

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	
Organisation name OR Name of body you represent	Self
Postal Address	
Email address	
Daytime contact number	

Name of premises you are making a representation about	Neptune's Beach Cafe
Address of premises you are making a representation about	Shellness Road Leysdown-on-sea Sheerness Kent ME12 4RH



Are you registered to vote?
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	Yes	<p>During this summer, our and our neighbour's properties within ½ mile of Neptunes Café have been subject to criminal damage and vandalism by a gang of local youths on numerous occasions. The Criminal damage and vandalism are fuelled by alcohol and illegal substance abuse. Kent Police have been completely ineffectual in resolving these issues and we feel selling alcohol will only add to the problem.</p> <p>The location of the café is remote and customers will have no alternative to travelling there by car. This will promote drink driving.</p>
Public Safety	Yes	<p>The café is located adjacent to the beach. The Coast Guard and RNLI are continually promoting "Do not drink and drown." Surely selling alcohol in this remote location is encouraging people to drink and use the beach and water.</p>
Prevention of public nuisance	Yes	<p>The remote area where the café is located is either in or adjacent to a SSSI area and a Marine Conservation Zone. I understand then sale of alcohol is linked to special events. Noise from such events will have a serious effect on the wildlife and local residents like ourselves that are there for the peace and quiet.</p>



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Protection of children from harm		

SIGNED:

DATED: 15/09/2020

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.



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5. Please note that the name and address (excluding house number) of any person that has submitted a representation will ordinarily be disclosed to the applicant and are a matter of public record. Swale Borough Council is unable to accept or take in to account any anonymous representations.

6. 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



Are you registered to vote?

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Subject: RE: Licensing objection, Neptune Cafe

From:
Sent: 14 September 2020 20:06
To: Licensing (SBC) <Licensing@swale.gov.uk>
Subject: Licensing objection, Neptune Cafe



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

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.
Organisation name OR
Name of body you represent
Postal Address
ME12 4RL
Email address
Daytime contact number

Name of premises you are making a representation about
Neptune Cafe
Address of premises you are making a representation about
Shellness Road, Leysdown, ME12 4RH

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		<p>I object to this application. I am the owner of a nearby holiday home.</p> <p>I object on the grounds of prevention of crime and disorder, and prevention of public nuisance.</p> <p>Anything which provides for the facilitation of possible drunken anti social behaviour, and accompanied aggression should not be allowed to happen. My property has been the target of theft and criminal damage three times in the last six weeks. Gangs of drinking, nitrous oxide sniffing, and marijuana smoking people have decided the beach where my and my neighbours properties are situated is party central. The police seem powerless to prevent this, or indeed to show any enthusiasm for pursuing justice for us. I'm afraid I think the possibility of late night events involving alcohol, combined with the lack of a realistic police presence, in a relatively isolated spot on the edge of Leysdown, would be a recipe for disaster.</p>

The beach behind Neptune Cafe and along to and past the Hamlet of Shellness is an SSSI, and should be respected.

Then there is the real possibility of drunken driving. Access to the cafe is by Shellness Road, from Leysdown and onwards to the Hamlet, where it ends. This year has seen a remarkable increase in vehicle movements along this road, usually at speeds which seem excessive.

I appreciate the proprietors of the Neptune may wish to put on the occasional special event as part of their commitment to the community, but I feel they could achieve that without a general licence.

**Public Safety
Prevention of
public nuisance
Protection of
children from
harm**

SIGNED:

DATED: 14/09/2020

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Licensing Section

Swale House

East Street

Sittingbourne

Kent

ME10 3HT

Or by Email to: licensing@swale.gov.uk

Sent from my iPad

27 August 2020
SWALE BOROUGH COUNCIL
THE LICENSING DEPT
SWALE HOUSE
EAST STREET
SITTINGBOURNE ME10 3HT

Dear Licensing Team,

Re: Application for Alcohol Licence at Neptune's Beach Cafe, Shellness Road,
Leysdown, ME12 4RH

I wish to make it known that I object to the above application. My reasons for objection are as below.

1. This beach cafe is an unsecure premises. It has already been broken into almost before the new leaseholder opened the business of a beach cafe. The sale of alcohol and extended opening times will draw more crime and poor behaviour along this remote stretch of unspoilt beaches and natural scenery.
2. The current leaseholder is already proving to be inconsistent with opening times of the cafe and has not opened the toilets for the public, blaming the Council for keeping them closed. I did make a complaint to the Council about this matter and they affirmed that the leaseholder is responsible for the toilets and that there has been a reassurance to the Council that the leaseholder will engage a cleaner to enable the toilets to be opened. So far, up to the beginning of this week, when the cafe was not open on Monday, the toilets have not been open for use by the public.
3. This lovely stretch of sandy beach and natural views across the marshes remains unspoilt and a safe haven for families with children. The lockdown has proven that this is still the case and that this is a beach that families like to come to and enjoy the peace and serenity of this remote area. It is fairly clean, and with recognition to the leaseholders at the cafe, efforts to remove rubbish left by people have been made.
4. The business of selling alcohol remains the responsibility of publicans and off license retailers. A beach cafe is not a suitable outlet for this. There are no premises from which people could be barred or removed from if problems arise. Families would be expected to sit with children having refreshments on the picnic

benches provided by the leaseholders, alongside persons consuming alcohol, and predominantly this will attract young people who will cause problems. That will give the police yet another headache to deal with.

5. There are public houses in Leysdown where people can drink and where families can choose to go. Our public beaches are for the public, and as soon as alcohol is encouraged in that location, the families will be driven out.
6. There are signs of people camping out in the woods opposite the beach cafe, barbecues have been left to burn on the grassed areas which are beautifully maintained by the Council. These people leave behind empty cans of alcohol, disposable barbecue remains and bags of dog poo, nappies etc. To enable these people to obtain alcohol within walking distance of the wooded area will encourage more anti social behaviour and ruin this area also.

I am an Island resident. I have lived here since 1981. I came to the Island because my husband's family took vacations to Shellness during his childhood. The charm of this untouched area of beautiful sandy beaches has recently been reported in a major national newspaper. Families who do not want to be bothered by anti social behaviour and no distractions from a simple day at the seaside, come to this section of the Island for all the right reasons. The Island population is growing, and the culture of a drinking hangout is not what we need to keep the Islands beaches unspoilt for families, bird watchers and nature lovers to enjoy.

I hope that this matter will be seriously considered. If the leaseholder does not feel that their business can thrive without the alcohol licence, the Council must take a common sense approach and not yield to what will be a complete disaster for Shellness.

Subject: RE: Neptune Cafe liquor license appeal by Muswell Manor holiday park clients

From: Residents of Muswell Manor

Subject: Neptune Cafe liquor license appeal by Muswell Manor holiday park clients

Muswell Manor Shellness Road is a holiday Park and has been for approximately 70 years. Some owners of the chalets and or statics on the site have been on the Park for over 60 years because it is set in an exclusive, quite, peaceful, safe and rural location.

The owners of Muswell Manor have spoken to many people on their Holiday Park with regards to the application for a license to serve liquor at the Neptune Cafe.

The Neptune cafe have applied for a liquor license from Monday to Thursday 10.00 - 23.00 hrs, Friday 10.00 24.00 hrs and Saturday and Sunday 10.00 to 01.00 hrs. This will allow them to serve customers alcohol from early in the morning and continue until very late at night through to the next early morning, drinking hours.

All of the clients on our park expressed high concerns with regards to the following-Where the cafe is located as it is extremely close to a very busy road, of which the traffic are legally allowed to do 60 mile a hour. The level of noise and the anti social behaviour, that they feel will result from the consumption of alcohol on and around the beach area of which are frequented by the families on site.

This will encourage holiday makers and local residences to travel to the Neptune Cafe after the local clubs, shops and pubs have closed, of which are normally closed earlier than the hours you are looking to allow the proposed Neptune cafe license hours to close.

Thus resulting in continuous alcohol consumption, leading to crime and disorder on the beach and surrounding areas during the day and of a night. The premises liquor license proposed/applied for by Neptune Cafe will be of a public nuisance and major concerns for the health, safety and harm to children and general public. As mentioned above the noise from Neptune Cafe will without doubt carry to nearby Muswell Manor holiday park of which pay council Tax.

Chris Hills

Subject: RE: Neptune Cafe liquor license appeal by Muswell Manor holiday park clients

From: Residents of Muswell Manor

Sent: 16 September 2020 12:01

To: Chris Hills <ChrisHills@Swale.gov.uk>

Subject: Neptune Cafe liquor license appeal by Muswell Manor holiday park clients

Hi Chris

Sorry but can you please add to the following sentence as we unfortunately omitted it and should have been part off. - Increased level of noise will be because Neptune Cafe is outside and has no inside area. The level of noise and the anti social behaviour, that they feel will result from the consumption of alcohol on and around the beach area of which are frequented by the families on site.

Chris Hills

To: Leysdown Parish Council
Subject: RE: Neptunes Cafe Liquor Licence Application

From: Leysdown Parish Council <leysdownpc@btconnect.com>
Sent: 02 September 2020 14:05
To: Chris Hills <ChrisHills@Swale.gov.uk>
Subject: Neptunes Cafe Liquor Licence Application

Hi Chris,

Further to our conversation , Leysdown Parish Councillors are are not in support of the application do to concern for anti social behaviour, increased risk of drink driving and litter however they would like to request that if the licence does proceed then it should be limited to 23:00 closing on any day of the week and not 1am as per the application.

Regards,

Leysdown Parish Council

Chris Hills

Subject: RE: Neptunes' Beach Cafe, Shellness Road, Leysdown

From: Licensing (SBC)
Sent: 19 August 2020 15:26
To: Bill Tatton (Cllr) <BillTatton@Swale.gov.uk>
Subject: RE: Neptunes' Beach Cafe, Shellness Road, Leysdown

From: Bill Tatton (Cllr)
Sent: 18 August 2020 15:01
To: Chris Hills
Subject: Re: Neptunes' Beach Cafe, Shellness Road, Leysdown

Hello Chris,

Thank you for alerting me to this application.

This application is NOT ACCEPTABLE and should be declined on the following grounds:

- (1) The car park it is located in should be closed by the key holder a 20:00hrs every evening (365 days of the year)
- (2) It is in the opinion of Leysdown on Sea parish council and me that if approved it will create considerable anti social behaviour scenarios.
- (3) Noise & light pollution will be un acceptable Shurlands Holiday park occupants, the residents of Wing Road.
- (4) The present infrastructure will not support any further increase in traffic flow or road safety be it a motorist or pedestrian as there is no footpath.
- (5) The security of stored alcohol
- (6) The different routes of access
- (7) In the event of issues that would / could involve emergency services attendance doubtful that such services could attend in sufficient time.

Best regards, BE SAFE

From: Chris Hills

Sent: 18 August 2020 13:48

To: Mini Nissanga (Cllr); Bill Tatton (Cllr)

Subject: Neptunes' Beach Cafe, Shellness Road, Leysdown

Good afternoon dear Councillors Nissanga and Tatton

Please find attached application form and plan for the grant of a premises licence under the Licensing Act 2003 in respect of the above mentioned premises

The application is for:

Sale of alcohol

Monday to Thursday 10:00 – 23:00

Friday 10:00 – 24:00

Saturday and Sunday 10:00 – 01:00

Although the application also mentions recorded music it is within the hours when it is deregulated. Similarly the application mentions late night refreshment but this is in error as the sale of hot food will cease at 23:00 before late night refreshment permission is required.

The consultation will end on 16 September and I would be grateful for your comments before then

Best regards

Chris

Yours sincerely

Christina Hills

Licensing Officer

Tel: 01795 417286 | Email: chrishills@swale.gov.uk | Website: www.swale.gov.uk

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