

# Bath & North East Somerset Council

MEETING: **Licensing (Taxis, Street Trading and Miscellaneous) Sub Committee**

DATE: **Tuesday 5<sup>th</sup> August 2014**

AGENDA  
ITEM  
NUMBER

TITLE: **Application for a Street Trading Consent – Proposed evening Hot Food Vendor, First Avenue, Westfield Trading Estate, Radstock (Mahmut Yurt).**

WARD: **Westfield**

## AN OPEN PUBLIC ITEM

### List of attachments to this report:

Annex A Application

Annex B Site Plan / Photographs of site location

Annex C Council's Standard Conditions and Policy

Annex D Highways Notice

Annex E Objections

## 1 THE ISSUE

- 1.1 To determine an application for a Street Trading Consent at Pitch 64 in First Avenue, Westfield Trading Estate, Radstock to trade in the evenings between 4pm and 11pm

## 2 RECOMMENDATION

- 2.1 That the Licensing (Taxis, Street Trading and Miscellaneous) Sub Committee determines the application.

## 3 FINANCIAL IMPLICATIONS

- 3.1 The costs of processing licences are covered by the fees charged. The fee for this application is £134.

## 4 THE REPORT

- 4.1 An application has been received for a street trading consent at Pitch 64 in First Avenue, Westfield Trading Estate, Radstock (Annex A) The Pitch was originally

approved by this Committee on 4<sup>th</sup> December 2012 for daytime trading only. A site plan is attached at Annex B.

- 4.2 The type of goods to be sold are Kebabs, Chicken, burgers, chips, hotdogs and soft drinks.
- 4.3 The size of the pitch – not applicable as this is custom made vehicle (Annex A).
- 4.4 The type of stall is a Custom made vehicle (Annex A).
- 4.5 The times applied for are:  
Every day between 4pm and 11pm
- 4.6 All streets in Bath and North East Somerset are designated as ‘consent streets’. The effect of this is that, with certain exceptions, selling, exposing, or offering for sale any article in a street requires a street trading consent issued by the Council. Persons trading without consent are liable to prosecution for an offence and if convicted can be fined up to level 3 on the standard scale, currently £1000.
- 4.7 Street Trading consents are issued under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 4.8 Paragraph 7 provides that:
  - (1) An application for a street trading consent or the renewal of such a consent shall be made in writing to the district council.
  - (2) Subject to sub-paragraph (3) below, the council may grant consent if they think fit.
  - (3) A street trading consent shall not be granted-
    - (a) to a person under the age of 17 years; or
    - (b) for any trading in a highway to which a control order under Section 7 of the Local Government (Miscellaneous Provisions) Act 1976 is in force, other than trading to which the control order does not apply.
  - (4) When granting or renewing a street trading consent the council may attach such conditions to it as they consider reasonably necessary.
  - (5) Without prejudice to the generality of sub-paragraph (4) above, the conditions that may be attached to a street trading consent by virtue of that sub-paragraph include conditions to prevent-
    - (a) obstruction of the street or danger to persons using it; or
    - (b) nuisance or annoyance (whether to persons using the street or otherwise).
  - (6) The council may at any time vary the conditions of a street trading consent.

- (7) Subject to sub paragraph (8) below, the holder of a street trading consent shall not trade in a consent street from a van or other vehicle or from a stall, barrow or cart.
- (8) The council may include in a street trading consent permission for its holder to trade in a consent street-
  - (a) from a stationary van, cart, barrow or other vehicle; or
  - (b) from a portable stall.
- (9) If they include such a permission, they may make the consent subject to 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.
- (10) A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.
- (11) 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.

4.9 When granting or renewing a street trading consent, the Council may attach such conditions to it as they consider reasonably necessary.

4.10 A copy of the Council's Street Trading Policy and Conditions is produced at Appendix C.

4.11 This report has not been sent to the Trades Union because they would have no involvement in this application.

4.12 A notice was placed on the highway on 12 June 2014 (Annex D).

4.13 Objections have been received from 4 businesses, 3 Parish Councillors and the Police. (Copies are attached at Annex E)

## **5 RISK MANAGEMENT**

5.1 The risk identified is that the Council can be challenged regarding the outcome of this application. The mitigation answer is that the Council's policy has been adopted in advertising and consulting on this application. As it is now a contested application the matter has been referred to the Licensing Sub-Committee for determination.

## **6 EQUALITIES**

6.1 The licensing team has not identified any equality issues in relation to this report.

## **7 CONSULTATION**

7.1 In accordance with current Bath & North East Somerset Council policy, the Licensing Service consulted with the Police, the Council's Highways Maintenance Services, Property Services, Development Control Services , Ward / Parish Councillors and adjacent premises.

## **8 ISSUES TO CONSIDER IN REACHING THE DECISION**

8.1 Human rights.

## **9 ADVICE SOUGHT**

9.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services), and section 151 Officer (Divisional director- Finance) have had the opportunity to input to this report and have cleared it for publication.

<b>Contact person</b>	<b>Andy Tapper, Licensing Officer Telephone 01225 477533</b>
<b>Background papers</b>	<b>None</b>
<b>Please contact the report author if you need to access the report in an alternative format.</b>	

**APPLICATION**

From: [cis@bathnes.gov.uk](mailto:cis@bathnes.gov.uk) [<mailto:cis@bathnes.gov.uk>]

Sent: 18 April 2014 14:08

To: Licensing

Subject: Form submission from: Street Trading Pitches

Submitted Information from the form is shown below:

Name: Mahmut Yurt

Home Address: 10 Liskeard Way, Freshbrook, SN5 8NL, Swindon

Phone Number: 07554931098 - Email Address: [emisenyurt@gmail.com](mailto:emisenyurt@gmail.com)

Details of Pitch: Buildbase Car park, westfield Ind est

Details of Goods: I would like to sell , Kebabs , Chicken, burgers , chips , hotdogs , soft drinks.

Trading Days & Hours: Seven days a week from 4:00 pm till 11:00 pm.

Type of Stall: I am going to trade in a burger Van , this is the pict :

Attached Document:

[https://www.bathnes.gov.uk/sites/default/files/webform/image\\_7.jpg](https://www.bathnes.gov.uk/sites/default/files/webform/image_7.jpg)

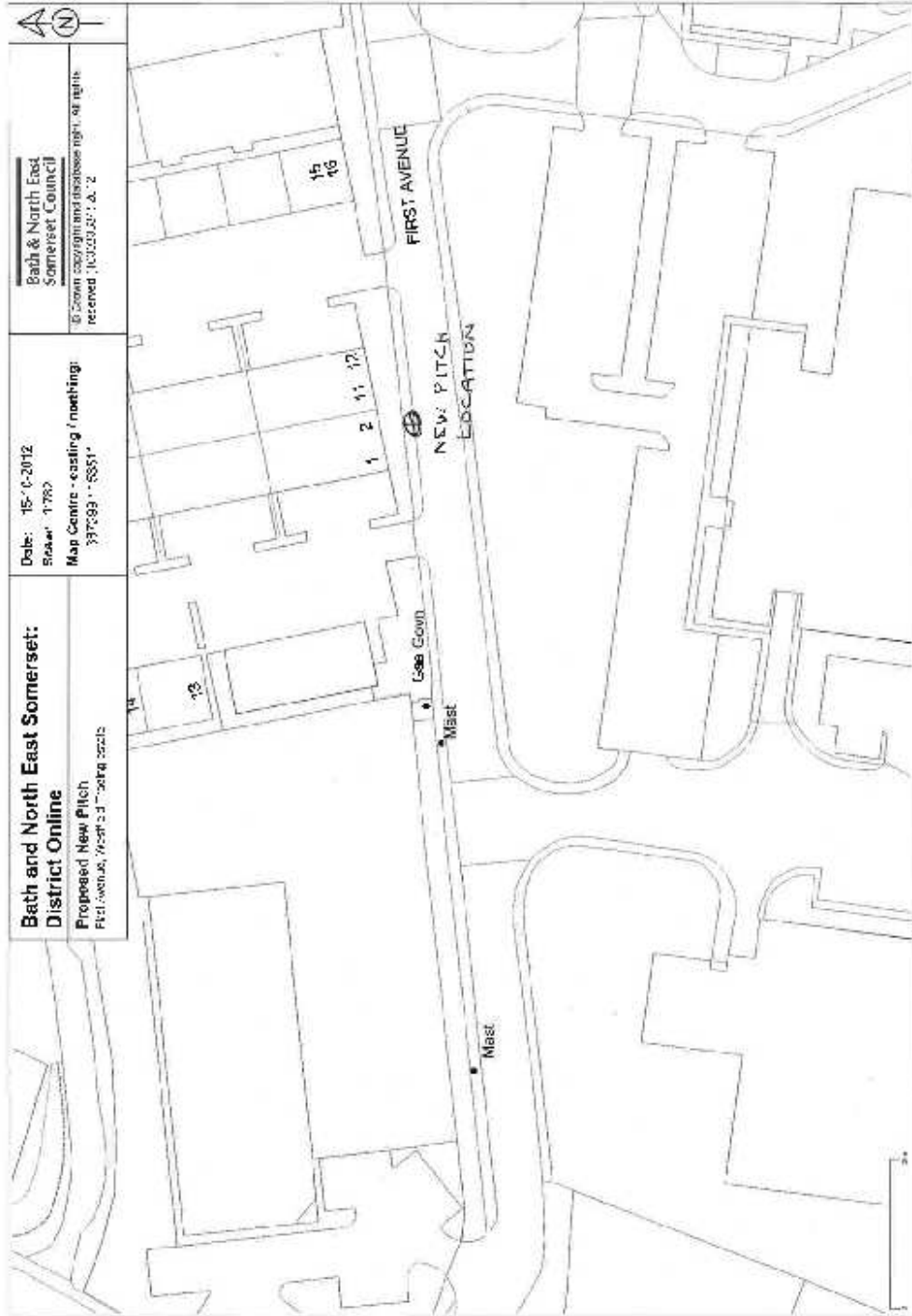
Submitted on Friday, 18 April 2014 - 2:07pm

The unique submission ID - 12317

**Photograph of proposed Hot Food Unit**



# Site Plan



**View along First Avenue away from Fosseway to show the layout of the road.**



**View along First Avenue towards Fosseway – Integrity Print is the large complex to the left of the picture**





## **STREET TRADING POLICY**

### **1 Purpose**

- 1.1 The Council's street trading policy is to create a street trading environment which complements premises-based trading, is sensitive to the needs of residents, provides diversity and consumer choice, and seeks to enhance the character, ambience and safety of local environments.**

### **2 What is Street Trading?**

- 2.1 Street trading means selling, exposing or offering for sale any article in a street. The term 'street' includes any road, footway or other area to which the public have access without payment.**
- 2.2 Bath & North East Somerset has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 for the whole of its area and has designated all streets in the area as 'consent streets' for street trading purposes.**
- 2.3 The effect of this designation is that street trading in any street is prohibited, subject to legal exemptions, without first obtaining a street trading consent from the Council.**

### **3 Exemptions from the need to obtain a Consent**

- 3.1 Some types of trade are legally exempt from the need to obtain a street trading consent. These include:**
- a) a pedlar trading under the authority of a pedlars' certificate**
  - b) trade carried out by roundsmen e.g. milkmen**
  - c) trade carried on at a petrol filling station**

### **4 Street Trading Consents for which fees are not payable**

- 4.1 Bath & North East Somerset will not require the payment of fees for the following street trading activities:**
- a) fetes, carnivals or similar community based and run events**
  - b) non-commercial or charitable events**
  - c) farmers markets (producer-managed marketplace for local producers to sell their own produce direct to local people)**
  - d) sales of articles by householders on land contiguous with their homes**

### **5 Site Assessment**

- 5.1 The Council will identify suitable 'pitches' for street trading and will also consider applications from individuals to create new pitches in specific**

locations if the applicant can demonstrate a clear demand for the goods or service he/ she would provide.

**5.2 Consents may also be issued to mobile artists who sketch or paint, sell their own work and move from location to location.**

**5.3 In determining whether to create a street trading pitch the Council will have regard to:**

- a) any effect on road safety, either arising from the siting of the pitch or from customers visiting or leaving**
- b) any loss of amenity caused by noise, traffic or smell**
- c) existing Traffic Orders e.g. waiting restrictions**
- d) any potential obstruction of pedestrian or vehicular access**
- e) any obstruction to the safe passage of pedestrians**
- f) the safe access and egress of customers and staff from the pitch and immediate vicinity**

## **6 Consultation**

**6.1 Before a new pitch is created the Council will consult and seek written observations from:**

- i) occupiers of premises immediately adjacent and opposite**
- ii) ward councillors**
- iii) parish or town council**
- iv) Avon & Somerset Constabulary**
- v) Development Control (B&NES)**
- vi) Highways (B&NES)**

The Council will also consider any responses received in relation to public notices on the highway.

**6.2 Any objection from consultees will be assessed against the criteria in 5.3 above and may be referred to the Regulatory (Licensing) Committee for determination.**

**6.3 Any proposed change to standard conditions (see 10.1 below) will be consulted with consent holders and others, if relevant.**

## **7 Nature of Goods and Trading Hours**

**7.1 The nature of goods which may be sold from any pitch will be specified in the consultation process. Any subsequent substantial change will be subject to the level of consultation in 6.1 above.**

**7.2 The Council would not normally grant a consent for the sale of goods or services which conflict with those provided by nearby shops.**

- 7.3 Goods will normally consist of craftwork, fresh flowers, ice cream or soft drinks. Other types including services will be considered on a pitch by pitch basis and have particular regard to local needs shopping, product/ service diversity and balance.**
- 7.4 Street trading hours will normally mirror those of shops in the immediate vicinity. In the case of hot food takeaways trading hours will be determined on a pitch-by-pitch basis.**
- 7.5 The design and appearance of the stall, barrow, van or cart etc. used must be agreed by the Council's Head of Environmental and Consumer Services.**

## **8 Issue of Street Trading Consents**

- 8.1 Street trading consents will normally be issued for a period of three months. Consents for shorter periods may be issued for block bookings for the purpose of organised street markets and for mobile street artists.**
- 8.2 Consents will be issued for a minimum of six days per week, unless the applicant can provide an alternative scheme acceptable to the Head of Environmental and Consumer Services.**
- 8.3 Fees for consents must be paid in full in advance. In the case of renewals, payments must be made on a quarterly basis and be due on or before the following dates:**
- 1 January**
  - 1 April**
  - 1 July**
  - 1 October**
- 8.4 Failure to maintain payments as above may result in the consent not being renewed.**
- 8.5 Where a consent has expired the pitch will become subject to paragraphs 8.6 and 8.7 below.**
- 8.6 When an existing or new pitch becomes available, the Council will publish a notice inviting applications for the said pitch. The notice will be carried by one or more of the following: local newspaper, local radio, Council website; it may also be carried by other local publications.**
- 8.7 Applications will be determined by the Head of Environmental and Consumer Services in consultation with the Executive Members for Economic Development & Environment and for Community Safety, Housing and Consumer Services. Each pitch will be offered to the applicant whose proposal is considered most suitable for the particular pitch. If no suitable application is received the pitch will be re-advertised.**

**8.8 A consent will not be issued to a person who is not aged 17 years or over, or to anyone on account of misconduct or for any other appropriate reason is unsuitable to hold a consent.**

## **9 Fee Structure**

**9.1 The fee structure will primarily reflect pitch location, trading days and hours. Other matters to be taken into consideration will include local needs shopping.**

**9.2 The Head of Environmental and Consumer Services in consultation with the Executive Member for Community Safety, Housing and Consumer Services has delegated authority to set fees and to annually review the fee structure.**

## **10 Conditions and Enforcement**

**10.1 Standard conditions will be attached to every street trading consent detailing the holder's responsibilities to maintain public safety, avoid nuisance and generally preserve the amenity of the locality.**

**10.2 Specific conditions will also be attached such as the days and hours when street trading is permitted, the goods which may be sold and the size of the pitch.**

**10.3 Failure to comply with conditions may lead to revocation or non-renewal of a consent.**

**10.4 Persons trading without a consent and who are not exempt (see 3.1 above for examples) will be the subject of enforcement action in accordance with the Environmental and Consumer Services Enforcement Policy.**

## **11 Social Inclusion**

**11.1 The Council will, where possible, give priority to the provision of consents to disabled persons and to those from minority ethnic groups.**

## **12 General**

**12.1 Through its tourism service and by other means, the Council will seek opportunities to promote street trading activities.**

**12.2 This policy will complement and inform other Council initiatives including those on street markets and life in the public realm.**

**12.3 This policy will be the subject of periodic monitoring and review.**

**12.4 This policy will inform the detailed conditions attached to every street trading consent.**

**12.5 This policy will be applied in a manner which is consistent with the Council's equalities policies.**

**STREET TRADING CONSENT - GENERAL CONDITIONS**

- 1 The holder of this Consent (which expression where appropriate includes joint holders of this Consent) and any person employed by him to assist him in his trading, shall produce it on demand when so required by a Police Officer or a duly authorised officer of the Bath & North East Somerset Council.**
- 2 The holder shall return this Consent to the Bath & North East Somerset Council immediately on revocation or surrender of the Consent.**
- 3 The holder shall not trade otherwise than strictly in accordance with this Consent.**
- 4 The holder shall notify the Head of Environmental and Consumer Services at Bath & North East Somerset Council, 9-10 Bath Street, Bath BA1 1SN immediately of any convictions or proceedings arising out of the use or enjoyment by the holder of this Consent.**
- 5 The holder shall not cause any obstruction of the street or danger to persons using it and shall not permit persons to gather around him or any van, cart, barrow, other vehicle or stall included in this Consent so as to cause a nuisance or annoyance or danger to any persons lawfully using the street and shall not park any such van etc. on the footway or verge of the street.**
- 6 The holder shall not use or suffer or permit any music playing, music reproducing or sound amplification apparatus or any musical instruments radio or television receiving sets whilst trading under this Consent, save as varied by a special condition of this Consent.**
- 7 The holder shall not place on the street or affix to any equipment placed on the street any advertising material of any description whatsoever except with the previous consent in writing of the Head of Environmental and Consumer Services for the time being of the Council.**
- 8 The holder shall not make any excavations or indentations of any description whatsoever in the surface of the street or place or fix any equipment of any description in the said surface.**
- 9 The holder shall not use the street for any trading purpose other than the purpose as permitted by the Consent and then only during the permitted hours.**
- 10 The holder shall not place on the street any furniture or equipment other than as permitted by the Consent and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance to or exit from any premises.**
- 11 The holder shall not do or suffer anything to be done in or on the street which in the opinion of the Council may be or become a danger nuisance or annoyance to or cause damage or inconvenience to the Council or to the**

owners or occupiers of any adjacent or neighbouring premises or to members of the public.

- 12 The holder shall not assign, underlet or part with his interest or possession under this Consent or any part thereof, but he may surrender it at any time.
- 13 The holder shall observe and comply with any directions in relation to the use of the street given by the Head of Environmental and Consumer Services or the Director of Property and Engineering Services for the time being of the Council.
- 14 The holder shall keep his trading position and the immediately adjacent area in a clean and tidy condition during the permitted hours and also leave the same in a clean and tidy condition and unobstructed at the end of each daily period of use under the terms of this Consent.
- 15 The holder shall provide at his own cost and expense litter bins or similar receptacles for the deposit of cartons, wrappings, containers and similar discarded items if required by the Head of Environmental and Consumer Services, and remove them and their contents at the end of each daily period of use under this Consent.
- 16 The holder shall retain with any van, cart, barrow, other vehicle or stall included within this Consent any water used or waste produced until the end of each daily period of use under this Consent and then remove it and dispose of it elsewhere, and in particular shall not deposit any such waste near or into any street drain or channel.
- 17 The holder shall indemnify and save harmless the Council and their agents, servants and workmen from and against all proceedings damages claims or expenses in respect of an injury (including personal injury) which may be sustained by the Council or any person or persons body or company whatever arising out of, or in any way connected with, his trading and the provision of facilities under this Consent.
- 18 This Consent may be revoked by the Council at any time and the Council shall not, in any circumstances whatsoever, be liable to pay any compensation to the holder in respect of such revocation.
- 19 The Consent holder or any person employed by him to assist him in his trading shall at all times wear the identification badge issued by Bath & North East Somerset Council whilst trading from the pitch. The badge shall be worn in a conspicuous position on the upper body.
- 20 The holder shall return the identification badge(s) to the Bath & North East Somerset Council immediately on revocation or surrender of the Consent.
- 21 All street trading fees are due quarterly in advance on 1 January, 1 April, 1 July and 1 October each year.

**Notes:**

- 1 Street trading in a consent street without a Street Trading Consent, or from a van, cart etc. not specifically permitted by a Consent, or contravening certain conditions attached to a Consent, amounts to an offence for which proceedings may be instituted.**
- 2 A Street Trading Consent does not confer immunity from the provisions of any Street Parking Places Order or General Traffic Restriction Order. In case of doubt about the effect of any such Order, enquire at the Environmental and Consumer Services, 9-10 Bath Street, Bath BA1 1SN .**
- 3 The Local Government (Miscellaneous Provisions) Act 1982 provides as follows:**

**Schedule 4, Paragraph 10**

- 1 A person who:
    - b engages in street trading in a consent street without being authorised to do so under this Schedule; or**
    - d being authorised by a street trading consent to trade in a consent street, trades in that street:
      - (i) from a stationary van, cart, barrow or other vehicle; or**
      - (ii) from a portable stall,******without first having been granted permission to do so under paragraph 7 (8) (of this Schedule); or****
  - e contravenes a condition imposed under paragraph 7 (9) (of this Schedule),**
- shall be guilty of an offence.**
- 2 It shall be a defence for a person charged with an offence under sub-paragraph (1) above to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.**
- 3 Any person who, in connection with an application for a street trading consent, makes a false statement which he knows to be false in any material respect, or which he does not believe to be true, shall be guilty of an offence.**
- 4 A person guilty of an offence under this paragraph shall be liable on summary conviction to a fine.**

**HIGHWAY NOTICE**

**Bath & North East  
Somerset Council**

**Application Ref. 14/03014/STTRAD**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**PITCH 64, FIRST AVENUE, WESTFIELD TRADING ESTATE, RADSTOCK. BA3 4BS**

NOTICE IS HEREBY GIVEN that an application has been made to Bath & North East Somerset Council for the grant of a Street Trading Consent at the above location.

<b>Name of each applicant</b>	Mahmut Yurt
<b>Trading times</b>	Every Day from 16:00 to 22:59
<b>Articles for sale</b>	Kebabs , Chicken, burgers , chips , hotdogs , soft drinks
<b>Stall type</b>	Purpose built food unit

If you wish to make any objections to the Council regarding the above application you should do so in writing to the undersigned by 2 July 2014.

**Under the provisions of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985, such objections will be made available for public inspection.**

Dated 11 June 2014

*Cathryn Humphries*

Cathryn Humphries  
Environmental Protection and Licensing Manager  
Licensing Services  
Bath & North East Somerset Council  
Lewis House  
Manvers Street  
Bath BA1 1JG

Email: [licensing@bathnes.gov.uk](mailto:licensing@bathnes.gov.uk)



## OBJECTIONS

### 1. Neil Champion – Buildbase – First Avenue

**From:** Radstock [<mailto:neil.champion@buildbase.co.uk>]  
**Sent:** 18 June 2014 12:39  
**To:** [licensing@bathnes.gov.uk](mailto:licensing@bathnes.gov.uk)  
**Subject:** Pitch 64

FAO Catherine Humphreys,

With reference to the application for a Kebab van on Westfield Ind. Estate.Pitch 64.

I am not sure that this is the right place for this type of business and will entice people onto the estate at night creating potential security, rubbish and other issues. Why would you grant permission on this estate anyway when it is so far away from everything else ?

I will await your response !

Neil Champion | Branch Manager | Radstock Buildbase  
First Avenue,Westfield Ind.Estate,  
Midsomer Norton,Radstock,BA3 4BS  
Phone: +44 (0)1761 404140 | M: +44 (0)7826 891302 | Fax: +44 (0)1761 404142 |  
[www.buildbase.co.uk](http://www.buildbase.co.uk) | [www.grafton-careers.co.uk](http://www.grafton-careers.co.uk)

**2. Nick Biggs – Ken Biggs Ltd Builders**

**From:** *email address removed*

**Sent:** 18 June 2014 10:11

**To:** Licensing

**Subject:** Application Ref: 14/03014/STTRAD [Scanned]

By Post and Email

**For the attention of Cathryn Humphries**

**Application Ref: 14/03014/STTRAD - Pitch 64, First Avenue, Westfield Industrial Estate, Radstock, BA3 4BS**

Dear Ms Humphries

We are writing in connection to the above application as owners and Landlord of several industrial units near to the proposed pitch. We object to the application as follows:

- Westfield Trading Estate is totally unsuitable for this type of business – it is not a ‘High Street’ area that is policed and to encourage people onto the Estate at night is just asking for trouble.
- Property security and litter should also be taken into consideration as both will become a problem with late night visitors.
- We can see very little benefit for the Estate as most businesses will be closed and employees gone home.
- We would also question if Westfield, Midsomer Norton and Radstock really need another fast food outlet.

It was a mistake to allow the original day pitch on the main entrance road of a very business Industrial Estate – do not make the same mistake again. The Estate, especially at night, is just not suitable.

Yours sincerely

Nick Biggs  
Ken Biggs Ltd

**3. T A Simcox – Simcox Body Repairs – First avenue**

**From:** Simcox Body Repairs [<mailto:Simcox@xln.co.uk>]

**Sent:** 23 June 2014 10:49

**To:** Licensing

**Subject:** Application Ref: 14/03014/STRAD

June 23rd 2014. For the attention of Cathryn Humphries. From T.A. Simcox Body Repairs. Unit 13 Westfield Trading Estate, Radstock, BA3 4BS.

I object to the application ref: as above for a fast food stall on First Avenue, Westfield Trading Estate, Radstock. as it is a danger to ourselves & customers turning out of our road as it blocks our line of sight.

We have had accidents in the past due to this.

It appears the council have concerns about this kind of parking on Second Avenue but encourage it on First Avenue.

It's also a problem at night as it encourages people onto the Trading Estate when it is not policed, and again we have had theft and damage done to our property & vehicles.

Yours sincerely T.A. Simcox

#### 4. Insp Shirley Eden – Avon and Somerset Police (Radstock)

**From:** Shirley Eden [mailto:Shirley.Eden@avonandsomerset.police.uk]  
**Sent:** 23 June 2014 15:32  
**To:** Andrew Tapper  
**Subject:** RE: Application for hot food vendor - First Avenue, Westfield Trading estate


Hi Andrew,

The below raises concern as the estate is usually empty after working hours and such a facility will highlight the vulnerability of those units to a sudden passing trade. We have finally managed to remove vehicle Anti-Social Behaviour from the estate and I am concerned that having a refreshment facility will attract vehicles back to the area. Police resources will remain concentrated on Midsomer Norton High Street leaving this area vulnerable to further incidents. The lack of CCTV at the location furthers my concern.

The grounds I would put forward are in relation to past anti- social use of vehicles in and around the estate in the evenings. We (the police) have spent a considerable amount of time and effort in resolving this problem. I believe the introduction of this facility would encourage those drivers to return.

There are already a considerable number of chip shops and takeaways in Westfield where all of the refreshments described can be purchased.

Regards

Shirley Eden  
Inspector  
Radstock Neighbourhood Team  
Bath & North East Somerset Operations  
(Phone: 01225 842633  
(Mobile: 07771 834534  
: E-mail: [shirley.eden@avonandsomerset.police.uk](mailto:shirley.eden@avonandsomerset.police.uk)  
+Mail: Radstock Police Station, Wells Road, Radstock, BA3 2SG  
 [@ASPRadstock](#)

**5. Cllr E Newman – Westfield Parish Council**

**From:** Edward Newman [<mailto:raob10609@gmail.com>]

**Sent:** 24 June 2014 16:49

**To:** Licensing

**Subject:** Street Trading at first avenue Westfield

I Eddie Newman A Westfield Parish Councillor Being unwell and unable to attend our Parish Council meeting would like to make an objection to this application on the grounds that there is already too much vandalism in that area already and to attract the age group this vendor is catering for is asking for trouble. The police are already stretched to the limit. There are boy racers upsetting the locals now, and this would only increase the problem.

Regards Eddie Newman

**6. Cllr Geoff Fuller, Chair of the Westfield Parish Council**

**From:** name removed@westfieldparishcouncil.co.uk]

**Sent:** 25 June 2014 11:57

**To:** Andrew Tapper

**Subject:** RE: Hot Food vendor application

I strongly object to the application as we have food outlets in the area already and this is only causing problems to the neighbourhood and residents and causing young people to congregate in the park area which is causing vandalism.

**Cllr Geoff Fuller, Chair of the Parish Council**

**7. Cllr Phil Wilkinson – Westfield Parish Council**

**From:** name removed@westfieldparishcouncil.co.uk]  
**Sent:** 25 June 2014 11:57  
**To:** Andrew Tapper  
**Subject:** RE: Hot Food vendor application

I personally feel that we have no need for a further fast food outlet in Westfield. As already stated it could well be a recipe for trouble at Norton Hill, we have enough problems with vandalism in that area now. There is also the fact that we already seem to have a kebab shop in Westfield if it opens at Westfield shops.

Cllr Phil Wilkinson

## 8. Integrity – First Avenue

**INTEGRITY**  
THE PRINT PROFESSIONALS

Cathryn Humphries  
Environmental Protection and Licensing Manager  
Licensing Services  
Bath & North East Somerset Council  
Lewis House  
Manvers Street  
Bath BA1 1JG

26 June 2014

Application Ref: 14/03014/STTRAD

Dear Ms Humphries,

Please accept this letter as our formal objection to the trading application on the following grounds:

The pitch is directly opposite our premises which are completely open plan and therefore accessible at all times. We are extremely concerned about trespassers congregating in the area during the evenings and particularly at weekends. As the area is not regularly policed there is a potential for criminal activity.

Our private car park will almost certainly become a meeting point for people using the facility both during our hours of business as well as at night and at weekends.

Finally, there is a potential for unsightly littering and discarded food waste. There are already considerable numbers of Urban Gulls populating the immediate area and this can only exacerbate the situation.

Yours sincerely

NAME REMOVED FROM LETTER AS REQUESTED

OBO Integrity

Westfield Trading Estate, Midsomer Norton, Bath BA3 4BS  
Telephone: +44(0)1761 409200 Fax: +44(0)1761 409289

[www.integrity-print.com](http://www.integrity-print.com)



**9. Mr Jones – Avonsoft Water Treatment**



15/16 First Avenue, Westfield Trading Estate, Midsomer Norton, Radstock BA3 4BS  
Tel: 01761 416833 Fax: 01761 419010

30<sup>th</sup> June 2014

Ms. Cathryn Humphries  
Environmental Protection and Licensing Manager  
Licensing Services  
Bath & North East Somerset Council  
Lewis House  
Manvers Street  
Bath  
BA1 1JG

Dear Ms. Humphries

**Application Ref: 14/03014/STTRAD**  
**-Pitch 64, First Avenue, Westfield Industrial Estate, Radstock, BA3 4BS**

We object to the above application due to the following reasons.

There is litter discarded in and around the vicinity of the current "morning" take away business trading from this pitch – an "evening" take away business would increase this further.

Westfield Industrial Estate is exactly what it says – it is NOT a high street. It is an access route for business vehicles going about their work. Problems already exist from dangerous and inconsiderate parking around this pitch during the morning trade.

The estate is generally vacated by businesses after the hours of 6.00pm. We cannot see any viable business existing after this time unless main road advertising directs potential customers to this pitch from the Fosseway.

The estate is currently un-policed at night/weekends and already vulnerable to break-ins/vandalism. We feel granting this application would encourage and give validity to the criminal element of our society to be on the estate, together with the probable increased consequences.

There is no shortage of take away food outlets in the Westfield area. A fish and chip shop is only yards away from the entrance of the trading estate in one direction and a Chinese take away in the other, both selling identical type foods. A further outlet is un-necessary.

Yours sincerely

A.J.Jones  
Avonsoft Water Treatment Ltd.



**10. Lee Swain – Whitstone's Fish & Chips (Norton Hill Ltd)**

**From:** lee swain [mailto:swain\_lee@sky.com]  
**Sent:** 01 July 2014 11:36  
**To:** Andrew Tapper  
**Subject:** Street Trading Application

Hi Andy

I would like to register objection to Referencing - 14/03014/STTRAD.

Reasons of objection -

- 1 - There being already 2 - Fish & Chip Shop plus 1 - Kebab and Pizza Shop already servicing the area.
- 2 - The congregation of youths and cars causing disturbance to the Trading Estate.
- 3 - The disruption of neighbours with noise and litter.

Kind Regards

Lee Swain

Director

Whitstone`s Traditional Fish & Chips ( Norton Hill Ltd )

11. Andrew Butcher – Westfield Parish Council

**From:** Andrew Butcher [<mailto:abwpc10@gmail.com>]  
**Sent:** 01 July 2014 12:50  
**To:** Licensing  
**Cc:** Lesley Welch; Geoff Fuller  
**Subject:** Objection To Street trading Application No. 14/03014/STTRAD

Dear Sirs,

I write to object to the Street Trading Application relating to Pitch 64, Westfield Industrial Estate, Radstock, BA3 4BS.

I believe that trading in this location and at the proposed times would have a detrimental effect upon Westfield and would result in increased anti-social behavior, vandalism, litter and disturbance to nearby residents. There has also been a problem with high speed driving in the area and this may be exacerbated.

Please present and support the objections to Mr Mahmut Yurt's Application.

Yours faithfully,

Andrew Butcher  
Vice Chair of Environmental & Development Committee  
Westfield Parish Council  
(And a resident)