

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

24 AUGUST 2010

Application for the Grant of Street Trading Consent at:

Corner Of Elton Road And Gloucester Road, Bishopston, Bristol

Applicant: David Donguzashvili

Proposed trading name: Super Grill Chickens

Report of the Director of Neighbourhoods

Purpose of Report

1. To determine an application for the grant of a Street Trading Consent at the following location: Corner Of Elton Road And Gloucester Road

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 if granted are at Appendix A
4. A site location plan at Appendix B.
5. On 21 July 2010 David Donguzashvili applied for a street trading consent which, if granted, would enable the applicant to trade lawfully at the above location. The applicant applied to sell the following goods

During the hours of **11:00 - 23:00**
From **Monday to Sunday**

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 C - Residents

Appendix D - Nearby businesses

Appendix E - Other agencies

Bristol City Council – Environmental Health Officer

Bristol City Council – Councillor

Avon and Somerset Police

Appendix F - Ward Councillors

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.

APPENDIX B





Super Grill Chickens

Pavement Area, Junction Elton Road and Gloucester Road

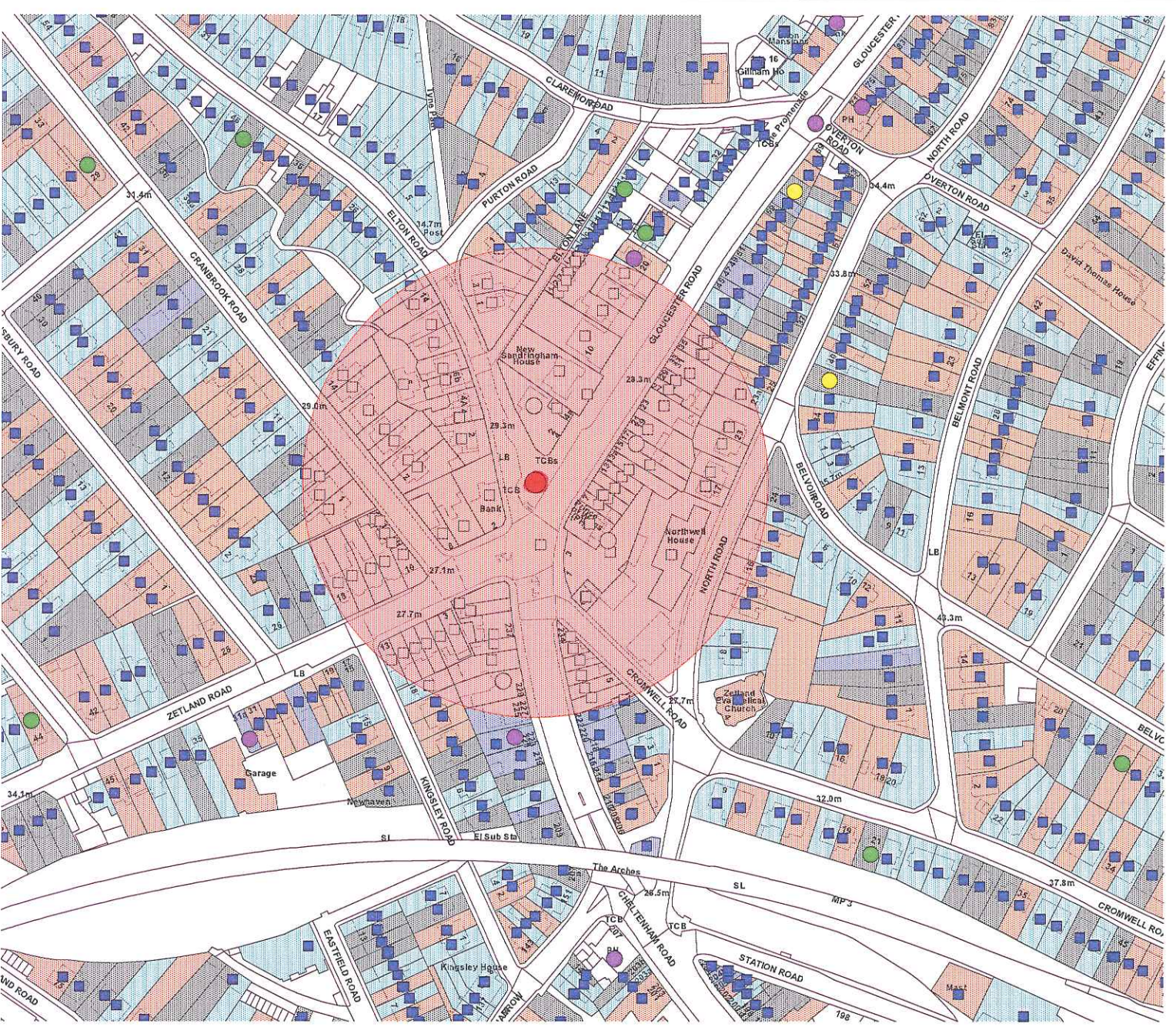
LEGEND

Licensing Points

- CLUBPR
- COLH2H
- COLSTR
- GAAGC
- GABETO
- GABING
- GACAS
- GACMP
- GAFEC
- GALAMA
- GALAMP
- GALOTT
- HYPNO
- LAPER
- METSAL
- METSCR
- PEL
- PREM
- PRNIP
- STCON
- STLIC
- TENS
- TXHCD
- TXHCDA
- TXHCDR
- TXHCV
- TXPHD
- TXPHDA
- TXPHO
- TXPHV
- Default

Scale: 1:2500

Organisation	Not Set
Department	Not Set
Comments	
Date	22 July 2010
SI A Number	Not Set



APPENDIX C

Bristol City Council		
Licensing	Date	
Validated		
Received		
Scanned		

Licensing Office
Princess House
Princess Street
Bedminster
Bristol
BS3 4AG

Dear Sir / Madam,

Re. Application ref number 10/01826/STCINN

I am writing to you regarding the application to locate a takeaway van on the corner of Elton Road and Gloucester Road.

I live only a few metres from the pavement area in question. There is no doubt that I and my neighbours will, from our own homes, be able to hear noises and smell the unpleasant cooking odour from the van, from 10am to 11pm every single day. Gloucester Road is a popular area for shopping and recreation, in the day and evening, but it is also a residential area. I do not feel that the wishes of excessive drinkers and one businessperson should be put above the interests of the numerous local residents.

This stretch of Gloucester Road is clearly saturated with premises selling hot take-away food already. While I very much enjoy the wide range of food outlets within a minute's walk of my door, it seems to me that this take-away van would only undercut existing hot food outlets, being potentially detrimental to their business. The cumulative impact of this and other bars and takeaways in the local area would detract from the wonderful restaurant/café/deli culture of the area, degrading into an area of town attractive only to those who want to consume excessive amounts of alcohol, eat take-aways, behave loudly and inappropriately in a public space, and make the area feel less safe, comfortable and enjoyable for everyone else. I am also concerned by the possibility of damage to residents' private property as a result of a take-away van on this corner. There are bike racks on the pavement nearby, and only a few months ago my bicycle was seriously damaged by passers by when I left it parked there for only 10 minutes in the early evening. With customers (often drunk) eating and loitering in the area for 13 hours each day, I am concerned that the occurrences of petty vandalism and littering would only increase.

As I am sure you are aware, a licensing committee hearing recently took place regarding the Sainsbury's supermarket due to open at 2-4 Gloucester Road, on the very same stretch of pavement (Application ref number: 10/01390/PREM). I oppose the granting of a long-hours license to Sainsbury's on the ground of cumulative impact, and I intend to oppose this license for the same reasons.

I understand that the recently designated Gloucester Road Cumulative Impact Area (CIA) came into effect on 1st August. Further, I understand from the Sainsbury's hearing that the relevant date is that of the application, rather than of the hearing, and as such this application cannot be considered under the new CIA policy. However, I also learnt at the Sainsbury's hearing that the *concept* of cumulative impact can be applied whether or not a CIA has been designated. In other words, the CIA exists to raise the profile and streamline the process of rejecting licensing applications (if applicable) in an area particularly prone to a cumulative impact of licensed premises. However, if a similarly prone area suffering from comparable conditions of public disorder, nuisance, crime and public safety also faces a licensing application, the effect of cumulative impact should be given no less weight.



Licensing Office
Princess House
Princess Street
Bedminster
Bristol BS3 4AG

29th July 2010

Dear Licensing Authority
Application ref: 10/01826/STCINN Mobile Unit

We would like to raise concerns over the above application:

Public safety

This is a very busy junction for traffic and pedestrians with bus lanes, cycle paths, traffic lights and pedestrian crossings. It is a high congestion area with limited parking. A mobile unit will increase obstruction in the movement of people and vehicles and present associated risks.

Need for facility

The number of takeaways, fast food outlets and restaurants has increased rapidly in this area and a mobile unit will not add any useful facility. It will detract from some of the better developments that have taken place over the last few years such as the pavement cafes on the promenade.

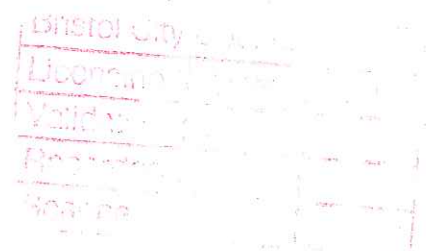
Public Nuisance

The takeaway trade already creates a problem with refuse. Packaging and uneaten food are dropped in the street and thrown over garden walls. The streets remain littered for days and sometimes weeks. The bottom of Elton Road frequently becomes a refuse dump which is an eyesore and increases the number of rats infesting the area. At weekends the streets are often noisy with groups coming out of the pubs and clubs. For residents here, a mobile unit is likely to increase the problems of noise, anti-social behaviour, rubbish and rodents.

Suitability for the area

A mobile unit is unsuitable in this location in a conservation area with buildings of historic importance. The loss of this pleasant open pavement space will be detrimental to the character of the area.

We hope these concerns will be taken into consideration.



License No	Unit No	Unit
Validated		
Reconsidered		
Scanned		



30th July 2010

Dear Sir/Madam,

I am writing with reference to application number 10/01826/STCINN.

I would like to strongly object to this application for the following reasons:

- The immediate vicinity already has a large number of fast food/takeaway outlets, adding another is entirely unnecessary.
- The Unit will be unsightly.
- In my experience these types of units produce a large amount of waste which tends not to be disposed of correctly.
- I am a vegetarian and do not wish to be subjected to the smell of cooking chicken all day.

I would be grateful if you could keep me informed of any further developments with regard to this application.

Yours Sincerely

28/7/10



Dear Sirs,

With reference to the application overleaf. We feel we must object for the following reasons.

a) There are already far too many catering outlets in the immediate area. Well past saturation point. A fact already acknowledged by the council. (according to the G. Post)

b) The litter problem associated with take away caterers is bad. With "Tea stalls" it is always worse.

c) Outlets such as these, whilst invaluable on isolated roads do not fit into residential areas. They become eyesores e.g. "The Straits" at Fish ponds.

In conclusion we wish to register our objection

Yours Faithfully



30/7/10

Dear Sir or Madam,

I am writing in response to your letter of July 22nd informing me of an application to place a mobile unit selling hot food on the corner of Gloucester Rd and Elton Rd (Application ref: - 10/01826/STC/100)

As a local resident I am absolutely opposed to this application. This area already has more than its share of restaurants, bars, take-aways, cafes & pubs and late night noise is a problem. Please give us a break and do not allow this further development in local fast food provision to take place

Yours faithfully,

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 29 JULY 2010

RE: Super Grill Chickens- Gloucester Road

Sir,

Herewith my comments in respect of the above proposal.

The license should be denied because:

- 1) There are enough fast food outlets on the Gloucester Road
- 2) A van will help to congregate people in one place by the pubs and clubs which will encourage rowdy behaviour which I and my family as residents already tolerate on most evenings and nights.
- 3) It will also encourage litter which is also a current problem for residents with fast food packages and containers being dumped in front gardens.
- 4) The odour of fast food from a van is revolting. Other vans within the city are a prime example.
- 5) A van at the junction of Elton and Gloucester Road will encourage traffic as cars stop to use it's products and both roads are already congested adding to the noise and confusion especially at night.
It will also tend to restrict movement of pedestrians on the pavement.
6. Gloucester Road has a number of good class restaurants and a fast food van will do nothing to sustain or promote appropriate growth.

Please deny this application.

A family with twenty years residency.

APPENDIX D

ARCHES FISH BAR

226CHELTENHAM ROAD, BRISTOL.BS6 5QU

TEL: 01179248996

Bristol City Council		
Cloning	Date	W/T
Validated		
Proposed		
Sealed		

Date :30/07/2010

Dear sir /madam

Thanks we received your letter about application for food licensing for pavement area corner of Elton road and Gloucester road , Hopfield Bristol application ref number 10/101826/STCINN

Sorry we are not agree for this application license for hot food and grilled chicken because this place just 50 yard far from our shop and we service hot food, grilled chicken.

The license against to my business we will lose Business .

Please do not hesitate to contact me for further details



Star Mohammad
Shop owner



beast

3rd August 2010

Mark Flower
Bristol City Council
Licensing Office
Princess House
Princess Street
Bedminster
Bristol
BS3 4AG



Dear Mr. Flower

GLoucester Road Street Trading Application 10/01826/STCINN

We wish to object to the above application for street trading consent for a mobile grilled chicken hot food stand.

This stretch of Gloucester Road / Cheltenham Road has a unique character because of the number of quality small independent clothes shops, gift shops and record shops that remain despite the combined threat of the recession and the onward march of supermarkets and large chains.

The area around Cotham Arches and Zetland Road junction is already saturated with restaurants and fast food outlets which cause us constant problems with litter, large wheeled bins illegally placed on the street and fats spilled on pavements and down drains.

The last thing we need is a low quality food outlet trading during daylight hours from the pavement corner of this suburban side street. As well as adding to the existing nuisance, siting a mobile unit in such a prominent position will lower the overall tone of the area. We urge you to reject this and any similar future applications.

Yours sincerely

A handwritten signature in blue ink, appearing to read "A. Keith-Smith".

Andrew Keith-Smith

29-30 the corn exchange corn street bristol BS1 1HQ UK
224 cheltenham road bristol BS6 5QU UK
tel: +44(0)117 9279535 / 9428200 fax: 9628612
www.beast-clothing.com

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 2 AUGUST 2010

RE: Super Grill Chickens- Gloucester Road

I'm writing to you on behalf of the Prince of Wales, located directly opposite the junction where the 'fried chicken' van is applying to trade from, to express our opposition to the application. We have spoken to many customers, also local residents, who agree Gloucester Road has a sufficient amount of fast food takeaways, as well as cafes, restaurants and pubs serving food.

Our greatest worry is litter. We have problems with boxes from nearby fast food takeaways littering the streets already and feel having a street trader could only worsen the problem.

Another worry is for the safety of pedestrians and people in cars on what is already a busy junction. We would also like to voice concern of a rise in anti-social behaviour and people loitering near the van.

As well as it being an eyesore for a part of Gloucester Road, which in recent years has becoming a vibrant, attractive and desirable place to live and work in, it would not be in-keeping with the character of our street. Thanks to the hard work of the council and local traders, many of the boarded up windows have come down and are replaced with thriving, popular businesses. With its reputation as one of the last independent high streets in the UK, if this application is accepted it would tarnish it's good reputation, as well as the view.

APPENDIX E

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 28 JULY 2010

RE: Super Grill Chickens- Gloucester Road

Please note that this site is a major crossing point for pedestrians on a Classified road. The foot fall is very busy and there is also a cycle route through part of this site. Sorry, but there is insufficient space for a street trader at this location so the application should be refused.

Phil Cotham

BRISTOL CITY COUNCIL
LICENSING
Valid to
New
Source

Avon and Somerset Constabulary
Objections to a Street Trading Application
Application Re. No.10/02305/STCON



Name of Applicant
David Donguzashvili

Position of Trading as applied for
Super Grill Chickens – Pavement area Corner of Elton Road and Gloucester
Road, Horfield, Bristol. BS4 4JY

Reasons For Objection

The Police are opposed to this application for a number of reasons.

1. The location applied for is a very large and very busy junction at all hours of the day and night.
2. There is very little parking in this area which will lead to illegal parking on the pavement and at the side of the road causing traffic problems.
3. The area is also very residential and there are already many complaints from residents with regard to noise from the licensed premises already trading in this area. An additional takeaway vendor at this location would add to this.
4. This location is within the Gloucester Road Cumulative Impact Zone that came into force on 1st August 2010.
5. A mobile food van in this area would give drinkers a reason to loiter after hours in this residential area and generate further noise and the potential for anti social behaviour.
6. This location is directly in front of the vacated premise, Bottoms Up, where Sainsburys have recently applied for a Premise Licence at that location, which raised no police objections.
7. Gloucester Road is popular with street drinkers and this will potentially give them more of a reason to hang around this location. This will be the same for beggars that also cause problems.
8. Anti Social Behaviour is a problem in this section of Gloucester Road, and a street vendor could potentially make things worse.

Signed...Alison Wakely.....Print Name...PC 1848 Wakely.....

Rank or position...Violence and Alcohol Crime Reduction Officer, Bristol
Licensing Team, New Bridewell Police Station, Bristol BS1 2QH

Date...4th August 2010.....



Bristol City Council		
Initiated	Date	Init
Validated		
Processed		
Approved		

Bristol City Council
 Licensing Office, Princess House, Princess Street, Bristol, BS3 4AG
 Tel 0117 914 2500 Fax 0117 914 2515 E-mail licensing@bristol.gov.uk

Objection Form – Street Trading Consent

Consultee: **Public Health Services (Food Safety and Health and Safety)**

Your Name	Mr John Barrow
Job Title	Principal Environmental Health Officer
Postal and email address	Public Health Services Brunel House St George's Road Bristol BS1 5UY john.barrow@bristol.gov.uk
Contact telephone number	0117 3533969

Proposed trading name of the proposed site	Super Grill Chickens
Proposed Site address	Area at junction with Elton Ro Gloucester Road Bishopston Bristol
Objection	YES

Outlined below is the reason for our objection including any related evidence I have gathered.

The absence of detail regarding the activities of waste storage and handling, equipment washing, hand washing and availability of toilet facilities indicates that the proposed business might not be able to comply with current food safety legislation in these respects

Suggested conditions that could be added to the licence to the objection and which you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist

APPENDIX F

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 8 AUGUST 2010

RE: Super Grill Chickens- Gloucester Road

Thanks for this, Thomas.

I am opposed to this application as there are already many restaurants in this area competing for the passing trade. Residents living in this area often complain about litter & noise & the proposed business would add to this. This particular area of Gloucester Road is gradually being cleaned up & the visual aspect of this street trading by the Promenade would be contrary to that project.

Best wishes,

Cllr. Sylvia Townsend

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 26 JULY 2010

RE: Super Grill Chickens- Gloucester Road

Thomas

There is no form attached, just a map. Please register my opposition to this application on the basis of the public nuisance that it will cause. The area is highly residential and already blighted by litter and other by-products from the fast food take away industry. Also there are more than enough established outlets in the immediate vicinity and this application would have a deleterious effect on the viability of their businesses. I am also opposed to the loss of pavement space for pedestrians using the area.

Neil...

Neil Harrison
Lib Dem Councillor for Cotham Ward