

# Public Safety and Protection Committee Sub A Agenda



**Date:** Tuesday, 28 March 2017

**Time:** 10.00 am

**Venue:** City Hall

## **Distribution:**

**Councillors:** Donald Alexander, Chris Davies, Richard Eddy (Vice-Chair), Anna Keen, Sultan Khan (Chair), Mike Langley, Paula O'Rourke, Ruth Pickersgill, Chris Windows and Eleanor Combley

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**Date:** Monday, 20 March 2017



# Agenda

## 1. Welcome, Introductions and Safety Information

(Pages 5 - 6)

## 2. Apologies for Absence and Substitutions

## 3. Declarations of Interest

To note any declarations of interest from the Councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a **disclosable pecuniary interest**.

Please note that the Register of Interests is available at <https://www.bristol.gov.uk/councillors/members-interests-gifts-and-hospitality-register>

Any declarations of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.

## 4. Public Forum

Up to 30 minutes is allowed for this item *\*Democratic Services Officer check time limit for your particular Committee\**

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. Public Forum items should be emailed to [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk) and please note that the following deadlines will apply in relation to this meeting:-



Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on *\*name deadline date\**

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on *\*name deadline date\**.

## **5. Exclusion of Press and Public**

That under s.100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) *\*insert paragraph here\** (respectively) of Part 1 of schedule 12A of the Act.

## **6. Application for the Grant of a Private Hire Driver's Licence - RK**

To consider an application for the grant of a Private Hire Driver (PHD) Licence. **(Pages 7 - 25)**

## **7. Application for the Grant of a Private Hire Driver's Licence - AJA**

To consider an application for the grant of a Private Hire Driver (PHD) licence. **(Pages 26 - 45)**

## **8. Application for the Grant of Street Trading Consent(s) at Avonmouth Road (B4054), Directly Beneath Raised Section Of M5 - PH**

To determine an application for the grant of a Street Trading Consent at the following location: Avonmouth Road (B4054), Directly Beneath Raised Section Of M5 **(Pages 46 - 65)**

## **9. Application for the Grant of Street Trading Consent(s) at Paved area by the Fountains outside City Hall, College Green - BD**

To determine an application for the grant of a Street Trading Consent at the following location: Paved area by the Fountains outside City Hall, College Green. **(Pages 66 - 80)**

## **10. Application for the grant of a Street Trading Consent at the**



**following location: Pavement in front of Freshford House,  
Redcliffe Way - DB**

To determine an application for the grant of a Street Trading Consent at the following location: Pavement in front of Freshford House, Redcliffe Way.

**(Pages 81 - 104)**

**11. Exclusion of Press and Public**

That under s.100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) *\*insert paragraph here\** (respectively) of Part 1 of schedule 12A of the Act.

**12. Application for the Renewal of a Private Hire Driver's Licence -  
GKC**

To consider an application for the renewal of a Private Hire Driver (PHD) licence.

**(Pages 105 - 110)**

**13. Conviction of a Private Hire Driver - PS**

To consider an application to renew a Private Hire Driver (PHD) licence.

**(Pages 111 - 113)**



# 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](http://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](mailto: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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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  
28 March 2017**

**Report to consider an application for the Grant of Street Trading Consent(s) at Avonmouth Road (B4054), Directly Beneath Raised Section Of M5, Bristol**

**Applicant: Paul Harrison**

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: Avonmouth Road (B4054), Directly Beneath Raised Section Of M5, Bristol

**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 15 September 2016 Mr Paul Harrison applied to sell the following goods:  
Stone baked Pizza; Pasta; Coffee and Cold Drinks

During the hours of 1700 – 2200 Wednesday to Friday

## 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.

Seven representations were received from relevant persons which are attached at Appendix E. No representations were received from any of the responsible authorities.

## 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. 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.

10. 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:

<b>Appendix A</b>	General Conditions attached to a street trading consent
<b>Appendix B</b>	Site photos
<b>Appendix C</b>	Site location plan
<b>Appendix D</b>	Photos of the trading unit
<b>Appendix E</b>	Representations
<b>Appendix F</b>	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





Paulios Pizza, (B4054), Directly under Raised Section Of M5

Document created on Friday 27th January 2017 at 12:32



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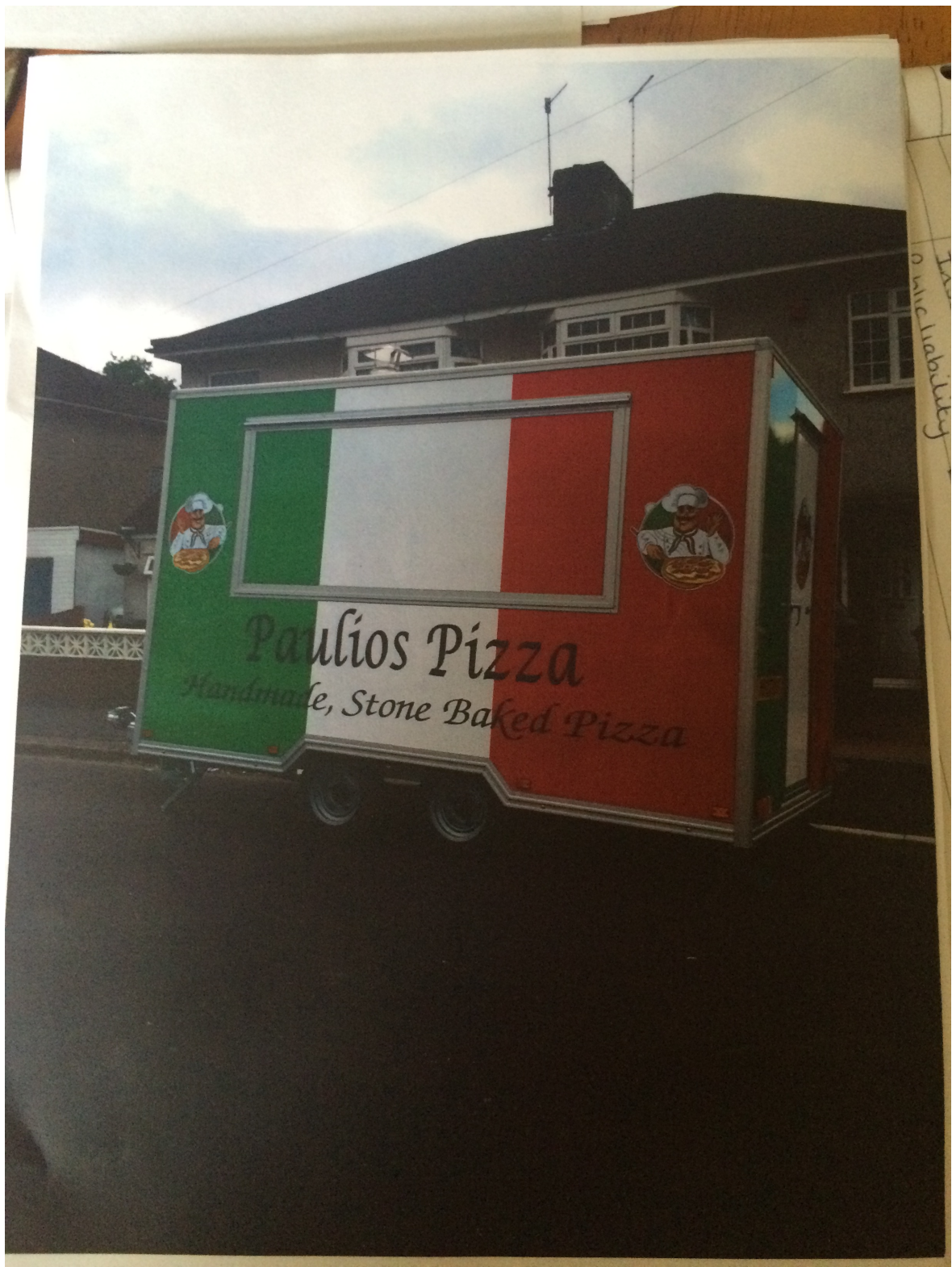








Insurance -  
Public Liability - £91.13



Representation from Cllr Matt Melias

I fully object to this application.

I feel that the cumulative impact of fast food and take aways within Shirehampton/Avonmouth is a negative thing and is having a negative impact on the health of residents.

There is another take away van operating less than a mile away.

The target audience for this venture is clearly drunken revellers and not family meals.

The location would invite youths to congregate under the bridge and an increase in ASB is likely

Representation 01

I live with my family on Avonmouth Road in Shirehampton. We strongly disagree with pizza trailer on our street. This road is too narrow. We all have a problem with rats outside, and this can make more of them. Smell and leftover food doesn't help! Plus all rubbish that we have extra, already in our front garden many from food that people buy just in corner on Atlantic Road.

Representation 02

I am a local resident living at Avonmouth Road.

With regards to application for pizza/pasta van. We feel very strongly against it there is bound to be a lot more rubbish traffic and noise. Our road hardly ever gets cleaned as it is, and how do we know that once there they won't increase their hours. We are very much against this and if it goes ahead we will apply for a rate rebate.

Representation 03

In reply to your letter dated 27th January 2017 regarding a Street Trading Consent Application. I am writing to say as a local resident I am strictly against this application.

I feel it is not a safe location for such a business. Avonmouth Road is a very busy main road and a van parked in this location could cause traffic congestion especially at certain hours of trading. Also, there is a similar type of van trading in Atlantic Way just down the road from this proposed application.

## Representation 04

I write as a local resident who objects to the application for street trading consent ref 16/05877/STCON.

I object to the consent application for the following reasons:

Avonmouth Road (B4504) is a very busy road and has a high volume of large and heavy vehicles at all times of the day and evening. The proposed trailer will contribute to increased congestion and will potentially cause a highway obstruction.

The footpath along the Avonmouth Road is also heavily used by foot traffic, and the proposed trailer would potentially cause an unacceptable level of footpath congestion, forcing pedestrians to cross an extremely busy road to pass safely on the other side, and also the potential obstruction to cyclists, many of whom choose to use the footpath rather than cycle on the busy Avonmouth Road due to the high volume of heavy traffic.

I am very concerned about increased levels of rubbish and waste, and the corresponding level of vermin that such waste would attract.

The proposed trailer would be a focus place for gatherings of people, including youths, and as such I am concerned about an increased level of anti-social behaviour.

The proposed site as marked on the enclosed map is directly opposite a clearly marked police/emergency space.

The proposed site as marked on the enclosed map will severely obstruct my view when pulling out from/backing into my driveway into the very busy Avonmouth Road. Presently I have a clear view along the road when driving in and out of my driveway, but a large catering trailer on the position indicated on the map will cause a dangerous obstruction to my view.

It is my submission that such a catering trailer should in no circumstances be placed on such a busy road, and would be more suitably placed within a trading estate, or in a suitable lay-by. The current application would be severely detrimental to residents in the local area for all those reasons as stated above, and I object to this application.

## Representation 05

Re: Application 16/05877/STCON

With reference to the above application for Street Trading Consent I object for the following reasons :-

### Noise

Any sounds emanating from under the raised section of the M5 echo and are magnified, causing a disturbance to local residents.

### Litter

Possibly customers will purchase their requirements, then walk away eating and dispose of wrappings on the pavement or into gardens. As rats can be seen at times in this area, any litter would exacerbate the problem.

### Safety

This road (B4054) is extremely busy with private cars, vans and also HGVs. At the suggested commencing time of 17:00 there is considerable congestion with waiting traffic and tail-backs. When the road is quieter, traffic often exceeds the 30mph limit thereby causing a danger to parked vehicles and pedestrians. The Police speed camera van is parked on the central reservation under on a regular basis so presumably it is considered this section of road needs constant observation.

I am responding to this application as a resident of Avonmouth Road.

### Representation 06

We are residents of Avonmouth Road, Bristol. BS11 9ND and wish to raise objections to the above application for the proposed fast-food vehicle business directly beneath the raised section of M5 on Avonmouth Road. We already have problems with the litter and food rubbish from the burger/kebab van which trades on Atlantic Road, which has been thrown into the front gardens of the houses along Avonmouth Road. There has also been an increase in the number of vermin in the area as a direct result of this. There are no council rubbish bins in the area, nor do the businesses themselves provide any. Therefore, we strongly oppose the granting of the licence to trade.

P7

There are no local traders offering 'stone baked' pizza. I have added to my offering 'Pasta Pots' as I appreciate that not everyone likes pizza.

The proposed pitch allows customers to safely park and be out of the elements. There are pedestrian crossings at both ends of the road allowing safe travel / passage to foot custom.

I have spent considerable money on the style and type of trailer (including the power source) and did this considering the needs of both the local residents (nearest one is approx 150ft away) and also the prospective customers.

I have Italian heritage and believe the design of the trailer would improve the ambiance of the area.

I have been a local resident for most of my adult life and have served my community, I was on the Avonmouth Community Council, I was a local school governor and I was also a coach at Avonmouth RFC.

I would appreciate a speedy and positive outcome to your consideration.

Paul Harrison

Further additional information from applicant

Dear sirs,

My personal background.

I am 46 years old, living in Shirehampton (West Town Road), with my fiancé and her 3 children.

For over 25 years I was involved in the supply of safety items, until January 2016 when I was made redundant. Please also note that since my redundancy I have not made any claim to benefits of which I may be entitled to.

I have Italian heritage and that along with my keen interest in world foods was what drove me towards my business venture.

I have for the past year been under the tutorage of Mr Simon Pomphrey who runs a similar business based in Chew Stoke. This I have done on a voluntary basis (unpaid) as I felt the need to gain experience before embarking on my own.

I have NCASS accreditation (Food Hygiene Level 3).

The trailer I have was purpose built and all items within were chosen to minimise the effects on both the environment and the local community.

The trailer was purchased using my redundancy money £20K+.

I was a pupil at Portway Comprehensive and also served as both a school governor (Avonmouth) and sat on the Avonmouth Community Council. I have a strong connection to the area in which I live and therefore a reason to ensure that any impact on the area is positive.

Having read the objections raised I would like to respond to them on an individual basis.

Representation from Cllr Matt Mellias

Impact of fast foods and takeaways.

Certain fast foods and takeaways can have a negative impact on the health of people, however the items I propose to sell are all completely hand made, with daily purchased produce and do not contain the fat content found in burgers, kebabs etc...

For myself to produce authentic wood fired Neapolitan Pizzas it is essential to use fresh healthy produce.

For those that do not like pizza, I intend to offer Pasta Pots. Again this does not contain unhealthy levels of fat.

What can be more healthy than fresh vegetables, meats and cheeses? If you are looking at encouraging healthy eating then I would suggest that my proposal is a good option.

Van operating less than a mile away.

This is correct...however this street trader provides all of the items that



have negative impact on the health of people. Burgers, kebabs etc... I do not intend to compete with this vendor only to offer a healthier alternative.

## Target audience

My target audience is NOT drunken revellers. If it were I would look at operating times matching those of the local public houses. I would be happy not to have drunken revellers approach me. I am interested as to why it was deemed that I "clearly" targeted these? The statement made is purely an opinion and not based on fact. I have intentionally capped my closing time so as to reduce the number of drunken revellers approaching me.

## Youths

I cannot say whether or not youths will congregate under the bridge. I don't see why they would. I can say that I will do everything in my power to dissuade this happening.

I can also say that from personal experience where I have been training for the past year this has not been the case

## Representation 01

The road consists of two single carriageways separated by for the most part a grass divide and each road is approximately 8 metres wide (26+ feet).

The width of the trailer is 2.2 metres (7 feet 2 inches), and the maximum width of a passing HGV lorry is 2.55 metres (8.3 feet). So I have clearly demonstrated that the road is sufficient in size.

The proposed location is approximately 40 metres (131 feet) from the nearest house (on the other side of the road) and approximately 70 metres from the house located on the same side of the road.

I would be very surprised if the smell from the food emanating from the trailer will attract rats to any individuals house based on their location to the trailer. I am NCASS trained and accredited, and part of this training involved vermin control. HACCP (Hazard Analysis Critical Control Points) is a systematic preventative approach to food safety from biological, chemical or physical hazards, of which I intend to comply with, examples of these documents were submitted as part of my application.

It is actually quite difficult to eat Pizza on the move, the vast majority of people will purchase this to take home. However I take full responsibility for any of my packaging should it be discarded inappropriately and will be more than happy to remove this, should the

need arise. I openly have my contact details on the trailer.

## Representation 02

I to am a local.

As I am not encouraging people to eat at the trailer (no tables or chairs), and the fact that Pizza is a product normally taken home to consume I do not agree that there will be an increase in rubbish. Should it be found that any of my packaging has been discarded inappropriately I will be more than happy to remove this.

Vehicles being used to come to my trailer are more than likely park on the trailer side of the road. Due to the distance from the trailer to the houses in the vicinity I very much doubt that an increase in noise will be noticed.

I have no intention in increasing or changing my hours at this location. I would suggest that with regards to the cleaning of the road you discuss this with the appropriate department within BCC, however upon leaving the site every evening I will be ensuring that the area is as it was when I arrived.

## Representation 03

I agree, this road is very busy which is one of the reasons I chose this location. The road is a single carriageway approximately 26 feet wide therefore allowing vehicles to pass unheeded.

There is a vendor trading in Atlantic Way, however the products I propose are not the same as the ones they sell. All my products are freshly prepared and cooked using quality fresh ingredients. I do not intend to compete with them, I am only offering a healthier alternative to the fast foods available in the area.

## Representation 04

I agree the B4504 is a very busy road at times, which was one of the reasons I chose this site. The road is made up of 2 carriageways, separated by a grass area (in the main). The side I wish to locate my trailer on is approximately 8mtrs wide. My trailer is 2.2mtrs wide and the maximum width of a HGV vehicle is 2.55mtrs wide. The trailer can not contribute to increased traffic congestion, the congestion is either there or not, and due to the dimensions stated this will not cause a highway obstruction.

For there to be an unacceptable level of foot traffic therefore meaning people are being forced to cross the B4054, there has to be numbers in the hundreds using this all at the same time. The only time I have seen these levels are when the local Rugby Football Club put on their annual fireworks display. As the display always takes place on a weekend and I am not intending to trade from that site on weekends I do not see this being an issue.

With regards to cyclists using the footpath rather than the road, this is against the law and should be discouraged.

I do not agree that the trailer would encourage young people to congregate. If this is the case then I will do everything in my power to persuade them to move on. I would also add that in my personal experience (I have been trading for a year now in Chew Stoke), that this hasn't been the case.

I am NCASS accredited (Business owner level), and part of this training was to put into place control measures to ensure that the trailer does not encourage vermin (HACCP) Hazard Analysis Critical Control Points. This measure is mostly used by large restaurants, however as I am a local to the area it was important to me to ensure that I uphold the highest standards possible. As part of my application submission I have forwarded to BCC examples of my HACCP plan. I will not be encouraging people to eat at the trailer and as Pizza is quite difficult to eat on the move the likelihood is that this will be taken to their home to consume. I will however accept responsibility for any of my packaging that may have been inappropriately disposed of and if I am told of this I will have it removed at the earliest time possible. The proposed site is actually NOT opposite the police / emergency site. It is just at the beginning of the bridge not the middle where they have an allocated space.

With regards to your view the trailer will be approx 70mtrs from the first house on the same side of the trailer and therefore give you an ample view when backing into your driveway.

## Representation 05

### Noise

The nearest homes to the vicinity of the trailer are 40mtrs and 70mtrs. When considering this venture I took into account all aspects that may effect both the environment and also the local community. At considerable expense I purchased a run quiet generator at a cost in excess of £900. A cheaper option would be to have purchased one for £200. I do not believe that the noise generated will cause any unnecessary distress and am happy to provide all of the technical specifications for the generator to BCC for consideration.

### Litter

Pizza is a difficult product to eat on the move...it is normally purchased and then consumed at home. I however do take full responsibility for any of my packaging that may have been inappropriately discarded and will have any such items removed at the earliest time possible. I will ensure that upon leaving the site I will ensure that this is left exactly how it was found.

## Safety

Yes this is a busy road which was one of the considerations as to why I have asked for the trailer to be there. The location of the trailer will in no way cause any additional congestion as the road on that side is approximately 8mtrs wide, the trailer is 2.2mtrs wide and the largest HGV can not exceed 2.55mtrs.

I believe that the trailer will potentially act as a deterrent to people exceeding the speed limit. As I live just off the B4054 if I saw a trailer there I would automatically slow down. I am not sure as to the regular basis that the speed camera is there that you refer too as I have not seen it there for quite some time.

The location of the trailer will not impede the speed camera in anyway, as it will be located just at the start of the bridge and not in the middle where the camera is sometimes.

## Representation 06

Pizza is not something that is easy to eat on the move...in my experience the vast majority of people take this home to consume. I will however accept full responsibility for any of my packaging that may have been disposed of inappropriately and have this removed at the earliest convenience. I have in place measures to reduce the risk of such things (Hazard Analysis Critical Control Points) which is normally used in restaurants. As I am a local resident myself I understand the importance of high standards and I have a vested interest in keeping the area in which I live clean and tidy.

**BRISTOL CITY COUNCIL  
PUBLIC SAFETY AND PROTECTION COMMITTEE  
28 March 2017**

**Report to consider an application for the Grant of Street Trading Consent(s) at Paved area by the Fountains outside City Hall, College Green Bristol**

**Applicants: Bayram Demiroglu – Anatolia**

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: Paved area by the Fountains outside City Hall, College Green Bristol

### **Background**

2. With effect from 1 May 2009 the above location is designated as a consent street for the purpose of street trading legislation. Any street trading at that location other than under a street trading consent issued by the Council would constitute a criminal offence.
3. General conditions which would be attached to a licence/consent if granted are at Appendix A
4. A number of previous consents have been granted for this site, which permitted the sale of hot drinks and light snacks throughout the day. No applications for night time hours have been granted for this location previously
5. An application for street trading consent has been received for the above location details of which are provided below. If granted the consent would enable the applicant to trade lawfully at the above location.

6. Photographs of the proposed trading site are attached at Appendix B and a site location plan at Appendix C.
7. On 3 March 2016 Mr Bayram Demiroglu applied to sell the following goods:
  - Falafel, Hummus, Cous Cous, Chicken, Chips, Burgers, Halloumi Cheese, Pitta, Fresh Salad, Cold Fizzy Drinks, Bottled Water
  - During the hours of 2100 – 0500 Monday to SundayPhotographs of Mr Demiroglu's trading unit are attached at Appendix D. Mr Demiroglu has indicated that the trailer would be removed from the site and stored in a private garage outside of the trading hours.

## **Consultation**

8. 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

Comments were received from the police and they are attached at Appendix E.

Members considered an application from Mr Demiroglu at this site, for similar products, and during the day at a hearing on 26 January 2016. The application was refused because the committee determined on that occasion that the location was not suitable for a substantive food offer. The minutes of that hearing are attached at Appendix F.

As such officers assessed that they could depart from the policy and did not undertake a full consultation in this instance. The issues raised in the representations in the previous report and the police's comments raise many issues which officers feel would be appropriate to consider when determining this application.

## Officer Considerations

9. Mr Demiroglu would be required to obtain a premises licence to authorise late night refreshment which permits the sale of hot food and drink at any time between the hours of 2300 and 0500 in addition to a street trading consent in order to be able to trade legally after 2300.

10. The location that has been applied for falls within a designated Cumulative Impact Area (CIA) under the council's Licensing Policy, in particular the City Centre CIA. The extract from the policy giving the reasons for this CIA are detailed below:

*“The Avon and Somerset Police produced evidence to support their request that the central area of Bristol be designated a CIA. It remains at saturation point and the Police produced evidence for extending the area to which the special policy should apply so as to include Stokes Croft and Cabot Circus. In particular the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety. The policy will apply to further applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the policy is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets).”*

11. Officers would advise that there are a number of outlets nearby which hold premises licences under the Licensing Act 2003. This is supported by the comments from the police.

12. Whilst the committee cannot directly consider the CIA in determining this application, some of the reasons for the implementation of the CIA may be relevant to their deliberations including the potential for an increase in crime and disorder, and public nuisance.

13. If the sub-committee were minded to grant this application officers would recommend that a condition is placed on the consent requiring that the unit be removed at the end of trading time. In addition a further condition prohibiting use of the consent when any events are taking place on college green in order to maintain the use of the site for any other purposes outside of the trading hours when their presence could conflict with the event on offer e.g. BBC Food Festival

14. Officers would also recommend that conditions are added to ensure the consent holders are responsible for any damage caused by their units being placed or removed from the site and that consideration be given to the size of the unit as access is currently restricted by bollards to this location. If bollards were required to be removed for access by any of the units the applicant would be responsible for the cost of these works.

15. 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.

a. 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.

b. 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.

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

**RECOMMENDED** The committee is asked to refuse the application.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**  
**Background papers**

**Appendices**

**Appendix A** Standard Conditions attached to street trading



	<b>consents</b>
<b>Appendix B</b>	<b>Site photos</b>
<b>Appendix C</b>	<b>Site location plan</b>
<b>Appendix D</b>	<b>Photos of the trading unit</b>
<b>Appendix E</b>	<b>Comments from Avon and Somerset Police</b>
<b>Appendix F</b>	<b>Minutes of PSP meeting 26 January 2016</b>

**Contact Officer:** Ms A Holman, Senior Licensing Officer

**Ext:** Telephone 01173 574 900

**GENERAL CONDITIONS THAT WILL NORMALLY BE ATTACHED  
TO STREET TRADING CONSENTS**

1. The consent holder shall only trade 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.





College Green Site Map

Document created on Tuesday 12th January 2016 at 12:55



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Avon & Somerset Constabulary  
Representations Licensing Act 2003.

<b>Street Trading Consent - Anatolia</b>
<b>Address – Corner of Council House Building Park Street, Bristol</b>
<b>Type of Application – Street Trading Consent</b>
<b>Police Representative – Louise Mowbray</b>
<b>Contact details – Operational Planning, Bridewell Police Station, Bridewell St, Bristol</b>
<b>Tel : 0117 9529733 <a href="mailto:louise.mowbray@avonandsomerset.police.uk">louise.mowbray@avonandsomerset.police.uk</a></b>
This is an application for a street catering unit trading from 2100-0500hrs, Monday to Sundays.
<p>The site applied for is located within the Bristol City Centre Cumulative Impact Area (CIA), the city centre CIA was designated due to the saturation of licensable premises, late night refreshment premises/venues and the correlated number of issues associated with such a concentration.</p> <p>The application is within the city centre CIA, the CIA policy was set up to rebut all applications for the grant of new licenses, late night establishments, restaurants and take away outlets.</p> <p>Whilst the catering unit is not applying for the sale of alcohol it is requesting a late night street trading consent, the location requested is in an area of high concentration of alcohol led establishments, which as a result of which attracts persons to the area.</p> <p>There are currently in excess of 550 licences issued to premises within the City centre CIA which is an area of less than 1 square mile, recently Park Street itself was listed as a violent Crime Hot Spot in the city for the proliferation of Crime, Disorder and Anti-Social Behaviour on the street alone, if granted this addition will only add to the issues of anti-social behaviour which presently exist at this location.</p> <p>This together with the lateness of the trading hours applied for give concerns people will congregate in an area rather than dispersing, late night refreshment venues are significant flash points for disorder as often intoxicated members of the public come into contact with each other.</p> <p>In addition, late night refreshment venues tend to encourage persons to stay in an area rather than disperse which again is a factor in the levels of crime and disorder.</p> <p>By introducing a street trading van to the location will only undermine the works done by the police to combat crime at the location.</p>
<b>Outcome requested</b>
That this application be rejected.
<p>Louise Mowbray Licensing Officer 14/03/17</p>





Agenda Item No:

**Bristol City Council**  
**Minutes of the Public Safety and Protection Committee**  
**(Sub-Committee B)**  
Tuesday, 26 January 2016 at 10am

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**Members Present:-**

Councillors Tincknell, Langley, Davies, Hance

**Officers in Attendance:-**

Kate Burnham-Davies - Solicitor, Carl Knights – Senior Licensing Policy Officer, Louise deCordova – Democratic Services, Emma Lake – Licensing Team Leader, Abi Holman – Senior Licensing Policy Officer, Tracey Kerr - Licensing Officer (observing)

**1. Apologies for absence and substitutions**

Apologies: Councillors Stafford-Townsend, Morris

Substitutions: Councillor Hance substituted for Councillor Stafford-Townsend

**2. Declarations of Interest**

There were no declarations of interest.

**3. Public Forum**

It was noted that no Public Forum items had been received..

**4. Minutes – PSP Sub-Committee B – Tuesday 17th November 2015**

Resolved – that the minutes of the above meeting be agreed and signed by the Chair.

**5. Consideration of the Suspension of Committee Procedure Rules (CMR 10 and CMR 11) relating to the Moving of Motions and Rules and Debate for the Duration of the Meeting.**

Resolved - 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 (CMR 10 and CMR 11) be suspended for the duration of the meeting.

[democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)  
<http://www.bristol.gov.uk>

6. Report to consider four applications for the Grant of Street Trading Consent(s) at paved area by the fountains outside City Hall, College Green Bristol. Applicants: Chris Tayler – Daily Espresso, Bridget Pilkington – Vee Double Moo, Bayram Demiroglu – Anatolia and Honore Sanjivi – Tokyoyaki.

It was noted that there were four applicants for the same location and three were in attendance.

The Chair made introductions and outlined the procedure.

The Licensing Officer summarised the report. The Sub-Committee noted that the objections were summarised in Appendices H, I and J.

The applicants made the following comments:

**Christina and Honore Sanjivi – Tokyoyaki.**

- They had purchased the business from a previous leaseholder of the pitch applied for who had sold hot Chinese food.
- They wished to sell hot Japanese food. First 'light takeaway food' in Bristol. Plain food with no strong flavours, smells or smoke.
- They were happy to compromise on the requested operating hours but asked that consideration was given for the request to operate at lunchtime, rather than a 2pm start.
- Understood litter concerns within the objections that had been received and wanted to assure the Committee that they took pride in their business and would ensure litter bins were provided, litter was collected and recyclable materials were used and provision made for recycling.
- The Applicant had worked in micro biology setting and had a commitment to food hygiene
- Intended to purchase a smaller trailer in order to meet the concerns regarding the pavement and curb and the dimensions required by the Council and of the site

**Chris Tayler – Daily Espresso**

- Provision of local coffee, tea, breakfast pastries and snacks in a small quirky, fully branded trailer which was smart and presentable.
- Currently uses a generator but would want to plug into electricity on site.
- Happy to compromise on times and share the site but ask the Committee to consider the wish to trade during lunchtimes
- Would provide litter bins and recycling facilities

**Bridget Pilkington – Vee Double Moo**

- Had previously operated on Brandon Hill and had 5yrs experience trading and a loyal following
- The generator was not diesel operated and would elect to use the electricity mains connection available
- Sold enhanced ice-cream styled as a gourmet Mr Whippy
- Was passionate about street food and aware of increasing demand for street food nationally

- Awareness of concerns over litter and as a former environmental consultant, was confident will be as green as possible with little litter generated as the customers will purchase a fully edible product in a cone.
- Operation Saturdays and Sundays in a vintage van with an installed ice-cream machine.

**Bayram Demiroglu – Anatolia**

The Sub-Committee noted the written application but were unable to explore the application further as the applicant was not in attendance.

The Sub-Committee retired to make its decision in the presence of KBD and LdeC.

The Sub-committee resolved:

That the application for a Street Trading Consent for Bayram Demiroglu – Anatolia be rejected for the following reasons:

- Applicant was not present and the contents of the application could not be explored.
- Hot food was not considered to be appropriate in that location
- The unit was considered to be aesthetically inappropriate
- There were concerns regarding operation of two units on the same site for the same operating hours

That the application for a Street Trading Consent for Anatolia and Honore Sanjivi – Tokyoyaki be rejected for the following reasons:

- Hot food was not considered to be appropriate and therefore not viable in that location
- There were concerns regarding operation of two units on the same site for the same operating hours
- Concerns regarding safety for the public during handover

That the application for a Street Trading Consent for Chris Tayler – Daily Espresso be approved subject to conditions:

- As requested by the Licensing Authority in the report
- The mobile unit is not to run on a generator
- That the operator effectively disposes of waste from the premises
- That the operator does not operate during Council run events without seeking approval from the event organiser

That the application for a Street Trading Consent for Bridget Pilkington – Vee Double Moo be approved subject to conditions:

- As requested by the Licensing Authority in the report
- The mobile unit is not to run on a generator
- That the operator effectively disposes of waste from the premises
- That the operator does not operate during Council run events without seeking approval from the event organiser

- 7a. Report to consider an application for the Grant of Street Trading Consent at parking area in the cul-de-sac outside Harford House, Frogmore Street, Bristol. Applicant: Juliet White. Proposed trading name: Blu-Fire Smoke 'n' Grill.

**BRISTOL CITY COUNCIL  
PUBLIC SAFETY AND PROTECTION COMMITTEE  
28 March 2017**

**Report to consider an application for the Grant of Street Trading Consent(s) at Pavement in front of Freshford House, Redcliffe Way, Bristol**

**Applicants: Bayram Demiroglu – Redcliff Kiosk**

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: Pavement in front of Freshford House, Redcliffe Way, Bristol

**Background**

2. With effect from 1 May 2009 the above location is designated as a consent street for the purpose of street trading legislation. Any street trading at that location other than under a street trading consent issued by the Council would constitute a criminal offence.
3. General conditions which would be attached to a licence/consent if granted are at Appendix A
4. An application for street trading consent has been received for the above location details of which are provided below. If granted the consent would enable the applicant to trade lawfully at the above location.
5. Photographs of the proposed trading site are attached at Appendix B and a site location plan at Appendix C.
6. On 29 September 2016 Mr Bayram Demiroglu applied to sell the

following goods:

Coffee, tea, hot chocolate, fresh juices, cakes, muffins, panini, pastries, spring rolls, fizzy drinks, bottled water  
During the hours of 0700 – 1700 Monday to Sunday

Photographs of Mr Demiroglu's trading unit are attached at Appendix D. Mr Demiroglu has indicated that the unit would remain onsite outside of the trading hours. Mr Demiroglu may need to seek planning permission if the unit is left in situ.

## **Consultation**

7. 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

Members considered an application from Mr Demiroglu at this site, for similar products, similar times, from a trailer, at a hearing on 20 September 2016. The application was refused because the committee determined on that occasion that the location was not suitable for a unit based on commercial need and the potential for public nuisance. The original report including the representations made and the minutes of that hearing are attached at Appendix E.

As such officers assessed that they could depart from the policy and did not undertake a full consultation in this instance. The representations in the previous report raise many issues which officers feel would be appropriate to consider when determining this application.

## **Officer Considerations**

8. Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 deals with street trading consents. Subject to certain exemptions that do not apply to this application, Paragraph 7 enables the council to grant a 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.

- a. 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.
- b. A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time. The holder of a street trading consent may at any time surrender his consent to the council and it shall then cease to be valid.

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

**RECOMMENDED      The committee is asked to refuse the application.**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985  
Background papers**

**Appendices**

- |                   |  |
|-------------------|--|
| <b>Appendix A</b> | <b>Standard Conditions attached to street trading consents</b> |
| <b>Appendix B</b> | <b>Site photos</b>   |
| <b>Appendix C</b> | <b>Site location plan</b>                                      |
| <b>Appendix D</b> | <b>Photos of the trading unit</b>                              |
| <b>Appendix E</b> | <b>Report and Minutes of PSP meeting 26 January 2016</b>       |

**Contact Officer:** Ms A Holman, Senior Licensing Officer

**Ext:** Telephone 01173 574 900

**GENERAL CONDITIONS THAT WILL NORMALLY BE ATTACHED  
TO STREET TRADING CONSENTS**

1. The consent holder shall only trade 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.

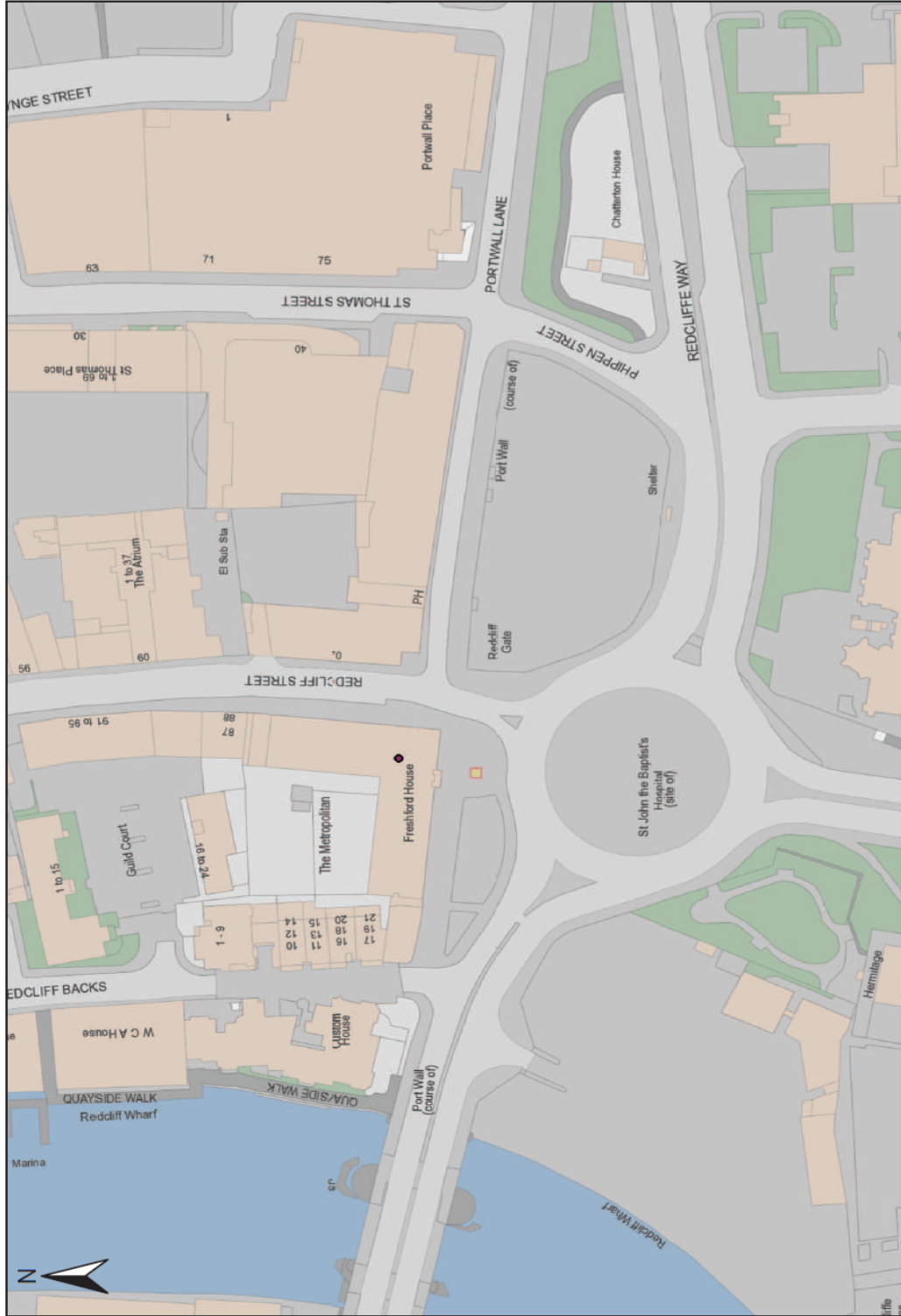
12. Any motor vehicle used for the purpose of street trading shall at all times be in a roadworthy condition and have the relevant documents i.e. insurance, tax and MOT to make the use of that vehicle on a road legal. These documents will be produced by the consent holder to any police officer or authorised 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.







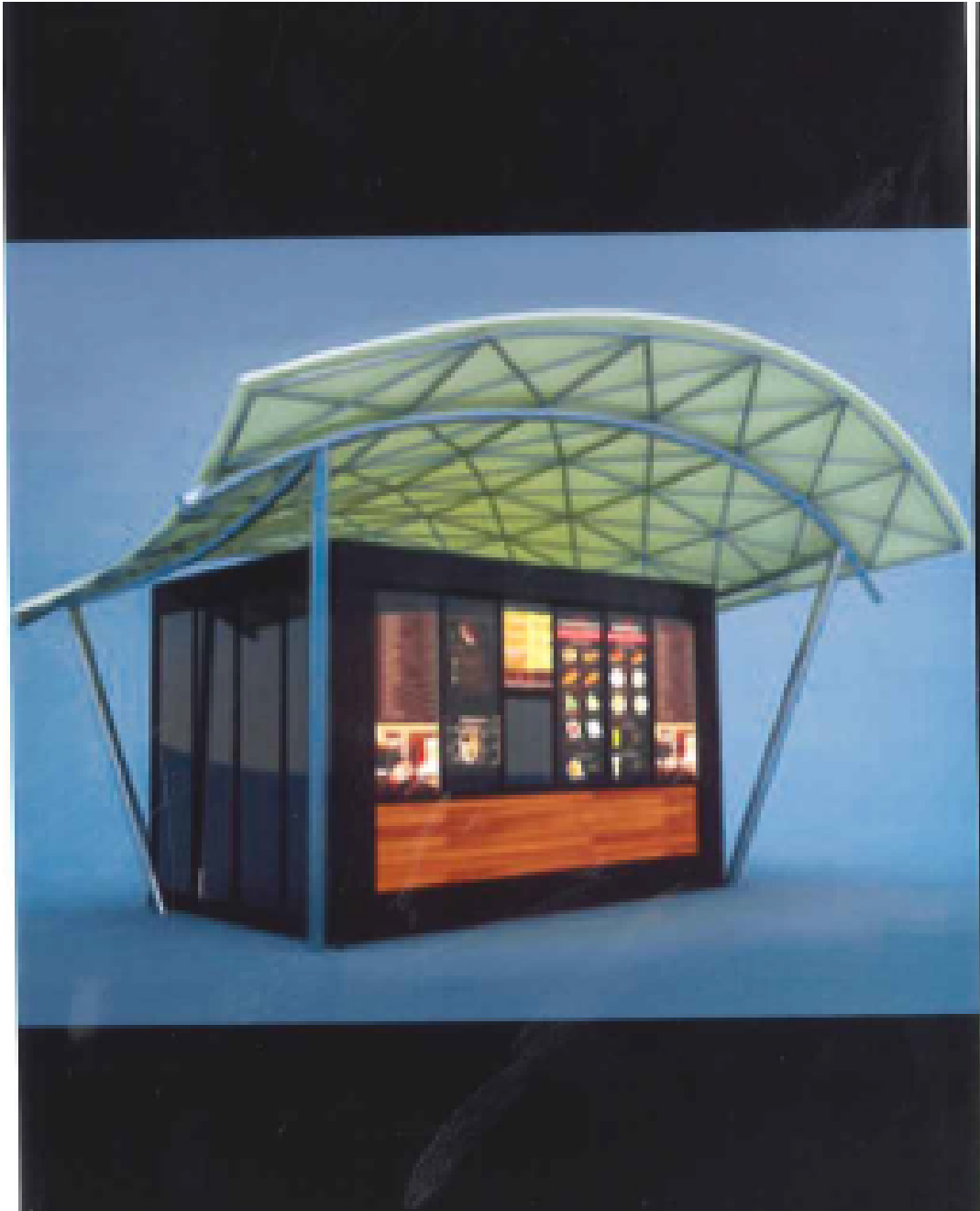
Kitchen of Anatolia



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AGENDA ITEM NO

BRISTOL CITY COUNCIL  
PUBLIC SAFETY AND PROTECTION COMMITTEE

20 September 2016

Application for the Grant of Street Trading Consent at Pavement  
Area Outside Of Car Park, Redcliff Street, Bristol

Applicant: Bayram Demiroglu

Proposed trading name: Kitchen of Anatolia - Redcliffe

Report of the Service Manager – Regulatory Services

**Purpose of Report**

To determine an application for the grant of a Street Trading Consent  
at the following location: Land Fronting Freshford House, Redcliffe  
Way, Bristol

**Background**

1. 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.
2. General conditions which would be attached to a licence/consent if granted are at Appendix A
3. On 13 January 2016 Bayram Demiroglu 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:  
Falafel, Houmus, Cous Cous, Chicken, Fresh Salad, Pitta Bread, Kidney Beans, Bottled Water and Fizzy Drinks

During the hours of:  
Monday to Friday 07:00 to 17:00  
Saturday 08:00 to 17:00

Sunday 09:00 to 15:00

4. Photographs of the unit and proposed trading site are attached at Appendix B and a site location plan at Appendix C.
5. The land from which Bayram Demiroglu wishes to trade is public highway

#### Consultation

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

Local Residents  
Local businesses  
Bristol City Council – Highways officer  
Bristol City Council – Planning Team  
Bristol City Council – Food Safety Team  
Bristol City Council – Pollution Control Team  
Local Councillors  
Avon and Somerset Police

Standard consultation was undertaken in respect of this application.

As the site also incorporates a number of multiuse pathways, and is nearby to the upcoming Temple Gate development we also consulted with the Council's Development Planning Team.

#### 7. Consultation Responses

The following responses have been received.

Appendix D - Residents and businesses  
Appendix E - Other agencies

#### 8. Officer Considerations

If members were minded to grant the application the following documents are still outstanding which are:

1. A basic criminal records disclosure in the name of the applicant

Should the basic disclosure reveal any relevant unspent convictions the applicant may need to provide further information, or the application be referred back to committee prior to a consent being issued.

9. 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. A consent may include permission for its holder to trade in a consent street from a stationary van, car, barrow or other vehicle, or from a portable stall. Unless such permission is included the act prohibits a consent holder trading from a van or other vehicle or from a stall, barrow or cart.

If such a permission is included then the council may include conditions

(a) as to where the holder of the street trading consent may trade by virtue of the permission; and

(b) as to the times between which or periods for which he may so trade.

A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time. The holder of a street trading consent may at any time surrender his consent to the council and it shall then cease to be valid.

9. Bayram Demiroglu has been provided with a copy of the report and has been invited to the meeting.

**RECOMMENDED** the committee is asked to refuse the application

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**  
Background papers

**Contact Officer:** Mrs Sarah Flower, Senior Licensing Officer, Neighbourhoods

**Ext:** Telephone 0117 3574900

Appendix A  
Appendix B  
Appendix C  
Appendix D  
Appendix E

General Conditions  
Unit and site photographs  
Site Location Plan  
Interested party responses  
Other agency responses

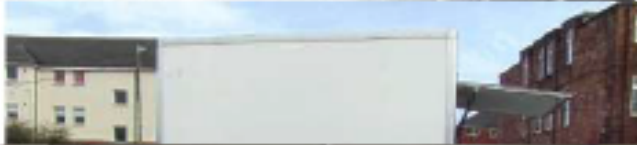


APPENDIX B





8





# APPENDIX C

## Kitchen of Anatolia

Document created on Thursday 8th September 2010 at 10:57



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## APPENDIX D

### Rep 1

I have no objections to the proposed development ... except that it suggests that the litter bin removed (after damage) a couple of years ago at the top of Welsh Back should be replaced

### Rep 2

I have been made aware of the enclosed street trading consent and I strongly oppose you granting such licence.

I am the landlord of Freshford House, and as you will see I am spending a large amount of capital refurbishing the premises into an improved condition and granting such a licence would be detrimental to the let ability of the property.

Furthermore:

- Its right outside our front door which will create congestion and unwanted pedestrian traffic
- It won't appeal to corporate occupiers and probably not to a majority of occupiers
- Its not a high class provider
- In what is already a busy pedestrian/cyclist route, it will add yet more congestion

I look forward to receiving confirmation that you have received this email and that you will not be granting such a licence right outside my office entrance.

### Rep 3

I would like to object to the application for street trader fronting Freshford House. I'm always worried everytime I walk along that pavement. It's a very crowded area especially during rush hour with cyclists weaving in and out of pedestrians. To put a fast food outlet on the pavement would be absolute madness. There is one

further along if anyone is desperate for some houmus or kidney beans.

#### Rep 4

Thank you for your letter. My main concern is litter and congestion on the pavement. I am not clear if it would be by the statue or the end of the street. More generally, there seems to be so many eating outlets, please can we address this by increasing the frequency of street cleaning and bin emptying.

#### Rep 5

We've been sent the above application in relation to a hot food van being placed outside the above property. We are both agents for Freshford House which is currently under refurbishment and tenants of the building opposite on Redcliffe Street. We have many concerns and object to this application because:

- Its right outside the front door of Freshford which will create congestion and unwanted pedestrian traffic to a building which AEW are investing many millions of pounds into with the intention of generating jobs, investment and an improved economy in Bristol City Centre
- It won't appeal to corporate occupiers and probably not to a majority of occupiers thus potentially making this building a 'white elephant'.
- Its not a high class provider and will cheapen the locality. We already have a much smarter offering, Pickle, a few hundred yards away on Portwall Lane in a far more suitable location
- In what is already a busy pedestrian/cyclist route on the Brunel Mile, it will add yet more congestion. Already this crossing causes additional vehicular congestion by more people using the zebra crossing and this will only add more delays. This is also a route used constantly by ambulances and fires engines which must be a safety concern
- It would also negatively impact car drivers vision of bikes/pedestrians approaching the zebra crossing as they come around the roundabout into Redcliffe Street

#### Rep 6

I wish to object to the application on various grounds. First, there is already sufficient provision in the area of snack foods of the type the applicant is proposing to supply. There is an existing street trading trailer some 200 metres away on Portwall Lane, towards Temple Meads station. The Co-Op has a branch on Redcliffe Street which sells snack foods and there are similar shops on Redcliffe Hill.

Second, this stall will generate considerable amounts of rubbish. There is a considerable throughput of pedestrians walking between the city centre and Temple Meads station, across Queen Square, over Redcliffe Bridge and along Portwall Lane/ Redcliffe Way. Very many are likely, let us face it, to discard litter as they walk, making an unsightly mess and encouraging vermin. Local residents like me already have to contend with pedestrians dumping their litter on Redcliffe Backs and Redcliffe Street and this new stall would exacerbate that problem.

Thirdly, this is a congested place, especially during the morning and evening rush hours, with large numbers of people walking and cycling past the proposed site of the stall. The risk of people stopping at the stall being struck by passing cyclists or causing them to collide with other pedestrians should not be underestimated.

There might be a good location for this stall but, in the view of my wife and me, this is not it.

#### Rep 7

I will be implacably opposed to this application as a resident and would see this as an infringement upon my quality of life. Fast food odours are not pleasant and nor is an increase in litter, food debris, compressor noise and vermin.



## Appendix E

### Rep 8 - City Design

I don't think there is room under the tree there without damaging it. Am happy in principle with the settled area so long as Phil's concerns can be addressed - eg impact on tree and access at peak times on this busy route pedestrian/cycle route

### Rep 9 - Highways

I'm guessing the trader is looking at the stone sett surfaced area shown on the Street View image attached, so I've roughly ringed around two possible areas where the trailer might be able to fit. It will depend on the height of the trailer in respect of the site nearest the tree. I'm not sure if the trailer is to remain on site but if it is transported daily there could be access problems (I'm guessing the trader intends to use the dropped kerbs from the Redcliff St pedestrian crossing). With 08.00 to 17.00 trading hours Mon-Sat, main road traffic would be delayed at the worst times.

**Bristol City Council  
Minutes of the Public Safety and  
Protection Sub-Committee B**



**20th September 2016 at 10.00 am**

**DISCLAIMER**

The attached Minutes are DRAFT. Whilst every effort has been made to ensure the accuracy of the information and statements and decisions recorded in them, their status will remain that of a draft until such time as they are confirmed as a correct record at the subsequent meeting

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**Members Present**

Councillors: Donald Alexander, Richard Eddy (for Cllr Windows) and Paula O'Rourke

Officers in Attendance: Ashley Clark (Regulatory Lawyer), Sarah Flower (Senior Licensing Officer), Norman Cornthwaite (Democratic Services Officer)

**1. Election of Chair**

In the absence of Councillor Khan, Councillor Alexander was elected Chair for the duration of the Meeting.

**2. Apologies for Absence and Substitutions**

Apologies were received from Councillor Windows and his substitute was Councillor Eddy.

**3. Declarations of Interest**

There were none.

**4. Public Forum**

Nothing was received.

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

Resolved – 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).

**6. Application for the Grant of Street Trading Consent at Pavement Area Outside Of Car Park, Redcliff Street, Bristol**

Applicant: Bayram Demiroglu

Proposed trading name: Kitchen of Anatolia – Redcliffe

The Chair outlined the procedure that would be followed and introductions were made.

The applicant was present.

The Senior Licensing Officer summarised the report and drew attention to the key issues set out in detail. She recommended that the application be refused.

The applicant then summarised his case and answered questions highlighting the following:

- Business is very good at his current unit and his customers are very happy; most work in the area
- He offers food that is not offered at other local outlets
- He wants to open a second outlet as he does not want people to have to wait and cause congestion in the area
- He is aware of the Condition requiring him to remove the current trailer from site each evening but he is unable to comply with this Condition due to the difficulties of moving the unit
- He currently only operates during the lunchtime period, but if he is granted a Consent for a second unit he will trade for longer hours

The Senior Licensing Officer summarised the details of the current consent for Members.

The Senior Licensing Officer and the applicant left the room while the Committee made its decision.

The Committee noted the Policy and decided that the Consent should be refused on the grounds of lack of commercial need and congestion on the footway in the vicinity of the unit caused by its presence causing a public nuisance.

The Senior Licensing Officer and the applicant returned to the room to hear the decision.

**Resolved – that the Consent be refused on the grounds of lack of commercial need and congestion on the footway causing a public nuisance.**

#### 7. Exclusion of Press and Public

**Resolved – that under Section 11A (4) of the Local Government Act 1972, the public be excluded for the following item of business on the ground that it involves 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 Licence Seeking Departure from Council Policy – TL

The Chair outlined the procedure that would be followed and introductions were made.

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

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of the Local Government Act 1972.

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