

**BRISTOL CITY COUNCIL  
PUBLIC SAFETY AND PROTECTION COMMITTEE  
19 April 2016**

**Report to consider two applications for the Grant of Street Trading Consent(s) at Footpath on Temple Circus Gyratory between Friary and Temple Gate**

**Applicants: Bayram Demiroglu – Anatolia  
Honore Sanjivi – Tokyoyaki**

Report of the Service Manager – Regulatory Services

**Purpose of Report**

1. To determine two applications for the grant of a Street Trading Consent at the following location: Footpath on Temple Circus Gyratory between Friary and Temple Gate

**Background**

2. 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.
3. General conditions which would be attached to a licence/consent if granted are at Appendix A
4. A number of applications for street trading consents have been received for the same location details of which are provided below. If granted the consents would enable the applicants to trade lawfully at the above location.
5. Photographs of the proposed trading site are attached at Appendix B and a site location plan at Appendix C.
6. On 14 July 2015 Mr Bayram Demiroglu applied to sell the following goods:

Falafel hummus, cous cous, Halloumi Cheese, Vine Leaves, Paninis, Chicken, Pitta, Fresh Salad, wraps, Tea, Coffee, Cold drinks, Bottled drinks and Bottled Water  
During the hours of 0800 – 1500 Saturday  
0900 – 1500 Sunday  
0700 – 1500 Monday to Friday

Photographs of Mr Demiroglu's trading unit are attached at Appendix D

7. On 24 September 2015 Mr Honore Sanjivi applied to sell the following goods:  
Savoury and Sweet Takoyaki, Coffee, Tea and Cold drinks  
During the hours of 1100 – 1900 Monday to Saturday  
Photographs of Mr Sanjivi's trading unit are attached at Appendix E

## **Consultation**

8. The Council's policy states that normally consultation will take place with the following interested parties:-
  - a. Local Residents
  - b. Local businesses
  - c. Bristol City Council – Highways officer
  - d. Bristol City Council – Planning Team
  - e. Bristol City Council – Food Safety Team
  - f. Bristol City Council – Pollution Control Team
  - g. Bristol City Council – Councillor
  - h. Avon and Somerset Police

Standard consultation was undertaken in respect of both applications.

## **Consultation Responses**

9. The following responses have been received.

In respect of both applications comments were received from the Highways Team and City Design Group regarding major works to take place at this location during 2016. They stated 'works are expected to commence in mid-2016 with a construction duration period of 50-60 weeks. Surveys, investigation and limited enabling works will take over the first half of the year. The work will take in the area indicated on the plan where we propose to narrow the footway and modify the Victoria Street junction. This is also true of the Friary area.'

They felt it was not appropriate to issue any further consents in

this area until the works are completed.

### **Officer Considerations**

10. Members will be aware that the Temple Circus Gyratory is due to undergo major works in 2016 which will drastically change the layout and design of the area. The works were expected to begin in June 2016 and take approximately 60 weeks to complete. At the time of writing we are seeking further information as to whether the works are still due to begin in June 2016.

In light of the comments received and the nature of each of the applications officers consider that trading could take place at this location until such time as the works commence on Temple Circus Gyratory.

If the sub-committee were minded to grant any of these applications officers would recommend that a condition is placed on them requiring that the units be removed at the end of trading time, and that the units be removed for any surveying works at any reasonable request from the contractors in order to undertake any necessary surveying or preparation works..

11. Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 deals with street trading consents. Subject to certain exemptions that do not apply to this application, Paragraph 7 enables the council to grant a licence if they think fit. The council may attach such conditions as they consider necessary, which may include among other things conditions to prevent obstruction of the street or danger to persons using it, nuisance or annoyance etc. 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.
  - a. 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.
  - b. A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time. The holder of a street trading consent may at any time surrender his consent to the council and it shall then cease to be valid.

12. The applicants have been provided with a copy of the report and have been invited to the meeting.

**RECOMMENDED** The committee is asked to determine the applications.

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

**Contact Officer:** Ms A Holman, Senior Licensing Officer

**Ext:** Telephone 01173 574 900

**Appendix A**

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

1. The consent holder shall only trade on the days and between the times stated on the consent.
2. 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.

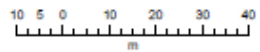
11. If, during the currency of any consent any material change occurs in the facts of which particulars and information were contained in, or given along with, the application for the consent, the holder of the consent shall report such changes to the Licensing Authority within 72 hours of that change.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

**Appendix B**



# Anatolia - Temple Circus Gyratory

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Appendix E

