rainwater goods to be used as part of the development hereby permitted shall be of cast iron.

Grounds: In order to preserve or enhance the character and appearance of the conservation area

- (20) The areas shown on the submitted plan as car parking space for the retail unit and for the new flats shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the commercial premises and flats hereby permitted.

Grounds: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users and detrimental to amenity

For further information – see attached sheet



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Making Swale a better place

Application: SW/13/0399

Case no: 03946

TOWN AND COUNTRY PLANNING ACT 1990

**Council's approach to this application**

The Council recognises the advice in paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) and seeks to work with applicants in a positive and proactive manner by offering a pre-application advice service; having a duty planner service; and seeking to find solutions to any obstacles to approval of applications having due regard to the responses to consultation, where it can reasonably be expected that amendments to an application will result in an approval without resulting in a significant change to the nature of the application and the application can then be amended and determined in accordance with statutory timescales. In this case the opportunity was given to the applicant to address design concerns and amended drawings were received and presented to Planning Committee.

19<sup>th</sup> July 2013

Dated: .....

James Freeman  
Head of Planning

BM



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Page 44



INVESTORS  
IN PEOPLE



20 13

GOLD  
Award

Mr P J Cumberland  
Flat,  
Limes Place  
Preston Street  
Faversham  
Kent  
ME13

14<sup>th</sup> Oct 2015

Licensing Dept  
Swale B C  
Swale House  
Sittingbourne  
Kent

Your Reference, Dominos Pizzas , Limes Place, Preston Street, Faversham.

Dear Sir/Madam

I understand that Dominos are applying for an extension to be able to trade till 2am meaning that it will most likely be 3 am before that closing staff leave after cleaning up, after taking on a new business that had an 11 pm fixed closing time, after a month wishes to extend to their national sales model, I ask if the time was not correct why was it not put right before acquiring the property and opening. Their current sales promotion state "11 am till late, 7 Days a week"

I object on the grounds of noise to this application, for in every direction from the premises except below there is or will be residents, and the council have already put an enforcement notice onto a Faversham business after turning down a planning application partly on grounds of noise at road traffic noise levels by residents property during daytime working hours and if allowed on appeal, asking for restricting on machine work for just 4 hours during the daytime. So how can you allow this nigh time noise to be allowed? At night time the World health organisation states that noise over 35 db disturbs sleep, even with an addition 15 db added for being indoors, that is still well below the noise that Dominos mopped or vehicle delivery methods will make, for most cars are between 65 and 70 dbs, mopeds were two stroke engines which was being used with the planning application that was turned down mentioned above. Speech alone is often over 55 db which can keep us awake when outside our bedroom window.

Personally we except a degree of noise, but strongly believe that generally an 11 pm shut up time is acceptable for most days of the year, but after that it is becoming unacceptable for domestic residents even if living within a town centre, for when we moved in some 20 years ago there were no business that disturbed our sleep at night most days of the year. (Christmas and New Year being exceptions.) If you allow this then every eating house and Pub will be entitled to apply for the same opening hours, and allowed as everyone should be treated the same!

Yours Sincerely

Paul Cumberland  
Susan Cumberland  
Richard Cumberland

P.S. can you acknowledge receipt please  
email



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Station Road  
Faversham

ME13

S.B.C.

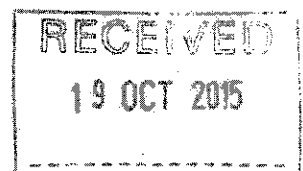
Senior Licensing Officer

Dear Sir/Madam,

On learning of the application from Domino for an extension until 2. AM of their opening hours, I am concerned about the knock-on effect, of extended noise, disruption and further littering around the immediate area, as it is predominantly residential.

Yours faithfully

[Redacted Signature]



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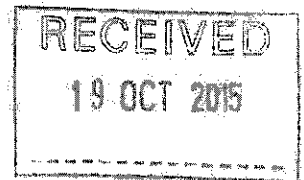
12

13

Swale Borough Council  
Licensing Dept.

Union St.  
Faversham  
ME13

Dear Sirs / Madams,



I write to object against the application by 'Domino's' in Ponton St, in Faversham to extend their opening hours until 2 A.M.! on a Friday & Saturday night.

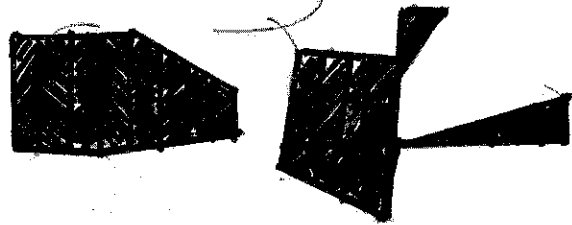
My objections are based on noise disturbance being a residential area, and the congestion down Ponton St. of cars parked, sometimes on the pavement. One day an emergency vehicle will try and get down Ponton St, and fail due to the lifted Parking restrictions.

I am also concerned about the noise

of their mopeds which drive up and down Union St, we are constantly worried that they will overrule the restrictions further, They are flouting the planning conditions as I write and seemingly NOTHING has been done about it.

This is a Residential area, and as residents, both elderly and young children should be protected against the <sup>proposed</sup> late opening of a fast food outlet.

Yours sincerely



Victoria Dechenyon

Swale Borough Council  
Swale House  
East Street  
Sittingbourne  
Kent  
ME10 3HT

Miss Jennifer Wong  
■ Preston Street  
Faversham  
Kent  
ME13 ■

23 September 2015

Dear Swale Borough Council,

**Ref: New Premises Licence for 1 & 2 Limes Place, Preston Street, Faversham, Kent, ME13 8PQ**

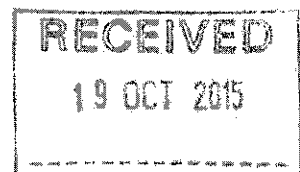
I am writing with reference to the above address to express my deep concern for the application for Domino's to extend their opening hours and provision of late night refreshment.

I am a resident of Preston Street and I live directly opposite this premises. In the first week of Domino's opening, I was already subjected to being woken up at late hours in the evening due to the noise as a result of their premises. They were open for business later than their current hours of 23:00 on several occasions (breaking their terms and conditions) and I have woken up to the sound of their delivery mopeds revving at ungodly hours and to the shouting and unruly behaviour of their customers waiting outside the premises for their orders.

Considering they were breaking their terms of opening hours during their first week of opening, I am pretty certain they would be unlikely to keep to the terms of opening if you approve their application to extend their opening hours also. I would also like to add to this that there seems to be a lack of governing to ensure they do not break their conditions.

They have also recently installed lighting outside their premises, which I have no objection to them doing so. However, the lighting they have used is so bright that it currently shines through my curtains and fills my bedroom with light until they eventually turn them off way past midnight once all their staff has finished cleaning up.

I have lived at this address for the past 15 years and I have never had any issues with loud noises and disturbances to this extent before. Granted, with the nearby pubs you do get the odd drunkard shouting down the street, but this is a very rare occasion which only occurs at the weekend.



I am a working professional and I have to get up at 06.30 every weekday to go to work. I also work at weekends too. I therefore value a good nights sleep every evening as you can appreciate. Can you imagine the frustration of being woken up at 00:00 or later during the week and then again at the weekends as a result of the noise created by premises directly opposite your residence? Domino's is a permanent premises and I am finding it extremely difficult to comprehend the possibility of continually being woken up by them. If their opening hours were to extend, this would only get worse for me for certain as their customers arrive even later in the night for their orders and for their mopeds to rev loudly when they go out on deliveries at these very late hours. I also believe that the late opening hours would provide a place for young people who have had too much to drink to loiter in the area causing anti-social behaviour.

There are many people residing on Preston Street opposite Domino's who are undoubtedly also affected by the issues I have raised. Not to mention that there are also young children living in these residences. What kind of a home life are you giving these people by subjecting them to this type of nuisance? Not to mention the people who might potentially be living above Domino's in the flats which are being developed at the moment.

It is your duty to protect the people in your borough and if you decide to grant the proposed application, you will be failing all of the residents in the surrounding properties on Preston Street, Limes Place and Union Street. To be completely frank, you had already failed them the moment you grant permission of Domino's to use the premises but that is by the by. Please do not make our quality of living decline further.

Yours sincerely,



Jennifer Wong

Planning Reply - Objection

From: Andrew Spiers  
Sent: 21 September 2015 15:27  
To: Licensing Resource (SBC)  
Cc: Planning Area Team - Faversham (SBC)  
Subject: RE: New Premises Licence application

Categories: Yellow Category

Dear Mo,

Thanks for this.

It is noted that the opening hours requested extend until 02:00 on Friday and Saturday nights.

We would request that it be noted that condition 15 of planning reference SW/13/0399 restricted

opening hours to 09:00 until 00:00 (midnight).

As such, opening until 02:00 would be in breach of the planning conditions granted above.

Kind regards,

Andrew

Andrew Spiers, MA | Planning Officer | Planning Services  
Swale Borough Council | Swale House | East Street | Sittingbourne | Kent ME10 3HT | Tel: 01795 417417 | Fax: 01795 417417 | Email: a.spiers@swale.gov.uk | www.swale.gov.uk

From: Licensing Resource (SBC)  
Sent: 21 September 2015 15:06  
To: Planning Area Team - Faversham (SBC); Environmental Health Admin Team (SBC & MBC); Fire Services (maidstonefiresafety@kent.fire-uk.org); Police; Public Health; Trading Standards (trading.standardseast@kent.gov.uk)  
Subject: New Premises Licence application

Good afternoon all,

The Licensing Department has received a new premises licence application for a late night refreshment premise.

Please find attached the app form and plan.

Name: Domino's Pizza  
Address: 1& Limes Place Preston Street Faversham ME13 8PQ

The end of Consultation period is 19th October 2015

Mohammad Bauluck  
Licensing Officer

Telephone: 01795 417 567

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## Agreed Conditions with Kent Police

### Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
  - a) Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
  - b) Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 28 days and handed to Police upon reasonable request.
  - c) The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.
  - d) In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time.  
([licensing.north.division@kent.pnn.police.uk](mailto:licensing.north.division@kent.pnn.police.uk))
2. The Licence holder shall erect and maintain clear and prominent notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
3. Premises must close to visiting customers from 00:00 hours (midnight) on Friday and Saturday and thereafter operate a home delivery service only.
4. That pull down blinds be fitted in the windows of the premises and that at 00:00 hours blinds be pulled down such that it appears to the passing public that the premises is closed.
5. That signage, no smaller than A3 size be placed on the entrance of the premises adverting that it is closed to visiting customers from 00:00 hours(midnight).



Email from Police - rep withdrawn

From: Clare Cossar PC <[redacted]>  
Sent: 22 October 2015 10:36  
To: Licensing Resource (SBC)  
Cc: [redacted]  
Subject: FW: Dominos pizza faversham  
Attachments: Dominos pizza faversham.doc

Good morning

Please find attached the conditions agreed for Domino Pizza. I formally withdraw my representations.

Thank you.

Clare

PC Clare Cossar  
North Division Licensing Officer  
??04-2411  
??01634 792411  
?? [redacted]

From: Ertan Kara [mailto:[redacted]]  
Sent: 14 October 2015 12:04  
To: Clare Cossar PC [redacted]  
Subject: Re: Dominos pizza faversham

Hi Clare,

We had a meeting today re. your proposed conditions and please be informed that we are in agreement. I do not know the next steps but I am sure you will inform all the relevant departments formally.

If you have any further queries please do not hesitate to contact me.

Kind regards  
Ertan Kara  
Operations Director  
Zaan Group  
t/a Domino's Pizza

On Wednesday, 7 October 2015, 11:35, Clare Cossar PC [redacted] wrote:

Dear Mr Muntaz  
Please find attached the Police Representations in respect of the new premises licence of Domino Pizza, 1 & 2 Limes Place, Preston Street, faversham. Can I ask that you read through the proposed conditions and if you are in agreement, please advise me as soon as possible and I will formally withdraw my representations.  
Thank you.  
Clare

PC Clare Cossar  
North Division Licensing Officer  
??04-2411  
??01634 792411  
?? [redacted]

Email from Police - rep withdrawn

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**Making Swale a Better Place**

**LICENSING AUTHORITY:  
SWALE BOROUGH COUNCIL**

**Licensing Act 2003 Sub-committee Hearing Procedure**  
**Applications for New Premises Licences/Club Premises Certificates and Variations to existing**  
**licences and certificates**

**1. Introductions**

The Chairman will request all those persons participating in the hearing to identify themselves or introduce them.

Members/Officers/Applicant and any representative/Responsible Authorities/any other persons (objectors)

**2. Procedural Matters**

The Chairman will:

- i) Confirm that all parties are aware of the sub-committee **hearing procedure** and that each party has a copy of the hearing procedure document.
- ii) Confirm that all sub-committee members have **pre-read all the papers** and any other documents contained in the report regarding the hearing.
- iii) Explain that the sub-committee will allow all parties to put their case fully and make full **submissions**, within a reasonable time frame. The procedure will be discussion led by the Sub-Committee and **questions** will usually be permitted.
- iv) Explain that where any person attending the hearing **behaves in a disruptive manner**, the sub-committee may direct that person to leave the hearing (including temporarily). If this happens, the person may give the sub-committee in writing any information which the person would have been entitled to give orally.
- v) Enquire whether any draft **conditions** have been agreed between the applicant and any of the other parties for the sub-committee to consider.
- vi) Enquire whether any parties request to have **any witness** give evidence at the hearing; and if so grant the request unless the request is unreasonable.
- vii) Invite the parties, where appropriate, to appoint a **spokesperson**.

### 3. The Hearing

- A) The Chairman will ask the legal advisor or licensing officer to briefly outline the application and all representations regarding the application.
- B)
  - i) Ask the **Applicant** (or their representative) to put forward their case opening remarks and evidence (including witnesses).
  - ii) **Allow** appropriate **questions** from any Responsible Authority and/or other person/members of the subcommittee
  - iii) Any points of clarification.
- C)
  - i) Ask **Responsible Authorities** (where applicable) to put forward their case. Opening remarks and evidence (including witnesses) by the officer representing the responsible authority (or their representative).
  - ii) Allow appropriate **questions** from :  
the Applicant/other Responsible Authorities/other persons/member of the Sub-Committee.
  - iii) Any points of clarification.
- D)
  - i) Opening remarks and evidence by the **other person/s** (or spokesperson/representative).
  - ii) Allow appropriate **questions** from :  
the Applicant, Responsible Authorities, each further other person and sub-committee members.
  - iii) Any points of clarification.
- E) **Closing Summary**  
  
Responsible Authorities/Other Persons/The Applicant
- F) **End of Hearing**
  - i) The Chairman will ask the members of the sub-committee if they have any final questions for any party to the hearing.
  - ii) The Chairman will ask the legal advisor whether there are any further matters to be raised or resolved before the hearing is closed.
  - iii) The Chairman will bring the hearing to a close and shall declare that the sub-committee will retire, to private session, to consider the application.
  - iv) The Chairman will invite the legal advisor to remain with the sub-committee during its deliberations to provide any advice required.

G) **The Decision**

The Chairman shall declare in public session:

- i) The sub-committee's **determination** and indicate that all parties to the hearing will receive a copy of the written Determination Notice regarding the sub-committee's determination; and
- ii) that all parties may **appeal** against the sub-committee's decision within 21 days beginning with the day on which the appellant is notified of the Licensing Authority's written determination. Appeals must be lodged with the Magistrates' Court. Parties should be aware that the Magistrates Court may make an order with respect to costs on any appeal.
- iii) Formally close the meeting.

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