

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

24 AUGUST 2010

Application for the Grant of Street Trading Consent at:

Paved Area Park Street Entrance to Council House, College Green, Bristol

Applicant: Mr Umut Savas

Proposed trading name: Hubble Bubble

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: Paved Area Park Street Entrance to Council House.

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

5. On 20 July 2010 Mr Umut Savas 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 **18:00 - 23:00- Sunday**

During the hours of **19:00 - 04:00- From Wednesday to Friday**

During the hours of **19:00 - 00:00- From Monday and Tuesdays**

Consultation

- 6 In line with the Council's policy consultation has taken place with the following interested parties:-

7. **Consultation Responses**

The following responses have been received.

Appendix D - Residents

Appendix E - Nearby businesses

Appendix F - Other agencies

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. Mr Savas has been provided with a copy of the report and have been invited to the meeting.

RECOMMENDED the committee is asked to determine the application

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background papers

Contact Officer: Mr Mark Flower , Licensing Officer,
Neighbourhoods

Ext: Telephone 01179142500

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

Reggis

HUBBLE
BUBBLE

'HUBBLE BUBBLE'



APPENDIX C





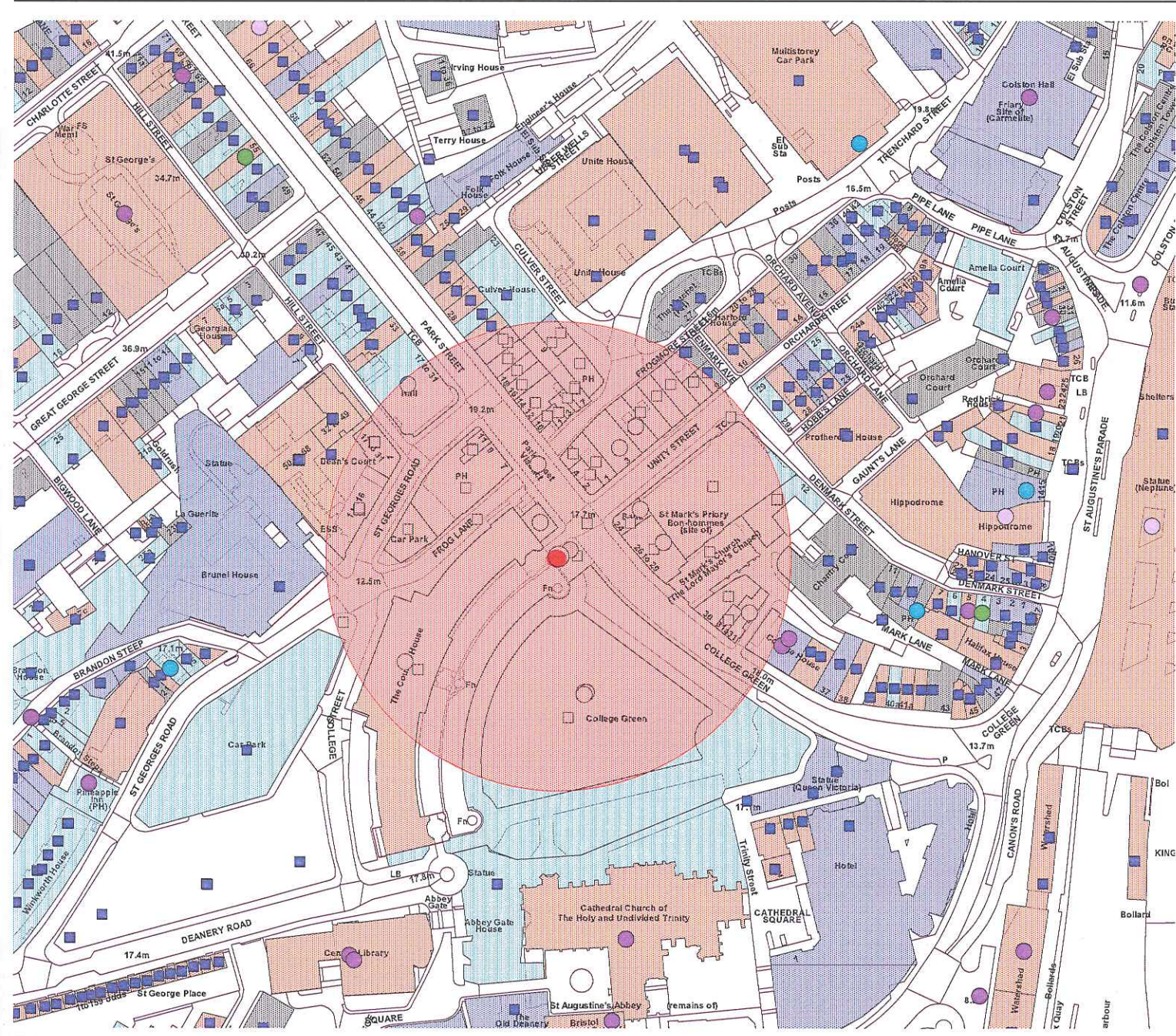
Hubble Bubble

College Green, Paved Area Park Street Entrance to Council House

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	23 July 2010
SI A Number	Not Set

APPENDIX D

The Licensing Office
Princess House
Princess Street
Bedminster
Bristol BS3 4AG

28 July 2010

Dear Sirs

Street Trading Consent Application reference number 10/02322/STCINN

Thank you for your letter of 23 July 2010, drawing our attention to the above Street Trading Consent Application.

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

- **Location:** this location is totally inappropriate for a food-to-go outlet such as this. It will detract from the view of the Council House and College Green and be an eyesore for visitors to Bristol (4th most visited city in the UK by UK residents and 5th most visited by people from outside the UK).
- **Proposed opening times:** these are ridiculously extensive and mean a permanent eyesore for College Green.
- **Noise:** there will be customers gathering at unsocial times in an increasingly residential area.
- **Smells:** residents living nearby and the general public will inevitably be afflicted by cooking smells.
- **Litter:** customers of fast food outlets are notorious for leaving packaging and often part of their meals on pavements and in gutters (witness Park Street on Saturday and Sunday mornings).
- **Cleanliness:** there will inevitably be grease and other cooking waste around the trailer.
- **Seagulls:** seagulls are an increasing problem on College Green. They love discarded food and the trailer will add to the problem.

- **Parties:** there will be even more parties on College Green, adding to the noise and extensive litter problem.

We would comment that the rather chic coffee cart already in the same location causes us no bother and indeed seems to serve a rather useful service to local office workers and other passers-by.

We recommend that for the eight reasons outlined, you reject application **10/02322/STCINN.**

Yours faithfully

Application Ref no: 10/02322/STCINN
Application for Street Trading Consent
Location: College Green.



Dear Sir,

Thank you for your letter of 23rd July outlining proposals of an application for selling hot food from a trailer positioned at the entrance to College Green. The whole thing is absolutely preposterous for the following reasons.

1. The proposed location is at an entrance to College Green that already houses a rather fast-food coffee outlet. There would be no room for pedestrians to use the walk-way when visiting the Cathedral, Library or even College Green itself. This trailer would be a real eyesore on one of the most beautiful open spaces in Bristol.
2. The proposed hours are unbelievable and quite unacceptable. There is enough trouble caused by rowdy and inebriated people leaving clubs and pubs in the early hours of the morning, without them all collecting on College Green until it is the morning in an area now very much residential. There are any number of 'take away' outlets on St Augustines Parade that open until 5am. One only has to see the litter outside these premises in the mornings to see what College Green might look like with all this extra refuse, including debris in the water features. The extra cost of cleaning would eventually be borne by the ratepayers.

3. Having outlined the late opening hours I should
just like to say that a trailer selling hot food on
a Sunday morning from 6 am is not very
appropriate for people attending early Church Services
at the Lord Mayors Chapel and the Cathedral. I am
sure the Dean would not find this right.
We hope that you will be able to reject this
application.

Yours faithfully

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 5 AUGUST 2010

RE: Hubble Bubble- College Green

Dear Mark and licensing team,

I am very concerned about the implications of the street trading and selling of meat for extended hours proposed on College Green paved area in 10/02322/STCINN.

Concerns include cumulative impact, sustainability, noise, odour, waste and litter, air pollution, parking by taxis.

I live immediately opposite the proposed site.

I can supply further details of my concerns, this email is to register my objection during the 14 day consultation period.

Please let me know whether there is any possibility consent may be granted, for street trading and/or late night food.

APPENDIX E

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

28A Park Street
City Centre
Bristol
BS1 5JA



5 August 2010

Dear Mr Flower

STREET TRADING CONSENT APPLICATION
No: 10/02322/STCINN

I refer to the above-mentioned application for a street trader selling hot food and a Mexican salad bar at the following hours:

- Monday and Tuesday 07:00 to 00:00
- Wednesday to Friday 07:00 to 04:00
- Sunday 06:00 to 11:00.

As a restaurateur in this area the proposal from the street trader would put them in direct competition with my business with none of the associated overheads I have to bear and would give them a significant advantage over my and other similar businesses in the area, all of which are suffering as a result of the recent recession.

Whilst I would have no objections to a license being granted to cover the period up to noon on Monday to Friday (11:00 on Sunday) I consider that it would be unfair on me and the other traders in the street to have to suffer such unfair competition during our normal business hours, with trading difficult enough as it is. I am therefore formally opposing the granting of this license unless it is varied in accordance with my request as detailed above.

Yours sincerely

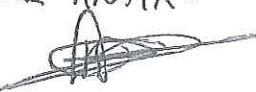




A handwritten signature in black ink, appearing to be "M Flower".

Diamond Kebab
3 Park Street, Bristol BS1 5JA
Tel. 01179 276 222

STREET TRADING CONSENT APPLICATION

NO: 10/02322/STCINN

Below are details of other traders in this area who are opposing the granting of this license.

<p>BAR MANAGER, BAR ANTIX - PANOS LAZARIDES </p>	<p>44 PARK ST, BRISTOL, BS1 BS1 5JG</p>
<p>Director, ALL in one PAUL POLYVIDOU </p>	<p>46 PARK ST, BRISTOL, BS1 5JG</p>
<p>Manager, S. C Looi HK Dimw </p>	<p>58 - Park St Bristol - BS1 5JN</p>
<p>DUTY MANAGER GBK DARIUSZ TRACHTA Trade:</p>	<p>74 PARK STREET BS1 5JX</p>
<p>The Royal Kebab House 45 College Green Bristol Avon BS1 5SH</p> <p>NASEER Ahmed</p>	
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>SPAR 14678 42 PARK STREET BRISTOL AVON BS1 5JG</p> </div>	

APPENDIX F

Avon and Somerset Constabulary
Objections to a Street Trading Application

Application Re. No. 10/02322/STCINN

Name of Applicant

Mr Umut Savas Applicant address: 58 Whitesfield Road Nailsea Bristol
BS48 2EM

Position of Trading as applied for

Hubble Bubble
Paved Area Entrance to Council House, College Green, Bristol

Reasons For Objection

The police object to this application on the grounds of crime and disorder.

1. This location is within one of the top 20 violent crime hotspots in the city.
2. This location is also very close to Park Street which is another location in the top 20 violent crime hotspots.
3. This area generates a large number of anti social behaviour calls, particularly during the hours of night time economy.
4. There is a takeaway food vendor already located at this location.
5. This area is within the cumulative impact zone, and this applicant is not offering to provide any facility that is not already well catered for by existing vendors in the immediate vicinity.
6. Another venue trading with the late night hours applied for at this location would further encourage the public to gather in groups causing congestion and the potential for anti social behaviour.
7. A further venue at the location would add to the current litter problem.

In addition to this Street Trading Application, the applicant has submitted an application for a Premise Licence for Hubble Bubble for a Late Night Refreshment licence to enable trade to the hours applied for in this application.

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.....