

**BRISTOL CITY COUNCIL
PUBLIC SAFETY AND PROTECTION COMMITTEE
18 DECEMBER 2012**

**Application for the Renewal of Street Trading Consent
Queens Road, Bristol**

Applicants: Mr Mustafa Durdu

Proposed trading name: Peep's Kebabs

Report of the Director of Neighbourhoods and City Development

Purpose of Report

To determine an application for the renewal of a street trading consent at the following location: Queens Road at its junction with Whiteladies Road and Queen's Avenue, Bristol.

Background

1. With effect from 1 May 2009 the above location had 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. Mr Durdu was first granted a street trading consent for this area on the 27 October 2009 by the Public Safety and Protection committee. He has continued to hold a street trading consent continuously since then. The current consent is due to expire on the 31 December 2012 and a copy of the application for renewal is attached at Appendix A.
3. The street trading consent enables Mr Durdu to trade lawfully at the above location and is authorised to sell hot food, during the hours of 20:00 – 05:00 Monday to Saturday and 20:00 – 02:00 on Sundays.
4. Members will be aware that in order to sell hot food between the hours of 23.00 and 05:00 hours on any day the trader must also have the relevant authorisation under the Licensing Act 2003. Mr Durdu has held a premises licence under the Licensing Act 2003 since the 1 February 2006. The premises licence permits the sale of hot food during the hours of 23:00 – 05:00 Monday to Saturday and 23:00 – 02:00 Sundays.

5. Having checked the records there is no history of complaint in respect of the Licensing Act 2003 premises licence. An application for the review of the licence was mooted in August 2009, however the application was not properly served and no further action was taken.
6. On the 26 August 2012 a complaint was received at the licensing office from a representative of Richmond Heights (Bristol) Management Company limited in respect of complaints from residents of nuisance regarding the operation of this consent. A copy of the complaint is attached as Appendix B for information.
7. The complainant has been contacted and requested that a log sheet / diary be maintained over the month of November in order that an assessment could be made of the frequency and extent of nuisance arising from the operation of the consent. At the time of writing this report no log has been received.
8. Members will be aware that a statement was made to the full council on the 18 September 2012 regarding the street trading policy and this street trading consent. A response was made on that occasion, a copy of the original statement and the response are attached as Appendices C and D respectively.
9. A similar request to that detailed in paragraph 6 above has also been made of the person who submitted the statement to full council. At the time of writing this report no log has been received.
10. A request was made of the licensing enforcement team to conduct monitoring visits in the area to ascertain if there were any potential problems arising from the operation of this consent. Their findings may be summarised as indicating that the site is well used resulting in customers congregating in the close vicinity of the trader and that there is the potential for accumulations of litter. Findings are detailed at Appendix E.
11. Enquiries were made of the environmental protection team as to whether complaints had been received and for the results of any observations that may have been made as a consequence. Their findings may be summarised as indicating that the site is well used and customers tend to congregate on the seating close by resulting in noise from conversations. The findings are detailed at Appendix F.
12. A number of other complaints have been received since 26 August 2012. The complaints refer to antisocial behaviour, noise nuisance

and litter arising from the large numbers of people who congregate on the site as a direct consequence of the operation of this consent. The complaints are detailed at appendix G.

13. Bristol City Council street trading policy is silent as to the process that shall be adopted where a complaint is received regarding a street trader, as is the Local Government (Miscellaneous Provisions) Act 1982 which is the legislation governing such applications. Members should note that there is no right of appeal in respect of any decision that they may make in relation to the grant or renewal of a street trading consent.
14. However in the interests of the trader, complainants and local residents, etc. an opportunity should be afforded to all parties to present their concerns to the committee in relation to renewals where there are allegations of nuisance arising as a result of the consent being operated. A copy of the street trading policy will be available for members should it be required.

APPENDICES

- Appendix A – Application for renewal of street trading consent
- Appendix B – Complaint from representative of Richmond Heights Management Company
- Appendix C – Statement and petition submitted to Full Council
- Appendix D – Response to statement
- Appendix E – Findings of enforcement team
- Appendix F – Findings of environmental health team
- Appendix G – Additional complaints received

RECOMMENDED The Committee is asked to determine the application

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background papers

Contact Officer: Mrs M A McSherry
Licensing Administration Manager
Neighbourhoods And City Development

Telephone 0117 9142500

12/04906/STCINN.

by hand 12/11/12
AA



Application for the Renewal of

Bristol City Council
Licensing Team, Princess House, Princess Street, Bedminster, Bristol. BS3 4AG
www.bristol.gov.uk/licensing
Tel: 0117 9142500 Fax: 0117 9142515

Holder : Mr Mustafa Durdu

Address of Holder:
8 Ilkestone Road
Swindon
SN25 2BS

Reference Number: 12/04124/STCINN

Authorised to trade from:
Peep's Kebabs, Queens Road, Clifton, Bristol

Authorised to sell the following goods:

Goods for sale
Sunday 20:00 - 02:00
Goods for sale
Monday to Saturday 20:00 - 05:00 Hot and Cold Food and Drinks.

If you intend to trade on specific days please indicate the dates of these below.

[Empty rectangular box for indicating specific trade dates]

Please sign and date below to confirm that the above details are correct.

Mr Mustafa Durdu
Date

M. Durdu 12.11.2012

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 26 August 2012

RE: Peeps Kebabs, Queens Road, Clifton, Bristol

FROM: Interested Party E

I am a director of Richmond Heights (Bristol) Management Company Limited, the company that owns the freehold and manages Richmond Heights, 1-2 Richmond Hill, Clifton, Bristol ("Richmond Heights"). Richmond Heights is a residential block of 15 apartments situated at the end of Richmond Hill in Clifton, Bristol, adjoining Queens Road next to the Clifton Triangle.

I have been asked by some of the residents of Richmond Heights to contact you regarding a fast food street trader who operates from the public footpath on Queen's Road outside the old Habitat Building (next to the Bristol School of Arts). The vendor operates everyday from around 8pm in the evening until the early hours of the morning, usually 3am/4am. I am unsure of the name the trader has provided to the Council, however, the trading name appears to be 'Jason's Donnervan'.

The residents have been concerned for some time about the nuisance caused by this street vendor, primarily the noise arising from groups congregating. I understand that various reports have been made to the police and the Environmental Health team. The issue is exacerbated by the fact that many bedrooms are located at the end of Richmond Heights which is directly opposite the vendor's pitch.

I understand that street traders must apply for licences to trade and that these are consistently reviewed. I would therefore be grateful if you could confirm the following:

1. What are the licence conditions for this trader? In particular, what are the licenced hours of trading?)
2. When is the next licence review?
3. Richmond Heights is located within 100 metres of the trader's pitch, but has never been provided notification of licence renewals or been afforded the opportunity of consultation. Can the residents and freeholder of Richmond Heights make such representations to you and if so, what is the process for doing this?
4. Given the vacant Habitat building and the likelihood that any new owner will not wish a street trader of this type to be trading at the front of the property, we are concerned that the trader (or others) will attempt to apply for alternative pitches, possibly in front of Richmond Heights itself. Are you able to note our interest on applications arising on this stretch of road to enable us to be involved in any consultation in the future?

I hope that you are able to assist me with the above queries so I can communicate your response to the residents at the upcoming AGM.

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Appendix C

STATEMENT TO FULL COUNCIL 18th September 2012

Dear Councillors

QUEENS ROAD

On behalf of the Royal West of England Academy, South Gloucestershire and Stroud College (formerly Filton College), local businesses, CHIS and local residents, we ask the Council to work with us in improving the locality of Queens Road and to review the current Street Trading Policy. Queens Road is a Conservation area with some unique historic buildings of national importance including the RWA, Victoria Rooms, The Museum and Art Gallery and the Wills Memorial Building. It is an important location for visitors and tourists.

The large pavements in front of Beacon House and Richmond Hill Heights are ideal for street tree planting, new seating and other similar improvements to make the area more attractive. These locations are not suited to late night street trading. The current Council Street Trading Policy is illogical in that Triangle South, Triangle West, Berkeley Square and Berkeley Square Avenue are prohibited streets where street trading is illegal. However, Queens Road is considered a "consent" street. The pavement outside Richmond Hill heights has a ground floor flat with windows overlooking the pavement yet the Council's Street Trading Policy considers this pavement suitable for a late night street trader. Why?

Similarly in front of Beacon House, the presence of a kebab van immediately adjacent to the RWA is not a suitable location. Currently, the existing food street trader operates every night in front of the former Habitat close to the boundary with the RWA and immediately adjacent to the entrance of the SGS College. This causes a nuisance late at night as revellers from the nearby nightclubs of which there are 6 within a radius of 250 metres, congregate at the kebab van, creating further noise and litter. The RWA frequently have to remove partly eaten food and litter from their frontage. The RWA have invested in improving their frontage and want to open more often in the evenings for visitors and the SGS College will be commencing evening classes; the noise and smell from the kebab van spoils the visitor experience and is unsightly and unpleasant.

We ask the Council review the Street Trading Policy which was written in March 2009 and since that time there has been further legislation covering street trading in the Police Reform and Social Responsibility Act 2011 which has not been incorporated into the Policy.

Late night street traders only pay £20 per day in fees but no rates. Similar businesses operating in properties close by in the Triangle and Queens Road; pay business rates, business water, gas and electricity charges. This gives the street trader a very unfair advantage over the local businesses and this does not seem just. There are currently three empty food premises on the Triangle.

When the Council wanted to improve the street environment in Broadmead, it removed many street traders from the area. We understand that a change in the Policy may mean that the existing street trader might be entitled to some compensation. However, this is no different to the previous situation in Broadmead. Therefore the Council can do the same in Queens Road. We would suggest that the trader rents one of the vacant properties on the Triangle and joins the other businesses. In view of the economic climate, the environment, changes in legislation and the Conservation status of this unique area, we ask the Council to amend the Policy and remove Queens Road as a consent street and make it a prohibited street. Thank you.

Signed by:

The Royal West of England Academy, South Gloucestershire College, Residents from Richmond Hill, Park Place, Frederick Place, Richmond Hill Avenue, Gordon Road Residents Group, Local traders (YoYo, Magic Roll, Krishna's Inn, Piri-Piri, Terry Olpin, Hermanos, Patisserie Valerie, Papa Costa, Oz Restaurant, Hunger Hatch).

PETITION TO BRISTOL CITY COUNCIL

We the undersigned residents and local businesses ask the Council to extend the prohibition of street trading to include Queens Road commencing from the junction of University Road westwards. We believe that licensed street trading has a negative impact on the local environment and gives food street traders an unfair economic advantage over food outlets in these difficult trading conditions. We would like to see an enhancement of Queens Road with tree planting and improved street scene as befitting a Conservation Area with many unique historic buildings.

NAME

ADDRESS

SIGNATURE

NAME	ADDRESS	SIGNATURE

RESPONSE TO PP06 AND PS13 REGARDING STREET TRADING POLICY - FULL COUNCIL 18 SEPTEMBER 2012

On 29 July 2008 the City Council's Public Safety and Protection Committee agreed to review its street trading policy. The key drivers for the change in policy were:-

- a) To provide a regulatory framework to cover streets where there was no control over street trading in so far as the majority of the city's streets were undesignated for the purposes of street trading. This was causing problems of nuisance and ASB in a number of locations across the city where unregulated street trading was taking place.
- b) To consider changing the designation of the majority of streets designated as 'Licence' streets under the existing policy for the purposes of street trading to 'Consent' streets. There is a significant difference between 'Licence' and 'Consent' streets. The latter provides the Council with a wide discretion with regard to the granting or refusing of street trading consents and does not have to rely upon specific statutory grounds in order to refuse or grant an application, which is the case with 'Licence' streets. There is a third category of designation which are 'Prohibited' streets where all street trading is prohibited.

In summary, where street trading is to be encouraged then the most appropriate designation is that of a 'Licence' street, where it is not appropriate a 'Prohibited' designation would be suitable, however where some street trading may be appropriate but others not then a 'Consent' designation is appropriate.

Following the July 2008 meeting a period of consultation took place with a range of stakeholders. The results were considered by the Public Safety and Protection Committee at their meeting on 17 March 2009 and the new policy was agreed. The committee decided not to change the current designations in place at that time with regard to 'Prohibited' streets (which included Park Street, Triangle West, Triangle South, Berkeley Square and Berkeley Square Avenue) however a decision was taken to change the designation for Whiteladies Road and for Queens Road from that of a 'Licence' street to a 'Consent' street. This was a significant step as it provided the Council with much greater ability to control street trading at these locations. At least one application for a street trading permission to

provide hot food has been made for the paved area in front of Richmond Hill Heights and has been refused following objections from the local community, there is no statutory right of appeal with the consent regime. One of the reasons that the Council wanted to maintain discretion by generally designating streets as consent streets is that there may be some forms of street trading that can positively improve the street scene, for example in some areas of the city day time flower sellers, craft stalls and coffee sellers have helped to improve the street scene, this would not be possible if a 'Prohibited' designation was applied. The Public Safety and Protection Committee is not currently planning to review the street trading designations in Bristol.

The statement makes reference to an existing street trader who operates with a Street Trading consent on the paved area in front of the former Habitat store. This location has been a street trading site since 1999. Objections to the renewal of the licence in August 2001 were considered by the Licensing Committee, however it was agreed to renew the licence. In October 2009, as the new street trading regime came into effect, an application for the grant of a street trading consent (the operator previously held a street trading licence until the designation of the street was changed as part of the review) was considered by the Public Safety and Protection Committee. Three objections were received and, after taking the objections into account, the committee decided to grant the consent.

Our policy currently allows local residents and other stakeholders to object to the grant and renewal of street trading consents.

The fees charged for street trading consents can only reflect the cost of running the regulatory regime. The legislative provisions do not allow the Council to charge a fee based on market conditions.

The statement also makes reference to the changes to the street trading designations in Broadmead in the late 1990's. The main streets were previously designated as 'Licence' streets but were redesignated as 'Prohibited' to facilitate the construction of purpose built kiosks. For a number of years after the change the traders continued to operate as a market under the Council's market charter which is outside of the scope of street trading controls. This arrangement stayed in place until the kiosk construction programme commenced.

Late night traders providing hot food and drinks after 23.00 are also required to seek a permission under the Licensing Act 2003 in the

form of a Premises Licence. The Act provides local residents and other parties with the power to seek a review of any licence granted based on one or more of four grounds, namely, the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.

Information on any of these processes can be obtained by contacting the Licensing Office at Princess House.

Findings of Licensing Enforcement Officers following observations of site:

1. 23.10 hours 3 November 2012 - Open for business, some 6 customers consuming food and being served. Some litter, no excessive noise.
2. 01.30 hours 4 November 2012 - Open, some 25 customers present, fairly loud conversations, no disorder, some litter.
3. 02.30 hours 8 November 2012 - Open [viewed on CCTV], some 10 customers present. Unable to comment on noise levels.
4. 01.50 hours 9 November 2012 - Open, six customers, fairly substantial amount of food rubbish. Person in charge of the stall was advised and said the area is always cleaned up at close of business.
5. 01.52 hours 10 November 2012 - Open, 25 customers buying and eating food - quite noisy and substantial litter.
6. 23. 05 hours 24 November 2012 -Open, few customers, no noise, some litter. Very windy night dispersing the litter in area.
7. 01.40 hours 25 November 2012 - Open, 15 - 20 customers, litter still blowing about, talking loudly and eating food - mainly in shop doorway.
8. 03.15 hours 25 November 2012 - Open, about 25 customers present, quite noisy, still very windy with food litter being blown about.

Findings of Environmental Health Officers:

1. 03.40 on 10 November 2012 – Main noise heard cars and taxis on Queens Road along with people shouting. Shouting heard whilst carrying out obs were from people walking up from the Triangle but not people accumulating outside kebab van. Noise from people outside kebab van could be heard but as a general background hub bub and not as loud as cars going past or pedestrians shouting etc in street.
Potential problem but not evidence of a nuisance during my visit. Kebab van was open people about 4 deep around kebab van along with others on seats outside Habitat.
2. 13 November 2012 – Email received from environmental health confirming complaints received regarding noise from the trader on 27 June 2012, 31 October 2012 and 1 November 2012.
3. 19 November 2012 – Email received from environmental health confirming observations took place the previous weekend, 17 and 18 November 2012. Observations revealed the seating around the burger van could be a contributory problem associated with the noise complaints reported as people were gathering to talk after purchasing their food. The officer suggested a security presence for the van might assist in controlling the behaviour of the crowds.
4. 02.35 on 25 November 2012 – Observations performed in the area of the Triangle. About 20 people outside Jason Donnervan – general hubbub rather than shouting screaming etc. About 5 taxis were lined up along the junction from Whiteladies Road to Queens Road waiting for customers but all moved off when we approached the area.

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 27 November 2012

RE: Peeps Kebabs, Queens Road, Clifton, Bristol

FROM: Interested Party A

I am writing to complain about anti-social behaviour associated with the kebab van on Queens Road, near the Habitat building. While the van has been there for some time, in recent months the noise and anti-social behaviour associated with it has increased. We are regularly woken up by shouting and loud voices, and occasionally breaking glass. From our house we can hear people all the way down on Queens Road and the Triangle, and we also get quite a lot of drunken foot traffic up *****. They often pause to relieve themselves in the bushes across the street, or even in the front gardens of ours and our neighbours houses. We also frequently find the remains of their meals thrown into the street, onto cars, or tucked into the railings of our front garden.

Combined with noise and antisocial behaviour from guests leaving the Bunker night club, our nights are regularly interrupted, especially between the hours of midnight and 3:30am. This is every night of the week, not just at the weekends, and is making our lives a misery.

We object to a renewal of the kebab van license in that location.

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STREET TRADING CONSENT INTERESTED PARTY REPRESENTATION

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 6 November 2012

RE: Peeps Kebabs, Queens Road, Clifton, Bristol

FROM: Interested Party B

I am writing to complain as a resident of Richmond Heights about the outrageous and hellish level of noise, nuisance and anti-social activity brought upon the residents of Richmond Heights and Richmond Hill by the presence of the Kebab Van, Peeps Kebabs, parked and trading until 5am everyday on Queens Rd, Bristol.

This is not an acceptable arrangement in the slightest and must terminate immediately. The reason being that it is simply impossible to sleep, relax, or get any peace and quiet after a hard day's work because of the constant screaming, shouting, fighting, vomiting, urinating and continued street drinking and aggravations associated with this van's presence until 5am every morning.

I understand that the van's license is due for renewal on 31st of December 2012 and a review of the licence will be held by the Public Safety and Protection Committee on the 18th December 2012.

I would like it noted that my partner and I object strongly to any renewal of this licence and would like and expect to be consulted and engaged at every stage of the process hereonin.

We are seriously considering employing legal counsel to take this matter further should the licence be renewed.

Further email received 6 November 2012:

I am not one given to complaining, but the volume of drunken people-traffic this kebab van attracts is huge and their resultant dispersal around both sides of our apartment block is both insufferably noisy and antisocial and simply has to stop.

We never had this level of problem before the van traded there.

Please can you put this email also before the committee also and reiterate that we strongly object to their renewal application for street trading consent.

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**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 12 November 2012

RE: Peeps Kebabs, Queens Road, Clifton, Bristol

FROM: Interested Party C

I am writing to register my objection to the relicensing of Peeps Kebab Van, which is situated outside Habitat on the triangle.

I am the owner of *****, which is opposite the Kebab Van. The noise from huge gatherings until 5.00am seven days per week, the revving of cars and beeping horns, the litter and remains of food are very disruptive and totally out of keeping with this conservation area.

This has been allowed to continue for some years and I hope that their licence can now be revoked so that residents can have some peace in what is otherwise a quiet residential area.

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**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 6 November 2012

RE: Peeps Kebabs, Queens Road, Clifton, Bristol

FROM: Interested Party D

I understand that the license for the Peeps Kebab van situated outside of the Habitat building Queens road is to be reviewed/renewed on Dec 18th 2012.

I would like it noted that I object strongly object to any renewal as my pregnant wife and I are finding it impossible to sleep due to the constant unsociable behaviour that the van attracts, shouting, screaming, fighting that can go on until 5am.

Should this noise and nuisance continue I will have no choice but to examine my rights to enjoy a peaceful and quite life in line with the mandate European Court of Human Rights.

Hopefully your judgement on this matter will not lead me to take a legal route.

Further email received on 21 November 2012, as a consequence of telephone conversation between Mrs McSherry and Interested Party D:

Further to our telephone conversation regarding the street trading consent review for Peeps Kebabs, Queens Road, Clifton.

As you know I was slightly perplexed that you were unaware of my recent record of complaints regarding the above fast food outlet and the Bunker nightclub. Although, as you explained that this could be because I had complained directly to the Bristol City Council Noise pollution department and you may not share information. I complained by telephone almost every day from Friday 25th Oct through to Friday 2nd Nov. Each time I asked for my complaints to be logged and I was assured that they were being.

Also each time I was told that a lady called Catherine McClean would return my calls. She never did. Frustrated, I also called Andy Lyle who was unaware of any complaints. I reiterated my previous week's calls and again asked him to log them and the reasons for my calls. In the past I have also complained via a number of Bristol City Council departments and also with the police:

June 2011 (Multiple times)
December 2011 (Multiple times)
August 2012 (Multiple times)

My reasons for complaint are:

- Excessive noise from the van (shouting, screaming, fighting that continues up into Park Place and Richmond Hill)

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- Totally unacceptable behavior in surrounding area of the van (vandalism, littering and even people running around in the nude that continues up into Park Place and Richmond Hill)
- Up to 14 taxis queuing outside of the van (beeping horns and revving engines)
- Acts as a gathering point and delays peoples departure from the area after leaving other establishments

This behavior generally starts at 11pm and continues until 4 or 5am sometimes SEVEN DAYS A WEEK. As you may be aware I am Chairman of Richmond Heights Management Company (Bristol) Ltd. The subject of disturbances for the van has been on the AGM agenda for the last 3 years.

I also understand from certain leaseholders that they have had tenants unwilling to renew their tenancy agreements due to these disturbances. I have personally lost a tenant ***** due to this. This may also be affecting sales in the building. A majority of leaseholders are very unhappy with the situation. As you know from my previous correspondence we are also looking to install gates at the rear of Richmond Heights and also an entry system at the front gate (combined costs estimated to be over 10,000). This is to try to stop the vomiting, urination, fornication, defecation and littering that come from the van and that regularly have to be cleaned up at the cost to Richmond Heights as they pose very real health risks.

As a temporary measure we have had to fit automatic security lights at a cost of over 700. These costs will obviously be borne by the leaseholders via the management company. The combined impact of a rise in management fees and difficulty in letting or selling will have a detrimental impact on the value of the property. Richmond Heights is predominantly occupied by hardworking professional people (some with children) and council tax payers who need to sleep.

It has been suggested that one avenue Richmond Heights along with other residential (and also business) stakeholders in the area may examine is:
Human Rights: Article 1 of the First Protocol: Protection of Property.

I/we are sure that this will not be necessary and I am sure you will agree this situation cannot be allowed to continue especially as there are enough fast food outlets in the area and in an area that is supposed to be a conservation area. I/we urge you and your colleagues to do what is right and work with us in upholding the street scene, unique ethos and values of the area and not let this van blight the lives of decent hard working council tax payers and the area further and refuse a license.

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13th November 2012

Mrs Myra McSherry
Licensing Administration Manager
Bristol City Council

Bristol City Council		
Validated	Date	Init
	(F)	
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Scanned		

By email only: myra.mcsberry@bristol.gov.uk

Dear Ms Mcsherry

Re: Richmond Heights, Richmond Hill, Clifton, Bristol

I write to advise you that I own _____ and have done so for many years.

I am aware that a recent application has been made for the unauthorised use of a site immediately outside the above building by Peeps Kebab van which has been a source of continuing nuisance for a very long time and am horrified to think that this might become a permanent feature and in fact should have been removed many years ago when it first became a nuisance.

You will be aware that there have been various unsocial scenes of activity as a consequence of this unauthorised sale of food in this location including noise emanating in the area in the early morning up until 5am on a 7 day a week basis.

It also acts as an unofficial taxi tank with engines revving and horns beeping well into the small hours. Litter is found regularly and discarded food wrappings all around the area including Richmond Heights.

In addition, the use is completely out of keeping with the area generally as it is an attractive street in a conservation area.

I trust you take into account owners and residents objections to such activities which I believe to be completely out of keeping to the area.

I would be obliged if you would keep me closely advised as to developments taking place in regard to this matter.

Yours sincerely

**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 19 November 2012

RE: Peeps Kebabs, Queens Road, Clifton, Bristol

FROM: Cllr Simon Cook

Cllr. Martin and I have been approached by a number of residents of Richmond Hill with regard to the noise nuisance they experience from the kebab van situated outside the former Habitat store. There is considerable noise pollution from the fact that it is open till late at night, and is packed up, creating a great deal of disturbance in the early hours.

For that reason, we wish you to express to the Licensing Committee our view that the license renewal is not granted, or that serious noise mitigation factors are put in place.

The residents put their objections in a petition to the last Full Council.

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**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 26 November 2012

RE: Peeps Kebabs, Queens Road, Clifton, Bristol

FROM: Cllr Mark Wright

Re: Complaints, I am certainly aware of a number that have been made against this burger van over the years, usually concerning noise but also regarding mess and grease on the pavement.

It is certainly agreed by all 4 councillors for the area that this is not a suitable location for a burger trailer, and hasn't been for 5 years or more. The problem has always been that this is an existing licence, which has somehow evaded several attempts to re-zone the area as not suitable for burger trailers.

Alex and I have had a policy of objecting to *all* new burger trailers in the central area (including the Triangle) for a number of years now because the centre of the city really has moved on from the 1990s, and having these stinking, greasy, drunken, fight-fest spots just 100m from restaurants like Jamie Oliver's and Gold Brick House is a total embarrassment to the city.

What we cllrs need from the licensing department is the sound legal argument that can be used to refuse permission for the continuing use of this spot for trailer burgers and not end up fighting appeals in court.
Can your team supply this to us?

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**STREET TRADING CONSENT
INTERESTED PARTY REPRESENTATION**

RECEIVED VIA EMAIL AT THE LICENSING OFFICE ON: 26 November 2012

RE: Peeps Kebabs, Queens Road, Clifton, Bristol

FROM: Cllr Christian Martin

I write in support of Cllr Wright's comments. Both Simon and myself have had repeated complaints about this burger van. As Cllr Wright points out it is an embarrassment and not compatible with our night time economy.

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