

BRISTOL CITY COUNCIL  
PUBLIC SAFETY AND PROTECTION COMMITTEE  
09 October 2012

Application for the Grant of Street Trading Consent at Outside of  
Hein Gericke Stokes Croft, Bristol

Applicants: Parviz Jafari

Proposed trading name: Matt's Burger Van

Report of the Director of Neighbourhoods

#### Purpose of Report

To determine an application for the grant of a street trading consent at the following location: Outside of Hein Gericke Stokes Croft, Bristol

#### Background

1. With effect from 1 May 2009 the above location has been designated as a consent street for the purpose of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. Any street trading at that location other than under a street trading consent issued by the Council would constitute a criminal offence.
2. General conditions which would be attached to a consent if granted are at Appendix A
3. On 10 March 2012 Parviz Jafari 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

#### Hot Food:

During the hours of	2000 – 0300 Monday to Wednesday
	1900 – 0300 Thursday
	1800 – 0400 Friday to Saturday

1800 – 0000 Sunday

4. Licensing Act 2003, Schedule 2 Para 1 (1) defines late night refreshment as the supply of hot food or drink between the hours of 2300 and 0500. Should members be minded to grant the application for street trading consent in full the applicant would be required to apply for a premises licence under the Licensing Act 2003 in order to utilise the full consent and comply with both pieces of legislation.

5. The application form is attached at Appendix B. Photographs of the unit are attached at Appendix C and a site location plan at Appendix D.

#### 7. Consultation

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

#### 6. Consultation Responses

The following responses have been received.

Appendix E – Local residents

Appendix F – Avon and Somerset Constabulary

7. 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 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.

8. Parviz Jafari has been provided with a copy of the report and has been invited to the meeting.

## APPENDICES

Appendix A – Standard conditions attached to street trading consents

Appendix B – Application form

Appendix C – Photographs of proposed vehicle

Appendix D – Site location plan

Appendix E – Response from local residents

Appendix F – Response from Avon and Somerset Constabulary

RECOMMENDED The Committee is asked to determine the application

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985  
Background papers

Contact Officer: Ms Abigail Holman  
Senior Licensing Officer  
Neighbourhoods

Ext: Telephone 0117 9142500

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.



## Application for the GRANT of a Street Trading Consent

### Schedule 4 Local Government (Miscellaneous Provisions) Act 1982

Bristol City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <http://www.bristol.gov.uk/nfi> or contact the Licensing Team at [licensing@bristol.gov.uk](mailto:licensing@bristol.gov.uk) or on 0117 9142500

#### Part 1 – Your Details

Surname or Family name	SAFARI
First Name(s)	PARVIZ

Date of Birth	Day 02	Month 09	Year 1976
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Current Residential Address	39-KINGSHOLM Road westbury on trym Bristol
Post Code	B510 5LJ
Contact Telephone Number(s)	077 929 17 397

## Part 2 – What will you be selling?

I wish to apply for the following type of consent (please tick)				
Static consent		Mobile consent		<input checked="" type="checkbox"/>
Type of goods to be sold (i.e hot food, jewellery etc)	Hot Food burger + Kebab			
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		No	<input checked="" type="checkbox"/>
If you answered YES please provide details of the Local Authority which has examined the trailer or vehicle (You must produce any certification in relation to this)	E.d			

## Part 3 – Where will you be trading

Please state the exact location from where you wish to trade, and including the name of the street (if applicable)	North street Stokes croft			
Where is the vehicle or trailer being stored when not being used?	IN My own Private land or in my Drive way			
Do you know the owners or person/company that control or manage the land from which you intend trading? If YES you <b>MUST</b> produce written permission from the land owner.	Yes		No	<input checked="" type="checkbox"/>

Please provide a map indicating exactly where you wish to trade and a photograph of the site you wish to trade from.

We will not be able to process the application without this information.



**Part 4 – The trading unit that you propose to use**

<b>I propose to trade from</b>						
<b>Van</b>		<b>Trailer</b>	✓	<b>Cart</b>		<b>Barrow</b>
<b>Other please specify</b>						
<p><b>Please submit the dimensions of the trading unit and three colour photographs illustrating different elevations of the unit.</b></p> <p><b>If you are using a motorised vehicle please ensure that a photograph includes the vehicle registration number.</b></p> <p><i>Please note that if you intend to trade from a motor vehicle then you must produce current insurance and MOT.</i></p>		<p>✓</p> <p>✓</p> <p>✗</p>				
<b>Proposed trading name</b>		MATT'S burger van				

**Part 5 – Trading Assistants**

<b>Will you be using any assistants?</b>	<b>Yes</b>		<b>No</b>	✓
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**If YES please complete the Application Form for any Assistants.**

**Part 6 – When will you be trading?**

	Mon	Tues	Weds	Thurs	Fri	Sat	Sun
From	20:00	20:00	20:00	19:00	18:00	18:00	18:00
To	03:00	03:00	03:00	03:00	04:00	04:00	00:00

**If you wish to sell hot food after 11.00pm you will require a Premises Licence issued under the Licensing Act 2003.**

**If you are not applying for an annual consent please identify the months you wish to trade:**

.....*d*.....

**Proposed commencement date of consent.....**

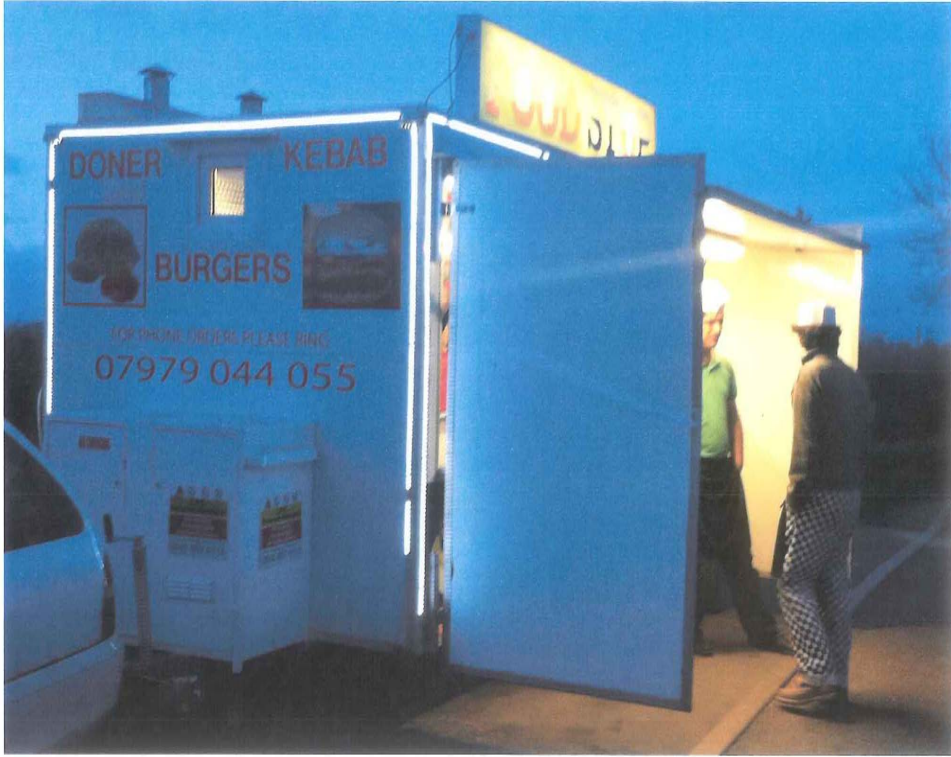
**Section 10(3) of the Local Government (Miscellaneous Provisions) Act 1982 states:**

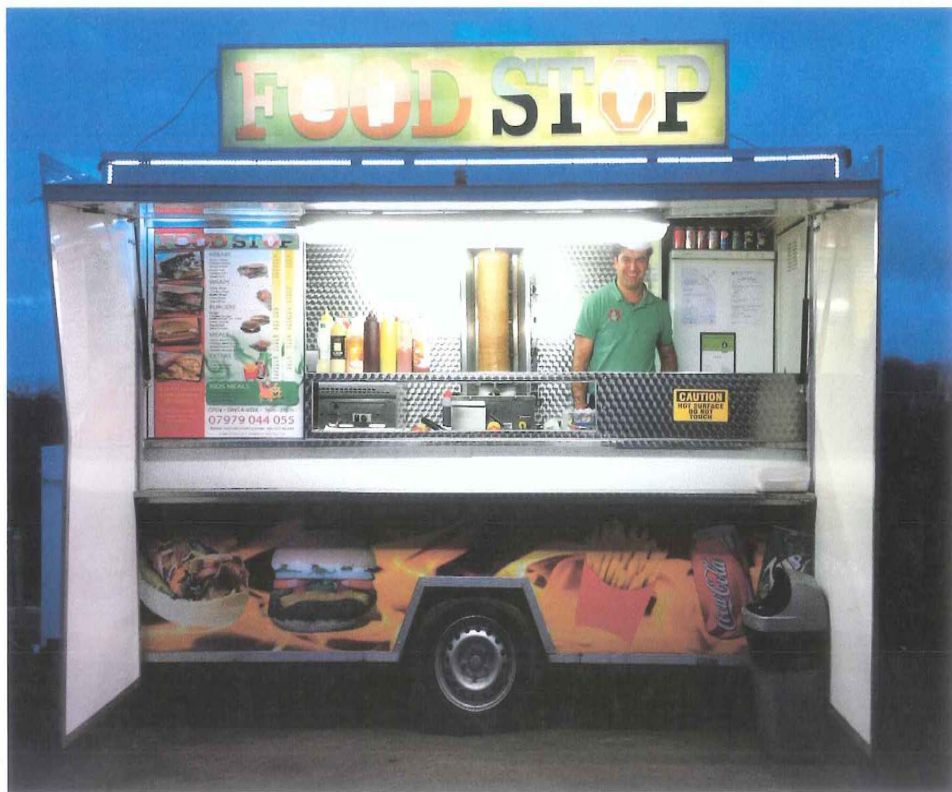
**Any person who, in connection with an application for a street trading licence or for a street trading consent, makes a false statement which he knows to be false, in any material respect or which he does not believe to be true, shall be guilty of an offence.**

**I (print name) PARVIZ SAFARI have read the above and confirm that all the information submitted in respect of this application is true to the best of my knowledge.**

**Signed.....**  

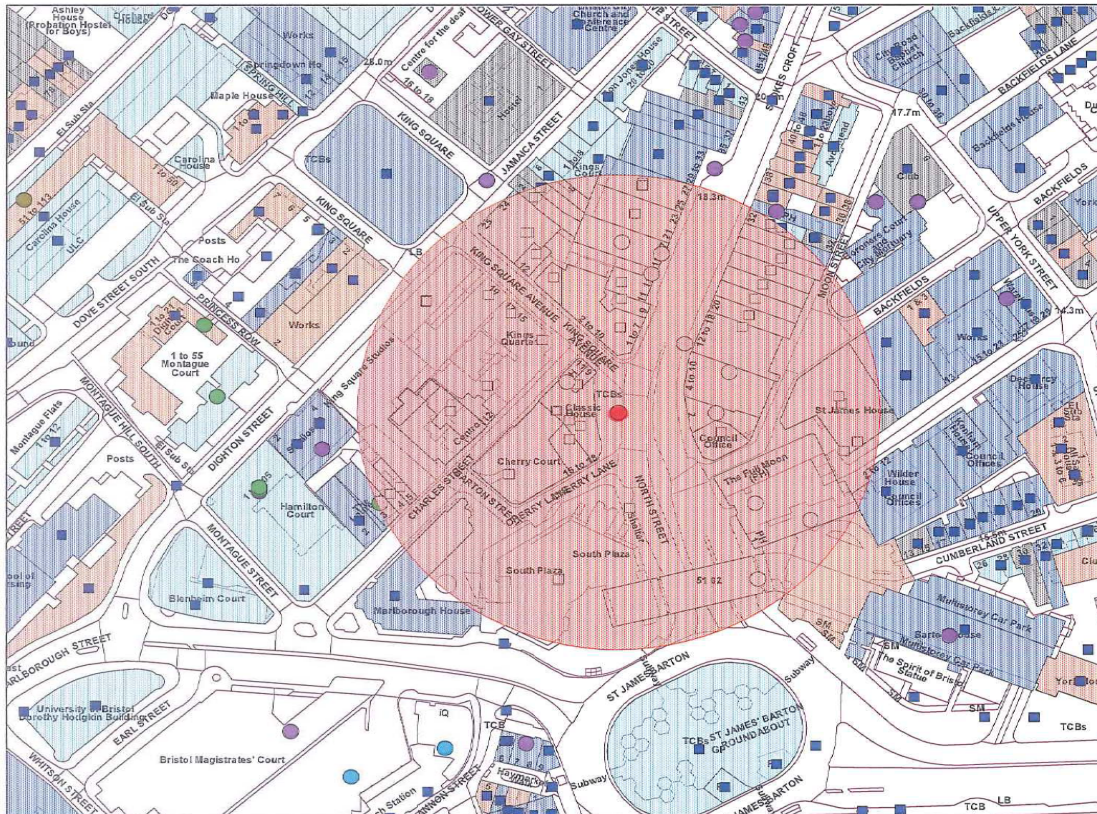

**Date.....** 10/03/2012





# Application for the Grant of a Street Trading Consent

Matt's Burger Van



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Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

**Legend**

Scale : 1:2222

<b>Organisation</b>	Bristol City Council
<b>Department</b>	Licensing
<b>Comments</b>	North Street, Stokes Croft, Bristol
<b>Date</b>	12 April 2012
<b>SLA Number</b>	Not Set

STOKES CITY COUNCIL		
Licensing	Date	Init
Initiated		
Recorded	15/12/12	
Scanned		AK

**STREET TRADING CONSENT  
INTERESTED PARTY REPRESENTATION**

**RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 26 April 2012**

**RE: Matts Burger Van, Outside of Hein Gericke, Stokes Croft**

**FROM: Interested Party A**

As a resident of \*\*\*\*\* , we have been living in Stokes Croft for over 6 years and during that time have been actively campaigning to improve the quality of life in the local area. Whether that be in preventing the opening of additional massage parlours or supporting the local police in managing crime in the area (drug crime and theft) through engagement with the beat officers \*\*\*\*\* or helping to control the anti-social behaviour that results from having a hostel for homeless and drug addicts in King Square.

All of this is in the aim to make Stokes Croft a nice place to live for me, my young family and for those residents in the area that appreciate a sociable, clean and tidy environment to live in.

I would like to object to the street trading application reference 12/00189/STCINN(ST61) on the following grounds:

Risk of :

- Smell nuisance:

Burger vans generate unpleasant smells that from the location will impact our place of residence.

- Anti-social behaviour:

We experience already loud shouting and noise disturbance from residents of the local hostel in Jamaica street / Kings Square who are regularly walking through \*\*\*\*\*

Calls to the police have been made last year and 2 the year before as a result of this.

We would also like to try to limit the amount of drunken behaviour in the area to make it an acceptable level to allow the many children in the building to feel comfortable being outside of the apartment block. This will only make things worse than they already are.

- Noise:

Late opening especially during week days is not acceptable in this residential area.

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

Clockwork used to be opened later and we have made complaints last year to the noise prevention agency. Since the closure of the site we are not willing to have another source of nuisance settling in. Users around the truck at late hours and constant noise of the generator unit will be close to our residence and will cause even more distress.

- Rubbish and litter:

There is already an accumulation of litter in the corner of Hein Gericke and the Phone shop. It can be expected that is going to get worse with food wrapping and discarded cans.

- No requirement for more take-aways in the local area:

There are already at least 10 late night takeaway and fast food permanent establishments within 200m of the proposed site and there is no need for another one be it on a permanent or temporary basis.

*[Deleted as not relevant]*

We are keen to support local business but not at the detriment of the degradation of the area

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



Council	
Rate	Unit
(B)	

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  
STREET TRADING CONSENT APPLICATION**

Please find detailed below the application for street trading consent:

Proposed location: Outside Of Hein Gericke , Stokes Croft, Bristol

Type of vehicle :Trailer

Number of assistants : 0

Application ref number: 12/00189/STCINN (ST 61)

Times and licensable activities applied for:

Goods for sale	Monday to Wednesday 20:00 - 03:00	Type of vehicle: Trailer
Goods for sale	Thursday 19:00 - 03:00	
Goods for sale	Friday and Saturday 18:00 - 04:00	
Goods for sale	Sunday 18:00 - 00:00	

In this particular case the application is to reinstate a street trading consent that had expired. The application is in respect of the same person and site as previously granted.

Any comments in respect of this application must be made in writing either via the post to the Licensing Office, Princess House, Princess Street, Bedminster, Bristol BS3 4AG or via email to [licensing@bristol.gov.uk](mailto:licensing@bristol.gov.uk).

Comments must be received at the Licensing Office by the: **26 April 2012**

Please advise whether you are responding as a business or resident. If you are responding as a business your details will be released to the applicant, however if you are responding as a resident, personal data will not be released.

15/4/12

As I live behind I hardly see and hear (very loud) members of public when coming out of various venues. Quite a few make use Kings Square Avenue and Charles Street as public urinals. Rubbish is a constant problem, including invasive birds scavenging on litter/dropped litter/open rubbish bins. Having a street trading vendor here every evening would not be a positive step for the area with regards noise, litter and people not moving on to non-residential areas (if not heading home.) Also Kings Square suffers already from litter and anti-social behaviour. King Square Avenue / Charles Street both have numerous apartments/flats for residential living and as such, late ~~at~~ night street trading is not desirable or welcome with associated problems it brings. Thank you for your attention to my concerns.



**STREET TRADING CONSENT  
INTERESTED PARTY REPRESENTATION**

**RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 16 April 2012**

**RE: Matts Burger Van, Outside of Hein Gericke, Stokes Croft**

**FROM: PS Alderton, Avon and Somerset Police**

On behalf of the Police, I would like to record our objection to the above application for the following reasons:-

**1) Current Provision**

There is already extensive food provision for the night-time economy on this stretch of Stokes Croft, with a number of pizza, burger, kebab and similar outlets within a few hundred yards. The close proximity of these to each other and the large number of on and off-licensed alcohol premises is a major factor towards crime and disorder in the area. There has been a considerable increase in this area over recent months, with violent crime being 62% higher in 2011-12 than in the previous year, and an increase in 30% in Anti-Social Behaviour for the same period.

The police are working to address these issues. Part of this work involves trying to reduce the number of licensed food and alcohol outlets in this area, and to tighten the control over others by increased monitoring and enforcement of conditions. The granting of a new licence of this nature in this area will undermine this work, and is likely to result in a further increase in violent crime and disorder.

**2) Road Safety/Environmental Factors**

The site in question is located on a busy arterial route, near to a number of bus stops, and on the opposite side of the road to a number of licensed premises. The pedestrian traffic this is likely to create will create a significant road traffic hazard, particularly bearing in mind that many of these are likely to be highly intoxicated at the times applied for.

In addition, the area already suffers from significant environmental factors, with street refuse already a major problem, and the granting of this licence is only likely to add to that.

**3) Crime**

The area in question is a robbery hot-spot. This licence is likely to result in a considerable increase in the number of people loitering in the area at night at the location and in the nearby side-streets. These are likely to be easy targets for robbery offenders, and could result in an increase in this type of offences in the area.

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

licensing	Date	Init
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