

# APPENDIX C

**Louise Davis**

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**From:** Gourmet Street Food Company [REDACTED]  
**Sent:** 04 September 2015 14:42  
**To:** Louise Davis  
**Subject:** License objection

Hi Louise

With regards to the proposal from David I would like to object for the reasons being -A direct conflict of interest of my current business  
- I understand he will be frying onions and selling frankfurter sausages which the licensing committee at the time of my application put strict conditions that I was not allowed to sell these or fry onions and that my sausages had to be locally sourced and oven cooked.

I believe Fremlin walk will also be putting in an objection shortly.

Many thanks  
[REDACTED]

Sent from my iPhone

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## Julie Wolfe

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**From:** Lorraine Neale  
**Sent:** 16 September 2015 09:32  
**To:** Julie Wolfe  
**Subject:** FW: Mr Bowlesworth - Variation for selling cooked food  
**Attachments:** E Appendix Environmental Health Report.pdf

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**From:** Michael Swoffer  
**Sent:** 15 September 2015 21:04  
**To:** Lorraine Neale; Louise Davis  
**Cc:** Terry OBrien  
**Subject:** Mr Bowlesworth - Variation for selling cooked food

Good evening

Environmental Enforcement would like to raise their objections for the variation application for the selling of hot/cooked sausages on Week Street/Earl Street.

During a trial period of cooking hotdogs in April 2009 Environmental Enforcement investigated complaints that was associated with the trial. Evidence gathered by Terry O'Brien (Pollution Technical Officer) showed that the location was inappropriate as odours from the cooking process were effecting staff and customers within establishments in the vicinity.

I have attached the report provided by Mr O'Brien that show his conclusions in 2009. As this is the same position and cooking processes then we would expect complaints from establishments if this application is granted. We may also consider this to pose a Statutory Nuisance if the frequency and duration is deemed to be unreasonable.

If you require further information please let me know.

Many thanks

**Michael Swoffer**

Environmental Enforcement Manager  
Environmental Enforcement

Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent, ME15 6JQ  
t 01622 602458 w [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

## Hot Dog Street Trader (Week Street)

### 1. Introduction:

The Hot Dog seller located in Week Street, Maidstone emits a strong pungent onion odour during its cooking operation. The perception of smell consists not only of the sensation of the odours themselves but of the experiences and emotions associated with these sensations. Smells can evoke strong emotional reactions. In surveys on reactions to odours, responses show that many of our olfactory likes and dislikes are based purely on emotional associations.

This being the case, the positioning of the Hot Dog Seller in Week Street really needs to be re-assessed. The food seller is currently located close to both Ann Summers Retail and Marks & Spencer's facing west along Fremlin Walk, usually between 11:00 am and 17:00 hrs Monday to Saturday.

I have actively monitored the mobile food outlet since April 2009 until 2<sup>nd</sup> June 2009 and have interviewed staff members from both Ann Summers Retail and Marks and Spencer, who are both the main retail premises effected by the onion odour. All staff members complained that the odour was very unpleasant and at times could be quite nauseous and cause headaches. Also both sets of staff spoke about customers complaining about the smell inside the shop itself. And the Manager of Ann Summers said that a major concern for her was the fact that the odour was attaching itself to some of her clothing products.

Monitoring Record: M3 - WK/200903877

Date: 30<sup>th</sup> April 2009 Time: 13:30 hrs

Conditions: Cloudy with sunny intervals and a slight breeze.

Locations: Carphone Warehouse-No Smell, Fremlin Walk Entrance-No Smell,

Ann Summers-Pungent Onion Smell, M&S - Slight Smell.

Date: 6<sup>th</sup> May 2009 Time: 14:00 hrs

Conditions: Sunny & Warm, slight breeze. Strong smell of onions in all directions up to 20m from the Hot Dog Stand and very pungent outside Ann Summers and M&S.

Date: 15<sup>th</sup> May 2009 Time: 11:40 hrs

Conditions: Cloudy with Sunny Intervals, Slight Breeze, significant onion smells in all directions approx 10m from the Hot Dog Seller.

Date: 20<sup>th</sup> May 2009 Time: 11:50 hrs

Conditions: Sunny and Warm, Calm, Onion smell could be detected at least 10-12m from the Hot Dog Seller in all directions, but the smell was much stronger at the Ann Summers Shop.

Date: 29<sup>th</sup> May 2009 Time: 11:50 hrs

Conditions: Sunny Intervals and Very warm: Strong Smell of onions within a 20m radius of the Hot Dog Stand.

Date: 2<sup>nd</sup> June 2009 Time: 13:45 hrs

Conditions: Sunny, Very Warm, slight breeze. No smell until approx 2-3m of the Hot Dog Seller, very pungent outside Anne Summers.

### Diary Sheets:

Diary sheets for the month of March 2009 have been returned by both Ann Summers and Marks and Spencer: Located at M3 - WK/200903877

See Attached:

\*Hard Copies of Diary Sheets



Terry O'Brien

Environmental Enforcement

Maidstone Borough Council

H01 409 500000 / WEN 21  
**MAIDSTONE BOROUGH COUNCIL - ENVIRONMENTAL HEALTH SECTION**  
 NUISANCE INCIDENT RECORD SHEET

(PLEASE READ GUIDANCE NOTES ON REVERSE BEFORE COMPLETING THIS)

DATE	TIME OF INCIDENT	DESCRIPTION OF PROBLEM	HOW IT AFFECTED YOU
3/4/09	11.00	Smell of onion from the Burger man.	onion smell at in office
13/04/09	1130.	Smell of onions from hot dog /burger stand outside	Smell of onions in General Office and Sales
16/04/09	16:25	Smell of onions from hot dog/burger stand outside	Smell was very unpleasant made us feel
20.4.09	11.45	Smell of onions from hot dog /burger stand.	Very strong odour in office
20/04/09	15:16	Customer entered store & complained about the smell of onions	made me feel nauseous
22.4.09	12.10.	Very strong smell <del>nauseous</del>	made me feel nauseous
			T.J. O'Brien
			23/4
			23/4

SOURCE OF COMPLAINT  
 YOUR NAME (PRINT)  
 YOUR ADDRESS  
 COMPLAINT NO.

*Maries And Sildenafil*  
 WK/200903877      DATE      SIGNED

PRE Correspondence?

30 APR 2009

Hot Dog Stand / Week 21  
**MAIDSTONE BOROUGH COUNCIL - ENVIRONMENTAL HEALTH SECTION**  
 NUISANCE INCIDENT RECORD SHEET

(PLEASE READ GUIDANCE NOTES ON REVERSE BEFORE COMPLETING THIS FORM)

DATE	TIME OF INCIDENT START	FINISH	DESCRIPTION OF PROBLEM	HOW IT AFFECTED YOU
3.4.09	11.00	11.15	Smell from hot dogs	customers in store noticed smell and were put off buy because
3.4.09	15.00	15.15	"	"
6.4.09	11.30	11.50	"	A customer commented on the smell of owners and asked how we put the
14.4.09	10.55	11.45	"	smell wafting through shop
15.4.09	15.30	16.00	"	"
21.4.09	11.25	15.30	Smell from hot dogs	smell in shop + flies in shop
				T. J. O'Brien 23/4/2

**SOURCE OF COMPLAINT**  
 YOUR NAME (PRINT)  
 YOUR ADDRESS  
 COMPLAINT No.

And Summers  
 WK/200

DATE  
 SIGNED

## Julie Wolfe

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**From:** Louise Davis  
**Sent:** 17 September 2015 09:55  
**To:** Julie Wolfe  
**Subject:** FW: MY Ref:LD/CTFM  
**Attachments:** IMG\_0794.jpg

FYI

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**From:** Wright, Lloyd @ [REDACTED]  
**Sent:** 16 September 2015 11:30  
**To:** Louise Davis  
**Subject:** MY Ref:LD/CTFM

Dear Louise,

Please note that whilst I have not officially received notification of this application by Mr David Bolesworth, I am writing to you to formally object to the application for the proposed site and products applied for under the attached Local Government (Miscellaneous Provisions) Act 1982 Application for Grant of a Street Trading Consent Request for Additional goods for Sale.

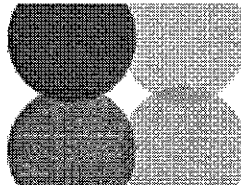
As one of Maidstone's main shopping centres the Landlord M&G we and Fremlin Walk management do not want a trader or kiosk located at the main entrance of Fremlin Walk Shopping Centre and furthermore we don't want a trader selling sausages and hot drinks from the store as these are services and products already sold by retailers who pay considerable amounts of rent to sell similar products within Fremlin Walk Shopping Centre and the Town Centre.

Kind regards,

Lloyd Wright | Centre Manager | Asset Services  
CBRE Management Services Ltd | For CBRE Ltd  
Fremlin Walk Shopping Centre | 62 Earl Street | Maidstone | Kent | ME14 1PS  
Telephone 01622 356582 | Mobile 07966 029075

[REDACTED]  
[www.fremlinwalk.co.uk](http://www.fremlinwalk.co.uk)

**ASSET SERVICES**  
Delivering intelligent, forward-thinking  
property management





[REDACTED]

[REDACTED]