

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

15 July 2014

**Application for the Grant of Street Trading Consent at Kellaway Avenue, Bristol,
Applicant: Ozgur Kaya Ogw
Proposed trading name: Simply Delicious**

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: Kellaway Avenue, Bristol,

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 consent, if granted, are at Appendix A
3. On 20 January 2014 Ozgur Kaya Ogw 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 : Burgers, chips, chicken, kebabs and hot and cold drinks

During the hours of 07:00 - 23:00
From Monday to Sunday

4. A copy of the application is attached as Appendix B.

5. Photographs of the unit are attached at Appendix C and a site location plan at Appendix D.

Consultation

- 6 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 E - Highways

Appendix F - Ward Councillor

Appendix G - Residents

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. Ozgur Kaya Ogw has been provided with a copy of the report and has been invited to the meeting.

RECOMMENDED **that the application be refused.**

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background papers

Contact Officer: Mr Carl Knights, Senior Licensing Officer,
Neighbourhoods

Ext: Telephone 01179142500

**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.



Application for the GRANT of a Street Trading Consent

Schedule 4 Local Government (Miscellaneous Provisions) Act 1982

Bristol City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <http://www.bristol.gov.uk/nfi> or contact the Licensing Team at licensing@bristol.gov.uk or on 0117 9142500

Where a location is currently under consultation no further applications for that particular location will be accepted.

Part 1 – Your Details

Surname or Family name	KAYA OGW
First Name(s)	OZGUR

Date of Birth	Day 19	Month 01	Year 1975
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Current Residential Address	28 THORN FORD DRIVE WESTON LEWISDON
Post Code	SN5 7BB
Contact Telephone Number(s)	07887718909

Part 6 – When will you be trading?

	Mon	Tues	Weds	Thurs	Fri	Sat	Sun
From	7.00AM	7.00AM	7.00AM	7.00AM	7.00AM	7.00AM	7.00AM
To	11.00PM	11.00PM	11.00PM	11.00PM	11.00PM	11.00PM	11.00PM

If you wish to sell hot food after between the hours of 23:00 and 05:00 on any day you will also require a Premises Licence issued under the Licensing Act 2003.

If you are not applying for an annual consent please identify the months you wish to trade:

.....

Proposed commencement date of consent..... 23.12.2013

Section 10(3) of the Local Government (Miscellaneous Provisions) Act 1982 states:

Any person who, in connection with an application for a street trading licence or for a street trading consent, makes a false statement which he knows to be false, in any material respect or which he does not believe to be true, shall be guilty of an offence.

I (print name) MR O. KAYA OGLU have read the above and confirm that all the information submitted in respect of this application is true to the best of my knowledge.

Signed 

Date 18.12.2013

Please provide the following:

- A map indicating the precise location from which you wish to trade and a photograph of the site you wish to trade from.
- Written permission to use the land from the relevant person (unless the land is owned by Bristol City Council)

We will not be able to process the application without this information.

Part 4 – The trading unit that you propose to use

I propose to trade from							
Van	<input checked="" type="checkbox"/>	Trailer	<input type="checkbox"/>	Cart	<input type="checkbox"/>	Barrow	<input type="checkbox"/>
Other please specify							
<p>Please submit the dimensions of the trading unit and three colour photographs illustrating different elevations of the unit.</p> <p>If you are using a motorised vehicle please ensure that a photograph includes the vehicle registration number.</p> <p><i>Please note that if you intend to trade from a motor vehicle then you must produce current insurance and MOT.</i></p>				<p>4m x 2m VAN</p> <p>WR12 VNG</p> <p>HAF MOT.</p>			
Proposed trading name				SIMPLY DELICIOUS			

Part 5 – Trading Assistants

Will you be using any assistants?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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If YES please complete the Application Form for any Assistants.

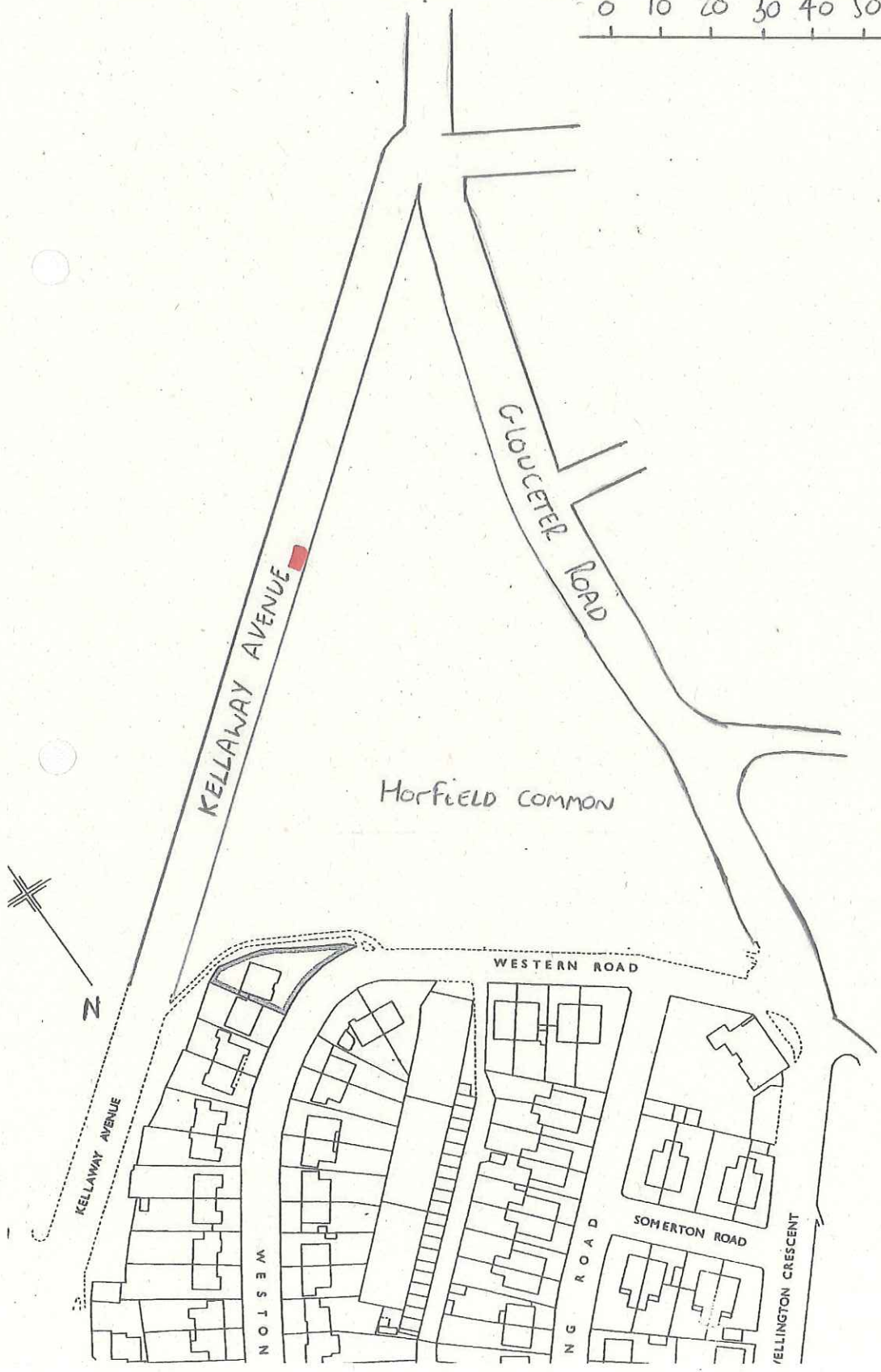
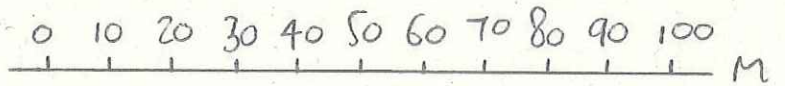
Part 2 – What will you be selling?

I wish to apply for the following type of consent <i>(please tick)</i>			
Static consent		Mobile consent	<input checked="" type="checkbox"/>
Type of goods to be sold <i>(i.e hot food, jewellery etc)</i>	BURGER - CHIPS CHICKEN - KEBAB HOT & COLD DRINKS		
If you sell hot/cold food, has your vehicle or trailer been examined by environmental health officers to ensure compliance with food hygiene requirements?	Yes		<input checked="" type="radio"/> No
	TO RE-DO		
If you answered YES please provide details of the Local Authority which has examined the trailer or vehicle <i>(You must produce any certification in relation to this)</i>			

Part 3 – Where will you be trading

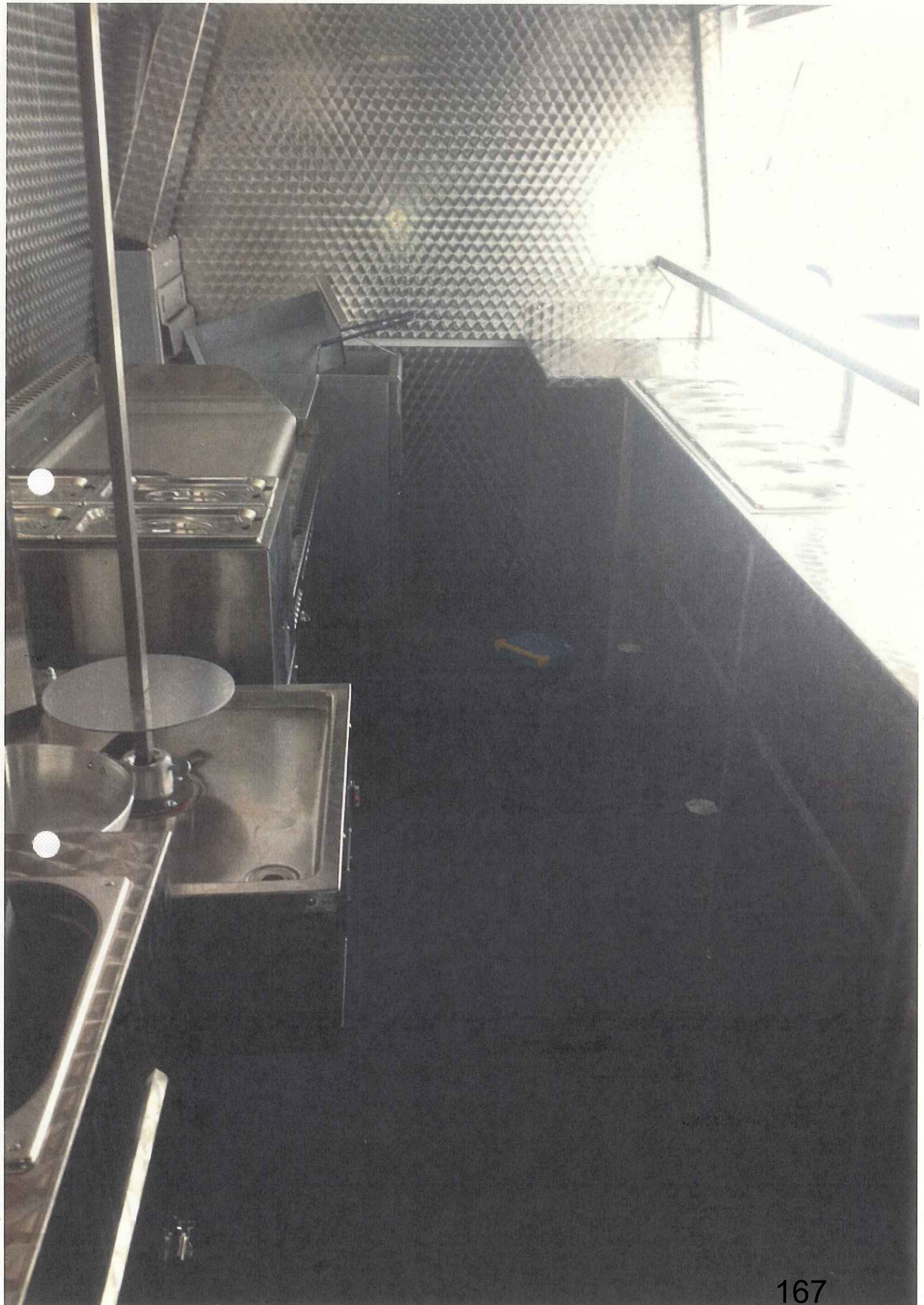
Please provide detail of the location from which you wish to trade. Include the name of the street and any other identifying details	KEAWAY AVENUE BRISTOL BS6 7XS
Where is the vehicle or trailer being stored when not being used?	HOME ADDRESS
Name and contact details of the owner/person/occupant that controls the land from which you wish to trade.	LOCAL AUTHORITY

Location Plan 1:1250 A4







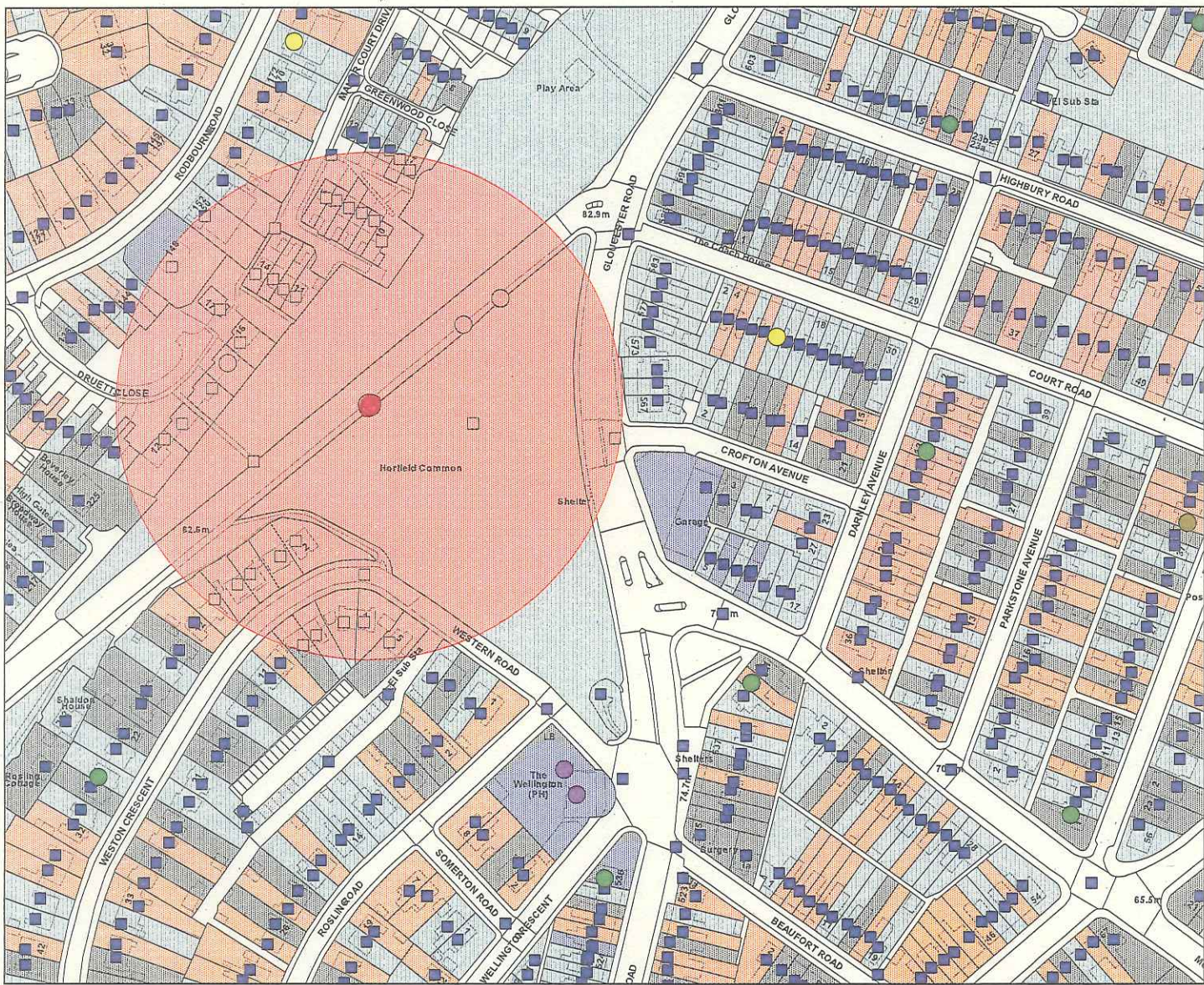






APPENDIX D
Simply Delicious

Kellaway Avenue



Legend

Scale : 1:2500

Organisation	Not Set
Department	Not Set
Comments	
Date	20 January 2014
SLA Number	Not Set

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

From: Phil Cotham
Sent: 10 January 2014 13:25
To:
Subject: RE: Street Trading - Kellaway Ave (Approx' Opposite 577 Gloucester Road)

Hi Mark,

We have turned down previous applications for this busy (main road) site because of possible loss of local parking space, potential for traffic congestion on the road, and the relative narrowness of the footway (possible obstruction when customers wait to be served).

Regards,

Phil Cotham
Bristol City Council
Highways Licensing/Enforcement
Tel 0117 922 3209

From:
 Sent: 04 February 2014 14:28
 To: DET&L Licensing
 Subject: Statement of Objection

Stirling Council		
Validated	Date	Init
Recorded		
Cantered		

Statement of Objection to application no: 13/05908/STCON – for motorised van located on Kellaway Avenue, Horfield

I write to lodge my own objections to the above application.

The siting of a fast food outlet on Kellaway Avenue is not an appropriate location for this service. If granted, I have real concerns over the impact this would have on traffic flows in the area and parking in the vicinity of the vehicle.

There is also a safety issue to consider here, as I believe the presence of this trader would inevitably distract drivers and obscure views of the road and at this particular junction.

The proposed long hours of business, Monday – Sunday, 16 hours a day, presents huge problems of noise and litter, not just around the van itself but also extending onto Horfield Common and nearby residential streets.

In any event, I am not sure we, as a licensing authority, should be encouraging or promoting the provision of these types of business – given the growing obesity levels in our city.

I am conscious that Officers are not empowered to refuse these licenses and therefore urge that the matter be referred to Members of the Public Safety and Protection (PSP) Committee for determination.

This move would also give local people more time to make representations and, hopefully, enable street trading consent to be refused in this instance.

COUNCILLOR CLAIRE HISCOTT



To: Licensing Team
Princess House,
Princess Street
Bedminster
Bristol BS3 4AG

30th January, 2014

Dear Sir/Madam,

Re: Application ref no 13/05908/STCON
Kellaway Avenue Street Trading

I oppose the proposed site of a motorized van selling hot and cold food and drink on Kellaway Avenue as shown on your map. This area is currently inconvenienced by a similar van on Bishopthorpe Road. This van disrupts traffic and pedestrians find it necessary to step into the road to walk past. This would be an even more dangerous problem on Kellaway Avenue which is busy with fast moving traffic.

Other problems would be:

1. An unsightly vehicle parked continually in an area which is pleasant to view.
2. There would be a continuous smell of food which would drift into the premises of local residents and down the road.
3. There would be added noise nuisance to an area already affected in this way.
4. The vehicle would need a generator or motor running continuously the sound of which will be heard in the nearby houses. We already have this nuisance from lorries that park here with engines running. This however is for a limited period, now and then, your proposal is for 16 hours every day of the year which is totally unacceptable.
5. There would be an added problem of litter and discarded food attracting vermin.
6. There would also be problems of drunken people coming to the area and very likely vomiting and urinating where ever they feel like.
7. Football days would be particularly bad if large numbers were to gather there for food.

There are a huge number of food outlets in this area we certainly do not need one in a 'quite' uncommercialized area which is used for recreation.

Neighbours I have spoken to about this are all enraged at yet another proposal to spoil this area and I wonder why you are repeating the same process over and over again. Isn't it time to say to applicants there is no permission for street trading in this area.

Yours faithfully,

Licensing Office
Princess House
Princess Street
Bedminster
Bristol BS3 4AG

26/01/14

Dear Sirs

Application ref number: 13/05908/STCON

I am a local resident, and object very strongly to this application.

Since building started on the new Southmead hospital, cars and vans have been parking in increasing numbers along this section of Kellaway Avenue.

This outlet would only attract more vehicles, especially lorries and vans, narrowing the road, obstructing visibility, increasing the risk of accidents.

Pedestrians are finding it increasingly difficult to cross this road safely, with queues of rush hour traffic backing up from the Gloucester Road junction; and at quieter times some drivers are driving way over the speed limit. What happened to the plan for a Zebra crossing? Though I think a pedestrian crossing controlled by traffic lights would be safer.

The Lane through to Druetts Close has been a dumping ground for years, for people passing through the Close, and this would no doubt get a lot worse.

Rubbish on the Common would have to be collected much more frequently.

Allowing it to stay open so late, would attract drunken revellers, causing too much noise, dumping waste food on the common attracting rats, people relieving themselves in the hedge at the back of my house, and vomiting in the Lane.

There is already a mobile fast food van in the neighbourhood, in Bishopthorpe Road, why do we need another one?

Yours faithfully

Bristol City Council		
Validated	Date	Init
Recorded		
Cancelled		



30 January 2014

Dear Sir,

I am writing in response to the Street Trading Consent Application I recently received. The application ref number is 13/05908/STCON. The application is for a hot and cold food and drinks van on Kellaway road. I am writing as a resident, at the above address. I don't think the application should be approved. The area is well served by food outlets with, three pubs within convenient walking distance, corner shops selling food and even another hot and cold food van on Bishopthorpe road. Kellaway avenue is busy enough with parking, and peak time traffic without something else taking up space on the side of the road. I don't think the extra foot traffic, noise and litter will benefit the area.

Yours faithfully

Bristol City Council

Validated	Date	Init
Recorded		
Canter		



Licensing Office
Princess House
Princess Street
Bedminster
Bristol
BS3 4AG



Ref: Application number 13/05908/STCON

Dear Sir

I wish to object to the above application for the siting, in Kellaway Avenue, of a motorised van selling hot & cold foods and drinks.

My objections are based on the following

A. Litter

My wife already has to collect fast food wrappers and empty plastic bottles as she walks home across the common. These are dropped by customers from the food outlets down the Gloucester Road who, when they finish their meal, throw the wrapping on the grass. Another outlet at the position suggested will only worsen an already unacceptable situation.

B Excess takeaway outlets in the area

Within a ten minute walk of the proposed site there are already 53 food outlets on the Gloucester road alone; twelve to the north and forty one to the south (see sheet two for a detailed breakdown).

There are also outlets in Kellaway Avenue(three), Wellington Hill West(three) and Bishopthorpe Road(two)

C Unsuitability of road

This is a main commuter run from Clifton/Henleaze to the Gloucester Road and the north of Bristol, the Council should be ensuring that it is free of obstructions not giving permission for a possible bottleneck. In the morning rush hour the traffic on Kellaway Avenue heading for the Gloucester Road is held up as far back as Abbots Way the proposed trailer would then be obstructing the other half of the road. This could pose a problem for the large lorries that deliver to the Tesco supermarket.

I also believe that the site falls within the Mayors proposed Parking Permit zone. This was designed to restrict daytime parking, this proposal would encourage more parking

Please reject this application

Yours faithfully

BRISTOL CITY COUNCIL		
Validated	Date	Init
Recorded		
Canter		

Food outlets on the Gloucester Road north and within 10 minutes walk of proposed Van outlet

Lizzie's Kitchen	Food trailed
Gloucester Arms	General
Horfield Sports Centre	Drinks, Light snacks
Inn on the Green	General
Filton Supermarket	Sandwiches, Drinks
Raj Pavilion	Indian
ToGo Foods	Cafe
Yip's Kitchen	Chinese
Mystiques Coffee Shop	Drinks, Light snacks
Co-operative food	Sandwiches, Drinks
Horfield Fish Bar	Fish & Chips
Premier Express Store	Sandwiches, Cold drinks

Food outlets on the Gloucester Road south and within 10 minutes walk of proposed Van outlet

The Wellington	General
Domino Pizza	Pizza
Bristol Flyer	Fish & Chips
BP Garage	Drinks, Light snacks
Vp Cafe	Vietnamese
Zeist	General
New Taj Take Away	Indian
Bombay Raj	Indian
La Cuisine	Kebabs, Burgers etc.
Del se	Indian vegetarian
Ground Coffee Bar	Drinks, Light snacks
Rimando's Coffee Lounge	Drinks, Light snacks
Carpenters Convenience Store	Sandwiches, Drinks etc
Café Rhubarb	Drinks, Light snacks
The Royal Oak	General
The Ganges	Indian
Indian Food Centre	Indian
Maxin Chicken	American
Tinto Lounge	General
Shanghai Express	Chinese
International Café	Breakfasts etc.
Fungs	Chinese
Rubicon Café	General
Di Meo	Italian
Oak Tree Café	General
Co-Op Food	Sandwiches, Drinks
The Anchor	General
Yum Yums Café	Breakfasts, Burgers
Po Prostu Nasze	Drinks, Light snacks
Mad About Sarnes	Sandwiches, Drinks
L'artisan	Drinks, Light snacks
Guru Indian Cuisine	General
Southern Fried Chicken	General take away
Café Lazz	General

Boston Tea Party
Hotcha
Bishopston Fish Bar
Lashing Coffee House
Sainsbury
Cibo Restorante
Happy Rendevous

Drinks, Light snacks
Chinese
Fish & Chips
Take away available
Sandwiches, Drinks
Italian
Chinese

Public houses are only included if they strongly promote their food

Licensing Office
Princess House
Princess Street
Bedminster
Bristol
BS3 4AG



Dear Sir/Madam,

Application ref: 13/05908/STCON. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 STREET TRADING CONSENT APPLICATION.

My wife and I as concerned residents of the affected area would like to register our disapproval of the application for street trading on Kellaway Avenue, Horfield, Bristol.

- 1) Siting of sales vehicle too close to the houses on Weston Crescent.
- 2) Siting of sales vehicle too close to crossing on Kellaway Avenue used by pedestrians crossing into housing district BS10.
- 3) Kellaway Avenue is a main road with heavy traffic volume early morning and between the hours of 4 p.m. and 6.30 p.m. A vehicle permanently placed where indicated, would in our view, be likely to cause congestion and possibly accidents.
- 4) There are already a number of food outlets on the Gloucester Road including three Public Houses that provide food in the immediate area.
- 5) The Parks Department employees continue to clear Horfield Common of bottles, beer and lemonade cans and other rubbish. Positioning of the proposed vehicle is likely to cause additional litter to be left on a beautiful green amenity.
- 6) This is not the first time this type of application has been made. We have expressed our concern and disapproval before when this type of application has been made.
- 7) We strongly object to this type of activity taking place near our house and recommend that you reject this application.

Yours faithfully,

Bristol City Council		
Validated	Date	Init
recorded		
scanned		

The Licensing Office
Princess House
Princess Street
Bristol
BS3 4AG



Re: Application Number 13/05908/STCON
Hot and Cold Food and drinks van – Kellaway Avenue

Dear Sir

I am a local resident and live approx 100 yards from the proposed site of the above van.

I very much **object** to the granting of this license for the following reasons:

1. There have been at least two applications for the same site refused by the licensing department in the last few years.
2. Horfield Common is a beautiful place for residents to relax and enjoy the beauty of their surroundings without looking at a van selling food.
3. There is a zebra crossing to be positioned at about the same place as the proposed site of the van. Children and mothers / babies will be at risk if cars are parked so that people can stop and buy from the van.
4. Rubbish will litter Horfield Common, especially on windy days.
5. Traffic is already a problem on this road at many times of the day, building up from the junction with Gloucester Road. A van will cause more chaos.
6. There is already a van parked in front of the TA centre (Lizzie's), only about 200 yards away and this is enough to satisfy the needs of people who want fast food. This van is not on a main road and does not cause parking or traffic problems.
7. There are very many cafes, pubs, and restaurants on Gloucester Road catering for people's food and drink needs.
8. Where these vans occur in other areas they tend to collect people from outside the area and create more vandalism.

I would urge you to **reject this application** and also ban anyone else from applying to have a food and drink van in the same area. Local residents are tired of having to write objections to protect our lovely Common. Surely one rejection is enough to decide that this area is not a suitable place for a van to be selling food and drink.

I would be grateful if you could email to me the results of the application. My email address is:

From:

THIS IS A
RESIDENTIAL
Address.

25th January, 2014.

28 JAN 2014

Dear Madam,

We are totally against the proposal to the Hot and Cold Food and Drinks Van on Kellaway Avenue. Mainly, due to the times requested, the noise, the rubbish and parking.

This is already being used as a car park all day long, now it will be used as a car park well into the evening as well. We already have a burger van on Horfield Common, why do we need another one?

We moved to the Horfield Common area 35 years ago - because it was one of the nicest areas of Bristol. Its NOT now.

Is this supposed to be progress? We were meant to have a pedestrian Crossing across Kellaway Avenue - Why has this not happened - It was for safety for everyone to cross. It is so dangerous GOD HELP US.

APPLICATION.

REF 13/05908/ST000



27/1/2014.

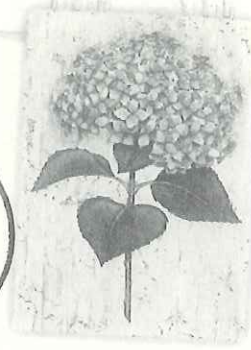
Licensing Office,

Dear Sir or Madam,

I am writing to let you know that we do not want another Fast Food Van etc selling food on Kellaway avenue from 7-0 am till 11 pm causing more parking on kerbs and more litter etc strewn about,

We already have a problem with a snack van, parked out side the T.A Centre on Bishop Thorp rd, causing parking problems on pavements and yellow lines, causing pavements to break up, we have reported this problem many times but it seems to fall on deaf ears, it must cause the Council a lot of money in the end to repair the pavements etc. most days there are cars and lorries parked on Double yellow line and pavement. in Front of the T.A. Centre Horfield.

We have enough problems in our area with parking etc from the New Southmead Hospital parking in the side roads, and its not going to stop? so please have some thoughts for the residents who live in this area, that's why we had the play area moved because of the noise etc, we don't want the noise of cars, doors truck etc banging and the smell of food frying drifting across our property, would you like it near your house? await your reply
yours sincerely



25/1/14

Dear Sir/Madam,

Re:- Application ref: 13/05908/STEON
Local Resident

In reply to your letter regarding Application as above for street consent for a hot/cold food & drinks vehicle to be located at Kellaway Avenue. As residents who overlook this vicinity we are strongly against this application. We already have many food/cafes as you come up Gloucester Road. Also there are pubs nearby so there is no need for another food outlet.

We are always picking up rubbish, cans, bottles, food cartons with bits left in them already, and this will only worsen. It is very worrying as in the past we have had rats here and this will encourage more problems.

We are against this application. It is just not necessary. Yours faithfully,

From: [REDACTED]
Sent: 27 January 2014 17:38
To: DET&L Licensing
Subject: Street trading consent application 13/05908STCON

I am responding to the above application as a local resident living at

I strongly object to the above application for the following reasons:

1. There is already congestion on Kellaway Avenue from parked vehicles, lorries park up, workers park during the working hours and fans of football and rugby park when matches are played at the Memorial Ground.
2. There is a café facility at Horfield Sports Centre.
3. There is a mobile unit on the road opposite the TA Training Centre.
4. There is a café just passed the traffic lights going toward Tesco.
5. There are refreshments and parking available at Tesco, Golden Hill.
6. This will increase litter on the Common, along Kellaway Avenue and the lane linking Kellaway Avenue with Druetts Close.

For the above reasons I sincerely hope that this application will be rejected as it is unnecessary and will cause parking and litter problems in the area.

[REDACTED]

Sent from Yahoo! Mail for Windows 8

Init	Date	Init
Recorded		

From:
Sent: 27 January 2014 14:27
To: DET&L Licensing
Subject: objection

Recorded		
Init	Date	Init

I object to the license application no 13/05908/STCON.
 We already have one burger van opposite Horfield Baracks
 which causes bad parking problems to the top of Bishopthorpe road. The proposed site on Kellaway ave is
 right opposite my house and i dont want to smell cooking
 all day long and into the evening. There is also the problem of cars parking on both sides of Kellaway ave ,this
 application will cause further problems. The last point being people urinating in the hedge which is already a
 problem during the summer months.



From:
Sent: 23 January 2014 19:18
To: DET&L Licensing
Subject: street trading/kellaway avenue STRONG OPPOSITION

To I

I am writing to you as a concerned local resident leaving on the common where a street vendor wants to do business EVERYDAY!!!! We are concerned about the noise created by the generator and the customers . We are also very concerned by the littering on the field. If this street trader wants to trade , I would consider the city centre as a good opportunity for business, not a road where commuters are going from one point to another and I am sure do not need food.

It seems very over the top and greedy to want to open everyday, WHEN DO WE have a break from this nuisance...

WE ARE AGAINST THIS PROPOSITION , we also think that it will open this area to more traders and THAT CANNOT BE !!!!

Yours faithfully

validateo	Date	Init
reordeo		

From:
Sent: 26 January 2014 14:48
To: DET&L Licensing
Subject: Application no 13/05908/STCON

Re application for street trading from a hot and cold food van on Kellaway Ave. BS7

I am responding as a local resident, living at

I was disappointed to see that yet another attempt is being made to set up a "burger van" type outlet on Kellaway Ave. This is not the first time, and as before, myself and other residents are totally opposed to this.

There is already such a van parked outside the TA Centre all day every day, causing an undue amount of traffic disruption, and attracting lorries and the like to park up on the pavement, making progress past very dangerous at times. The Police have been involved.

To have another such van nearby is quite unnecessary and will cause yet more parked vehicles clogging up the already heavily congested road. It is extremely dangerous to try to cross Kellaway Ave on foot due to the number of vehicles using it as a free carpark all day (mainly from the hospital overflow) We were promised a pedestrian crossing on Kellaway Ave some time ago, but nothing has happened.

We do not want any other food van causing yet more congestion and attracting more parked vehicles and certainly not going on into the evening, which will only attract a possible more unruly element.

This used to be a quiet and pleasant area, but what with the absurd saturation of parked vehicles all day, and the presence of a burger van already not many metres away there is absolutely no need for another one. Please reject this application!

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cordec		

From: [redacted] <[redacted]>
Sent: 26 January 2014 17:24
To: DET&L Licensing
Subject: Local Government (Miscellaneous Provisions) Act 1982 Street Trading Consent Application Reference Number 13/05908/STCON

Dear Sir/Madam

I am responding to this application as a resident and hence do not wish my details to be disclosed to the applicant.

First, could you please reply to this e-mail to acknowledge that it has been received and will be considered.

I object to the Street Trading Consent Application reference Number 13/05908/STCON on the following grounds (the passages in quotes are from the councils Street Trading Policy V1.2 as on your website on 26 January 2014):

The application does not establish a need for the proposed facility and it would not enhance the character, ambiance, or safety of the local environment. There is already sufficient provision for food in the local area which is residential, including the Horfield Leisure Centre cafe, and the existing food van located on Bishopthorpe Road opposite the TA centre.

Hence the application would not satisfy the the Council's policy on street trading :

"The purpose of this street trading policy is to provide a decision making framework for the consideration of applications for street trading consents and to create a street trading environment which is sensitive to the needs of the public, provides diversity and consumer choice, and enhances the character, ambiance and safety of local environments."

The proposed location of the van on the application does not meet the requirement for public safety because it would mutually obstruct the view of motorists on Kellaway Ave and Gloucester Road of traffic travelling on the other road as they approach the junction of the two roads.

Both Kellaway Ave and Gloucester Road are used frequently by emergency vehicles which would further increase the danger. If the application is to proceed on Kellaway Ave then the van should not be located north of Wellington Hill West so that it is not on the route for Police vehicles travelling from Southmead Police Station, along Wellington Hill West, and then Kellaway Ave.

Hence, the currently proposed location of the van would conflict with the the Council's policy on street trading:

“Public Safety

The proposed location of the activity should not present a significant risk to the public in terms of highway safety and obstruction. This would include the consideration of factors such as:- interference with sight lines for road users and access to pedestrian crossings.”

The local area is already serviced by Public Houses, shops, the Horfield Leisure Centre and the existing van on Bishopthorpe road. There are already sufficient traders for what is a residential area. Hence the application should be rejected as there is no established Commercial need to approve the application.

“Commercial Need

Consideration will be given to the number of other traders in the vicinity of the application site.”

The van would create a public order issue and a public nuisance due to its location and the late hour that the applicant wishes to trade. It would attract crowds from the nearby Memorial Stadium and could lead to conflict between rival fans, rather than them dispersing after a fixture. This could be alleviated if the hours of trading were limited to no later than 7pm in the evening and trading was banned on days that there are any fixtures at the Memorial stadium (including televised coverage of away fixtures) from two hours before the start of the fixture to two hours after it concluded.

The council has already accepted that there was a public order nuisance from the Horfield Common play area, and has moved the play area when it was rebuilt. The proposed location of the van would bring back the public nuisance that the council has already resolved.

Hence, to approve the application would be in violation of the Council’s policy on Prevention of Crime and Disorder and Prevention of Public Nuisance and would reverse the previous council decision that the nuisance level in the area needed to be reduced.

“Prevention of Crime and Disorder

The proposed activity should not present a risk to public order. This is likely to be more of an issue in respect of applicants wishing to trade at later hours.”

“Prevention of Public Nuisance

Consideration will be given to measures taken to reduce the risk of nuisance from noise, refuse, vermin, fumes and smells.”

The information provided does not indicate whether the application includes Alcoholic beverages. If it does so or were to do so in the future then this would create additional reasons for objection. Can you please confirm that alcoholic beverages are not included in the application and that they will be specifically banned in the licence if it is approved.

Regards,

From:
Sent: 30 January 2014 17:03
To: DET&L Licensing
Subject: Application number 13/05908/STCON

Dear Sirs,

I understand that there has been an application for a burger van to operate on Kellaway Avenue (ref 13/05905/STCON, from the hours of 7am to 11pm.

As a local resident, I must object to this for the following reasons:

1. Kellaway Avenue is already over-parked, on both weekdays and especially on match days. A van would add to the parking problems, with passing traffic trying to stop near the van
2. There is already a history of street traders trying to operate from Kellaway Avenue, who have been 'moved on', namely a persistent car-trader, and, on several occasions, a large van advertising Henleaze Motors. There is clearly a precedent for not allowing street trading in this residential area.
3. The hours suggested are quite unreasonable. Nearby residents would be disturbed by the smells and noise of the burger van and its customers from early morning to late at night.
4. There is no proven need for such an outlet. Gloucester Road has more than enough fast food outlets already, causing problems of litter around the area.
5. There will most certainly be litter and food waste associated with this trade. As it is very near the common, this will impact negatively on residential amenity.
6. The food waste will attract rodents and foxes, both of whom live on and around the common.
7. The burger van, especially late at night, will prove an attraction for anti-social elements to gather and disturb local people

There are no good reasons or justifications for such a van, and sincerely hope the licensing authority will reject the application.

10/11/14 17:03

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Bearing all these concerns in mind,
I would recommend the council turned
down this application.

A similar app was made several years
ago which fortunately turned down.

Yours truly



Jan 27th 2014

Street Trading App. 13/05408/STCON

I am responding to the above application
as a local resident.

1/ SAFETY

I presume the council will assess
its safety implications both to
drivers and pedestrians. If such
an application were approved,
my personal opinion is that
safety will be compromised and
therefore the application should be
rejected.

2/ ENVIRONMENT

The opening hours are totally
unacceptable. The only late trade
would probably be from local pubs.
There is inevitably going to be
some noise which is not acceptable
in this quiet residential area.
There is also the issue of rubbish
disposal, we certainly don't want
our common strewn with rubbish.

From: [REDACTED]
Sent: 03 February 2014 02:24
To: DET&L Licensing
Subject: Licensing application for a burger van Kellaway Avenue - ref 13/05905/STCON

Dear Sir/Madam,

Application for a burger van to operate on Kellaway Avenue (ref 13/05905/STCON)

In response to the application for a license for a burger van at Kellaway Ave, Horfield, Bristol between 7am to 11pm, as a local resident, I urge you to refuse the application due to the following:

1. Additional parked cars stopping at a burger van would compromise traffic flow and safety on a busy route with no formal crossing which is already a parking overspill for the hospital and on match days.
2. The amenity value and character of the area would be compromised by the presence of a burger van.
3. The hours suggested would compete with bar snacks offered at the the local pub, The Wellington, which itself will already suffer loss of revenue in future if Bristol Rovers vacate the Memorial Ground as planned
4. Public nuisance would be caused by litter, attracting vermin.
5. The van with late opening hours would be likely to add a detour for late night drinkers walking back up Gloucester Rd, creating high risk of potential noise disturbance at a time when locals are trying to get to sleep.

Thanking you for your consideration

Sincerely

From:
Sent: 01 February 2014 11:56
To: DET&L Licensing
Cc:
Subject: Street Trading Consent Application Ref no: 13/05908/STCON

Proposed Location: Kellaway Avenue, Bristol
4m x 2m Van Selling Hot & Cold Food & Drinks
Mon - Sun 0700-23.00

Thank you for your letters(undated) to both myself and separately to my husband regarding the above licence application. I am a private resident and live at which backs onto Kellaway Avenue.

This is the third such application that I have heard about either directly or indirectly and I would request that you look at my previous letters to you as the applications are almost identical: September 2011(no advice letter received therefore no ref no) and Application No 09/04223/STCON.

I assume that, as on previous occasions, you are canvassing only a small number of houses and businesses despite the fact that the siting of a Fast Food Van on Kellaway Avenue would affect not only the houses and businesses on this stretch of the common but also the many people/general public for whom the common is a very important amenity and open space which also has the added benefit of neutralising at least some of the noise and heavy traffic pollution of this very congested stretch of road and junction.

I live in a row of houses which back onto Kellway Avenue and I have a view up the road to the junction with the A38/Gloucester Road. The distance between this row of houses and the road is small so we are much affected by the proximity of lorry and car parking, pollution and noise which has dramatically increased over the years with the many new developments that have occurred e.g. new housing, Southmead Hospital, Tescos, etc.

A Fast Food Van would undoubtedly worsen existing problems increasing the use of Kellaway Avenue as a:-

- Lorry and Coach drivers' rest/sleep stopping place
- Waiting area for delivery Lorries to Golden Hill Tescos up the road
- General Carparking for Southmead Hospital and cars movement away from parking meter areas

as well as increased noise, litter, smell, vandalism, illegal parking and disruption which already occurs on this part of the common. This is a main arterial road which is heavily used and during the rush hour traffic is backed up well past our house creating considerable noise and fumes. Lorry and car parking make it difficult for traffic to maintain two lanes (three at the junction) in the rush hour. If a Food Van were parked it would be extremely difficult for traffic to negotiate this stretch of road safely quite apart from the pedestrians it would attract.

There are already many restaurants, cafes, pubs on the Gloucester Road and Kellaway Avenue as well as a fast food van in front of the TA Centre/Sports Centre. I do not think there is any need for another food outlet.

I hope that you will take notice of residents' views and preserve the beauty and importance of Horfield Common as an important green space/lungs and recreational amenity for many people in this very traffic congested area. I hope also that you are consulting the Horfield Partnership and Friends of Horfield Common both of whom represent people in Horfield. I have sent a copy of this email to both these organisations and will also be writing to my local Councillors and MP if consent is given for this van.

Yours sincerely

From:
Sent: 03 February 2014 12:24
To: DET&L Licensing
Subject: Application 13/05908/STCON

Dear Sirs

This is not the first time this application has appeared.

I note this time extended hours are being requested- 7:00 to 23:00 - last time it was for 12:00 to 23:00.

Kellaway Avenue is a main route for traffic throughout the day. We get Tesco lorries waiting there until they are called to the Golden Hill store and we get vehicles parked there for the day, so depending on the uptake for this new outlet there could be significantly more parked traffic which may affect the flow on this road particularly the movement of the larger lorries who also use the road for their statutory rest breaks. I would also like to draw your attention to the fact that a new zebra crossing is to be built in this locality which will further restrict parking and traffic flows.

My other concern would be litter and I would trust that any permission given for this application would incorporate agreements that covered the collection of rubbish, each day, within a reasonable area: people may well take food or drink away from the van to a seat on the Common. I do not think the Parks Dept. should inherit more work which might increase prices on negotiated contracts.

Yours faithfully

From:
Sent: 03 February 2014 14:39
To: DET&L Licensing
Cc:
Subject: Application 13/05908/STCON - Hot and cold food and drinks van on Kellaway Avenue.

Dear Sir,

With reference to Application 13/05908/STCON - application for street trading consent for motorised van located on Kellaway Avenue, Horfield.

As a local resident I wish to object to this application for the following reasons:

1) Traffic Safety.

Whilst Kellaway Avenue is a wide uncluttered straight road queues of traffic do form for extended periods of time at the junctions of Kellaway Avenue with Gloucester Road and Wellington Hill and a high van parked on either side of Kellaway Avenue for 16 hours a day will produce a significant 'pinch point' between the two junctions.

Kellaway Avenue is also a 'fast road' outside peak traffic periods and again having a pinch point on this road could have serious implications for road safety, especially if other road users park close to this van to purchase (and possibly eat) food and drink.

Kellaway Avenue is a significant cycle route between Horfield and towards Park Street and Clifton, and parked vehicles causing cyclists to move outwards towards the centre of this (again fast) road, or perhaps onto the pavement, should be avoided for cyclist and pedestrian safety reasons. Unfortunately Tesco Lorries delivering to the Golden Hill store do park on Kellaway Avenue waiting to be called into the store and it is evident these lorries (though likely to be much bigger than the Van) do cause pinch points, and having a van parked for 16 hours a day on the same stretch of road will only add to this problem.

2) Need for another food outlet?

The location of the hot and cold food van is outside the designated shopping areas for Horfield and as such a 'shop' for hot and cold food and drinks on this section of Kellaway Avenue is not included in the Bristol Local Plan.

Also there are already a large number of food shops, fast food shops, cafes, public houses, restaurants and the afore mentioned Tesco's (with it's in-store cafe) within a short walking distance of this location so the commercial need cannot be demonstrated.

3) Impact on the local environment.

Kellaway Avenue cuts through Horfield Common, an area of land many local residents are all determined to keep as open and pristine as possible. A hot and cold food van parked on this road will possibly lead to more rubbish on the common, and given the openness of the Common at the proposed location of the van, fumes and smells are likely to spread for some distance on the prevailing wind. There will also be an element of noise associated not only with the operation of the van, but with patrons and their vehicles close

to and at the van, though it is recognised such noise will be indistinguishable from traffic noise during high traffic periods.

4) Visual impact from the Mobile Vehicle.

Whilst it is appreciated there are many hundreds of vehicles using Kellaway Avenue every day, a stationary Van with presumably a serving shelf on the pavement side, possibly with a small chimney to exhaust the gases from whatever cooking process is used will distract from the appearance, and the appeal, of the common.

I trust the above points will be taken into account when considering the application for a street trading consent on Kellaway Avenue.

Yours faithfully,



01/02/2014

Mrs

Senior Licensing Officer,

Street Trading Application 13/05908/STCON

I write as a resident.

The assumption with this application is that this is the THIRD attempt to establish something that is not wanted or indeed needed on this part of horfield common.

The situation over the time of the applications has not improved. But in fact has got worse.

I list hereunder my personal comments and some of a general consensus

- 1 The hours proposed are too long and late.
- 2 Plenty of outlets and cafes, pubs exist within 200m
With many more on Gloucester Road,
- 3 What happens at night? the van to go back to its base not left,

- 4 Van site should be fixed, or it will move around to find a parking space,
- 5 Van is too close to crossing (proposed) and cause traffic and pedestrian hazards,
- 6 Van could be point of focus for undesirables (as loo did)
- 7 Are customers in the van or anywhere on the common. There is only one footpath at this point, and could lead to intimidation especially at night,
- 8 Caravans /Motorhomes seem to be attracted to this part of the common ,to use it as a unlicenced site and one attracts others,
- 9 Public disturbance Lights, Music, Generators etc,
- 10 In general the litter will be worse than on "match day", as bins are few/ non existent, also there is no loo now, the litter will attract gulls (see no feeding notices) rats, foxes.
- 11 No license for alcohol to be allowed, the cooking of food over this length of time will give odour to the area,
- 12 The general opinion is that this application should like the others be withdrawn or refused, approval will only damage the local amenity and dent the green image that Bristol seems so proud of. Is one person allowed to spoil pleasure for many for personal gain that is not even filling a need?..

Yours faithfull

26 January 2014

Licensing Officer
Princess House
Bedminster
Bristol
BS3 4AG



Dear

Application reference number :13/05908/STCON

Thank you for your letter. As residents, we are writing to strongly object to the application for the proposed location for street trading consent on Kellaway Avenue for a motorised van selling hot and cold food and drinks.

We object to the application on the following grounds:

- There are numerous pubs and fast food outlets – chip shop with pizza as well as dedicated hot and cold food houses/restaurants and fast food outlets selling hot and cold food between less than five and 10 minutes walking distance of the proposed site. There is already considerable fast food waste eg food and cartons etc on Horfield Common particularly on the weekends. Given that there are Bristol City Council signs up about not feeding gulls or pigeons this can only encourage this.
- There is an issue with noise from customers as well as the noise of the van running either an engine or generator from between 07.00 am and 11.00 pm. This will be clearly audible as the noise from refrigerated lorries waiting to deliver to a local supermarket can be heard in our house.
- We already have all the associated issues with having Bristol Rovers and Rugby practically every weekend – weekend of 25/26 January we had games booked on both days. This already causes noise and litter as well as lack of parking in the surrounding area.
- In the summer and in clement weather groups of people congregate around the benches on the Common, and , from the mess that is left, drink and eat fast food there. On a Sunday morning the Common is littered with fast food waste. We can hear the noise, and often suffer the consequences of this eg vandalism to our cars, and do not want this to be encouraged any more by BCC approving this application.
- The van appears to be parked on the pavement of a very busy road. Obviously it will not be parked on the Common, so will it not be an obstruction to pedestrians? Also now the new Southmead Hospital is

almost complete, Kelloway Avenue is lined on both sides of the road with parked cars.

- We are very proud of where we live and do not think that a food van will serve to enhance our area or the image of it that Bristol City Council is trying to promote.
- Our home looks out on to Horfield Common and the van will be within our sight of the Common.
- Finally we are hoping that a pedestrian crossing will be put in place to join the two footpaths from the common which is just outside the area highlighted. A van will cause problems on the approach to the crossing.

It is our belief that this application is not appropriate and hope that the application will be rejected. This is the third time since 2009 that an application for hot and cold food/pizza has been made for this spot and we hope that this is the last time we will have to write to oppose it.

Yours sincerely

From:
Sent: 04 February 2014 17:23
To: DET&L Licensing
Subject: Burger Bar Kellaway Ave. Ref:- Application Number 13/05908/STCON

Dear Sir Madam,

I understand another application has been submitted to you for a burger bar sited on Kellaway Avenue. I wish to add my objection to this proposal for the following reasons.

1. There is already a fast food van situated on the common opposite the Territorial Army Barracks.
2. The need for such a food outlet is not necessary as Gloucester Road is nothing but fast food outlets.
3. The noise and smell would be totally objectionable to the people in the immediate vicinity.
4. There is insufficient litter bin provision on the common anyway.
5. It would attract the anti social

element of the area to congregate, Especially the late night hours proposed.

The future of the common will be at risk very soon by the continuous parking of hospital workers and visitors to Southmead Hospital, as is evident on a daily basis at the moment with the builders and ancillary contractors.

Please decline this application, and stand up for the residents of Horfield.

Yours faithfully,

From:
Sent: 04 February 2014 20:01
To: DET&L Licensing
Subject: 13/05908/STCON

Regarding the application for a street trading licence on Horfield Common. I am writing as a local resident within 100m of the proposed site.

I object to this licence on the following grounds:

There is not the demand in the immediate area for a hot and cold takeaway outlet given that within such a short distance is a huge amount of takeaway and eat in venues. Gloucester Rd is within 50m of the proposed site and is perfectly equipped to handle the customer demand, the policing and the litter.

Similarly, Kellaway Avenue itself has sufficient additional outlets catering to all needs. Therefore it would not be in anyone's interest to increase the supply in a high street with decreasing demand.

I don't see it in the public interest to add a mobile venue in a park area as it will require additional services to combat foxes, littering and noise.

I believe this part of Kellaway Avenue will become akin to a lay-by and disrupt traffic in an area that becomes congested in peak times.

My front garden does get used as a litter bin regularly and I make an effort to remove waste from Horfield Common however I fear that this littering will increase significantly if a take away venue was placed here. It would not be possible for the vendors themselves to deal with this problem as the littering would be too wide spread.

I hope you will share my viewpoint on these matters and look forward to hearing your opinion.

APPLICATION NO.
13/05908/STCOM



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I am writing to voice my concern about the possibility of a catering van being parked on Kellaway Avenue seven days a week.

There are already many take-aways in the area, evidence of which can be seen all over Horfield Common with large amounts of litter, cans, bottles, pizza boxes etc.

We already suffer a large number of Lorries parked on Kellaway some with their engines running while parked.

There is also a problem for pedestrians trying to cross the road from the foot-path from Druett's Close, many cars and vans seem to block the path making it very difficult for prams & wheelchairs. Old people can be seen hiding in front of the cars waiting for an opportunity to cross.

P.T.O

There is already a catering
van opposite the barracks and
the Sports Centre & Tesco
have Cafes.

You are in danger of spoiling,
a very nice part of Bristol
which already has traffic & parking
problems. e.g. Rovers fans & the
Rugby.

How does all this fit in with
the proposed Residents Parking
Schemes

Yours in anger

P.S. Kellaway Avenue has already
become an asphalt car park for
South Bristol Hospital & people who
drive in from South Glou use it as a
park & ride!





