

**BRISTOL CITY COUNCIL
PUBLIC SAFETY AND PROTECTION COMMITTEE
10 JANUARY 2012**

**APPLICATION FOR A STREET TRADING CONSENT
RE: KEBAB MASTER, STRAITS PARADE, FISHPONDS, BRISTOL**

Report of the Director of Neighbourhoods

Purpose Of Report

1. To seek determination of an application for a street trading consent submitted by Mr Sakir Yildirim for a site on Straits Parade, Fishponds, Bristol.

Background

2. The location was designated as a consent street with effect from the 1 May 2009 for the purpose of street trading legislation. Any street trading which takes place at that location other than under a street trading consent issued by Bristol City Council would constitute an offence.

3. Mr Sakir Yildirim previously made application for a street trading consent for this site on the 15 September 2009 which was granted by this committee on the 24 November 2009. The consent expired on a quarterly basis, renewal being dependant on application and payment of fees. The last consent held by Mr Yildirim expired on the 30 September 2011, there having been no application for renewal or payment of fees. He was advised of the expiry of the consent by the Licensing Office and that a new application would have to be submitted.

4. Mr Yildirim submitted a new application on the 9 November 2011, a copy of which is attached at Appendix A. As a part of the application process applicants are required to submit written permission of the land holder to site any trading structure on their land. In this instance the land owner is the Co-operative as the land fronts onto their store. Mr Yildirim has provided documentation which dated 24 November 2010 signed by the store manager. A copy is attached as Appendix B. As the documentation was dated 2010 enquiries were made with the Co-operative concessions department as to the current status of that permission. Concern was expressed that a decision has been taken at local level regarding this matter as it is not usually a function which is delegated down to store managers. The matter has been left with them, however, members should be aware that any action taken by landlords in respect of use of their land is separate from and not contingent on the decisions of this committee.

5. In line with the Council's policy consultation has taken place with the following parties:

- (a) Local residents and businesses for which we hold addresses within a 100 metre distance from the site.
- (b) Bristol City Council Highways Officer
- (c) Bristol City Council Planning Team
- (d) Bristol City Council Food Team
- (e) Bristol City Council Pollution Control Team
- (f) Bristol City Council Ward Councillors

(g) Avon and Somerset Constabulary

6. As a result of the consultation twenty four objections have been received from local residents and businesses. Copies of the objections are attached as Appendix C

7. Members will be aware that the area is undergoing some major highways work involving changes to the road layout, creation of additional parking bays and general refurbishment of the green areas. A copy of the plans for this area is attached as Appendix D However there has been no objection as such from the Highways Department, neither have there been any objections from the planning department or the environmental health food team. The pollution control team have commented that two complaints have been received of nuisance arising from the use of this site for street trading purposes, the first of noise nuisance from customers in the early hours of the morning in 2009 (prior to the implementation of street trading consent regime) and the second of nuisance from cooking smells in October 2010.

8. Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 deals with street trading consents. Subject to certain exemptions which do not apply in this case, paragraph 7 enables the Council to grant consent if they see fit and attach such conditions as they consider necessary. Such conditions may include prevention of obstruction of the street, dangers to people using the site, nuisance, etc. The consent may also include permission to trade from a stationary van, car, barrow or other vehicle, or from a portable stall. If specific permission is not granted the legislation prohibits a consent holder from trading from such vehicles / structures. Permission shall include where the holder of the consent may trade and the times between which or periods for which the holder may trade.

9. Street trading consents 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. Fees are only payable on the grant of the consent and as such are not application fees.

10. A copy of the standard conditions which are attached to consents are attached as Appendix E

11. Mr Sakir Yildirim has been invited to attend this meeting and has been supplied with a copy of this report.

APPENDICES

Appendix A – Copy of application form.

Appendix B – Copy of letter to allow permission to use land.

Appendix C – Objections from local businesses and residents.

Appendix D – Redevelopment plans for area.

Appendix E – Standard conditions attached to street trading consents.

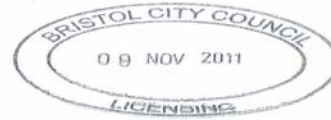
Recommended: The Committee is asked to determine the application.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background papers

**Contact Officer: Myra McSherry, Licensing Administration Manager
Neighbourhoods, Telephone: 01179142500**

Appendix A



Application for the GRANT of a Street Trading Consent
Schedule 4 Local Government
(Miscellaneous Provisions) Act 1982

Part 1 - Your details

Surname or Family name	YILDIRIM		
First name(s)	SAKIR		
Date of Birth	Day 02	Month 07	Year 1969
Current residential Address	1 wentforth drive		
Post Code	BS15 19N		
Contact Telephone Number(s)	079 40505048		

Part 2 - What will you be selling?

I wish to apply for the following type of consent			
Static consent	<input checked="" type="checkbox"/>	Mobile consent	<input type="checkbox"/>
Type of goods to be sold (i.e hot food, jewellery etc)	Hot food		
If you sell hot/cold food, has your vehicle or trailer been examined by environmental health officers to ensure compliance with food hygiene requirements?	Yes	<input checked="" type="checkbox"/>	No
If you answered YES please provide details of the local authority which has examined the trailer or vehicle <i>(you must produce any certification in</i>	B.C.C		

relation to this)
Please note:
If you wish to sell hot food after 11.00pm
you will require a Premises Licence issued
under the Licensing Act 2003 .

Part 3 - Where will you be trading?

Please state the exact location from where you wish to trade, including the name of the street and any other information (if applicable)	opp. 12. Straits parade
If you are trading from a fixed position please provide a plan of at least 1:1250 scale identifying the proposed location by marking the site boundary with a red line.	
Where is the vehicle or trailer stored when not being used?	N/A
Proposed trading name	KERAB MASTER

Part 4 - The trading unit that you propose to use.

I propose to trade from							
Van	<input checked="" type="checkbox"/>	Trailer	<input checked="" type="checkbox"/>	Cart	<input type="checkbox"/>	Barrow	<input type="checkbox"/>
Other, please specify							
Please submit the dimensions of the trading unit and three colour photographs illustrating different elevations of the unit. If you are using a motorised vehicle please ensure that a photograph includes the vehicle registration number. <i>Please note:</i> <i>If you intend to trade from a motor vehicle then you must produce current Insurance and Mot.</i>	3.70m X 2.20m						

Co-operative
• 12 Straits Parade
fishponds
Bristol
BS16 2LE

24/11/10

To whom it may concern.

The Kebab master snack van has had permission to trade on our land for several years. Many of our employees and customers use the Kebab van regularly.

Employees of Kebab master have often assisted us when we have had trouble in the store with shoplifters or anti-social behaviour. They have also alerted the police on more than one occasion when there have been attempted burglaries.

As a store team we feel quite reassured by their presence and have no objections to them trading.

yours faithfully

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 23 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party A

Thank you for your resent later regarding the application ref 11/02527/STCON received 19.11.11 this is a Residents responses .

This e- mail is an objection to the application for all the reasons detailed in our previous objection e-mail below along with the new ones that have come to my attention , since you unbelievably granted permission in 2009 which I am now listing .

The times and licensable activities applied for are outrageous , all other rate paying take aways in Fishpond close at approx 01:00 no later believe , how can you even contemplate allowing the proposed hours when this van is located opposite residential housing .

The signage and flashing light strip , now around the van , since you last granted permission is a major distraction to motorist , and a major announce to all residence, was planning for this signage applied for .

Please check your police records ref accident , caused as drunk person walked into the main Fishponds road and was hit by a taxi in the early hours of the morning

The road lay out has now completely changed due to the Greater Bristol Bus Network and a Pedestrian crossing is now being put between the Straits Parade and the residential side of Fishponds rd , vary close to the position of this van and the Flashing signage on the van will distract motorist even more from keeping their eyes on the road .

The Map of the location sent with your letter does not show any of the new road layout or restricted parking , that should be available for residents and customer visiting the business rate paying shops ,

I believe that the Straits will under go a face lift and new flower beds ,etc put in place , no dought from our council tax , to allow an eyesore like this van to spoiling one of Fishponds few, and one of the oldest land marks is again outrageous.

This Kebab van regularly disposes it waste water and oil in to the road and drains in the immediate area and I am shore environmental health have not agreed to this.

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 24 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party B

As a resident of ***** for over 7 years I have seen the amount of litter and noise pollution escalate to unpleasant levels and intrinsic to this is the presence of both the mobile kebab van on Straits Parade as well as the ill thought out KFC, also on Straits Parade.

In addition to the unacceptable noise and language (we have two small children of 4 and 15 months) the drunken revellers who are attracted to this establishment then proceed to leave their detritus on the street, in front gardens or, unpleasantly, regurgitated in alleys and driveways.

If Bristol City Council is remotely concerned about the environment, litter and excessive noise into the early hours then please help remove one of the main causes - cheap late night outlets providing rubbish this throw away society has no sense of responsibility to dispose of properly.

***** = deleted to protect anonymity

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 30 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party C

I am a Resident of *** and DO NOT want my personal details passed on as fears of re percussions'.**

I am disgusted we are in the same situation. The Kebab van brings an abundance of noise and trouble on a daily basis, and to learn it could be granted a new and LATER licence disgusts me.

This area is up and coming we THE RESIDENTS try to promote the area to make it feel like a community. Especially with the new lay out nearly finished it was really starting to feel like an up market area.

The Late night kebab van being closed for some time has really helped this.

There has been much less gangs loitering, less litter and by far much LESS NOISE.

When I wake in the mornings I feel like I'm ready for a days work instead of being physically exhausted from lack of sleep.

The men that work there NEVER try to calm the aggressive loud customers down. There only reason they're there is to make money!

Please DO NOT GRANT THIS LICENCE I know Most people are to scared to voice there opinions

They are creating a war zone for residents.

They also park two rusty white transit vans on the straits, which I presume they use for storage and as a toilet....These never move!

Please PLEASE DO NOT PERMIT THE LICENCE

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 29 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party D

I write in objection to the renewal of a licence for the Kebab Master on Straits Parade.

Many residents have raised concerns in regards anti-social behaviour late at night and this seems to be a focal point at which the trouble starts.

I have concerns over litter around the Straits Parade area from other outlets and this can only make matters worse.

There are already many fast food outlets along this row of shops and the van has already caused damaged to the grass on the Straits, is unsightly and detracts from the area.

Please refuse the renewal of this application.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 29 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party E

I am a resident of Radley Rd in Fishponds. I strongly object to the renewal of a licence for a kebab van on the straits parade.

my main objections are the late opening hours proposed, which will encourage more anti social behaviour in the area, including more noise & litter, we already have more than enough take away facilities in the area & do not need this.

******* = deleted to protect anonymity**

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 28 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party F

Thank you for your letter regarding the above application and the opportunity to comment upon it.

I feel that I must oppose the reinstatement of the expired street trading consent for the following reasons.

Bristol city council are in the process of spending many thousands of pounds of ratepayers and tax payers money, i.e, MY MONEY, on creating a dedicated bus lane down the Fishponds road,(which I am yet to hear any residents in favour of, by the way), and are at this very time conducting a complete revamp and alteration to the Straits Parade area as part of that project. I will not go into the changes here in depth, as I am sure you are well aware of them, if not, may I suggest you contact Stephen Pick of the GBBN project team for further details. I contacted him some weeks ago for information on these alterations and he kindly sent me a copy of the Straits Parade landscape proposals by e-mail on 24 October. Whilst I would never say that the Parade is an area of outstanding natural beauty, it is none the less, a little oasis of greenery, which is being enhanced for the first time in many years of neglect with new grass, trees and seating. This is a golden opportunity, once and for all to rid the Parade of these unsightly fast food trailers which do nothing to enhance the area or serve the community.

If consent is given, where is it proposed that customers park their cars, while they wait for their orders to be completed.?

Previous cafe and restaurant applications have cited the Straits Parade as a place with plenty of parking for customers. This is complete nonsense. You only need to walk around the Parade to realize that all the parking is normally taken with residents, shop keepers or shoppers cars. Once the bus lane is fully operational and the contractors have left, there will be no parking in Fishponds road itself during peak travelling times. These restrictions directly clash with the proposed opening times in the application. Many times I have witnessed double or inconsiderate parking by customers, which could cause accidents to both pedestrians and other motorists. The Parade has now been altered into a one way system with wider pavements, new traffic islands and dedicated parking places, leaving no room for double parking. I am also concerned that if consent is given, where would this trailer actually be sited? Are we to pay for all this work now being completed, only to see it ruined by a food trailer and its customers treading over the new grass?. I was very disappointed that Bristol City council have

***** = deleted to protect anonymity

only this year given permission for a farmers market to operate from the Parade on two days per week. In my comments to them at the time, I questioned where the traders intended to park their vehicles during their hours of trading. I am still waiting for a reply.....As I said previously, if you are not aware of this ongoing work, I strongly urge you to contact the GBBN for the landscape plans.

I consider the term used on the application,ie, 'to reinstate a street trading consent', as being incorrect. When this trailer was previously trading they did not start operating until 3pm. They now wish to start at 7am, including weekends. I was quite amazed at the proposed closing times, 2am, 3am and 5am!!! What increased noise and litter will this bring to the residents and the area??

I feel that an outlet as this does little to serve the community. I am sure that the vast majority of its customers are shop workers, shoppers and passing motorists, in other words, transient people, not the local people. When the other trailer that was parked on the grass, 'Jeffs Jumbo's', applied for permission, the only comments in favour of his application was from a local shop, who said it was convenient for its employees to use. It is obvious to me that the whole idea of being open part way through the night is to serve passing motorists on their way home, not the local community.

May I point out that there is already a kebab shop at the top of the Straits parade and numerous other food outlets very close nearby. These are legitimate business' operating from shops which could otherwise be vacant. If these people are so keen on operating from this area then why not operate from one of the vacant shops?, thereby providing fair competition to other traders. Let me remind you that the former, 'Bottoms Up', shop at the top of the Parade is still vacant?.

In conclusion, I am strongly against consent being given to this application for the reasons stated above.

***** = deleted to protect anonymity

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 25 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party G

I live ***** this food trailer and can clearly see it from my [home]. ***** is a main route to and from the Oldbury Court residential area. I therefore wish to object to this application to extend the trading hours of this takeaway after 11 pm, on the grounds that:

1. As has happened in the past, there will be an increased likelihood of noise and antisocial behaviour in the street near my house, resulting in sleep disturbance late at night and in the early hours of the morning. At the last Licensing Hearing the trading hours of this business were restricted to those of other nearby takeaways and pubs, which went some way towards addressing the problems local residents had experienced for some time prior to that. This kebab trailer has recently been closed for several weeks during road works on Straits Parade and there has been a noticeable reduction in the level of night time noise and antisocial behavior.

2. As has happened in the past, it is likely that the presence of this late night food takeaway will act as a magnet for people under the influence of drink or drugs. It is on a main route from the City Centre where travellers returning from clubs and bars in the early hours of the morning stop off for some refreshment. Noisy crowds gather in the area and I have witnessed gangs of youths shouting, swearing and arguing near my house. It is not uncommon to see men urinating near or behind the Coop Supermarket close to this trailer. In the past there have been reports of fights and stabbings in its vicinity. A few years ago my car was stolen from outside my house and driven to within a few feet of the trailer where it was set on fire, presumably to amuse the gang who had congregated there.

3. The presence of litter, drinks cans, discarded food and food cartons is likely to increase on the local pavements and in my front garden. I regularly find evidence of uneaten kebabs on the pavement between my house and the Straits Parade shops, on Saturday and Sunday mornings. I have also seen seagulls and foxes scavenging for such food scraps.

4. The pleasant amenity of mowed grass and mature chestnut trees along Straits Parade, where this trailer is going to be parked, will deteriorate into a muddy, overgrown and litter strewn eyesore, as has happened with this and other food trailers located there in the past. I feel this is a completely unsuitable location for

***** = deleted to protect anonymity

such a business, and furthermore the brightly illuminated kebab sign on the roof of the trailer would presumably not be allowed if this was a shop.

5. There are already several takeaways, restaurants, and pubs serving food on Straits Parade and in nearby Fishponds. There is no need for another food vendor, let alone one which unfairly competes with other premises based businesses who pay proper rates and help sustain our local shops and businesses to the benefit of the community. Surely we have Planning Controls to regulate the types and appearance of businesses to stop indiscriminate, inappropriate and unsightly development, so why is this trailer treated differently?

***** = deleted to protect anonymity

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 27 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party H

My wife and I live at *** and have realised that an application has been made for Street Trading from a fast food trailer selling kebabs on land at Straits Parade, Fishponds.**

We wish to register our complete objection to this licence for the following reasons:-

- 1. The noise of cars with large bore exhausts travelling at excessive speeds up and down Vassall Road constitutes both a noise pollution and a danger to any person or animal in the vicinity.**
- 2. The amount of people walking down Vassall Road after purchasing food make a very loud procession often shouting to or at each other and throwing food into gardens and onto the pavement creating a filthy mess for pedestrians to walk through for the next few days.**
- 3. The mobile van is an unsightly eyesore to an area which is attempting to improve its visual impact.**
- 4. There are no toilet facilities with this type of operation which carries a severe health risk not only for customers but also for local residents.**
- 5. The hours requested on the application are totally excessive as there are already many bona fide food outlets within 100 yards such as KFC, Chinese and Indian Restaurants and a Public House which all carry substantially higher overheads thus creating an unfair market.**
- 6. The application states that no assistants are required. It is totally unbelievable that one person can operate for those hours hence untrained and un-registered people will obviously have to help. Thus breaking several health and employment laws.**

We look forward to hearing that this application has been refused.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 26 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party I

We are writing regarding the above application and the positioning of a Kebab Van on Straits Parade, Fishponds, Bristol.

We would confirm that we are totally against this application and would respectfully suggest that this is refused. We live on ***** and the residents on this road have had to suffer people sitting on our garden walls, eating their kebabs and then throwing their food and rubbish either in the street outside our houses or directly into our gardens, they also sit there shouting and arguing and sometime even throw up in the garden - nice!

The worst times are over the weekends when people have been drinking. We have seen them urinating against the Co-Op wall and in people's gardens whilst waiting for their food be cooked, then shouting and arguing down Vassall Road and on a number of occasions people fighting in the street in the early hours of the morning.

This behaviour is totally unacceptable and the situation has become ridiculous. There was a time a little while ago when the kebab van was gone for a while and the noise and rubbish etc disappeared - thus proving that if this wretched van is removed life returns to normal.

Another issue is that after all the road works we have had to tolerate over the past 3 months I understand that part of the Straits will be grassed over with flowers planted etc. How disgusting would this look with a hideous kebab van stuck in the middle of it!

We understand that other people will be writing to you on this issue and hopefully you will listen to the residents and agree that the situation is intolerable.

***** = deleted to protect anonymity

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 26 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party J

I am writing this email to comment on the application referenced above for street trading consent. This application is to reinstate a previous existing license for street trading that had expired.

I missed my chance to object to the original application. When the trailer was set up and started trading I was upset by the fact that the trailer was an eyesore. The owners of the trailer put down plastic sheets to reduce the amount of mud customers had to step in. Seats were provided for customers encouraging people generally to hang around on this muddy grass area. I wished then I had objected to the original application. I felt angry with myself that I hadn't acted sooner to try prevent this mess for this part of Fishponds.

So with this in mind, here is my formal objection to the Street Trading Consent Application, ref: 11/02527/STCON.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 26 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party K

As near neighbours, we wish to strongly object to the application for the granting of a street trading consent, application ref. no.11/02527/STCON, for a Kebab Master on land opposite 12 Straits Parade, Fishponds. Our reasons are:-

1. This mobile van was an eyesore in the neighbourhood with its flashing sign and degrades the neighbourhood, especially as work is being carried out to renovate and landscape Straits Parade. Where does waste water go from handwashing/utensil cleaning? What are the toilet facilities?
2. Late night/early morning noise with people congregating in groups to eat and drink and leaving litter. We have heard shouting and arguments being carried out around this van when it was open.
3. Urinating behind the Co-op, which could be smelt the next morning when walking past.
4. Late night/early morning licensing hours unnecessary in a suburban area - these are inner-city hours for food and drink to cater for people coming out of clubs. The local inhabitants have not asked for this and do not require it.
5. Daytime licensing hours unfair to the many other establishments offering food and drink in the immediate vicinity of this van i.e. pizza, Chinese, KFC, restaurant, public house.
6. Number of assistants is given as 'none' (there were 2/3 previously). How is one person going to cope for 22 hours opening - from 07.00 hours Friday until 05.00 hours Saturday and 07.00 Saturday until 05.00 Sunday?

We look forward to hearing that this application has been refused.

***** = deleted to protect anonymity

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 20 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party L

In respect of the license application, number 11/02527/STCON for Food take away trailer on Straits Parade, Fishponds, we would like it noted that we are against the renewal of this license.

The renewal of this license is surely in opposition to the environmental improvements being made at great cost to Straits Parade. A trailer such as this is detrimental to the improved appearance planned for Straits Parade.

Not only this but a vast reduction in noise, litter and nuisance around this area has been noted since the expiration of the previous license and the subsequent non opening of the trailer on a night time. There are a great many of take away outlets already in operation in the area and also quite a number of empty shops to let (3 on Straits Parade alone!)

if the applicant wishes to trade it may be better for him to consider one of these premises rather than spoiling Straits Parade with unsightly trailers.

We urge the licensing department to seriously consider the application and refuse its renewal.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 20 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party M

We wish to make our concerns and objections noted and considered regarding the above application.

My wife and I object to the hours of trading suggested in the application.

We see no need for the Kebab van to remain open until 5am on weekends, no need whatsoever, and 3am during the week.

During the last 2 months, the kebab van has been closed, and my wife and I have noticed a distinct reduction (to zero) in the amount of unruly noise, drunken behaviour, shouting and arguing by the patrons of the kebab van in the early hours. Cars with their stereos blaring, bass pumping, which travels straight through my property's walls and into my bedroom where my wife and I are trying to sleep. We have been forced into wearing earplugs in an attempt to drown out this noise.

Now, with the addition of a bright neon sign on the roof of the van, we have bright light glaring in through our blinds.

5am is frankly unacceptable for weekends and 3am for weekdays is equally unacceptable. We feel that 2am is perfectly adequate and urge you to reconsider the hours of trade.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 28 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party N

I wish to object to the renewal of a licence for the Kebab Master on Straits Parade. This is a residential area and a van that is trading until 2am, 3am and 5am is totally inappropriate in this setting. The van attracts people who are drunk and argumentative and residents are frequently woken by loud aggressive arguments and other antisocial behaviour. In addition they have establishment.

The grass immediately surrounding the van s allowed to grow long and straggly and spoils the appearance of the Straits and what should be a green and pleasant area.

I am also concerned about hygiene both for the applicant and for customers. There are no public toilets open later than 6pm in this neighbourhood and residents report frequent urinating in the lane behind the Co-op and the attendant unpleasant smell.

This business should not be located in a residential area and allowed to trade until the early hours it is inappropriate and unfair to residents.

******* = deleted to protect anonymity**

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 23 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party O

First of all, as a very concerned resident, can I just start by saying HOW ON EARTH CAN YOU EVEN CONSIDER GIVING THESE BULLIES ANOTHER LICENSE!!!!!!

I have lived near the Straits for a long time now and the 'Kebab Master' is nothing short of an absolute nightmare in every sense of the word.

They attract customers at all hours of the night and they allow them to congregate outside their trailer making no end of noise to the small hours of the night. I have lost count of the number of times I have been woken up by screaming drunk idiots who think its acceptable to shout at the top of their voices at 2 - 3am in the morning. Not withstanding the fights that have happened, I have witnessed a number of incidents of this nature and even the police have been involved.

On top of that when I have actually gone and asked the people working in the trailer if they can ask their customers to keep the noise down, bearing in mind this is a residential area I was just threatened and told to mind my own f**ing business or else...**

Notice I say people, plural, cause I see on the application it says no assistants, well that's a lie as there are always 2 - 3 people working in the trailer. I suspect for their own safety considering the 'clientele' it attracts.

****Paragraph removed as not considered appropriate****

People in the are DO NOT want these people trading on our front door steps.

And considering the council is spending so much money improving the area in and around the Straits, which is very welcome. You are doing nothing to help yourselves by allowing this kebab trailer to re open. In fact you might as well not bother because if allowed to re open it will be full of rubbish, broken bottles and drunk rude abusive people again.

I ask you one question.....

Would you want this on YOUR doorstep???

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 24 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party P

I have recently received a letter ref the reissuing a licence to the kebab van on the straits.

The application ref is 11/02572/STCON. I must say how annoyed I am to find these trouble makers could still be allowed to trade, they cause nothing but noise, litter and bring trouble to the area in the evenings.

I am a mother of three and my kids are constantly being woken up by shouting and swearing and anti-social behaviour. As a resident please please do not grant them another licence.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 24 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party Q

I do not agree to the trailer business parking on the Straits Parade as it would diminish the business of other legitimate traders.

The straits parade should be allowed to revert to its previous peace and beauty of trees and grass.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 23 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party R

We would object to such an application as the kebab van at present looks unsightly with its bright neon light flashing on such a smart shopping parade and with its customers hanging around the trailers counter at night time. To have the trailer open during the day would be even worse for the Parade.

We operate ***** and to have fast food litter thrown around our shop would be of detriment to our customers and business.

Therefore we strongly urge you not to consent to this application as the Parade has had enough changes to it in recent weeks. The new bus and one way system has affected our business and another blow to it, in these pressing economic times, would be devastating.

***** = deleted to protect anonymity

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 28 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party S

***** operates supported housing to individuals with mental health and learning difficulties in the Fishponds area. I recently attended a meeting in Fishponds with the local Police force where we discussed various issues relating to difficulties in the area. One point that I brought up was a 'burger van' on the straits in Fishponds. They explained that they had notification that a new licence was being sought and that any comments could be directed to you.

The burger van has been located on the straits for over two years and has led to several difficulties for the clients we support. We have over 30 clients within a two minute walk of the location of which many are emotionally and financially vulnerable to others. My main concern is that it is becoming a meeting point for certain individuals which prey on the vulnerable. We have had examples of theft, extortion, intimidation and illicit drug use from those who gather around the van and it has been very difficult to resolve the situations as, often the client does not want to take things further.

The location of the van is directly opposite seven supported schemes and clients have little chance of avoiding or being involved with groups of people intent on disrupting others.

The immediate vicinity is already served by a very large selection of cafes and eateries and due to development/enhancement of the straits it would surely not be of benefit to the overall ambience of the area.

I am aware that people need to be able to make a living but I just wonder in this case could it be somewhere else – to the benefit of many of our most vulnerable members of society.

***** = deleted to protect anonymity

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 28 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party T

As a resident of *** I would like to point out the limit of car parking in the location and public toilets are not open all trading hours to be considered.**

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 25 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party U

Reasons for not having a second trailer selling food on Straits Parade, Fishponds:

Listed below food outlets in Straits and near in the immediate vicinity

- 1 Chinese - actually in Straits Parade**
- 2 Kentucky Chicken - (next door to above)**
- 3 Newsagent - selling food and drinks**
- 4 Co-operative - (sandwiches and made up lunch boxes, drinks)**
- 5 Sainsburys - new express store opening soon, more food on the move**
- 6 Baker shop - selling pasties, sandwiches etc**
- 7 Subway outlet - food served in shop and on the 'go'**
- 8 Sandwich etc shop - in Guinea Lane**
- 9 Delicatessen - selling sandwiches etc**

Three restaurants within 100 yards of each other doing very good trade

Wetherspoons and three other pubs on main Fishponds Road

Spar shop selling sandwiches etc

I would say this is more than adequate plus monthly farmers market in the park selling food.

Much litter is thrown down by customers of trailers on the grass around seating areas.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 24 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party V

As a resident of ***** I strongly object this licence being renewed.

The amount of noise and trouble generated by this kebab van is unacceptable, constant noise, arguing and fighting till the early hours and not to mention loud car music and unnecessary car antics. This van attracts people intoxicated from miles around; they smash beer bottles, throw litter and half-eaten food on the floor as well as urinate and vomit around the vicinity.

It is made even worse in the summer as you can't even open your windows. It made me very ill last summer from lack of sleep and severely affected my job. The van owner and people visiting the van clearly have no respect for their neighbours.

It has made an unbelievable difference to me and my family's well being whilst the kebab van has ceased trading. It has felt more like living in a residential area instead of feeling like you are living in Iraq.

I was horrified to find that they may be granted another licence, and that they had the audacity to apply for a later licence!
I know everyone in the area feels the same way but most are scared to voice their opinion in case of any repercussions.

***** = deleted to protect anonymity

STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 29 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party W

******* and myself very strongly rejects that the Kebab Master should be able get licence to do trade of any kind. All he think of is himself, he not worried about doing any kind of service to the people that live there, just a lot of noise and frights which we have to put up with.**

Why don't he park he trailer outside of his door, see if he like it. I bet he won't if he had any respect for anyone no just himself. He should of stop trade last year when that young bloke got knock down and killed after he got a kebab from his trailer.

If he wants to trade up on Fishponds Straits Parade that him applied to get licence to open a shop if he think he is doing us a service there is a few shops empty so he can pay taxes like the rest of the shopkeeper have to do.

Why should he bring the green down while there is so much money and work being done to make it a better place for shopper and shopkeepers. Why does he think he is so special. We are begging you please do not give in to this bloke, he just think about himself and he is a bullshitter as well, he is saying he will have no assistants working for him.

Well when he was working he had three blokes working for him paying them cash in hand because there is no where that them was on the books. Because it was open 7 night a week 4pm – 3am how could he pay them. He could not have made a lot of money to pay himself something for his stock and the three vans and gas for the cooking and where did they go when need to go to the toilet. Behind the trailer and behind the shops where is the health and safety there.

Sorry we like him to move somewhere else, not on the green and not on somewhere else doorstep.

******* = deleted to protect anonymity**

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA POST AT THE LICENSING OFFICE ON: 24 November 2011

RE: Kebab Master, Straits Parade

FROM: Interested Party X

I enclose a letter I sent you last year re 'Kebab Master'. The situation hasn't changed! Please note this was sent to you over a year ago. Do not allow them to re open.

Content of enclosed letter dated 25 October 2010:

I feel compelled to write to you to voice my concerns of the planning extended opening hours of the 'Kebab Master' on the Straits Parade opposite the Co-operative store.

As a concerned parent and resident of this area for many years I and others need you to be aware that this business is a complete nuisance and is detrimental to our neighbourhood.

I'll explain now why I say this.

First and foremost, the noise that emits from this 'takeaway' can only be described as anti social.

Prior to it being shut down for a number of weeks (which was bliss) until its recent re-opening the noise was horrendous, there were constant disruptions and fights outside the place as well as shouting and screaming from its 'customers'.

This we feel is not acceptable especially at 2 and 3am in the morning when you and your children are constantly woken up by this noise.

Just so you know this is a common occurrence and happens on a very regular basis. Secondly the litter that is just dropped around on the floor is an eyesore and does not make a pleasant sight.

There have been many occasions where I have had to avoid stepping onto a half eaten kebab which has been slung on the pavement.

Again not pleasant for the local residents to contend with. A couple of weekends ago there was a mass fight outside the kebab master which involved about 30 youths resulting in bottles being thrown and also the police being involved.

***** = deleted to protect anonymity

This is not what we want in our area. We want to feel safe walking the streets, not to be woken at all hours of the night wondering what time the noise will stop.

If you agree to these extended opening times it will only cause unnecessary grief and stress for myself, family and local residents.

Paragraph removed as not appropriate to this application.

Please note that this representation did not contain the name or address of objector.

******* = deleted to protect anonymity**

APPENDIX D



STREET TRADING CONSENT**GENERAL CONDITIONS**

1. The consent holder shall only trader on the days and between the times stated on the consent.
2. 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.

N.B This consent is issued without prejudice to any other statute, by-law or regulation. This consent does NOT over-ride any regulations regarding parking, food hygiene, obstruction, etc