

# Bristol City Council

## Minutes of the Public Safety and Protection Committee A



**27 November 2018 at 10.00 am**

### **Members Present:-**

**Councillors:** Councillor Chris Davies (part), Councillor Richard Eddy (Chair), Councillor Sultan Khan (part)  
Councillor Mike Langley, Councillor Estella Tincknell (part)

### **Officers in Attendance:-**

Ashley Clark – Legal Services  
Abigail Holman – Licensing Section  
Gemma Dando – Service Manager, Neighbourhood Management  
Sue Long – Planning and Development Advisor  
Norman Cornthwaite – Democratic Services

### **1. Apologies**

There were none.

### **2. Declaration of Interest**

In relation to Agenda Item No. 7, Councillor Davies stated that he is a Member of the Downs Committee.

### **3. Public Forum**

Members of the Committee received a Public Forum Statement in advance of the meeting. The statement was heard before the application it related to and was taken fully into consideration by the Committee prior to reaching a decision.

### **4. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate**

**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).**



## **5. Applications for the Grant of Street Trading Consent(s) at a number of locations within the Bristol City Council administrative area**

(Councillor Davies left the Meeting during this item and did not therefore take part in the decision making.)

The Service Manager, Neighbourhood Management and Planning and Development Advisor were in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone. She explained that the applications were for generic consents at each of the locations prior to the formal tendering process for the concessions taking place. All tenderers would have to undergo the usual checks to ensure that they are fit and proper to be granted consent(s). The Committee can add conditions that it thinks are appropriate to any or all of the locations.

The Service Manager, Neighbourhood Management explained how the tendering process would be carried out. Tenderers would be required to submit prices but quality would also be very important. There will be a 70%/30% split in favour of quality over price. Tenderers would bid for the site(s) they are interested in and would be required to submit a fully costed business plan explaining what they want to sell at each site. A consultation process has already taken place. The results showed that people wanted to see income generation rather than cuts in services and identified the sites chosen for the consents.

The Planning and Development Advisor stated that advertising for the tenders will take place in January 2019. None of the concessions will compete with adjacent businesses.

In response to a question, the Service Manager, Neighbourhood Management explained that although there is no BCC Policy concerning single use plastic, environmental and sustainability issues would be very important to the tendering process including for example the requirement to use only electrically powered vehicles and generators.

In response to a question about pay rates, it was explained that part of the quality assessment of tenders would be in relation to management of staff, pay and conditions.

In response to a question concerning the assessment of tenders it was explained that the quality/price elements of the process should assist applicants with good quality products. The expected prices will be known and the tenders will be assessed across the board including business plans. Successful street trading consents can lead to the holders taking on permanent premises. Street trading concessions can be opportunities to try new products and for smaller businesses to grow.

The Service Manager, Neighbourhood Management summed up the applications.



The Licensing Officer, Service Manager, Neighbourhood Management and Planning and Development Advisor left the room while the Committee made its decision.

### **Decision**

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted the objections received and considered that the proposed Conditions would address the concerns raised. They also noted that at this stage they are only being asked to decide on the maximum trading hours and the locations. They are not being asked to decide on any specific concessions. They therefore agreed to the hours and the locations along with the proposed Conditions.

Everyone returned to the room to hear the announcement of the decision.

**Resolved – that the applications for the grant of a Street Trading Consent in principle at the following locations: Bristol Marina – Hannover Place, Hannover Quay, Central Promenade, Narrow Quay A, Narrow Quay B, Narrow Quay C, Bush Corner, Thunderbolt Square and Back of Bridge Street between the maximum hours of 0700 and 2000 Monday to Sunday be agreed subject to the proposed Conditions.**

### **6. Applications for the Grant of Street Trading Consent(s) at a number of locations within the Bristol City Council administrative area**

The Service Manager, Neighbourhood Management and Planning and Development Advisor were in attendance.

The Licensing Officer introduced the report and summarised it for everyone. She reminded the Committee that, as for Agenda Item No. 5, Members are only being to decide on the locations and the maximum hours.

The Service Manager, Neighbourhood Management reminded the Committee that should it agree to the locations and maximum hours a tendering process for the concession would take place as for Agenda Item No. 5.

The Licensing Officer, Service Manager, Neighbourhood Management and Planning and Development Advisor left the room while the Committee made its decision.

### **Decision**

The Members considered very carefully all of the written evidence and verbal presented to them.



They noted the objections received and considered that the proposed Conditions would address the concerns raised. They also noted that at this stage they are only being asked to decide on the maximum trading hours and the locations. They are not being asked to decide on any specific concessions. They therefore agreed to the hours and the locations along with the proposed Conditions.

Everyone returned to room to hear the announcement of the decision.

**Resolved - that the applications for the grant of a Street Trading Consent in principle at the following locations: Colston Avenue, Cenotaph and Colston Avenue, Cenotaph Plot C between the maximum hours of 0700 and 2000 Monday to Sunday be agreed subject to the proposed Conditions.**

## **7. Applications for the Grant of Street Trading Consent(s) at a number of locations within the Bristol City Council administrative area**

The Service Manager, Neighbourhood Management and Planning and Development Advisor were in attendance.

The Licensing Officer introduced the report and summarised it for everyone. She reminded the Committee that, as for Agenda Item No. 5, Members are only being asked to decide on the locations and the maximum hours. She also clarified that these would be re-advertisements of existing concessions, not new ones.

The Service Manager, Neighbourhood Management reminded the Committee that should it agree to the locations and maximum hours a tendering process for the concession would take place as for Agenda Item No. 5.

The Licensing Officer, Service Manager, Neighbourhood Management and Planning and Development Advisor left the room while the Committee made its decision.

### **Decision**

The Members considered very carefully all of the written evidence and verbal presented to them.

They noted the objections received and considered that the suggested Conditions would address the concerns raised. They also noted that at this stage they are only being asked to decide on the maximum trading hours and the locations. They are not being asked to decide on any specific concessions. They therefore agreed to the hours and the locations along with the proposed Conditions. They noted that the Downs Committee could impose additional Conditions.

Everyone returned to room to hear the announcement of the decision.

**Resolved - that the applications for the grant of a Street Trading Consent in principle at the following locations: Sea Walls, Circular Road, In Layby Ref ST563741 and Circular Road**



**Junction with Gloucester Row, Observatory Road between the maximum hours of 0700 and 2000 Monday to Sunday (except for Sea Walls where the maximum hours are 0900 to 2000) be agreed subject to the proposed Conditions.**

#### **8. Applications for the Grant of Street Trading Consent(s) at a number of locations within the Bristol City Council administrative area**

The Service Manager, Neighbourhood Management and Planning and Development Advisor were in attendance.

A Relevant Person was also in attendance.

The Licensing Officer introduced the report and summarised it for everyone.

The Service Manager, Neighbourhood Management summarised the application and the tendering procedure that would be followed.

The Relevant Person summarised his objection noting the proximity to homes, concerns about what could be sold and the playing of music. He also stated that the site was not Adopted Highway.

The Legal Representation stated that a site for street trading does not have to be Adopted Highway. It must be open to the public free of charge.

The Licensing Officer stated that the proposed location could be changed very slightly – say about 1 metre, but that any substantial change in location would necessitate a new application. She also stated that Members could impose conditions in relation to what could be sold and the playing of music.

The Licensing Officer, Service Manager, Neighbourhood Management, Planning and Development Advisor and Relevant Person left the room while the Committee made its decision.

#### **Decision**

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted the objections received in particular the concerns about the location, its proximity to homes and the impact this could have on the residents who live in these adjacent homes. They were not convinced that imposing the proposed or additional Conditions could meet the concerns raised by local residents if a concession was allowed at this location. They therefore decided that this was not a suitable location for a Street Trading Consent.

Everyone returned to the room to hear the announcement of the decision.



**Resolved – that the application for the grant of a Street Trading Consent at Capricorn Quay be refused as this is not considered to be a suitable location.**

## **9. Applications for the Grant of Street Trading Consent(s) at a number of locations within the Bristol City Council administrative area**

The Service Manager, Neighbourhood Management and Planning and Development Advisor were in attendance.

The Licensing Officer introduced the report and summarised it for everyone. She reminded the Committee that, as for Agenda Item No. 5, Members are only being to decide on the locations and the maximum hours. She also clarified that these would be re-advertisements of existing concessions, not new ones.

The Service Manager, Neighbourhood Management reminded the Committee that should it agree to the locations and maximum hours a tendering process for the concession would take place as for Agenda Item No. 5.

The Licensing Officer, Service Manager, Neighbourhood Management and Planning and Development Advisor left the room while the Committee made its decision.

### **Decision**

The Members considered very carefully all of the written evidence and verbal presented to them.

The Members noted the contents of the objections received. They noted that the location is further from residential buildings than the proposed location relating to Agenda Item No. 8 and that they could condition the playing of music, and change the hours. However there was not unanimous agreement that imposing the proposed or additional Conditions could meet the concerns raised by local residents if a concession was allowed at this location. They therefore decided to refuse the application.

Everyone returned to the room to hear the announcement of the decision.

**Resolved – (voting 3 for, 1 against, 1 abstention) that the application for the grant of a Street Trading Consent Near The New Cottage Inn be refused as this is not considered to be a suitable location.**

## **10 Applications for the Grant of Street Trading Consent(s) at a number of locations within the Bristol City Council administrative area**

The Planning and Development Advisor was in attendance.



A Relevant Person was also in attendance.

The Licensing Officer introduced the report and summarised it for everyone.

The Planning and Development Advisor summarised the application and the tendering procedure that would be followed.

The Relevant Person summarised her objection.

The Licensing Officer, Planning and Development Advisor and Relevant Person left the room while the Committee made its decision.

### **Decision**

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted the objections received and considered that the proposed Conditions along with the following additional Conditions would address the concerns raised in the objections:

An electrical point to be provided  
Litter receptacle(s) to be provided  
No recorded music to be played  
No hot food to be served

Everyone returned to the room to hear the announcement of the decision.

**Resolved – that the application for a Street Trading Consent at Redland Green Park between the maximum hours of 0700 and 2000 be granted subject to the proposed Conditions as well as additional Conditions relating to an electrical power point being provided, litter receptacle(s) being provided, no recorded music to be played and no hot food to be served.**

(Councillors Khan and Tincknell left the Meeting.)

### **11 Applications for the Grant of Street Trading Consent(s) at a number of locations within the Bristol City Council administrative area**

The Service Manager, Neighbourhood Management and Planning and Development Advisor were in attendance.

A Relevant Person was also in attendance.

Councillor Eleanor Combley was in attendance observing.

The Licensing Officer introduced the report and summarised it for everyone.





It was noted that Members could add additional Conditions to those proposed.

The Service Manager, Neighbourhood Management summarised the application and the tendering procedure that would be followed. She clarified that the proposed concession at this location was for the sale of ice cream only. It would not be in competition with the café or other businesses and applicants would be expected to submit a sustainable business plan.

The Relevant Person summarised his objection – the café sells ice cream as well as sandwiches and hot and cold drinks etc., and wants to develop a sustainable business model, there is another site at the far end of the Common which would be better, the Ardagh should be regenerated, the café offers seasonal goods but wants to offer all year round goods, a number of people attend the café for social interaction and it is an important social hub.

The Service Manager, Neighbourhood Management stated that other locations had been considered but this is the most suitable as there is less footfall at the other end of the park. At Blaise the café and ice cream concession complement each other.

The Licensing Officer stated that the proposed location could be changed very slightly – say about 1 metre, but that any substantial change in location would necessitate a new application. She also stated that Members could impose conditions in relation to what could be sold and the playing of music.

The Licensing Officer, Service Manager, Neighbourhood Management, Planning and Development Advisor, Relevant Person and Councillor Combley left the room while the Committee made its decision.

## Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted that the representations whether for or against the application referred to a café whereas the application was purely for the sale of ice-cream. They therefore did not consider that there would be any direct rivalry with the café on the common and granted the application subject to the conditions proposed in the application and the further conditions that there could be no recorded music and that the concession could not be granted until an electric point was installed.

Everyone returned to the room to hear the announcement of the decision.

Resolved – that the application for a Street Trading Consent at Horfield Common between the hours 0700 and 2000 be granted subject to the proposed Conditions and the additional Conditions stating there could be no recorded music and that the concession could not be granted until an electric point was installed.

They noted that the representations whether for or against the application referred to a café whereas the application was purely for the sale of ice-cream. They therefore did not consider that there would be any direct rivalry with the café on the common and granted the application subject to the





conditions proposed in the application and the further conditions that there could be no recorded music and that the concession could not be granted until an electric point was installed. Everyone returned to the room to hear the announcement of the decision.

**Resolved – that the application for a Street Trading Consent at Horfield Common between the hours 0700 and 2000 be granted subject to the proposed Conditions and the additional Conditions stating there could be no recorded music and that the concession could not be granted until an electric point was installed.**

Meeting ended at 3.50 pm

**CHAIR** \_\_\_\_\_

