

**BRISTOL CITY COUNCIL  
PUBLIC SAFETY AND PROTECTION COMMITTEE  
27 November 2018**

**Report to consider applications for the Grant of Street Trading Consent(s) at a number of locations within the Bristol City Council administrative area.**

**Applicants: Bristol City Council**

Report of the Service Manager – Regulatory Services

**Purpose of Report**

1. To consider applications for the grant of a Street Trading Consent in principle at the following locations:
  - a. Bristol Marina – Hannover Place
  - b. Hannover Quay
  - c. Central Promenade
  - d. Narrow Quay A
  - e. Narrow Quay B
  - f. Narrow Quay C
  - g. Bush Corner
  - h. Thunderbolt Square
  - i. Back of Bridge Street

**Background**

2. These applications are made by the Bristol City Council Parks and Markets Teams.
3. The Parks and Markets Teams are responsible for managing land on behalf of the authority. These are premium locations whereby it is anticipated market value can be achieved by way of a concession process. This will be achieved via a tender process, whereby applicants bid for the site. These bids are assessed against specific criteria for each site, to ensure the successful applicant has a suitable offer for the relevant site.
4. The successful applicant for each site would be subject to a contract with the relevant team, issued for up to three years.
5. All of these locations fall within the street trading policy as

consent streets 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.

6. In order to streamline the process for the successful applicant, the Parks and Markets Teams have submitted “in principle”, or provisional, applications for the identified sites to the Licensing Team, in order to establish whether the sites may be suitable for a concession site, and whether there are any issues with them. Therefore these concession sites are treated in exactly the same way as any other street trading application, which has the advantage of enabling other teams within the council and relevant persons to be consulted as to their suitability, or raise other concerns they may have.
7. If granted these sites would be put out to tender, and the successful applicant would be required to submit a fresh application for street trading. The licensing manager may then dispense with the need for a full consultation if appropriate. The applicant would still be required to demonstrate that they were a suitable person to hold a street trading consent, and complete the other steps such as demonstrating the appropriate food hygiene level, and provision of a basic disclosure.
8. Details of each of the applications are shown in the appendices as follows:
  - a. Bristol Marina – Hannover Place
  - b. Hannover Quay
  - c. Central Promenade
  - d. Narrow Quay A
  - e. Narrow Quay B
  - f. Narrow Quay C
  - g. Bush Corner
  - h. Thunderbolt Square
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## **Consultation**

9. 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

The application is also advertised on the Council's website, and the applicant is required to place a notice of the application at the site for 21 days.

Standard consultation was undertaken in respect of all applications.

## **Consultation Responses**

- 10. Responses were received for each of the applications, which are included in the appendices. For each of the applications an objection was received from the Business Improvement District (BID) team. The objection was the same in respect of each of the applications.
- 11. In respect of the applications for the three Narrow Quay sites, and Bush Corner site, concerns were raised by the Parking Team that the traffic designation had changed, meaning that traffic was not permitted to use the site. Parking have now confirmed that permission can be given on a case by case basis, as long as the units are dropped off before 7am and collected after 7pm. There would be no loading or unloading during the day. This therefore negates the concerns in these representations.

## **Officer Considerations**

- 12. If the sub-committee were minded to grant any of these applications officers would recommend a number of conditions be attached in addition to the standard conditions normally attached. Recommendations are made as follows in respect of each application:
  - a. Bristol Marina – Hannover Place
    - The consent holder shall not be permitted to use either a diesel or petrol generator. The unit may be powered by an alternative energy source, however it must be of a 'silent running' nature.
    - The consent holder will not be permitted to trade on occasions when other events, or festivals take place at the site, or which encompass the site, without the explicit written permission of the event or festival organiser.

- b. Hannover Quay
  - The consent holder shall not be permitted to use either a diesel or petrol generator. The unit may be powered by an alternative energy source, however it must be of a 'silent running' nature.
  - The consent holder will not be permitted to trade on occasions when other events, or festivals take place at the site, or which encompass the site, without the explicit written permission of the event or festival organiser.
- c. Central Promenade
  - The consent holder will not be permitted to trade on occasions when other events, festivals, or periods of celebration or remembrance, take place at the site, or which encompass the site, without the explicit written permission of the event or festival organiser.
- d. Narrow Quay A
  - No further conditions recommended.
- e. Narrow Quay B
  - No further conditions recommended.
- f. Narrow Quay C
  - No further conditions recommended.
- g. Bush Corner
  - No further conditions recommended.
- h. Thunderbolt Square
  - The consent holder shall ensure that the unit is located in the northernmost corner of Thunderbolt Square, and shall not allow the unit to block any pedestrian or cycle routes.
  - The consent holder shall not be permitted to have any tables or chairs at the location
- i. Back of Bridge Street
  - The consent holder shall ensure that the unit is located against the wall, and shall not allow the unit to block any pedestrian or cycle routes.
  - The consent holder shall not be permitted to have any tables or chairs at the location.
  - The consent holder shall remove the unit from the site outside of trading hours.

13. 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.

14. Representatives from the Parks and Markets Teams will be in attendance to answer any questions or provide further detail where required.

**RECOMMENDED**      **The committee is asked to determine the applications.**

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

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**Appendices:**

<b>Appendix A</b>	Bristol Marina – Hannover Place
<b>Appendix B</b>	Hannover Quay
<b>Appendix C</b>	Central Promenade
<b>Appendix D</b>	Narrow Quay A
<b>Appendix E</b>	Narrow Quay B
<b>Appendix F</b>	Narrow Quay C
<b>Appendix G</b>	Bush Corner
<b>Appendix H</b>	Thunderbolt Square
<b>Appendix I</b>	Back of Bridge Street