

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

20 October 2010

Application for the Grant of Street Trading Consent at: *Outside 105 Mina Road, Bristol, BS2 9YD*

Applicant: *Jiri Mizer*

Proposed trading name: *J.M. Snack Bar*

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: *Outside 105 Mina Road, Bristol, BS2 9YD*

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 September 2010 Jiri Mizer 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

Hot and Cold Food and Drinks:

During the hours of 07:00 - 19:00

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 D - Residents

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 Mizer 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 stationary 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.

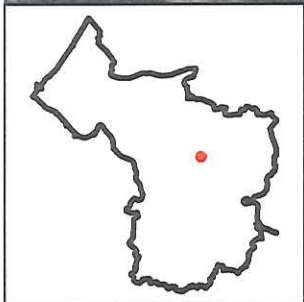
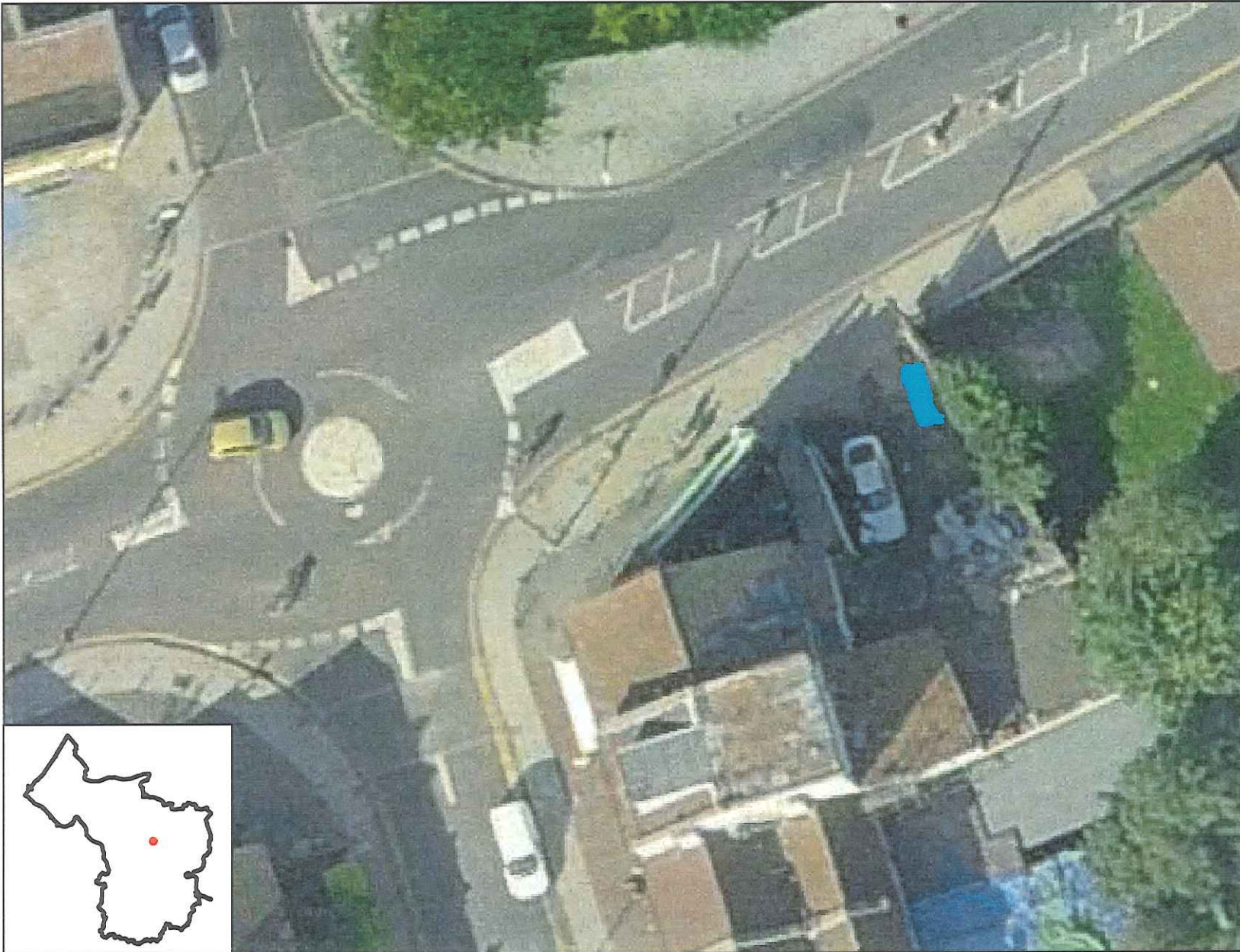
APPENDIX B



APPENDIX C



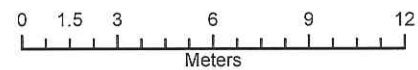
Jiri Mizer- J.M Snacks, Mina Road



Legend

2008 Aerial Photographs
RGB

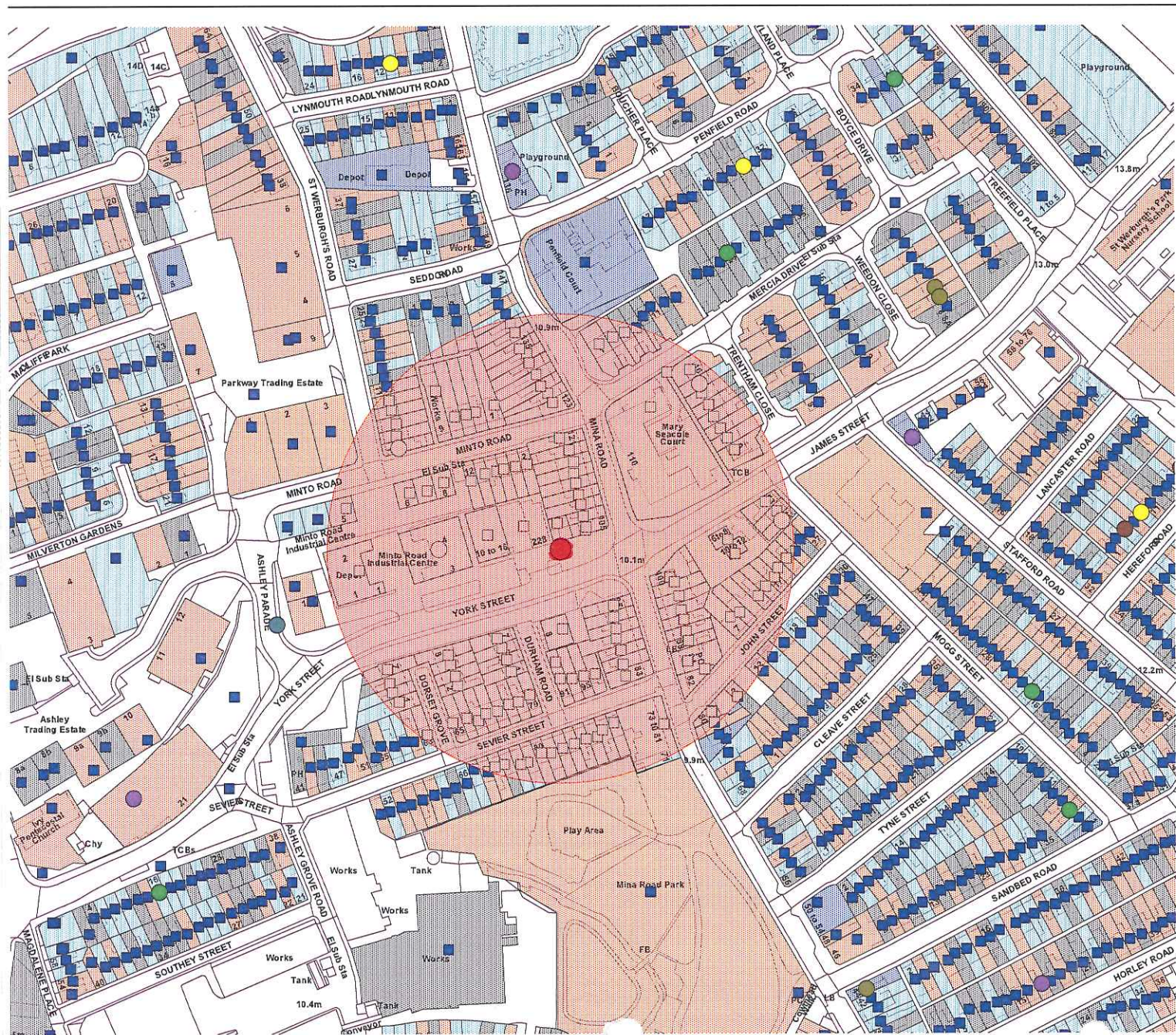
-  Red: Band_1
-  Green: Band_2
-  Blue: Band_3





J.M. Snacks

105 Mina Road



Licensing Points

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

Scale: 1:2500

Organisation	Not Set
Department	Not Set
Comments	
Date	21 September 2010
SI A Number	Not Set

APPENDIX D



3/10/10

Licensing Office
Princess House
Princess Street
Bedminster
Bristol
BS3 4AG

Bristol City Council		
Licensing	Date	Init
Validated	6/10	<i>[Signature]</i>
Recorded		
Scanned		

Dear Sir / Madam

Application ref no: 10/03558/STCON Objection.

We are contacting you to object against the application for a trailer outside 105 Mina Road. I understand that this is likely to be selling fast food outside the local corner shop.

Our objections are as follows:

- There are already problems with cars parking on the double yellow lines next to the shop as people 'pop in'. People also park illegally on the pavement area outside the shop, this is likely to increase if people access as fast food outlet – there is no provision for parking for this.
- There are already multiply fast food outlets on Mina Road, including a sandwich / Carribean food outlet, Moroccan takeaway, Chinese and fish and chip shop, Biblos, pasta / pizza takeaway and Indian takeaway. These already attract problems with cars blocking the road as people visit and park on the double yellow lines. These takeaways also produce problems with discarded rubbish, another outlet is likely to increase rubbish in the area. Rubbish is infrequently cleared and parking wardens are never in the area to address parking problems.
- There is already a trailer selling takeaway food on the next street in Minto Road, this is unobtrusively parked and has parking on the road adjacent to it. Another trailer is likely to detract from business that has already been built up on Minto Road.
- A trailer selling takeaway food adjacent to the main road will be unsightly and affect the character and appearance of the area. The area is already blighted by bill boards, graffiti and rubbish.
- The application for the trailer is from 7.00am to 7.00pm 7 days a week. The area is currently quiet first thing in the morning and on Sundays, having an additional business open for these long hours is likely to increase traffic, noise and footfall.

I would be grateful if you would consider these points and reject this application. I understand that other neighbours are also in opposition and will be contacting you. There is a strong feeling that a fast food trailer will affect the community in the surrounding area and have a detrimental impact on the neighbourhoods and our quality of life.

Yours sincerely

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 09/10/2010

RE: 105 Mina Road,

I believe there has been an application for a license for a food trailer trading 7 days per week 7am til 7pm outside 105 Mina Road. I would like to raise an objection to this as I feel there are plenty of take away food outlets and cafes on Mina Road, and a food trailer on Ashley Parade. I feel a further fast food outlet would detract from the feel of the area, create more litter, and there is a risk of it expanding to evening opening and contributing to anti-social behaviour.

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 30/09/2010

RE: 105 Mina Road,

Trailer outside 105 Mina Rd , St. Werburghs

We are against the granting of a street trading consent for the following reasons

1. There are already 5 take-away food outlets within 60m of the proposed site.
2. There is a burger van around the corner in Minto Rd ,operating 6 days a week.
3. Although the address given is Mina Rd ,the hard standing is actually on York St , a busy commuter route into both the centre and north Bristol ; it is also a bus route . This road has double yellow lines on both sides . Customers would need to cross these ,and drive over pavements ,to approach the van.
4. The site is immediately next to a mini-roundabout ,and customers would obscure the the junction and block the approach roads when entering or leaving the hardstanding.
5. There is no parking on Mina Rd itself ,and illegally parked vehicles belonging to customers entering the applicant's shop already cause problems at the roundabout by causing pedestrians to step out into the road.

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 01/10/2010

RE: 105 Mina Road,

wish to formally acknowledge my objection to a food trailer licence application ref number, 10/03558/STCON

Mina road has a surplus of establishments for providing a diverse amount of take away food,

A trailer would not be in keeping with the diverse community in St Werburghs! It may well present as an eye sore and contribute to more rubbish lining our streets!

I would be grateful if you would acknowledge receipt of this email

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 29/09/2010

RE: 105 Mina Road,

Thank you for your letter with regards 105 Mina Road. My name is Claire McKinley-Price and I live at 111 Mina Road.

My husband and I are completely opposed to a food trailer outside number 105. There are many take aways/cafe's along Mina Road and there is absolutely no need for any more There is a new Morrocan takeaway opening, a pizza/pasta place, a fish and chip/chinese, a curry house and a lebanese cafe all within 100 metres!! There is also already a food trailer around the corner on Ashley Parade, a cafe a little further at the Better Food Company, and a cafe at the city farm. There is plenty of choice already for hungry people.

Most of the current premises on Mina Road have indoor seating areas and outdoor fenced areas, and these look presentable. A trailer would be detrimental to the efforts made to smarten up this area. A trailer would also take away business from those that are actually beneficial to the area such as the lebanese cafe.

We already have a problem with litter in our garden- much of which is trade waste from the shop I might add. A trailer selling food would only add to this.

The current food trailer creates problems with regards vehicles parking on double yellow lines, double parking etc, making crossing the road at Ashley parade dangerous, as well as making driving precarious. I cannot see why those problems would not also occur on our road. It is already very difficult to park here, and crossing the road is already treacherous..

I would also not be happy with outdoor food cooking smells- if they were cooking the smell would reach our property. I am vegetarian and find the smell of meat deeply offensive- but generally I don't want to smell any food cooking all day, every day. As a full time mum I am home all day. At least with the current trailer it is away from domestic properties.

If you need any more reasons why I object I could carry on but I think that's enough for now!

If you could keep me informed with the progress of this application I would be very grateful.