

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

20 OCTOBER 2010

Application for the Grant of Street Trading Consent at: *Warwick Road, Easton, Bristol*

Applicant: *Pickky Chorthong*

Proposed trading name: *Isis 2*

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: *Warwick Road, Easton, Bristol*

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 17 August 2010 Pickky Chorthong 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 - 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 D - Residents

Appendix E - Other agencies

Bristol City Council – Highways officer

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. Ms Chorthong has been provided with a copy of the report and has 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



Image1

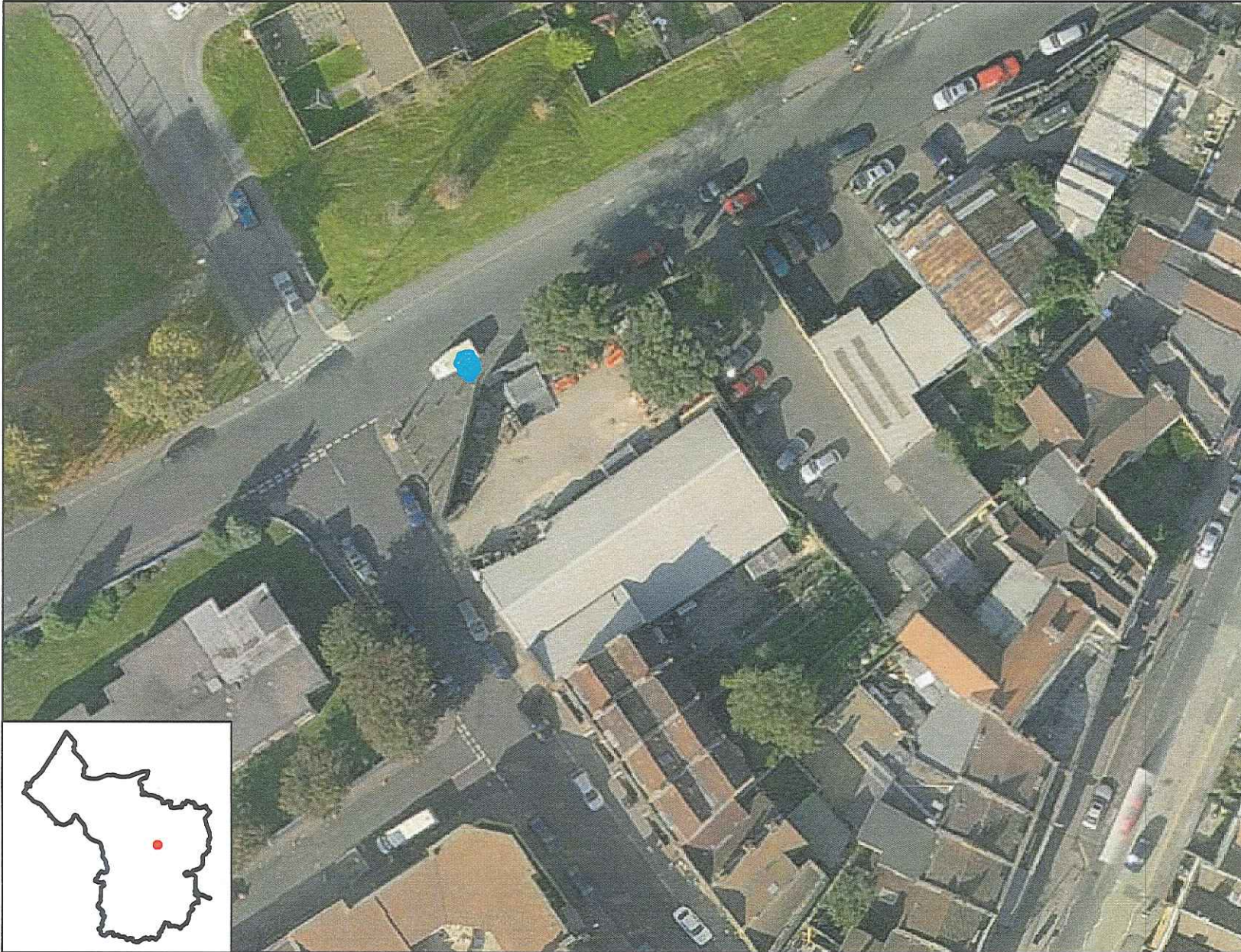


Image2

APPENDIX C





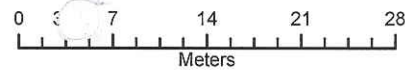
Picky Chorthong- Isis 2, Warwick Road



Legend

2008 Aerial Photographs
RGB

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





Isis 2 Warwick Road

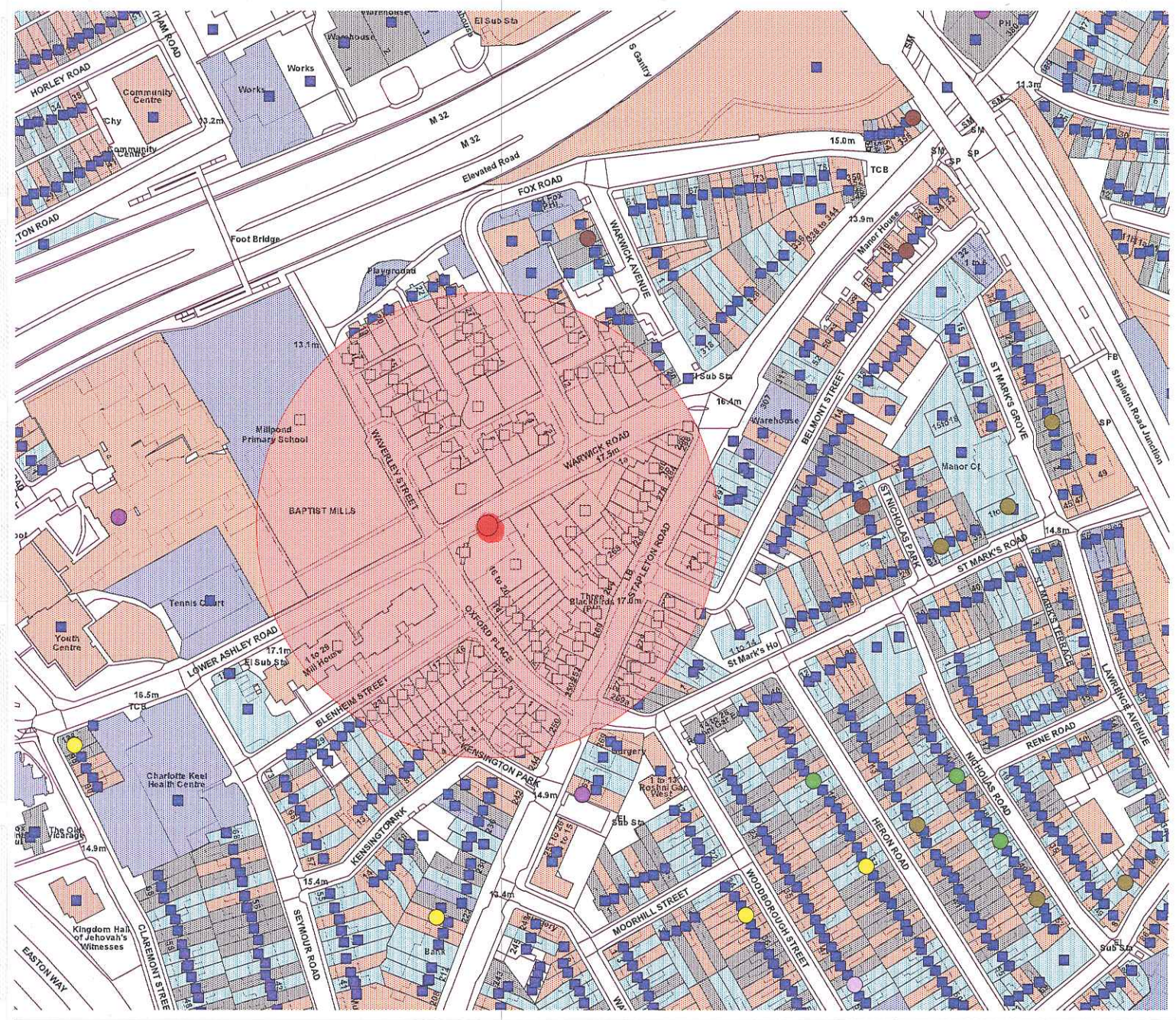
LEGEND

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	17 August 2010
SI A Number	Not Set



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DAY

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JCB

APPENDIX D

Licensing Office,
Princess House,
Princess Street
Bristol BS3 4AG.

23/8/10



Dear Sir/Madame,

Re application ref 10/02812/STCON

I write to you to oppose the request to trade Hot & Cold Foods and drinks on Warwick Road, Easton, Bristol. I feel that if this was to be agreed then we would experience a greater amount of noise and disturbances caused by the customers as well as an increase in litter etc which I feel is already a problem. The noise in this area which is near the Three Blackbirds Public House is already loud at weekends. This is bound to increase and as someone who resides very close to there I feel it will be intolerable. The smoking ban has caused people to congregate outside with lots of raised voices and shouting P.T.O

With a trailer parked at the rear of the public house its not hard to envisage the problems to the local residence.

Further more it is not as thought there is nowhere people can get food. At my last count I have noticed at least half a dozen fast food outlets within a hundred yards of the proposed site.

Please keep me informed of any decisions made and also confirmation that you have received this letter.

Many thanks.

Yours. sincerely.

APPENDIX E

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 08 September 2010

RE: Pickky Chorthong- Isis 2, Warwick Road

The Warwick Rd off-street site looks like the one that was refused due to the site being required for imminent redevelopment and an on-street alternative was turned down because footway was too narrow/possible parking traffic problems.

Thanks

Phil Cotham
(Highway Licensing/Enforcement
Tel 0117 922 3209)