

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

7 January 2014

**Application for the Renewal of Street Trading Consent at
Forecourt Of 189 Highridge Green, Bristol, BS13 8AA**

Applicant: Yener Olgun

Proposed trading name: Georges Snacks

Report of the Director of Neighbourhoods

Purpose of Report

To determine an application for the renewal of a Street Trading Consent at the following location: Forecourt Of 189 Highridge Green, Bristol, BS13 8AA

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 and unique conditions which are attached to a licence/consent if granted are at Appendix A
3. On 16 December 2013 Yener Olgun 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 : Hot Food and Soft Drinks

During the hours of 17:00 - 22:00

From Sunday

During the hours of 17:00 - 23:00

From Monday to Saturday

4. A copy of the application is attached as Appendix B.
5. A site location plan at Appendix C.

RENEWAL

6. Members will be aware that an application to consider a street trading consent for this location was considered on the 11 September 2012. On that occasion there were 16 objections and a copy of the minutes of the meeting are attached at Appendix D.
7. During the course of the consent complaints have been received by Pollution Control regarding odour and anti-social behaviour. Despite attempts by Pollution Control Officers to deal with the matter, problems persist and it seems apparent due to the nature of the vendors business problems of odour and anti-social behaviour will continue.
8. The current consent contains the following condition "The consent holder shall not cause any nuisance or annoyance to any persons using the street or to any other premises within the vicinity". It would appear from comments received from residents that this condition has been breached.
9. As a result, we are now in receipt of objections to the renewal of the consent.
10. Information has been received of a particularly sensitive nature that Officers recommend should be heard in private session.
11. 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.

12 . Yener Olgun 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.

Unique Conditions

1. The consent holder shall not cause any nuisance or annoyance to any persons using the street or to any other premises within the vicinity.
2. No electrical generator shall be used in connection with the business/use of the trading unit.

Received by CF
16.12.2013
ni



**Application for the Renewal of
Street Trading Consent**

Bristol City Council
Licensing Team, Princess House, Princess Street, Bedminster, Bristol. BS3 4AG
www.bristol.gov.uk/licensing
Tel: 0117 9142500 Fax: 0117 9142515

Consent Holder : Yener Olgun

Address of Consent Holder:
75A Lynton Road
Bristol
BS3 5LU

Reference Number: 13/03683/STCON

Authorised to trade from:
Georges Snacks, Forecourt Of 189 Highridge Green, Bristol, BS13 8AA

Authorised to sell the following goods:

- Goods for sale
- Sunday 17:00 - 22:00
- Goods for sale
- Monday to Saturday 17:00 - 23:00

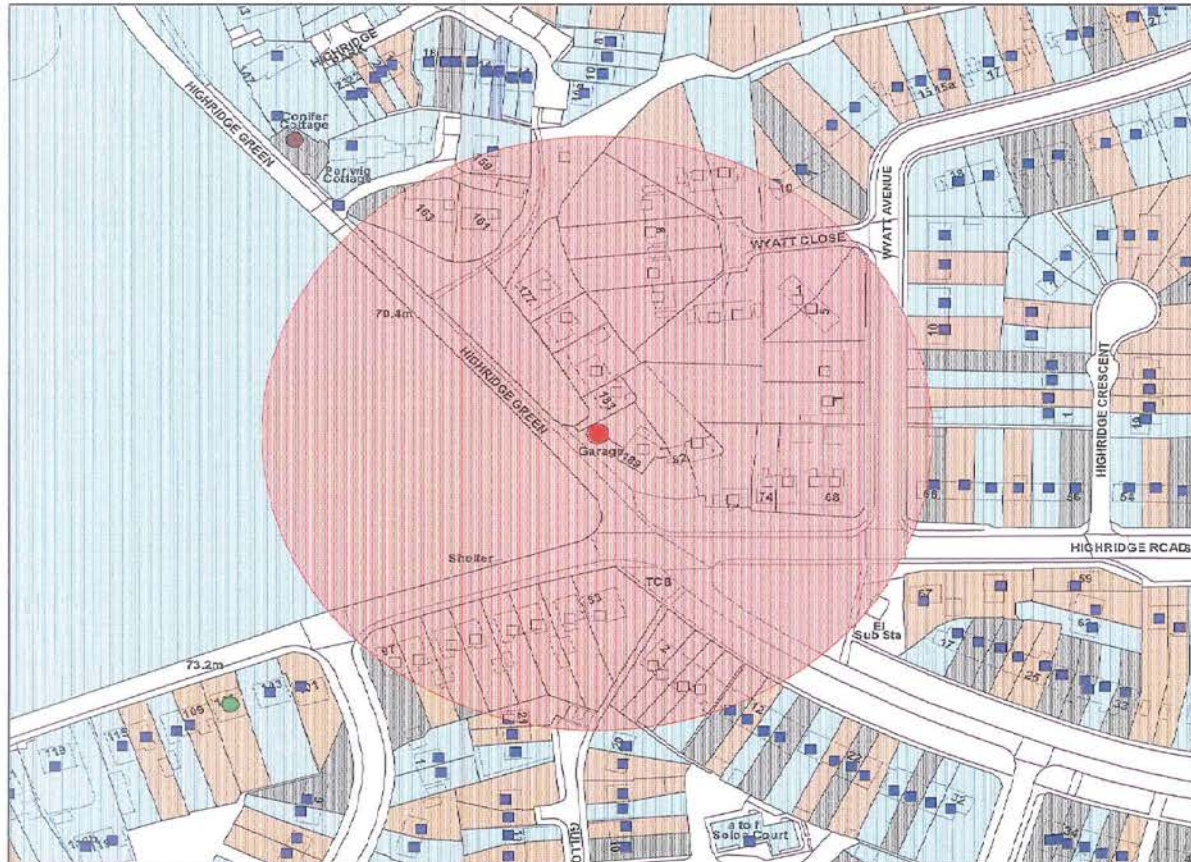
If you intend to trade on specific days please indicate the dates of these below.

Please sign and date below to confirm that the above details are correct.

.....
Yener Olgun
Date16.12.2013.....

Georges Snacks

Forecourt of 189 Highridge Green, Bristol



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Legend

Scale : 1:1875

Organisation	Bristol City Council
Department	Licensing
Comments	
Date	24 May 2012
SLA Number	Not Set

Appendix 2	
BRISTOL CITY COUNCIL MINUTES OF MEETING OF THE PUBLIC SAFETY AND PROTECTION SUB-COMMITTEE B HELD ON 11th SEPTEMBER 2012 AT 10.00 AM	
PSP 63.9/12	Agenda item no: 7
Agenda title APPLICATION FOR THE GRANT OF STREET TRADING CONSENT AT FORE COURT OF 189 HIGHRIDGE GREEN, BRISTOL APPLICANT: YENER OLGUN PROPOSED TRADING NAME: GEORGE'S SNACKS	
Decision <p>That that the application for a Street Trading Consent on the forecourt of 189 Highridge Green, Bristol, between the hours of 1700 and 2300 Mondays to Saturdays and 1700 to 2200 Sundays be granted to Yener Olgun, subject to the General Conditions attached to the Report at Appendix A. Condition 18 to be modified so that it reads "The consent holder shall not cause any nuisance of annoyance to persons using the street or to any other premises within the vicinity". The consent shall also be subject to an additional condition whereby no electrical generator shall be used in connection with the business/use of the trading unit.</p>	
Reasons for Decision <p>Members considered very carefully all of the written and verbal evidence presented to them.</p> <p>Members noted that the applicant had successfully run a business in the near vicinity without any complaints. The impression he gave that he was a responsible trader who could no longer operate at his previous pitch because the public house had become a "sizzler" style restaurant so there was no longer a need for the additional provision of food at that location.</p> <p>Members fully acknowledged the concerns expressed by local residents but considered that the conditions to be imposed on the consent would address these issues.</p> <p>The Committee informed the Applicant that a street trading consent could very easily be revoked so it was within his best interests to ensure that he operated a tight ship without causing problems of nuisance.</p>	

It was further noted that no representations had been received from the Police or Highways.

Chair's Signature