

Case nos: 462300155374 & 462300155366 & 462300155390

**IN THE MAIDSTONE
MAGISTRATES' COURT**

**In the matter of proceedings under
s. 82 of the Environmental Protection Act 1990**

BETWEEN:

**(1) JULIA STAVRIETSKY
(2) LOUIS MELVILLE**

Complainants

and

**(1) RAMYAR HAND CAR WASH
(2) DANIEL FUNNELL
(3) RAWAND KARIM**

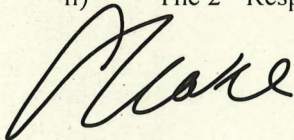
Respondents

ORDER

**UPON CONSENT BETWEEN THE COMPLAINANTS AND THE 2nd RESPONDENT
AND UPON THE 1st and 3rd RESPONDENT TAKING NO PART IN PROCEEDINGS
AND UPON THE COMPLAINANTS WITHDRAWING THE INFORMATION AGAINST THE
1st and 3rd RESPONDENT**

**IT IS ORDERED UNDER S.82 (2) OF THE ENVIRONMENTAL PROTECTION ACT
1990 that:**

- i) The 2nd Respondent abate and prohibit the recurrence of the noise nuisance emanating from the premises in Former Ferry Approach Filling Station, Maison Dieu Road, Dover, Kent CT16 1QQ at the earliest possible stage and, in any event, by 19 July 2024 by carrying out and according with the steps and works set out in the Schedule to this Order.
- ii) The 2nd Respondent to pay £23,000 in costs by 19 August 2024 to the Complainants.



DJMC Leake

Dated : 19 June 2024

NOTICE

**A FAILURE TO FOLLOW THIS ORDER AND TO COMPLY WITH THE STEPS IN
THE SCHEDULE IS A CRIMINAL OFFENCE UNDER S.82 (8) OF THE
ENVIRONMENTAL PROTECTION ACT 1990 WHICH CARRIES A FINE.**

Schedule

- i) As well as the measures below, ensure that any the cumulative noise level LAeq Tr arising from the premises, measured at 1 metre from the rear elevation of 7 Castle Hill Road, shall be a rating level 5dB (A) below the background noise level LAf90 Tbg in accordance with 'BS 4142:2014 + A1:2019 Methods for rating and assessing industrial and commercial sound' (or subsequent replacement guidance).
- ii) No soap/foam gun and only one jet lance at any one time for washing vehicles.
- iii) No jet lance to be used for any other purpose than vehicle washing.
- iv) To forbid the use of a diesel powered jet wash compressor or generator so that only the use of an electric jet wash shall be permitted.
- v) To ensure that no more than one vehicle is washed at any one time.
- vi) The vacuum, except the hose, shall be located within a sound insulated structure when in use. The sound insulated structure should be lined with sound absorbent material to reduce the build up of reverberant sound and any air inlet should be acoustically treated to reduce noise breakout. The sound insulated structure should provide the highest practicable sound reduction (Rw) possible.
- vii) The use of any other air pressure driven equipment is prohibited.
- viii) To ensure the vehicle will only be washed in the 'vehicle wash and spray area' as shown on approved plan ref 140321- P -001 Rev B as part of planning permission DOV/14/00505.
- ix) To ensure any vehicle will only be hoovered in the 'Car Vac area' as shown on approved plan ref 140321- P-001 Rev B as part of planning permission DOV/14/00505, and not more than one car at a time.
- x) To ensure any vehicle will only be polished/wax in the 'polish/wax area' as shown on approved plan ref 140321- P-001 Rev B as part of planning permission DOV/14/00505, and not more than one car at a time.
- xi) To forbid the use of horns on the site and erect signage preventing the use of horns on the site to be displayed.
- xii) The Site to operate only between 08:00-18:00 on Monday to Saturday and 10:00-16:00 on Sundays and Bank Holidays.
- xiii) To ensure the jet wash compressor is located within a container and kept in a good state of repair.

- xiv) To ensure the "wet" setting on the vacuum is never used.
- xv) Signage to be displayed which reminds staff and customers to be neighbourly and keep sound emissions to a minimum and to turn off vehicles when stationary.
- xvi) No repair or maintenance of vehicles should take place on the Site at any time.
- xvii) No carpets to be cleaned on Site except for motor vehicle carpets as part of washing the vehicle.
- xviii) No articulated lorries, HGVs, caravans, motorhomes, buses, or Tractors to be washed or valeted on Site.
- xix) No playing of music within the site by the operators. And the operators to require customers to turn off any music.

