

AGENDA ITEM NO. 6

BRISTOL CITY COUNCIL PUBLIC SAFETY AND PROTECTION COMMITTEE 29 MARCH 2011

**Application for the Grant of Street Trading Consent at
Goodneston Road, Bristol, BS16 3JX**

Applicant: Mr Yusuf Yildirim

Proposed trading name: Babs N Wraps

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: Goodneston Road, Bristol, BS16 3JX

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 consent 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 30 November 2010 Mr Yusuf Yildirim applied for a street trading consent which, if granted, would enable the applicant to trade lawfully at the above location. The applicant has applied to sell the following goods :

During the hours of 07:00 - 15:00
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 - Nearby businesses

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 consent 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 Yusuf Yildirim 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

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





Appendix C



21/02/2011 12:18

Babs N Wraps

Goodneston Road Fishponds Bristol



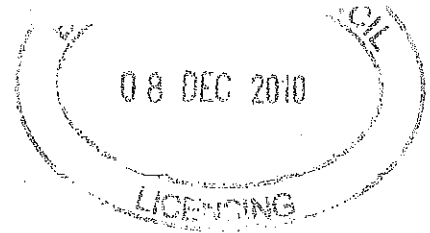
Legend	
Licensing Points	
●	CLUBPR
○	COLH2H
○	COLSTR
●	GAAGC
●	GABETO
●	GABING
●	GACAS
●	GACMP
●	GAFEC
●	GALAMA
●	GALAMP
●	GALOTT
●	HYPNO
●	LAPER
●	METSAL
●	METSCR
●	PEL
●	PREM
●	PRNIP
●	STCON
●	STLIC
●	TENS
●	TXHCD
●	TXHCDA
●	TXHCDR
○	TXHCV
●	TXPHD
●	TXPHDA
●	TXPHO
○	TXPHV
○	Default
●	Location of Terry's Trailer - Local business objector
●	Proposed location of Babs N Wraps
Scale	1:5000

Organisation	Bristol City Council
Department	Licensing
Comments	
Date	11 March 2011
SLA Number	

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Appendix D

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



Dear Sirs,

Re: Street Trading Application ref: 10/05235/STCON – Goodneston Road, Fishponds.

Thank you for your letter of 1st December advising the above application.

Please note our objections to this proposal as all too often these street vans include burgers and the like - the smell from which is not something which residents should have to tolerate.

We suppose it would be more reasonable if confined to the Filwood Road end of Goodneston Road although as you are probably aware there is already a longstanding van just around the corner in New Station Road.

So just how many vans do we need in this area?

We have had a number of vans in Goodneston Road in the past and whilst we have not raised any formal complaint it has really not been very satisfactory.

We trust our comments will be taken into account.

Yours faithfully,

Appendix E

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 8 February 2011

RE: Babs N Wraps – Goodneston Road, Bristol

FROM: Terry Winter – Terrys Takeaway

I would like to object to the street trading licence for the burger van which is trying to pitch in Goodneston Road Fishponds.

I am already trading in New Station Way Fishponds and have been for the last twelve years.

Goodneston Road is just round the corner from me and think it would be unfair to me to allow this burger van here.

Also there is already too much competition in Fishponds and another burger van will make trading very tuff in this present climate.