

Public Safety and Protection Committee Sub B Agenda



Date: Tuesday, 11 July 2017

Time: 10.00 am

Venue: City Hall

Distribution:

Councillors: Nicola Bowden-Jones, Chris Davies, Richard Eddy (Vice-Chair), Carole Johnson, Mike Langley, Paula O'Rourke, Ruth Pickersgill (Chair), Lucy Whittle and Chris Windows

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Issued by: Norman Cornthwaite, Democratic Services

City Hall, College Green, Bristol, BS1 5TR

Tel: 0117 9222390

E-mail: democratic.services@bristol.gov.uk

Date: Monday, 3 July 2017



www.bristol.gov.uk

Agenda

1. Election of Chair

To elect a Chair of the Sub Committee for the 2017/18 Municipal Year.

(Pages 4 - 5)

2. Election of Vice Chair

To elect a Vice Chair of the Sub Committee for the 2017/18 Municipal Year.

3. Apologies for absence and substitutions

4. Declarations of Interest

5. Public Forum

Any member of the public or councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the **Public Information Sheet** at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:

Statements and petitions

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest by **12.00 noon on Monday 10th July 2017**.

The notice should be addressed to the Service Director, Legal and Democratic Services, c/o The Democratic Services Team, City Hall,



College Green, Bristol, BS1 5TR or email
democratic.services@bristol.gov.uk

6. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate for the Duration of the Meeting

Recommended – that having regard to the quasi-judicial nature of the business on the Agenda, those Committee Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting.

7. Exclusion of the Press and Public

Recommended – that under Section 11A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the ground that involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended.

8. Application for the Grant of a Private Hire Driver's Licence - AYH

(Pages 6 - 32)

9. Application for the Renewal of a Private Hire Driver's Licence - MMD

(Pages 33 - 39)

10. Application for the Grant of a Hackney Carriage Driver's Licence - MN

(Pages 40 - 62)

The following items will be considered in Open (Non Exempt) Session.

11. Application for a Street Trading Consent at Knowle Cricket Club Car Park - MAP

(Pages 63 - 74)

12. Application for a Street Trading Consent at The Elm Tree Inn Car Park - MAP

(Pages 75 - 86)



Public Information Sheet

Inspection of Papers - Local Government
(Access to Information) Act 1985

You can find papers for all our meetings on our website at www.bristol.gov.uk.

You can also inspect papers at the City Hall Reception, College Green, Bristol, BS1 5TR.

Other formats and languages and assistance
For those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee and be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, City Hall, College Green, Bristol BS1 5UY. The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **three clear working days before the meeting**.

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the committee. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).

We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement

contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information in them may be searchable on the internet.

Process during the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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**BRISTOL CITY COUNCIL
PUBLIC SAFETY AND PROTECTION COMMITTEE
11 July 2017**

Report to consider an application for the Grant of Street Trading Consent(s) at Knowle Cricket Club (Carpark), Broad Walk, Bristol, BS4 2RD

Applicant: Mark Andrew Pearce

Report of the Service Manager – Regulatory Services

Purpose of Report

1. To determine an application for the grant of a Street Trading Consent at the following location: Knowle Cricket Club (Carpark), Broad Walk, Bristol, BS4 2RD

Background

2. With effect from 1 May 2009 the above location is designated as a consent street for the purpose of street trading legislation. Any street trading at that location other than under a street trading consent issued by the Council would constitute a criminal offence.
3. General conditions which would normally be attached to a licence/consent if granted are at Appendix A.
4. Photos of the site are attached at Appendix B and a site location plan is attached at Appendix C.
5. On 24 March 2017 Mr Pearce applied to sell the following goods:

Fresh Meat

During the hours of 0800 – 1400 Wednesday and Friday only

Consultation

6. The Council's policy states that normally consultation will take place with the following interested parties:-

- a. Local Residents
- b. Local businesses
- c. Bristol City Council – Highways officer
- d. Bristol City Council – Planning Team
- e. Bristol City Council – Food Safety Team
- f. Bristol City Council – Pollution Control Team
- g. Bristol City Council – Councillor
- h. Avon and Somerset Police

Standard consultation was undertaken in respect of this application

Consultation Responses

7. The following responses have been received.

One representation was received from an anonymous relevant person. It attached at Appendix E. Concerns were also raised verbally by Cllr Davies on behalf of a number of his constituents who had concerns regarding cleanliness and a potential increase of cars in an area where children are nearby raising a safety risk.

Officer Considerations

- 8. The applicant has submitted additional information in respect of the application and in response to the representations which is attached at Appendix F.
- 9. This location falls on property leased by Knowle Cricket Club from Bristol City Council. The cricket club's lease does permit them to sub-let the premises, and as such they have granted Mr Pearce permission to trade from this site.
- 10. Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 deals with street trading consents. Subject to certain exemptions that do not apply to this application, Paragraph 7 enables the council to grant a licence if they think fit. The council may attach such conditions as they consider necessary, which may include among other things conditions to prevent obstruction of the street or danger to persons using it, nuisance or annoyance etc. Consent may include permission for its holder to trade in a consent street from to trade from a stationery van,

car, barrow or other vehicle, or from a portable stall. Unless such permission is included the act prohibits a consent holder trading from a van or other vehicle or from a stall, barrow or cart.

- i. 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.
- j. 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.

11. The applicant has been provided with a copy of the report and has been invited to the meeting.

RECOMMENDED The committee is recommended to determine this application.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background papers

Contact Officer: Ms A Holman, Senior Licensing Officer

Ext: Telephone 01173 574 900

Appendices:

Appendix A	General Conditions attached to a street trading consent
Appendix B	Site photos
Appendix C	Site location plan
Appendix D	Photos of the trading unit
Appendix E	Representations
Appendix F	Additional information from applicant

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

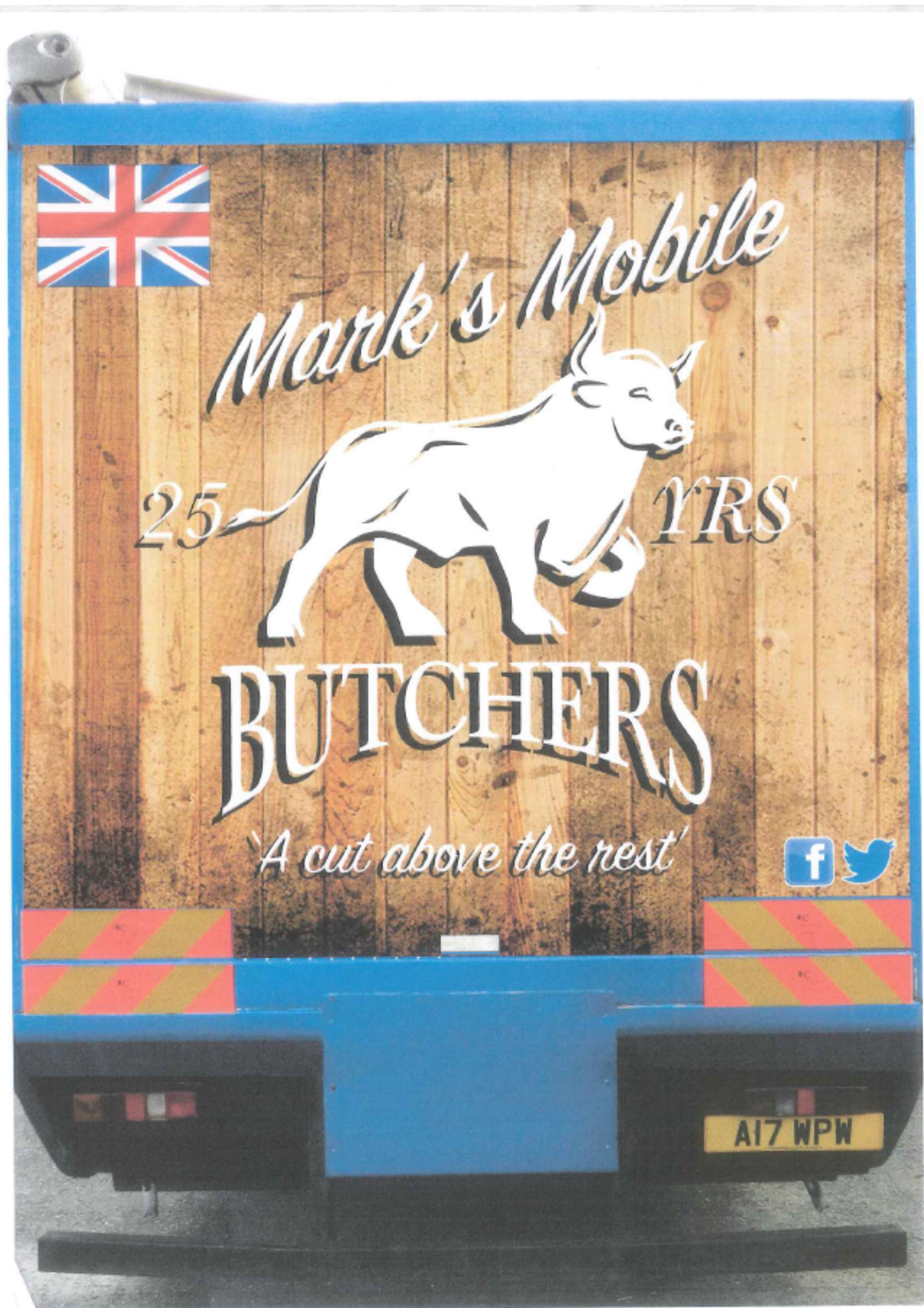


Mark's Mobile Butcher

Document created on Tuesday 25th April 2017 at 13:35



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Rep 1 - Anon

An application has been made by Marks mobile butchers to trade from Knowle cricket club car park.

This is a very small car park and it also services the tennis club and bowls club. There is only one entrance/exit used by cars and pedestrians, the car park is also nearly completely enclosed by an 6-8ft wall surrounding its perimeter and high fencing inside to stop the cricket balls etc.

I feel if a mobile shop was allowed in the additional amount of cars and pedestrians would cause a health and safety issue.

APPENDIX F

With reference to Knowle cricket club we are going to proceed with the application as the grounds you have raised I believe to be insignificant.

With reference to the high wall to do with the cricket balls etc, I can't see why this will be a problem - I will not be trading on cricket days.

The car park is too small?

I will be there only till 2 pm, in my 25 years experience as a mobile butcher I only have at best 4 to 6 people in the queue, I have enclosed 2 pictures of sites I have in south glos and their car parks are smaller than this one. I have had no problems with south glos council regarding extra traffic and pedestrians. The car park at Knowle cricket club is more than adequate to accommodate both the truck and 4-6 cars we anticipate serving at a time.

Also I can show a need, if required, of people who have messaged us - Marks Mobile Butchers to say they are looking forward to us coming to the cricket club. I am aware - through the butchers' network in Bristol - that the local butcher in the shopping centre has made comments to say he is going to stop this application as he is friends with a local councillor.

**BRISTOL CITY COUNCIL
PUBLIC SAFETY AND PROTECTION COMMITTEE
11 July 2017**

Report to consider an application for the Grant of Street Trading Consent(s) at The Elm Tree Inn (Carpark), Highridge Road, Bishopsworth, Bristol, BS13 8HB

Applicant: Mark Andrew Pearce

Report of the Service Manager – Regulatory Services

Purpose of Report

1. To determine an application for the grant of a Street Trading Consent at the following location: The Elm Tree Inn (Carpark), Highridge Road, Bishopsworth, Bristol, BS13 8HB

Background

2. With effect from 1 May 2009 the above location is designated as a consent street for the purpose of street trading legislation. Any street trading at that location other than under a street trading consent issued by the Council would constitute a criminal offence.
3. General conditions which would normally be attached to a licence/consent if granted are at Appendix A.
4. Photos of the site are attached at Appendix B and a site location plan is attached at Appendix C.
5. On 24 March 2017 Mr Pearce applied to sell the following goods:

Fresh Meat

During the hours of 0800 – 1500 Thursday Only

Consultation

6. The Council's policy states that normally consultation will take place with the following interested parties:-

- a. Local Residents
- b. Local businesses
- c. Bristol City Council – Highways officer
- d. Bristol City Council – Planning Team
- e. Bristol City Council – Food Safety Team
- f. Bristol City Council – Pollution Control Team
- g. Bristol City Council – Councillor
- h. Avon and Somerset Police

Standard consultation was undertaken in respect of this application

Consultation Responses

7. The following responses have been received.

Two representations were received in total, both from relevant persons and they are attached at Appendix E.

Officer Considerations

- 8. The applicant has submitted additional information in respect of the application and in response to the representations which is attached at Appendix F.
- 9. This location falls on private property. Permission from the landowner to trade on the site has not yet been forthcoming. If it is not received prior to 11 July 2017 officers will withdraw this report from consideration, as it would not be appropriate to determine the application without the permission of the landowner in place.
- 10. Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 deals with street trading consents. Subject to certain exemptions that do not apply to this application, Paragraph 7 enables the council to grant a licence if they think fit. The council may attach such conditions as they consider necessary, which may include among other things conditions to prevent obstruction of the street or danger to persons using it, nuisance or annoyance etc. Consent may include permission for its holder to trade in a consent street from to trade from a stationery van, car, barrow or other vehicle, or from a portable stall. Unless

such permission is included the act prohibits a consent holder trading from a van or other vehicle or from a stall, barrow or cart.

- i. 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.
- j. 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.

11. The applicant has been provided with a copy of the report and has been invited to the meeting.

RECOMMENDED The committee is recommended to determine this application.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background papers

Contact Officer: Ms A Holman, Senior Licensing Officer

Ext: Telephone 01173 574 900

Appendices:

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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.

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15. The city council reserves the right to alter or amend these conditions at any time.

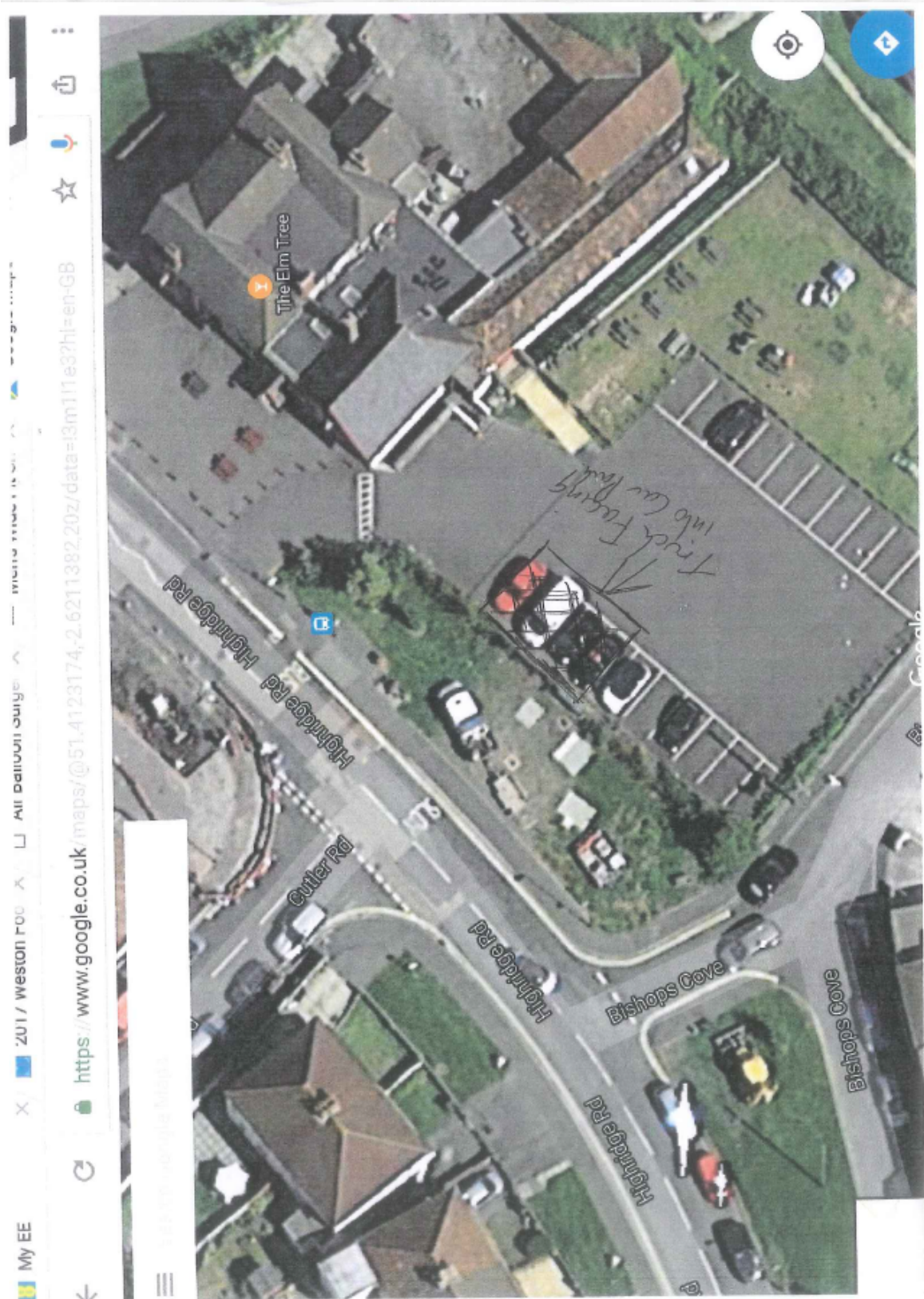
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17. The consent holder shall be responsible for the temporary storage of refuse, liquid and other material accumulated or created whilst trading and its subsequent removal from the site. The removal and disposal must be to the satisfaction of the council.

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.

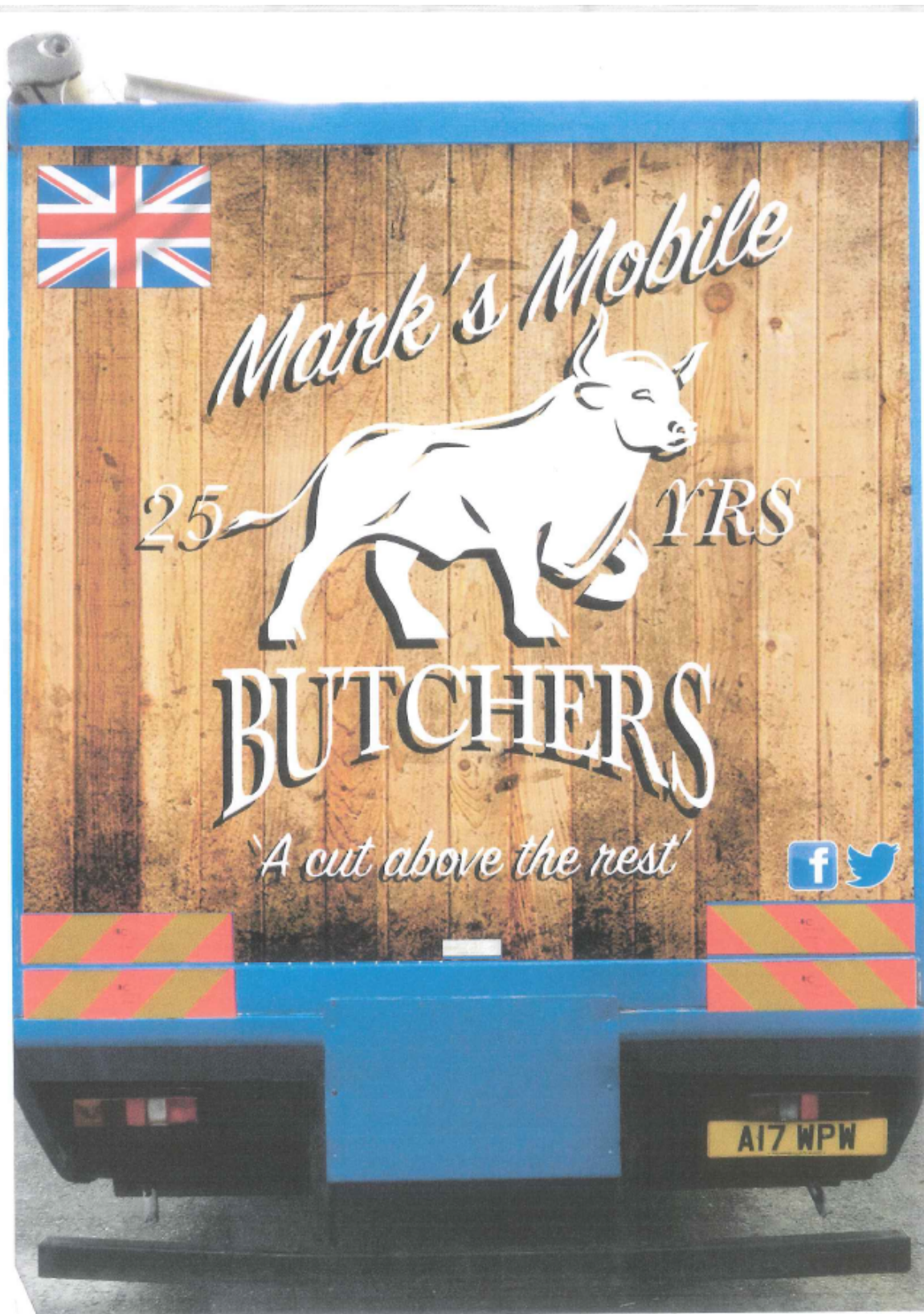
N.B This consent is issued without prejudice to any other statute, by-law or regulation. This consent does NOT over-ride any regulations regarding parking, food hygiene, obstruction, etc

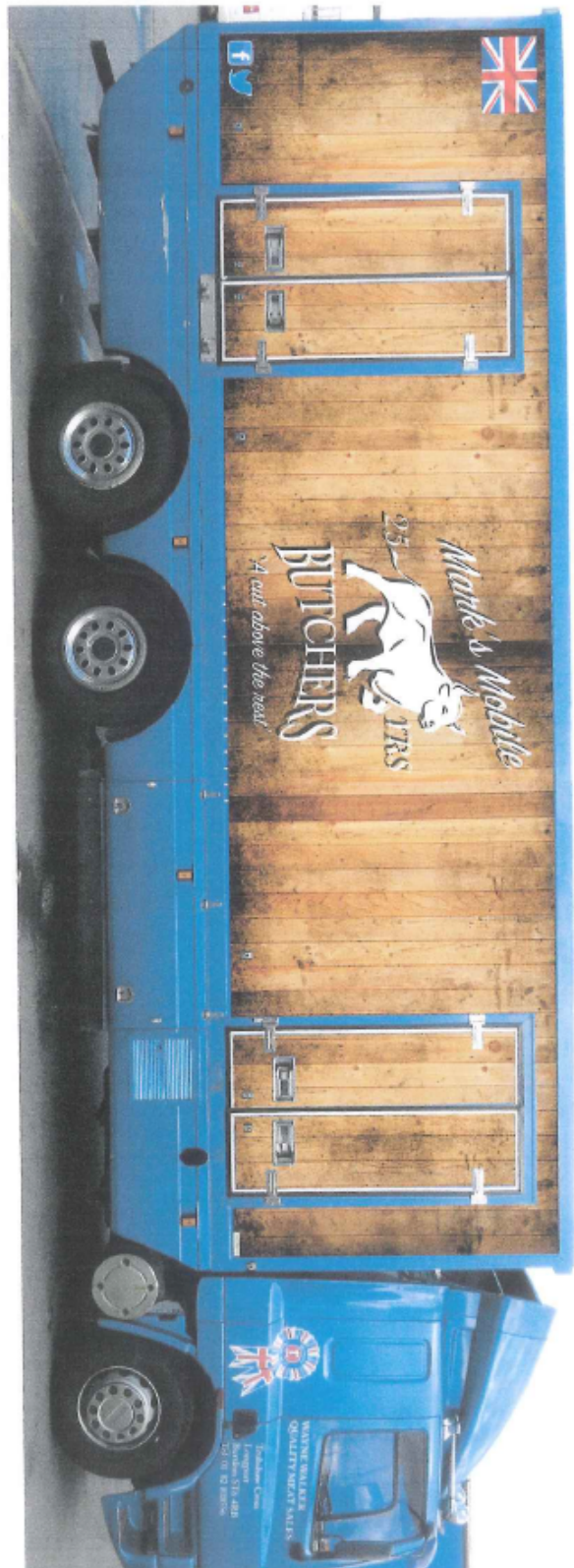


Mark's Mobile Butchers

Document created on Wednesday 26th April 2017 at 10:28









Rep 1

I am a resident of xxxxxxxx and would object for the reasons below to the trading application.

1 We already suffer enough noise from the pub

2 We already have a litter problem from the pub

3 We already have a parking problem in our area caused by not enough parking in the area (even with the recent improvements)

Rep 2

We oppose this application on three accounts.

One. We are local residents living xxxxxxxx of The Elm Tree Inn.

Already suffering a high level of music noise from the pub along with the very noisy customers using it day and night, we do not want to hear a refrigerated van with generator going all day.

Secondly we think this trader would be detrimental to the local butcher, xxxxxxxx who has a shop nearby. Small local businesses are already suffering from supermarkets and high business rates, and it would be devastating for our community to lose another well established butcher.

Thirdly, this would bring in more traffic to an already busy area, causing more problems on an already problematic stretch of road.

The Elm Tree Public House.

With regard to Rep 1

1. My truck runs on a super silent generator costing £10,000 and having a maximum of 4 to 6 customers is not going to cause any adverse noise. I'm not using a microphone system, but will just be chatting to customers.
2. The litter problem - I take all my own rubbish away with me. I have a waste contract with great western recycling which can be produced if this helps.
3. Parking, as previously mentioned 4 to 6 cars is not going to affect this area.

Rep 2

The music levels of pub etc - I will be there in the morning with a super silent generator which runs my my fridge and freezer so it's not the noisy transport refrigeration this person perhaps thinks I would have.

The local butcher. This cannot be taken into account as the competition act dictates that everyone has a right to trade.

Traffic, the highways agency have not raised any concerns and just a few cars coming and going will not affect the traffic.

I am willing to meet with these objectors with my truck so they can hear it for themselves.

I am getting the land owners' permission now and will forward this on as soon as I have it.