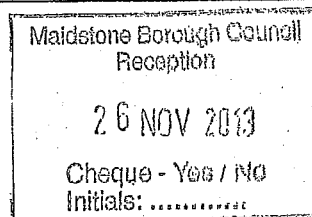


APPENDIX D

Louise Davis
Licensing Administrator
Maidstone Borough Council
Maidstone House
King Street
Maidstone
ME15 6JQ



26/11/2013

Reg: WK/201312237
Application for Street Trading Consent –
Mr Ronald Munn/Land at Newport Imports,
A249 Stockbury Valley
Stockbury

Dear Ms Davis

We wish to appeal the decision on the refusal of a street traders licence at the next available committee.

I refer to the letter sent by Mrs Sherrie Babington Stockbury Parish Council Parish Clerk on the 6th of November 2013 on which she states the Parish Councils objections to granting the Street Traders Licence as detailed above.

Mrs Babington is quoted below;

“

1. *Nuisance to neighbours from the preparation of food on the site and increased vehicle and driver activity visiting the site.*
2. *The access to the site is on a deceleration lane off the A249 southbound. HGVs have already been parking in the deceleration lane and forcing other vehicles visiting the site to turn into the site at right angles to the main carriageway, in turn forcing following vehicles to break or take other avoiding actions.*
3. *Parking of vehicles in the deceleration lane obstructs the view and sight lines for vehicles exiting the site.*
4. *Vehicles exiting the site do so by joining the main dual carriageway at right angles as no acceleration is provided at the exit.*
5. *HGVs and other vehicles exiting the site or the deceleration lane have to join the A249 on an uphill section of dual carriageway from a standing start, in the path of vehicles travelling along the A249 Stockbury Valley at speeds of 70mph plus.*
6. *The above points create a major safety hazard for other vehicles travelling along this 70mph dual carriageway.*
7. *If formal planning consent is required this has not yet been applied for or granted.*
8. *We believe the Burger Bar is outside the original curtilage of "Happy Eater/Lily Spice" Development and the application should be referring to the Land as well as the Burger Bar. “*

We would like to challenge the Parish Councils objections based on that there is no “fact” to their points stated, and I would like to challenge each point in turn if I may;

1. Mrs Babington states a “nuisance to neighbours”, when our only immediate neighbours and in turn, their neighbours have never been approached by Mrs Babington or any Parish Council member in relation to this. I would like to know on what basis & facts this statement has been compiled by Mrs Babington? To the point that we have the neighbours consent by way of a written letter stating the fact they approve of this operation at this location.
2. HGVs parking in our deceleration lane is indeed nothing to do with Buffalo Burger operation but has been a problem with this, and many other lay-by sites along the A249 for many years. HGV drivers are looking for places to pull in and rest and we have noted the amount of HGVs pulling to rest has not increased since Buffalo Burger has been in operation.

3. We have indeed taken measures to stop this unauthorised parking / stopping in the deceleration lane by way of 3 "no stopping" signs now placed on the verge and staff here are requesting to the drivers of the HGVs that they please refrain from parking, or stopping here again in the future.
4. The point on that fact that we have no acceleration lane; The Kent Showground has average annual attendance figures of 140,000 people. THE KENT SHOWGROUND ON THE A249 DOES NOT HAVE ANY ACCELERATION LANE. It is also noticed that the "Scragged Oak Road" doesn't have a proper acceleration lane onto the A249. Neither does The Rock Café or the Bus Stop immediately to the north of the showground nor, ironically, does South Street which is the main road from Stockbury village to the A249. So I believe the point on the acceleration is not only incorrect but ours is the least of the busiest access points on this stretch of the A249.
5. In regards to the speeds of the A249; the legal speed limit of this dual carriage way road is 70mph, not 70+mph as Mrs Babington implied. The councils own Kent & Medway mobile safety camera is only ever located on two locations on the long downhill northbound carriageway? This is the carriageway with no acceleration lanes for The Rock Cafe, the Bus Stop immediately by the Kent Showground, the Kent Showground itself, the former Three Squirrels pub and the MAIN South Street/Stockbury exit onto the A249. Presumably the professional experts in charge of road safety consider it a priority that there is a problem with the traffic heading in that direction going at speeds in excess of the limit. There is never a similar safety camera on the long uphill section (as stated by Mrs Babington in the Parish Councils objection) travelling in the opposite direction past our location. Presumably because the incline significantly reduces traffic speed which makes it safer for people exiting our site compared to those going the other way.
6. Point 6 is just a repetition of points raised in previous statements.
7. Formal planning application is in hand with our planning consultants Speer & Dade Ltd and is due to be presented to the planning department of Maidstone council by the end of November 2013. The comprehensive planning application encompasses the land around the site of Buffalo Burger along with its intended usage.
8. Point 8 is just a repetition of points raised in previous statements.

Based on our responses to each point raised in Mrs Babingtons letter I do not consider any point she, or the Stockbury Parish Council, has raised to be valid and therefore must be dismissed based on a lack of evidence to prevent the approval of a Street Traders license.

I appreciate this has to wait to go to the committee meeting on 30th January 2014 prior to any decision being made, however I would like to add an additional note to "complete" the picture so to speak.

~~We immediately complied with the notice dated 18th November 2013 from yourself and we ceased trading on the day of receipt of the letter. This has left me personally in a very difficult financial position as this was my only source of income and closing this business down will mean I have no choice but to go on Job Seekers allowance and create another "drain" on the governments already tight resources.~~

I hope this council can see that there is a real demand for a rest bite stop along the A249, where local people and people travelling though our borough can stop for a rest, get a bite to eat and a cup of coffee before proceeding on with their journey as there are no such places along this stretch between Sittingbourne & Maidstone on the Southbound carriageway.

Yours truly


Mr Roland Munn,
