



**Agenda Item No: 4 (g)**

# **Bristol City Council Minutes of the Public Safety and Protection Committee**

Tuesday 4<sup>th</sup> November 2014 at 10.00am

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**Members Present:-**

Councillor Hance (Chair), Councillor Lovell, Councillor Morris

**Officers in Attendance:-**

Jeremy Livitt, Carl Knights, Pauline Powell

**80. Apologies for Absence**

Councillor Steve Pearce (Councillor Mike Langley substituting)

**81. Declarations of Interest**

None.

**82. Public Forum**

None.

**83. Consideration of the Suspension of Committee Procedure Rules (CMR 10 and 11) Relating to the Moving of Motions and Rules and Debate for the Duration of the Meeting.**

**Resolved - that having regard to the quasi-judicial nature of the business on the agenda, those Committee Rules relating to the moving of motions and the rules of debate (CMR 10 and 11) be suspended for the duration of the meeting.**

**84. Application for the Grant of a Street Trading Consent at the Old Petrol Station, Bedminster Road**

**Applicant – Hayrettin Akgun  
Proposed Trading Name – Istanbul Kebabs**

The Committee considered the above application for a street trading consent. The application was heard in the absence of the applicant who was not in attendance. It was noted that this application had previously been deferred from the meeting on 7<sup>th</sup> October 2014 as the applicant was unable to attend. At that time, the applicant had requested that his application was deferred to a later date to enable him to be present.

The Senior Licensing Officer made the following points concerning the application:

- The applicant had applied to sell hot food (primarily kebabs) and soft drinks during the hours of 16.30 to 23.00 from Monday to Sunday
- There were a significant number of objectors, including one from the local school (Parsons Street Primary School) who pointed out that the proposed stall would open at approximately the time that a number of after school clubs were finishing
- It was noted that the proposed stall would be in direct competition with the nearby Star Fish Bar and was also near a local convenience store
- The site was a used car lot and very run down. Local residents were keen to see the site redeveloped in an appropriate way – if this proposal was accepted, it could increase the risk of crime and ASB in the area

Officers were, therefore, recommending that the application be refused.

In response to members' questions, it was noted that:

- The proposed stall would be located on a very busy road, further aggravating existing traffic problems there
- Under current policies for Street Trading Consents, schools were consulted on any proposal if they were located within a 50 metre radius of any proposed site. It was noted that proposals for amending the Street Trading Policy could result in further, more strict rules for any such applications
- The applicant had indicated that the land owner had given him permission to use 10 parking spaces on his land in the event that it was approved to mitigate any highways impact. The Committee had the option, were it minded to approve the application, to make this a binding condition of any approval
- The Committee had very wide discretion in making its decision – the only challenge open to the applicant would be a Judicial Review

**Resolved – that the application be refused on the following grounds:**

**There was a significant highway safety issue on the proposed site – it was a very busy junction and any further traffic would exacerbate this problem**

**The proposed site was in close proximity to a school – in addition to the increase in risk to highways safety mentioned above, the proposed opening hours coincided with the end of the after school club at 4.30pm and would increase the public health risk for children**

**There was no business requirement for such a facility – there was already an established fast food outlet near the site (Star Fish Bar) as well as a convenience store**

CHAIR

(The meeting ended at 10.25pm)