

**BRISTOL CITY COUNCIL
PUBLIC SAFETY AND PROTECTION COMMITTEE**

7 January 2014

**Application for the Grant of Street Trading Consent at Outside 91
- 93 Alma Road, Bristol, BS8 2DP**

Applicant: Louise Abel

Proposed trading name: Spotless Leopard

Report of the Director of Neighbourhoods

Purpose of Report

To determine an application for the grant of a Street Trading Consent at the following location: Outside 91 - 93 Alma Road, Bristol, BS8 2DP

Background

1. With effect from 1 May 2009 the above location is designated as a consent street for the purpose of street trading legislation. Any street trading at that location other than under a street trading consent issued by the Council would constitute a criminal offence.
2. General conditions which would be attached to a licence/consent if granted are at Appendix A
3. On 9 November 2013 Louise Abel applied for a street trading consent which, if granted, would enable the applicant to trade lawfully at the above location. The applicant has applied to sell the following goods - Vegan food with the menu changing depending on the season, consisting of cakes, wraps, pasties, samosas, salads, quiches, hot and cold drinks.

During the hours of 09:00 - 17:00 Tuesdays, Wednesdays and Thursdays.

4. A copy of the application is attached at Appendix B
5. Photographs of the unit are attached at Appendix C and a site location plan at Appendix D.
6. Comments from the applicant concerning the representations at Appendix E.

6. **Consultation**

In line with the Council's policy consultation has taken place with the following interested parties:-

Local Residents

Local businesses

Bristol City Council – Highways officer

Bristol City Council – Planning Team

Bristol City Council – Food Safety Team

Bristol City Council – Pollution Control Team

Bristol City Council – Councillor

Avon and Somerset Police

7. **Consultation Responses**

The following responses have been received.

Appendix F - Residents

Appendix G - Nearby businesses

Although we received no formal objection from Bristol City Highways Department, they have recommended that the trailer should be kept back near the bollards to as to keep the pedestrian desired route along mid to outer footway clear.

8. Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 deals with street trading consents. Subject to certain exemptions that do not apply to this application, Paragraph 7 enables the council to grant a licence if they think fit. The council may attach such conditions as they consider necessary, which may include among other things conditions to prevent obstruction of the street or danger to persons using it, nuisance or annoyance etc. A consent may include permission for its holder to trade in a consent street from to trade from a stationery van, car, barrow or other vehicle, or from a portable stall. Unless such permission is included the act prohibits a consent holder

trading from a van or other vehicle or from a stall, barrow or cart.

If such a permission is included then the council may include conditions

(a) as to where the holder of the street trading consent may trade by virtue of the permission; and

(b) as to the times between which or periods for which he may so trade.

A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time. The holder of a street trading consent may at any time surrender his consent to the council and it shall then cease to be valid.

9. Louise Abel has been provided with a copy of the report and has been invited to the meeting.

RECOMMENDED **the committee is asked to determine the application**

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background papers

Contact Officer: Mrs Sarah Flower, Senior Licensing Officer,
Neighbourhoods

Ext: Telephone 01179142246

**GENERAL CONDITIONS THAT WILL NORMALLY BE ATTACHED
TO STREET TRADING CONSENTS**

The consent holder shall only trade on the days and between the times stated on the consent.

1. The consent holder shall only trade in the description of articles stated on the consent.
3. The consent holder shall not carry on business on any street so as to cause obstruction or cause danger to people using the street.
4. The consent holder shall not carry on business from any vehicle or erect or place any stall or other structure in any street except in the area mentioned in the consent.
5. The consent holder shall not sell, offer or expose for sale any goods or articles other than those described within the principle terms of this consent.
6. The consent holder shall on all occasions, when carrying on business, be strictly sober, and conduct him/herself in a proper, civil and courteous manner, and he/she shall not carry on his/her business in such a way as to cause annoyance to the occupier or person in charge of any shop, business, resident, or any person using the street.
7. The consent holder shall at all times conduct his/her business and position any vehicle used by him/her in connection with his/her business in such a manner that no danger is likely to arise to persons trading or intending to trade.
8. The consent holder shall at all times conduct his/her business in a clean and tidy manner.
9. The consent holder shall ensure that a copy of the consent is clearly visible to the public.
10. The consent holder shall not permit any person to assist him/her in his/her trading unless the details of that person have been supplied to the Licensing Authority. Any such person shall be issued with an identification badge by the Licensing Authority.
11. If, during the currency of any consent any material change

occurs in the facts of which particulars and information were contained in, or given along with, the application for the consent, the holder of the consent shall report such changes to the Licensing Authority within 72 hours of that change.

12. Any motor vehicle used for the purpose of street trading shall at all times be in a roadworthy condition and have the relevant documents i.e insurance, tax and MOT to make the use of that vehicle on a road legal. These documents will be produced by the consent holder to any police officer or authorised officer of the Council.
13. Neither the consent holder nor any assistant shall display merchandise which is likely to cause offence or distress to any other person or which would be deemed an offence under any other legislation.
14. A consent holder selling food shall at all times comply with any food hygiene regulations in force at that time, and when required by the Licensing Authority, shall produce appropriate food handling certificates.
15. The city council reserves the right to alter or amend these conditions at any time.
16. The subletting of any consent is prohibited.
17. The consent holder shall be responsible for the temporary storage of refuse, liquid and other material accumulated or created whilst trading and its subsequent removal from the site. The removal and disposal must be to the satisfaction of the council.
18. The consent holder shall not cause any nuisance or annoyance to persons using the street.
19. The consent holder, if intending to sell food from a stationery vehicle/stall shall operate from a purpose made vehicle/stall constructed and managed so as to comply with the relevant hygiene regulations currently in force within the provisions of the Food Safety Act 1990, and any subsequent changes to those regulations.



Bristol
Application for a street trading licence
Local Government (Miscellaneous Provisions) Act
1982

For help contact
licensing@bristol.gov.uk
 Telephone: 01179142500

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?
 Yes No
 Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual
 A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House? Yes No

* Is your business registered outside the UK? Yes No

* Business name If your business is registered, use its registered name.

* VAT number Put "none" if you are not registered for VAT.

* Legal status

Continued from previous page...

* Your position in the business	Proprietor/Founder	
Home country	United Kingdom	The country where the headquarters of your business is located.
Business Address		If you have one, this should be your official address - that is an address required of you by law for receiving communications.
* Building number or name	25 St. Oswald's Court	
* Street	St. Oswald's Road	
District		
* City or town	Bristol	
County or administrative area		
* Postcode	BS6 7HX	
* Country	United Kingdom	

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FURTHER DETAILS ABOUT THE APPLICANT

Former name(s)		If currently or previously known by any other name(s), you must record them here.
Home Address		
Is the address the same as (or similar to) the address given in section one?		If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.
<input checked="" type="radio"/> Yes	<input type="radio"/> No	
* Building number or name	25 St. Oswald's Court	
* Street	St. Oswald's Road	
District		
* City or town	Bristol	
County or administrative area		
* Postcode	BS6 7HX	
* Country	United Kingdom	
Further Details		
* Date of birth	07 / 03 / 1988 dd mm yyyy	
* Place of birth	Scarborough	
National Insurance number	JG 70 64 71 D	

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DIRECTORS, PARTNERS, OWNERS AND MANAGERS

Continued from previous page...

You must provide details of all COMPANY DIRECTORS and the SECRETARY (if the applicant is a company), all PARTNERS (if it is a partnership), OFFICE BEARERS (if it is a club or association), all OWNERS of the business or premises and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES. Check for local guidance notes and conditions which may clarify exact requirements.

* Are there any such people for whom you need to provide details?

Yes

No

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TYPE OF APPLICATION

Type of application: New Renewal Temporary

Specify the period for which the licence is required (if applicable)

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APPLICATION DETAILS

Check for local guidance notes and conditions before completing this section. Some of the questions may not be relevant to local circumstances or your responses may have to provide very specific information

* Type of application?

Street trading licence Street trading consent

* Trading name

What You Want To Trade

* List all the goods and services you want to offer for sale

* Does this include selling food or drink?

Yes

No

* Are you registered as a food business?

Yes

No

* Local authority where you are registered

* Registration number

* Where will goods be stored when not on sale?

When You Want To Trade

Proposed trading times for each day of the week (if applicable)

Continued from previous page...

* Day or days
* From
* To

Where You Want To Trade

* Type of trading

- Mobile
 Stationary

* Street(s) / location(s) where you wish to trade

Corner of Alma Road where it meets Whiteladies Road, opposite RBS. There are two large areas of paving which would both be suitable.

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DETAILS OF VEHICLE, STALL AND/OR CONTAINER

* Will you be using a vehicle in connection with your work as a trader?

- Yes No

Provide details of the vehicle

* Make
* Model
* Colour
* Registration number

* Description of unit from which you intend to trade, including dimensions

White van converted into food van - side hatch which opens up to form an "awning" and a wooden shelf drops down for serving. Dimensions: 5.4m long and 2m wide (but the hatch cover extends over the customers' heads so at the very top it's 3.5m wide - people can walk underneath, though, so it only takes up 2m of floor space). I decorate it with bunting to add colour. Plenty of photos can be sent.

* Where will the unit be stored when not in use?

Home address.

Section 7 of 11

PUBLIC LIABILITY INSURANCE

You must have a suitable level of public liability insurance to cover this activity – check local requirements.

* Do you have public liability insurance?

- Yes No

Continued from previous page...

Provide details of the policy

* Insurance company	Simply Business
* Policy number	FIQT54319XB
* Period of cover	Expires 25.03.2014
* Amount of cover (£m)	1

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PREVIOUS APPLICATIONS

* Have you, or any person named in or associated with this application, previously applied for a similar licence or registration? (check all that apply)

- No Yes - application granted and revoked
 Yes - application granted Yes - application refused

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CONVICTIONS

* Have you, or any person named in or associated with this application, been convicted of any crime or offence?

- Yes No

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ADDITIONAL DETAILS

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

I have traded at a few festivals in Bristol this Summer (first year in business) - VegFest, Festival of Nature, BrisFest coming up... I use only recycled or biodegradable packaging for my takeaway containers, try to source ethically (and locally where possible), accept the Bristol Pound and know that the demand for vegan food is increasing rapidly.

Trading days/times are flexible - ideally I'd like to trial various days including weekends before committing to them long-term, but I understand if that's not possible.

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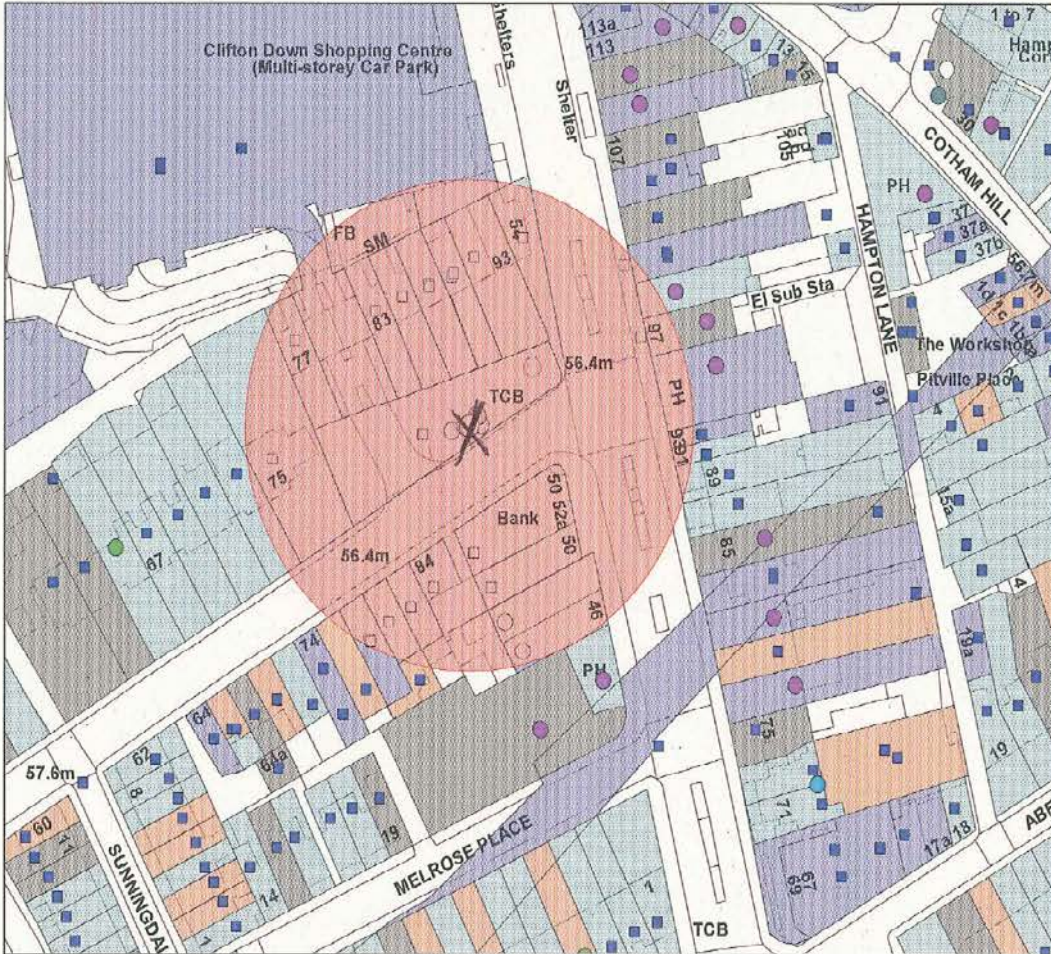
ATTACHMENTS

AUTHORITY POSTAL ADDRESS

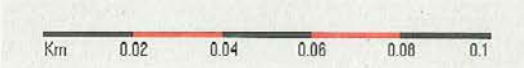


Spotless Leopard

Alma Road



Legend



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Organisation	Bristol City Council
Department	Licensing
Comments	Bristol
Date	09 November 2013
SLA Number	Not Set

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

STREET TRADING CONSENT COMMENTS FROM APPLICANT

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 17 December 2013

RE: SPOTLESS LEOPARD, 91-93 ALMA ROAD, CLIFTON, BRISTOL BS8 2DP

FROM: APPLICANT – LOUISE ABEL

I have read the letters of objection you forwarded to me and my responses to their concerns are below. I will bring a copy to the meeting on the 7th. The original objections are in bold

1. It is unnecessary. There are numerous food-selling outlets in this area already, including many vegetarian and vegan options.

I actually think the complete opposite; there is nobody else doing what I'm doing in the whole of Bristol. There is no other 100% vegan food outlet in the city (Cafe Kino on Stokes Croft serves vegan food but offers dairy milk with drinks), let alone anywhere near this area. It brings diversity to the area and isn't in direct competition with any other business, unlike the coffee van that traded from this pitch previously, which was selling the exact same thing as every cafe in the area.

- I would be surprised if the objector had actually tried living as a vegan or vegetarian in Clifton - there are vegan options, of course - one option on the Boston Tea Party menu, one option at Pret a Manger, a couple of things at Falafel King and Blue Juice, absolutely no vegan cake options in the area... Nothing compared to the vast amount of choice a meat eater has!
- I have been running vegan pop-up restaurants once a month for the past few months and tickets have sold out every time with barely any advertising. My first event sold out in 4 hours. This suggests that there is a market that feels uncatered for.
- For a city with such a large, rapidly-growing vegan community, it's shocking that there are so few vegan choices for eating out, especially when vegan food appeals to a much wider audience including people with food intolerances, environmentally-conscious eaters and people trying to eat more ethically or healthily.
 - Comments from my customers include the fact that people will come from far and wide to try something new and unique such as this - one person wanted to mention that she came all the way from London to visit the

van! (Although many others just come from other ends of Bristol to find it every weekend on Gloucester Road!)

2. I am informed by a neighbour that there is a safety issue (which he reported to the City Council in connection with a previous street trading application for the same site), in that there is a large empty space immediately underneath the pavement at the exact site proposed, where there was formerly an underground public toilet.

- I'm not in a position to comment on this as I don't know the details but there has been a coffee van there before - has something changed? There are also a couple of different areas of pavement in this location which would be suitable for the van, so maybe one is safer than the other.

3. It would be inappropriate and an eyesore in a pleasant, leafy area of listed buildings, residential property and established businesses.

In terms of being an eyesore, I think we have to accept that it's subjective and not everybody is going to agree. Some people think wind farms are an eyesore - I and many others find them beautiful!

- I try my best to make the van look attractive while also being quite subtle: it is plain white with a wooden shelf along the serving area and I hang handmade cloth bunting up to add a bit of colour. I don't know if the objectors have seen a picture of my van in action?
- I'd also like to add that vans and cars park in the area all day long - it's in a busy area, life happens! A van selling delicious fresh food has a real purpose and is offering the local community something really positive that it hasn't been offered before.
- Established businesses are fantastic but new ones must be encouraged and I think the council has a responsibility to give them a fair chance when competition from huge corporations is at an all time high.

4. It would generate unpleasant cooking smells that would be a nuisance to myself and other nearby residents, particularly in warmer weather when we have our windows open.

- I do very little cooking in the van; everything is prepared in my home kitchen (which has been rated 5/5 by environmental health) and particularly in warmer weather, people aren't asking to have their food heated up so it's mostly a grab-and-go situation with no cooking whatsoever. I wonder whether the objector is expecting your average greasy burger van or something - this is nothing like that!

It's fresh, healthy vegan food (and some less healthy vegan cakes...) being sold by a small, independent business set up by a local resident. I can 100% guarantee that it won't even come close to the level of fatty, meaty food smells created by Ruby and White butchers just around the corner, with their regular BBQs on the street!

5. It would inevitably result in litter and food waste being dropped or discarded in the area, however careful the proprietors are to avoid it. This has proved to be the case with other takeaway food outlets in this area, now and in the past. It is unsightly and encourages vermin.

- "This has proved to be the case with other takeaway food outlets in this area, now and in the past." Although it's true that it's a van selling food, I must stress again that it is totally different to your average burger/kebab van. Were these ethical, environmentally sound businesses with a positive message? My takeaway containers are all recycled or biodegradable and my business was built on its environmental and ethical concerns so creating less waste is a huge issue for me (and many of my customers).

- Some of my regular customers already bring their own tupperware containers to take food home with them as my business usually attracts ethical, environmentally-conscious people anyway - I'd be happy to offer money off to people who do this to discourage the use of takeaway containers completely. There is also the option of offering something like 5p back to anybody who brings their boxes/cups back to me to be recycled, similar to what German supermarkets have been doing for years. (Although I have found that customers often give me them back already if they can't find a recycling bin in the area).

- I will also bring a customer bin with me to have at the front of the van and take it away with me after each trading day. I already check my pitch for rubbish every time I leave so of course I will continue this.

6. There would be a nuisance from noise generated by customers a few metres from the living room windows of us and our neighbours.

Due to my environmental concerns and ethics I am naturally mindful and compassionate to my neighbours, as well as being sensitive to noise myself. This means I will be doing my best to keep noise and litter pollution to an absolute minimum. Anti-social behaviour is not tolerated and I have never had an issue with any of my customers acting inappropriately.

- I spent some time walking around the area today to get an idea of current noise and the exact location of the residential properties nearby, and the constant loud traffic is far, far greater than the sound of my customers or me talking, which

would be sporadic, not constant. The offices and houses are also set far back from the proposed site; I would be extremely surprised if they could hear any difference at all.

- I would also add that there is bound to be a certain level of hustle and bustle so close to one of the busiest shopping streets in Bristol, so I think if you choose to live there it is unrealistic to expect complete silence.

- we think this type of operation is out of character for the area and represents unfair competition to those traders operating from fixed premises, it is these shops, cafes etc that give the area its character and vibrancy

- I'm not sure what is meant by "this type of operation". The type of operation I am running is a local, independent business started in the middle of a recession by myself, a 25 year old female who lives just around the corner on St. John's Road. I'm struggling to see why that would be considered unfair. Sainsbury's, Morrisons and Costa Coffee are unfair competition, not The Spotless Leopard.
- I am a huge supporter of local business and not only accept the Bristol Pound at the van but encourage it. I firmly believe in being ethical in all areas of my business, from sourcing ingredients from Essential, a local fair trade and organic co-operative, to banking (currently moving from the Co-op Bank to Triodos who are based in Bristol and highly regarded for their ethical policies).
- A number of comments I have received state that my business would add to the character and especially to the vibrancy of the area. I find it hard to believe that a local, ethical, environmentally-conscious, cruelty-free company offering healthy food is out of character for the area - as a local resident myself I would be very disappointed to hear that!
- As mentioned previously, it would not be in direct competition with anybody as it is a 100% original business and it is catering to a market that is currently very badly catered for.

- there is no doubt that this type of operation generates more refuse than fixed premises

Again, I'm not sure what is meant by "this type of operation". It sounds like they are expecting a burger van or kebab van and have preconceived ideas of what it will be like. It is possible that it generates more refuse in a direct sense than a fixed premises would, although I think rejecting my van on environmental grounds would be laughable. Meat and dairy are a huge strain on the environment - worse than cars in terms of CO2 emissions - and veganism is becoming more and more widely accepted as a much more sustainable model to feed the world.

- The majority of our refuse is recycled, with the exception of some plastic wrapping covering a few of the products we buy (eg. our organic cans come to us on a cardboard tray and are covered in a layer of plastic wrapping) which can not currently be recycled, unfortunately. All our takeaway containers are purchased from Ambican, an ethical packaging company. In the Summer when I serve salads, I offer people reused (and washed!) vegan yoghurt pots rather than brand new (but biodegradable) takeaway boxes and so far, everybody has always said yes! I hope this shows how, as an individual and a business, I will go out of my way to prevent the sort of excessive waste that the objectors are worried about.
- It might be worth adding that my intention was always to move into a fixed premises but it is not financially possible for every start-up and as somebody without a limitless budget I am having to compromise with a mobile premises for the moment!

- it would be visually unsightly and occupy an area used by the public for general 'milling around'

This contradicts the point made by the previous objector who was worried about the noise generated by customers, if it is an area already used by the public for general milling around. Of course I would take up some space but there is a generous amount of pavement in this particular spot and it is not close to the houses which are set well back.

Finally, I welcome anybody to come and visit the van (currently every Saturday at Gloucester Road Market), try the food and get a feeling for what we're about. I am not trying to deceive anybody into allowing me to trade there; I genuinely think it would be a positive addition to Whiteladies Road/Clifton and would love to have the support of the local residents as I know the van will be missed by many loyal customers on Gloucester Road, but in order to survive I need to have a place where I can trade more than once a week.

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 20 NOVEMBER 2013

RE: SPOTLESS LEOPARD, 91-93 ALMA ROAD, CLIFTON, BRISTOL BS8 2DP

FROM: INTERESTED PARTY NUMBER 1

I am responding, as a resident, to your recent letter concerning the above application. I live at *****. Although my address is **, my flat (and in particular my living room) looks onto Alma Road at the very point at which the proposed food van would be situated.

I wish to object to the proposal for the following reasons:

1. It is unnecessary. There are numerous food-selling outlets in this area already, including many vegetarian and vegan options.

2. I am informed by a neighbour that there is a safety issue (which he reported to the City Council in connection with a previous street trading application for the same site), in that there is a large empty space immediately underneath the pavement at the exact site proposed, where there was formerly an underground public toilet.

3. It would be inappropriate and an eyesore in a pleasant, leafy area of listed buildings, residential property and established businesses.

4. It would generate unpleasant cooking smells that would be a nuisance to myself and other nearby residents, particularly in warmer weather when we have our windows open.

5. It would inevitably result in litter and food waste being dropped or discarded in the area, however careful the proprietors are to avoid it. This has proved to be the case with other takeaway food outlets in this area, now and in the past. It is unsightly and encourages vermin.

6. There would be a nuisance from noise generated by customers a few metres from the living room windows of us and our neighbours.

***** = deleted to protect anonymity

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 21 NOVEMBER 2013

RE: SPOTLESS LEOPARD, 91-93 ALMA ROAD, CLIFTON, BRISTOL BS8 2DP

FROM: MCKEE ARCHITECTS

Thank you for your notification of the above application.

Our office is on the first floor overlooking the site in question and this application is similar to previous applications to which we have objected for the following reasons..

- we think this type of operation is out of character for the area and represents unfair competition to those traders operating from fix premises, it is these shops, cafes etc that give the area its character and vibrancy
- there is no doubt that this type of operation generates more refuse than fixed premises
- it would be visually unsightly and occupy an area used by the public for general 'milling around '

We would request that this application is refused and any future applicant be advised of the unsuitability of similar proposals.

***** = deleted to protect anonymity