

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

26 January 2016

Application for the Grant of Street Trading Consent at Parking Area In The Cul-de-sac Outside Harford House, Frogmore Street, Bristol

Applicant: Juliet White

Proposed trading name: Blu-Fire Smoke 'n' Grill

Report of the Service Manager – Regulatory Services

Purpose of Report

To determine an application for the grant of a Street Trading Consent at the following location: Parking Area In The Cul-de-sac Outside Harford House, Frogmore Street, 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 licence/consent if granted are at Appendix A
3. On 6 February 2015 Juliet White 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, hotdogs, 'philly' cheese steaks, rib eye steak baguette, tacos, pulled pork, BBQ ribs, BBQ chicken, wraps, ice cream, fish and chips, cold drinks, tea, coffee, hot chocolate, cakes, pastries, salads, pizza
During the hours of 1800 - 0600

From Monday to Sunday

4. Photographs of the unit and proposed trading site are attached at Appendix B and a site location plan at Appendix C.
5. The land from which Ms White wishes to trade is public highway

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

Local Councillors

Avon and Somerset Police

7. **Consultation Responses**

The following responses have been received.

Appendix D - Residents and businesses

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. Juliet White has been provided with a copy of the report and has been invited to the meeting. Ms White has provided some additional information in respect of his application which is included at Appendix F

RECOMMENDED the committee is asked to refuse the application

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background papers**

Contact Officer: Miss A Holman, Senior Licensing Officer,
Neighbourhoods

Ext: Telephone

**Appendix A
Appendix B
Appendix C
Appendix D
Appendix E**

**General Conditions
Unit and site photographs
Site Location Plan
Interested party responses
Response from applicant**

APPENDIX A

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.

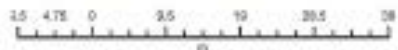
12. Any motor vehicle used for the purpose of street trading shall at all times be in a roadworthy condition and have the relevant documents i.e insurance, tax and MOT to make the use of that vehicle on a road legal. These documents will be produced by the consent holder to any police officer or authorised 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.





Blu-Fire Smoke'n'Grill, Outside Harford House, Frogmore St

Document created on Thursday 9th April 2015 at 11:02



1:750

2012 aerial imagery © Blom Pictometry. 1946 aerial imagery © English Heritage. OS data © Crown Copyright 2013 100023406. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Bristol City Council.

Appendix D

Interested party responses

Representation 1

My husband and I live at xxxxxxxxxxxx. Our apartment is on the corner of xxxxxxxxxxxx. We are already adversely affected by night time noise, especially as people leave the O2 and walk through Frogmore Street and down Denmark Avenue to the buses/taxi ranks outside the Hippodrome theatre. No consideration is given to the fact that people are passing through a residential area.

If the 'Blue Fire Smoke and Grill' is granted Street Trading Consent I am certain that the noise and disturbance will increase. It will undoubtedly be a popular stop off point for those leaving night clubs in Park Street and the O2. After purchasing food they will naturally walk down Denmark Avenue to access transport home- with a consequential increase in noise, litter (both discarded food and packaging) and vomit. The seagulls are also likely to increase in numbers as they will be attracted to a new source of food. All residents in this area will surely suffer.

I would strongly urge that Street Trading Consent is refused.

Representation 2

I own xxxxxxxx. This area is already well served for such facilities and indeed there is still considerable litter and debris left but people using such establishments. What's more, we have had our windows smashed on numerous occasions late at night.

I vehemently object on the grounds that:

1. Such amenity already exists all around the area and more is not required.
2. Additional litter and mess will be created. There is no way that any such vendors can control litter since experience tells us that people don't use bins provided and will wander off from the purchase site only to create a mess nearby.
3. This area is busy with clubs, pubs, restaurants and once people leave such establishments they should be encouraged to go home or leave the area and not linger. I have had my front windows smashed too many time already without encouraging more people to linger around late at night.

I trust you will take my comments seriously and refuse this application.

Representation 3

I am quite happy with the application, so long as consideration is given to the increased litter that will be produced and how this will be managed on a daily business.

Representation 4

I am a day overdue in order to submit comments on one of the above proposals, but given their proximity I am hoping that they are the same proposal with two possible locations rather than two separate businesses. If they are two separate then my comments below apply to both.

I am a resident of xxxxxxxx, whose back windows look over the smoking area of the 02 academy and trenchard street car park. I have a number of concerns and objections to these applications:

1. The times applied for suggest that this application is for a fast food van that will be serving those people leaving the 02 academy and / or The Hatchet pub. Due to the late opening hours of these venues, and the fact that people leaving them are often fairly intoxicated, we already have a number of problems involving noise disturbances (shouting / fighting / singing) at all hours of the night, as well as a high volume of vomit on our road and the surrounding area.

2. The main road at the end of Denmark street has numerous fast food restaurants (commonly referred to as 'kebab corner'), which already contribute to the above issues and a serious amount of rubbish left on the streets around our building. These restaurants should be ample to service those people leaving late-night venues in the area.

3. Because xxxxxxxx is a cul-de-sac, we often have people from aforementioned venues sitting in our door ways to talk / cry / argue / smoke / drink and eat. I can only assume that somewhere serving food from a trailer will not be providing seating, so I worry that this will encourage even more people to use our road to go to eat their food.

I do appreciate that living in the city centre means we will have some of these problems now and then, but we could all do without more of these issues when the market that the proposed business is serving is already more than catered for.

Representation 5

We are a Local business having been located in the area for over 25 years. We invite clients into our premises to discuss matters affecting their wealth and finances.

We will often use the Pay and Display parking facilities for clients when they attend meetings here with us.

I notice that the times applied for are Monday-Sunday 18:00-06:00.

Should the license be granted we would be adversely affected as:

1 We would no longer have access to Pay and Display parking facilities for clients when they attend meetings here with us.

2 The noise and smells and congestion associated with such a licensed business would not be in keeping with a professional services firm environment we would like to maintain for our clients.

Representation 6

The proposed locations are near residential properties, including those along Orchard Street. As a resident of xxxxxxxx I am concerned by the proposals and wish to object to the applications for the reasons set out below.

1. The proposed locations of the trailers abut a designated street trading prohibited street, Orchard Avenue and are in very close proximity to other designated street trading prohibited streets including, Orchard Lane,

Denmark Street, Gaunt's Lane, Hobbs Lane, Culver Street, Unity Street and Pipe Lane.

2. The proposals will pose an additional risk to public order in the area, especially given the overnight trading hours.
3. The proposed opening hours are unsuitable in an area with residential properties and will cause a public nuisance to those living nearby.
4. Orchard Street and surrounding streets already suffer from additional litter from nearby takeaways and people urinating on the street. Seagulls and other pests will also be attracted to the additional food litter created by the proposal.

I would therefore request that both applications are refused.

Representation 7

As a resident of xxxxxxxx I can see little merit in the application. There is already a wide selection of food outlets in the area. The additional noise and nuisance associated with a mobile unit is likely to adversely affect this predominantly residential area. I feel the application should be rejected

Representation 8

I am writing as a resident of xxxxxxxx in response to a letter I have received informing us of the application for street trading consent in the parking area/cul de sac outside Hartford House Frogmore street.

The hours applied for being 18:00 - 06:00 Monday to Friday are completely unreasonable for a residential area.

We have had lengthy discussions in the past with Bristol Council regarding the noise produced from customers leaving the O2 Academy and have come to an arrangement with the O2 whereby they have installed extra security guards on Orchard st and Frogmore st to ensure people leave the area as quickly as possible and cause as little disturbance in the process. Allowing a fast food retail trailer to be operating throughout the night will only result in people gathering in the area the Council have expressed an interest in clearing.

We have had drug users in our street, people urinating and defecating in our doorways, people just hanging around, shouting, singing and fighting and finally we seem to have the situation under control. This fast food outlet will undo all the effort so far put in and make the problem so much worse.

I strongly oppose this proposal as have all the residents I have mentioned it to so far. With the short amount of time available before the deadline to submit any concerns I fear that many people will be too busy to respond.

Please do not let this go ahead.

Representation 9

I am in receipt of notices containing two applications for Street Trading Consents, numbers 15/00109/STCINN and 15/00124/STCINN.

I am a resident at xxxxxxxx.

I write with an objection to both these trading consents on the same grounds:

- 1) Whilst the area is generally quiet, this cannot be said to be the case after 12am on Fridays and Saturdays, as revellers disgorge from night clubs in the vicinity of Frogmore Street. Noise is significant into the early hours and it is not possible to get a full night's sleep. This is tolerable, only because it is at the weekends.
- 2) By allowing trading consents on these sites all week from 18.00 to 06.00am, this will encourage the use of Orchard Lane as a thoroughfare to the taxi rank in front of the Hippodrome, and more generally. This will compromise the ability to get a good night's sleep during the working week.
- 3) Orchard Lane will become a depository for litter waste from these establishments. The area in front of the Hippodrome and Denmark Street is bad enough as it is.
- 4) Orchard Lane will be used more frequently by those who wish to relieve themselves.
- 5) There are adequate (indeed too numerous) takeaway establishments in the vicinity of the Hippodrome. The consequences of these have not been adequately addressed, as it is. Broadening the problem to encompass the area of Orchard Lane, Orchard Avenue and Orchard Street will exacerbate the problem, not alleviate it.
- 6) There is not adequate policing by foot patrols to ensure that people desist from anti-social behaviour.
- 7) Elsewhere I have seen plans to enhance the general area because of its history and architecture. Giving Street Trading Consents for these types of establishments at these times will not enhance the general area, but detract from it.

Representation 10

With regard to the above Trading Consent Applications and as a property owner and resident of xxxxxxxx. I object on the grounds listed below:

1) Cost, Litter, health and hygiene

The Council currently does an excellent job of cleaning up the mess in the streets in the vicinity, particularly after weekend revelry. However, as witnessed on The Parade and Denmark Street, the litter and food detritus will inevitably increase, significantly increasing the Council cleaning time and therefore costs. The food waste and human sick already attracts seagulls, rats and pigeons, all of which are obviously a hazard and unwelcome.

2) Anti-social behaviour and noise

You will be aware that the O2 in recent times has provided a security guard to police the Orchard Lane/ Orchard Street cross roads in an attempt to reduce noise and to particularly stop the Orchard Street cul-de-sac being used for urination, defecation, fighting, intercourse and drug dealing, all have which are issues from time to time. This has been largely effective, however, I understand that it is an informal arrangement and indeed it ceased recently. The extra provision of food and drink in the vicinity can only encourage further gathering and loitering and in turn an increased risk of anti-social behaviour.

3) Unnecessary amenity

With the ample provision of heavily policed eating and drinking establishments, many of which are "fast food" takeaways, in the Parade, Denmark Street and Park Street vicinities I fail to see the necessity or real positive benefit of making food available at these particular locations.

It is a pleasure and a privilege to be a resident in the vibrant city centre and the significant conversion from business to residential property in the area, including of course the vast expansion in student accommodation, purpose build and flats, has I believe greatly enhanced the area. Living there inevitably means that there will be a certain level of noise and nuisance and this is expected and tolerated, however, there has to be a balance and these applications tip it in the wrong direction.

I am aware that many of my neighbours have already voiced their concerns. We all feel very strongly as residents in the area that we deserve to be listened to seriously in these matters that impact us considerably on a daily basis.

Representation 11

I am writing to object to a license application for a fast food van next to our premises at xxxxxxxx

We are a charity that provides counselling and psychotherapy, free of charge, to people affected by life-threatening illness. We have provided this service since 1992 and we have built up a strong reputation for our work over that time.

My objections to the license are as follows:

- Clients of ours who are wheelchair users may be unable to access our premises using our wheelchair ramp if there is a food van parked outside.
- Clients of ours will be negatively affected by any rubbish or waste from the food van (this is already an issue with bottles and cans frequently left on our doorstep or window ledge).
- The confidential, discrete nature of the service we offer will be negatively affected by clients having to enter and leave the premises in front of a busy food van (we often see clients in the evening).

I would be happy to provide more information on these concerns if required.

Representation 12

Further to your recent correspondence re the above dated 10th April 2015, only received 17th April 2015. I am writing to object to both applications due to the problems that arose the last time an application of this sort was granted in the area i.e. food thrown all over the streets and also in our garden area, grease smells creeping into the premises through no proper ventilation. Litter dumped everywhere again including our garden and car park areas. Excess noise due to customers hanging around the streets rather than leaving the area immediately causing a disturbance. It was an absolute nightmare and I cannot imagine what it would be like having two vans parked more or less side by side.

Representation 13

Thank you for your letter of 9th April 15 showing details of the above application for a large trailer to be situated outside Harford House, Frogmore Street selling "take away" food all through the night.

As local residents we would like to oppose this application for the following reasons:-

There are already many fast food outlets located at the Centre and on Park Street.

The rubbish generated late evening/early night outside these establishments is inordinate and man hours and vehicles involved in clearing is very costly. The siting of this trailer will cause yet more problems for May Gurney and the CSR will eventually fall on the rate payers.

There is already a problem with rubbish, vomit and urine in Unity Street outside this building where people sit on the steps to consume food and leave behind the container boxes, this is no distance from Frogmore Street which will increase the problem of rubbish if granted.

We did not think any food outlet was able

to trade all through the night. If granted this will create even more noise up until 6 am, in the area, when revellers congregate here and drift away disturbing people which is predominately a residential area.

No toilets in the area where food is served and hardly any receptacles for rubbish and they are very small.

It is preposterous to think of a food outlet for "take aways" keeping times from 18.00 - 06.00 including Sunday to disturb us all yet further.

We would be pleased if you could recommend that this application be rejected.

Representation 14

Response to Application For Blue Fire Smoke'n'Grill trailer on the Trenchard Street pavement near the Hatchet pub

This community association objects to the application (and we understand that there might be another similar application too) on the following grounds:

1. It is not providing a necessary public service in this location, because a proliferation of equipped and ventilated premises already exists very nearby in the city centre - St. Augustine's Parade and Denmark Street etc.
2. Trenchard Street is a particularly low-lying street surrounded by tall buildings. The cooking smoke and smells could linger unduly in this location, and the noise from customers will be likely to echo around to nearby residences such as the Lodge Street Housing Association and to over 600 students shortly to be in residence opposite. We also understand from an adjacent business that a previous burger van caused to linger and permeate nearby business into the following day's business hours.
3. Trenchard Street is currently under planning review. A regeneration framework is being prepared by Paul Haworth, the area's senior planning officer in liaison with Clare Wilks, urban designer representing the Neighbourhood Planning Network (which includes associations such as ours). Until this is published, we would express very strong concerns about the granting of any applications such as this.

We trust that this application (and possibly a similar one nearby) are refused.

Representation 15

I wish to object for the following reasons:

1. There is already a sufficient number of retail outlets and other burger vans providing this service within a very short distance, there is no need for yet another.
2. The location is not good. The residents in the immediate vicinity of the proposed location already suffer the nuisance of the late opening hours of the Hatchet Pub and the O2 Academy, to park a burger van outside their windows all year until 06:00 daily is not acceptable.
3. Rubbish. There is already a substantial problem with rubbish in this area. Regardless of the good intentions of the owners, this van will

inevitably make this worse when people (often very much the worse for alcohol) discard their wrappers in the street. This will do nothing to combat the increasing seagull problem

4. Parking. The van occupies all of the pay and display parking spaces in this location. These are always in use by visitors to the Theatre and Concert Hall.
5. Opening Hours. 18:00-06:00 every day of the year is excessive.

Overall, I wish the applicant's well, I admire their enterprise, but for the reasons above I think that this application should be rejected.

Representation 16

Like our neighbors in _____ who have already written to you, we strongly oppose the above applications. We are homeowners and residents in _____ with our family. It is a privilege to live in this historic place but it also comes with some inconveniences of living in a vibrant city centre: we are often exposed to high noise levels at unsocial hours. Our children and we find the remains of nocturnal alcohol and drug abuse in the street in the mornings and have witnessed people using our street as toilets.

Allowing food trading throughout the night until 6am will further increase noise levels and pollution with the consequences of attracting more pests – seagulls and rats – and is unnecessary as there is food trading already established in the proximity. It is completely unacceptable to be exposed to such activity in a residential neighborhood.

Representation 17

Further to your recent correspondence re the above dated 10th April 2015, only received 17th April 2015. I must object to these applications in the strongest possible terms.

The area around the proposed sites/locations of the fast food vehicles is heavily residential and a recognized location of important historic value and interest.

There was a burger/fast food van in the location previously and that caused a large amount of problems in the few months it was operating/trading. There was a massive litter issue all around the area as a direct result and a flash point for anti social behavior was created as a result of people gathering around the fast food trailer way into the early hours causing noise and fighting in some instances, instead of vacating the area as usually is the case after concerts in the various Theatres, venues etc in the vicinity, with 500+ students moving into Unites soon to be completed new student accommodation block in Frogmore St very soon in addition, I also believe it would be highly negligent of Bristol City Council to grant such Licenses for these applications in order to gain revenues from the proposed food trailers License fees, which appears to be the reason why applications such as this, even in the face of very strong local opposition, often gain approval in any event.

Representation 18

RE: Application Ref numbers: 15/00124/STCINN & 15/00109/STCINN

We are writing to oppose the above Street Trading Consent Applications and start by reiterating very valid points made in their letter dated 17 April 2015 and emailed to yourselves on the same date:

"...strong evidence that the following negative results will impact both private and student residents living in close proximity to the proposed siting of the Fast Food Trailer:

- *Increase in unsocial noise levels affecting the adjoining residential properties through the evening and night time*
- *Increase to gull activity attracted by the food detritus. Gulls are already a serious nuisance in nearby streets, not only spreading rubbish but also attacking pedestrians in the period when young offspring wander at street level*
- *Increase in urination and defecation incidents (yes really) in the residential cul de sac portion of Orchard Street"*

We too believe that having a food & drink outlet running this close to our properties til 6am is totally unacceptable and feel that the fact it will be surrounded by residential properties is being completely ignored. We are already blighted by people oblivious to, and the Council not showing much concern for, the close proximity of homes and would like to make these further points:

- **Increased vehicular noise** - We already have problems with people honking car & taxi horns in unison and/or to a tune in the early hours of weekday and weekend nights. Having people using this outlet til 6am every night we believe is just going to increase these instances and make them occur later and later, especially as more people will be wandering in the road. Whirring of the trading vehicle itself will also be a nuisance.
- **Impact to households not correctly represented in process** - the map used for applications is misleading as it is so basic. There is another atrium space between 36 Frogmore Street and 18 Orchard Street. These spaces have ground floor bedroom windows from which many of us can hear everything that goes on in Frogmore and Trenchard Street. We have already battled to get 02 events to finish before 11pm on a week night, such ridiculous Street Trading Consent applications will essentially reverse that and keep people lingering all night long.
- **Close proximity to designated street trading prohibited streets** - these include: Orchard Ave, Orchard Lane, Denmark Street, Gaunts Lane, Hobbs Lane, Culver Street, Unity Street and Pipe Lane. The surrounding streets are prohibited because the area is clearly unsuitable.

We therefore request that both applications are refused.

Representation 19

Sorry but as a resident of xxxxxxxx I would like to register an objection to this application because

- it will encourage people to stay longer and congregate in this area which is surrounded by residential flats, making noise and leaving food litter around, and create another trouble hotspot in a relatively secluded area with little passing traffic to interrupt anti social behaviour and fighting, which will need constant policing
- there is already plenty of late night food provision nearby in Park St, Denmark St and Anchor Rd
- the type of food proposed to be sold is predominantly meat and cheese based, with no falafel or other similar hot alternative (contrary to sustainability and product type objective in current street trading policy)
- fumes and smell from cooking and any diesel generator would linger in the area, and any diesel generator would also be a source of noise

Representation 20

Application Ref numbers: 15/00124/STCINN AND 15/00109/STCINN

We are writing to oppose the above Street Trading Consent Applications.

We would like to point out that as local residents we are already severely affected by noise levels from the arrival and departure of large numbers of visitors to the O2 Academy venue. An all-night, seven days a week, food outlet will only encourage people to linger and congregate nearer the residential properties of Orchard and Trenchard Streets. To have a food outlet open till late is one thing and bad enough but have it running till 6.00am is totally unacceptable.

We also have strong evidence that the following negative results will impact both private and student residents living in close proximity to the proposed siting of the Fast Food Trailer:

- Increase in unsocial noise levels affecting the adjoining residential properties through the evening and night time
- Increase to gull activity attracted by the food detritus. Gulls are already a serious nuisance in nearby streets, not only spreading rubbish but also attacking pedestrians in the period when young offspring wander at street level
- Increase in urination and defecation incidents (yes really) in the residential cul de sac portion of Orchard Street

Representation 21

As local residents, we strongly object to this application for the following reasons:

- Overprovision of food outlets: the Park Street / City Centre area is already supersaturated with food outlets opening for extensive hours and the need for more is to be discouraged.
- Location: this trailer will take car parking spaces which are at a premium around this area. It will be parked next to the historic Hatchet Inn, which attracts tourists, and will be unsightly.
- Proposed opening times: these are ridiculously extensive
- Loitering in the area: food outlets encourage loitering which is a particular problem in the evening.
- Noise: there will be customers gathering at unsocial times in an increasingly residential area. Noise funnels upwards in the narrow streets and disturbs all neighbouring properties.
- Litter and smells: inevitably this will be a problem as it is with other fast food outlets.
- Parties: there will be even more parties in the vicinity which is already an increasing problem.
- Seagulls: seagulls are an increasingly major problem in the area. They love discarded food and the trailer will add to the problem.

We recommend that for the eight reasons outlined, you reject application 15/00109/STCINN.

Representation 22

Application Ref numbers: 15/00124/STCINN AND 15/00109/STCINN

I am writing to object to the applications above, proposing the siting of a food van opposite the Red House and opposite Harford House on Frogmore Street. One presumes that both applications have been filed to ensure that one is granted. However it is unacceptable that either should be allowed to proceed for the below reasons that have been mentioned by my neighbours letter.

- Increase in unsocial noise levels affecting the adjoining residential properties through the evening and night time.
- Increase in gull activity attracted by the food detritus. Gulls are already a serious nuisance in nearby streets, not only spreading rubbish but also attacking pedestrians in the period when young offspring wander at street level
- Increase in urination and defecation incidents in the residential cul-de-sac portion of Orchard Street.

I further endorse these reasons but also would like to add a further comment.

I would also point out that at present through arrangement with the O2 academy we have a security guard that stands on the corner of Orchard St on a Friday night, when the O2 academy is open. This is to move on patrons of the O2 so as to prevent drunken patrons from sitting on our doorstep eating, drinking, defecating and brawling. However, now with access to food, these people may remain in the area with no respect for the residents that have to get up at 5am to travel to work during the week and the weekends.

When leaving for work on a Saturday morning, wading through the rubbish from take outs and late night food shops, it is clear to see that Bristol City Council have no way of dealing with this mess at the time other than leaving it until the morning and allowing refuse collections to deal with the aftermath. Is there to be extra refuse collections or bins located in our street and around the vicinity to deal with the debris that will be left from these vans?

I hope that you will see that it is absolutely unacceptable that any van should be allowed to be located in either of these areas.

Representation 23

We write with reference to above Street Trading Licence applications and advise of our wishes to object to both applications on the following grounds as set out below for your attention.

Before doing so, we would like to point out that whilst your two letters notifying us of the proposed applications are dated the 10th April, we didn't actually receive them until 20th April, some 3-4 days prior to the cut-off date in which to appeal.

As a longstanding business occupier who employ a number of people working from xxxxxxxx that would be directly affected as employees, we set out below the respective grounds in which we oppose the respective license applications. From past experiences, when we opposed the last traders licensing application, Bristol City Council granted the licence despite the number of objectors which led to the following events occurring in which in our view form the basis of our contesting any new licence being approved. Namely;

1. The local environment and pavements becoming littered with food detritus, plastic and paper food packaging which would often or not end up being put through residents/occupiers' post boxes. Waste or refuse left from the night before would not be collected by Bristol City Street Cleaning services as they would deem it residents waste.
2. By the very nature of positioning a street trader's van of the suggested size in front of dwellings 30-36 Frogmore Street creates a security risk to our staff and other workers and residents of the subject premises. It is our experiences from the last time a licence was granted that a food van of this nature encourages anti-social behaviour, creating blind spots to the rear of the vans in which people congregate and hence creating a safety and security risk. The buildings have been prone to much graffiti attack along with break-ins and any street trading van proposing to trade in front of the buildings only acts as catalyst for further unwanted behaviour.
3. Apart from this, a proposal of this nature will also create a disturbance to the occupants from not only the noise levels created by the mechanical appliances used but also from the creation of fatty foods being cooked and the generation of unwanted cooking odours travelling into the buildings.
4. As an office occupier, we operate our business well into the early evening and also at times during the weekend. Given we pay business rates, we should in the very least be able to leave and access our premises without the feeling of any intimidation that is often created with the crowds of people these vans can attract.
5. Any proposal of this nature in my view where it proposes to cook food and be positioned so as so cause a pavement and potentially a highway obstruction over a succession of time as suggested, warrants a planning application for the use.
6. Finally, Frogmore Street is starting to see the benefits of all the recent investment being made into the area such as the redevelopment of Colston Hall and the upgrade in highways etc. The introduction of street trading of this nature will only in our view diminution this and create a recipe for added stress on the council services where cleaning and policing the area as seen in Park Street, which has become awash with litter following a night out by party revellers. Introducing street trading of this nature will in our view only extend the party activities from Park Street into Frogmore Street and beyond particularly as there will be over 200 beds of students opening up later in the year.

As you can see there a number of valid reasons as to why we as occupiers would oppose such an application of this nature. As indicated we speak from the experience of the last Street Trader and would urge you to refuse any application of this nature in this area.

Representation 24

I write with regard to a letter dated 9th April 2015 (albeit only received 16 April, giving little time to respond) from Bristol city Council's Licensing authority relating to the street trading consent application reference: 15/00109/STCINN.

As local residents we strongly object to the vague proposals as indicated in this letter for what essentially seems to be a "burger van" wishing to have permission to trade from 1800 - 0600, seven days a week. we cannot see how such a business can possibly be in the interests of local residents or businesses, as we feel it will only provide further congestion, litter, noise pollution and general disturbances on our doorstep.

Living xxxxxxxx we have seen over the years an increase in the general amount of aforementioned noise, litter, congestion and, disturbances on our doorstep. Indeed, it seems each evening, particularly on Friday and Saturday nights from around 2100 - 0500, that Central Bristol descends into a near dystopian hell - with fighting, vomiting, and a general air of menace on the streets that betrays the name of this great city. One logically draws assumptions that the target demographic for this business will be those who come to the city centre to binge drink and cause this chaos. At best these persons cause a nuisance, however, a tangible percentage of them cause misery to the local residents.

Leaving home early, as I often do on weekends, I am greeted with litter strewn across the street, typically burger packaging, fish & chip wrappers, empty bottles and cans and broken glass. More often than not on a Saturday / Sunday morning we will also be greeted with vomit on our doorstep, or urine puddles / stains. This is cleaned, often at our own expense, and I am not aware of the council having taken any steps to police this area or encourage the area to be a no drinking zone. Any business that encourages people to linger in the street within yards from my front door can only further aggravate this issue. Is it proposed that additional litter bins will be installed in the area, and that additional street cleaners will be drafted in to in the early hours to clean this area?

I would also like to ask what will happen to the car parking spaces that this van plans to occupy? Is the council planning on taking these most useful parking spots, which our friends and family use a great deal, out of circulation for 12 hours of the day? Will these spots, be replaced by other spaces, that provide free parking for a limited number of hours each day?

I accept that by living in the city centre one must accept an increased level of hubbub, but a fine line exists between joviality and hooliganism, and that line has been crossed in much of BS1. The only way we, law abiding tax paying citizens, can strive to redress this balance is by contacting your good selves and striving to stop new businesses that we feel will damage the area from trading.

BLU-FIRE SMOKE 'n' GRILL

Response to Objections:

We have carefully read and considered every objection to our application and set out our responses below.

Suitability of Trading Unit

Firstly we're not proposing to use a 'Burger Van' at any time should a licence be granted. Our proposal is for a kiosk, which will hopefully be delivered and sited by the manufacturers. This is the type of kiosk that we have in mind:



Such a structure would enhance, rather than diminish the surrounding location.

Secondly, we would like to reiterate the primary purpose of our application which is to sell food and soft drinks, not alcohol.

We would respectfully submit that the late evening issues of anti-social behaviour that has fuelled these objections, are primarily related to alcohol consumption.

Without wishing to be patronising, it is necessary to consider and understand how alcohol impacts the body, because, whilst there are many variables that affects how each individual will react to alcohol, there is one common factor that affects the majority of people, and that is consuming alcohol when hungry. In an article 'Know your Limits by the Public Health Agency, it states that:

"The alcohol you drink travels to your stomach. Unlike food, alcohol doesn't need to be digested and can pass quickly and easily into the bloodstream (**about 20% of the alcohol that enters the stomach is absorbed immediately**)". How quickly alcohol is processed in your body and the amount that stays in your blood is affected by many different factors, including **whether or not you've eaten. Food slows down the rate of absorption** - that's why alcohol affects you more quickly on an empty stomach".

The Hatchett Pub and the O2

Until very recently, Mr White worked at the O2 as a Frontline Security Guard and has first-hand knowledge of all the issues raised in the various objections.

The O2 does not provide any restaurant eating facility. The Hatchett pub offers alcohol at cheaper prices than the O2. It is the O2's policy that attendees are not allowed re-entry if they leave the venue because historically, those attendees would visit The Hatchett Pub for cheap alcohol thereby reducing O2's revenues.

Most of the visitors to the O2, which is the primary venue for alcohol consumption, are not local and have often travelled for several hours to get there, or they arrive directly from work/college/university, etc, and have often not eaten prior to their arrival and are just keen to get ahead in the queue. On arrival, most of them are unfamiliar with the eateries around the local area. This was witnessed first hand by Mr White during every weekend that he worked at the O2. Often, throughout the evening he would be asked for directions to the nearest place to get something to eat. There was a steady stream of people leaving for this reason. Others, who didn't wish to be refused re-entry, stayed and got drunk. Some more quickly than others. There will always be those who simply want to get drunk on a night out whatever the state of their stomachs.

So, having a 'Kebab Corner', as one resident so eloquently describes it, out of sight of the venue only becomes important at the very end of the evening, after much alcohol consumption when the inebriated will stumble around either trying to find something to eat or are too incapacitated to care. It is primarily at this stage that most of the alcohol related anti-social behaviour arises.

Making food readily available from our catering unit throughout the evening will very likely help to minimise many alcohol fuelled problems associated with the vicinity.

Suitability of the Applicants

We currently run a small catering business serving food at the St Nick's weekly Wednesday and Friday Food Markets and the Harbourside Market. Mr White holds a **Level 3 Food Hygiene Certificate** and I am in the process of completing mine. We hold a **'5 Star' rating** for hygiene from the Bristol City Council, and are very much up to date with **Health and Safety Legislation**.

Before entering Catering and Hospitality, I worked in the legal profession for over 25 years; Mr White worked in manufacturing and he now holds a frontline SIA badge in security. All our food is freshly prepared and cooked by ourselves. Our menu will be fully inclusive of both meat and vegetarian dishes.

We have compulsory public liability insurance cover up to £10,000,000. Mr White will make enquiries with SIA about additional insurance that will enable him to personally act under his SIA Frontline badge in terms of security around the general location of the unit.

Licensing Hours

We have no desire to undermine local residents' quality of life. So, as a compromise, we'd like to **amend the application for our weekday trading hours for Monday to Thursday, to between 5pm and 11pm**. The weekend hours from Friday to Sunday to remain as requested and which is in line with the late night trading hours of several local businesses.

Public Safety

The proposed location of the activity does not present any significant risk to the public in terms of highway safety and obstruction. The only requirement from the Highways department is that there should be a two metre allowance along the frontage of 30 Orchard Street.

The Police have not contacted us about the applications which would suggest that there are no greater safety issues than already exists.

Anonymity for the Charity's Clients (we assume that this is The Harbour), is unlikely to be negatively affected as they are already exposed to the significant foot traffic that already pervades that location. They are, after all, located right opposite the O2! The service hatch of the unit will face the O2 and away from the entrance to that building. Access will not be impeded in any way.

Commercial Need:

Our kiosk will be an excellent addition to a vibrant City Centre in an area of mixed residential and commercial interests. There are only two food outlets in the immediate vicinity with The Hatchett Pub opening until 4am and the Nepal Indian restaurant closing around 11 PM.

The late hours required for trading does not facilitate crime and disorder but alcohol does. Indeed the O2 venue has an operating licence up to 5 AM and there is already a significant police presence in the general area with security guards both internally and externally to the O2 venue. Any question of increased crime and disorder is a matter for the police

On the basis of Mr White's first hand experience of people wanting greater accessibility to food within the immediate locality, there is a real commercial need to make it more readily and easily available. We're looking at tempting people into eating before they start drinking and we would hope that this would produce a real positive benefit generally.

Prevention of Public Nuisance:

1. **NOISE:** Weekday customers are likely to be very local such as the students who reside close by. So there should be no more than the usual very limited disturbance that residents experience now. The new trading hours that we're seeking should also minimise any late night disturbances. It is our intention to connect to mains gas, electricity and water where viable in order to avoid using a generator so we will make relevant enquiries once we know the outcome of our application. Weekend noise is a different issue altogether and which we have no control over. There'll always be people who want to make noise after leaving a night club particularly if they're inebriated. People who are eating do tend to make very little noise even if they're drunk. Policing the area to move on noisy people is beyond our control. In the Bristol Post article referred to below, the police commissioner acknowledged that shrinking resources was a prohibitive factor of properly policing the city centre at the weekends.
2. **FUMES** - Any fumes will be minimal and extracted by a Deodorised Extraction Unit
3. **SMELLS** - Again smells will be extracted by a Deodorised Extraction Unit
4. **REFUSE** - We will undoubtedly have suitable bins adjacent to our kiosk but, you could place bins end to end from here to Lands End, and there'd be no guarantee that customers would use them. Whilst we will endeavour to clear up any rubbish near by, it's likely to be a fruitless task if people are also coming into the area and dropping rubbish as they go. Effectively we'll be spending our time cleaning up everyone else's rubbish. What is required is a waste collection strategy to clean up after people have left the area. We understand that that is already in place with the Council, which is acknowledged by some of the objectors, where the area is cleaned from 6.00 am. It also seems that we've landed in what is a longstanding issue between the Council, the residents and local city centre businesses, regarding the level of waste generated throughout the weekends. Back in 2013, an article in the Bristol Post (10/09/13), highlighted discussions about an "optional business improvement district" or "a late night levy" that would contribute towards cleaning up the late night rubbish. We do not have any recent updates of the current position. Whilst we will endeavour to contain our generated rubbish, the reality is much more difficult as it's a much wider issue than us simply providing extra bins. Nevertheless, we will engage fully with any late night schemes to be implemented to tackle these issues.

5. **VERMIN** - are only likely to be prevalent if refuse is not cleared away timely. This should not be any greater issue than what it is at present with the Council's waste collection strategy in place.

Our first hand experience shows that there is a greater need for food to be more readily and easily available within this location despite the fact that there is a 'kebab corner' close by. If more people can be tempted to eat before they start drinking, then, whilst it would be naive to think that this would significantly eradicate the alcohol fuelled anti-social behaviour that prevails at the moment, it might lead to some reduction of those issues which can only be a positive benefit to that area.

Having regard to the above, we would respectfully request that our licensing application should be allowed.

Colin and Juliet White
3rd December 2015