



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING (MISCELLANEOUS) SUB-COMMITTEE A

TUESDAY 3RD AUGUST 2010 AT 6.00 P.M.

COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors Mrs. R. L. Dent (Chairman), J. T. Duddy,
Mrs. J. M. L. A. Griffiths, B. Lewis F.CMI, Ms. J. A. Marshall,
D. McGrath and Mrs. C. J. Spencer

AGENDA

LICENSING (MISCELLANEOUS) SUB-COMMITTEE A HEARING PROCEDURE - STREET TRADING CONSENT APPLICATION (Pages 1 - 4)

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest
3. Application for a Street Trading Consent - Kirsty Humphrey, A442 Bromsgrove (Pages 5 - 20)
4. Application for a Street Trading Consent - David Alcock, Bransons Cross, Broad Lane, Beoley (Pages 21 - 88)
5. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting
6. Exclusion of the Public

[Should it prove necessary, in the opinion of the Chief Executive, to exclude the public from the meeting at any point during the proceedings in relation to any item(s) of business on the grounds that either exempt and/or confidential information is likely to be divulged, the following resolution(s) will be moved:

"That under Section 100 I of the Local Government Act 1972, as amended, it/they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraphs of that part being (*...to be specified by the Chairman at the meeting*), and that it is in the public interest to do so."; and/or

"That under Section 100 A of the Local Government Act 1972, as amended, it/they involve the likely disclosure of confidential information which would be in breach of an obligation of confidence."]

K DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

27th July 2010

Appendix

STREET TRADING CONSENT APPLICATION LICENSING (MISCELLANEOUS) SUB-COMMITTEE

HEARING PROCEDURE

1. The Chairman will open the hearing and introduce members of the Sub-Committee and officers present.
2. The Chairman will ask all other people present to introduce themselves.
3. The Chairman will inform those present that the meeting is being recorded.
4. The Chairman will remind the Applicant that he/she can be represented by a legal representative at his/her own expense.
5. The Licensing Manager will present the report.
6. The Chairman will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the Licensing Manager.
7. The Chairman will invite the Applicant and/or his/her representative to present his/her case and call any witnesses. The Applicant will be allowed a maximum of 10 minutes to present the case.
8. The Chairman will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the Applicant and/or his/her representative.
9. Consultees / Interested Parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf. New representations must not be raised. A maximum of 10 minutes will be allowed for the Consultees / Interested Parties to present their case(s). If two or more Consultees / Interested Parties wish to address the Sub-Committee the 10 minutes will be divided between them.
10. The Chairman will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the Consultees / Interested Parties.
11. The Consultees / Interested Parties will be invited to sum up. A maximum of 5 minutes will be allowed.
12. The Applicant will be invited to sum up. A maximum of 5 minutes will be allowed.

- 13. At the conclusion of the hearing all parties, including the Licensing Manager, will be asked to withdraw. The Members of the Sub-Committee, the Legal Adviser and the Committee Services Officer will remain.**
- 14. Once the Sub-Committee has reached its decision, all parties will be invited to return. The Sub-Committee's decision, together with the reasons for the decision, will be announced by the Chairman.**
- 15. The Sub-Committee's decision will be confirmed in writing to the Applicant and those parties who made representations.**

There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.

Please Note:

- 1) **Each application coming before the Licensing Sub-Committee will be treated on its own merits. In determining an application for a Street Trading Consent, the Council will consider the following factors:**
 - (a) **Public Safety** – does the location of the proposed trading site represent or is it likely to represent, a substantial risk to the public and users of the highway? The Council will consider things like important sight lines for CCTV cameras, requirements of emergency vehicles, fire hazards, hygiene and the safety of access to or from the trading site.
 - (b) **Public Order** – does the street trading activity represent, or is it likely to represent, a substantial risk to public order?
 - (c) **The avoidance of public nuisance** – does the street trading activity represent, or is it likely to represent, a substantial risk of nuisance to the public from noise, smell, litter or late night disturbance?
 - (d) **Needs of the area** – are there enough other trading outlets to serve the needs of the area? A Street Trading Consent will not be granted where it is considered that there are already enough traders trading in the vicinity (from shops or other stalls) in goods in which the applicant wishes to trade, or if there is an existing concentration of street traders in the street in which the applicant wishes to trade.
 - (e) **Consultation** - relevant responses from consultees.
 - (f) **Guidance issued under the Local Government Miscellaneous Provisions Act 1982**
 - (g) **Bromsgrove District Council's Street Trading Consent Policy**
2. **The Chairman may require any person who in his/her opinion is behaving in a disruptive manner to leave the meeting, and may refuse to permit that person to return, or permit him/her to return only on such conditions as the Chairman may specify. However, such person may, before the end of the hearing, submit in writing any information which he/she would have been entitled to have given orally at the meeting had he/she not been required to leave.**
3. **Decisions may be taken in the absence of the Applicant or any other party. All notices and representations received from absent parties will be considered.**

4. ***Questioning must not be hostile or intended to unfairly undermine the position of any party.***
5. ***Late evidence will only be considered with the agreement of all parties present.***
6. ***In cases where a decision cannot be given at the end of the hearing, the decision will be made within 5 working days.***
7. ***All meetings are recorded.***

BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

3RD AUGUST 2010

STREET TRADING CONSENT - APPLICATION

Relevant Portfolio Holder	Cllr. P. Whittaker
Relevant Head of Service	Head of Planning and Environment Services
Key Decision / Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To consider an application to permit street trading in respect of Kirsty Humphrey who is a trader providing hot and cold food and drinks from a mobile unit sited at A441, Bromsgrove.

2. RECOMMENDATIONS

- 2.1 That Members determine the application. The application may be:
- 2.1.1 granted in whole or in part (with additional conditions, if appropriate) and subject to Ms Humphrey producing a trade waste agreement as set out at 12.1 of the Street Trading Policy or,
- 2.1.2 refused,

provided that the Sub-Committee's decision is consistent with the Council's Street Trading Consent Policy.

3. BACKGROUND

- 3.1 In accordance with the Street Trading Policy, a responsible authority is entitled to make representations. Responsible authorities include:-
- the Highways Authority – Worcestershire County Council;
 - the Chief Officer of Police;
 - the Council's Environmental Health team;
 - the Council's Street Scene and Community Services team;
 - the Council's Economic Development team;
 - Trading Standards;
 - the Parish Council (if any) in which the Trading Unit is to be located;
 - the Ward Councillors

**LICENSING
SUB-COMMITTEE**

3RD AUGUST 2010

3.2 In accordance with the Street Trading Policy, the owners/occupiers of any properties near to the proposed location of the trading site for which an application has been made are entitled to make representations. "Near to" is not defined in the Street Trading Consent Policy.

3.3 There are no residents / business premises near to the proposed site.

4. KEY ISSUES

4.1 The Licensing Authority received an application on 6th may 2010 to conduct Street Trading, in accordance with the Street Trading Policy at A441, Bromsgrove Please see Appendix A

4.2 The application is seeking the following permissions:

Street Trading

- 07.00 am – 18:00pm Monday to Sunday;

Actual opening hours

- 07:00am – 18:00pm Monday to Sunday;

4.3 A representation has been received from one of the responsible authorities namely Councillor R. Hollingworth. Please see Appendix B

4.4 A plan indicating the location of the proposed street trading site is attached at Appendix C.

4.5 A photograph of the Snack Van can be found at Appendix D.

4.6 Ms. Humphrey has been invited to the meeting to put forward her case.

4.7 All those making objections to this application have been invited to the meeting so they can put forward their case.

5. FINANCIAL IMPLICATIONS

5.1 Paragraph 6.4 of the Street Trading Consent Policy states if an application for a Street Trading Consent is refused the Council will refund the fee in full.

**LICENSING
SUB-COMMITTEE**

3RD AUGUST 2010

6. LEGAL IMPLICATIONS

- 6.1 The Local Government Miscellaneous Provisions Act 1982 section 3 empowers local authorities to designate all or part of their areas for the purposes of street trading. Schedule 4 of that Act specifies the procedure for resolving to designate streets, and for issuing Street Trading Consents.
- 6.2 Paragraph 7 of Schedule 4 of the Act permits the Council to grant a Street Trading Consent if they think fit and to attach conditions to it as they consider reasonable necessary to prevent obstruction of the street or danger to persons using it; or nuisance or annoyance (whether to persons using the street or otherwise). Model Conditions are included within the Bromsgrove District Council, Street Trading Policy.
- 6.3 Paragraph 8 of Schedule 4 of the Act, further permits the Council to include in a Street Trading Consent permission for its holder to trade in a Consent Street from a stationary van, cart, barrow or other vehicle or from a portable stall.
- 6.4 Paragraph 10 of Schedule 4 of the Act states that a Street Trading Consent may be granted for any period not exceeding 12 months, but may be revoked at any time.
- 6.5 There is no right of appeal against the refusal to grant a Street Trading Consent.
- 6.6 The Sub-Committee must have regard to the Street Trading Consent Policy adopted by Bromsgrove District Council on 20th January 2010.
- 6.7 The Sub-Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights.

7. POLICY IMPLICATIONS

- 7.1 The Sub-Committee must have regard to the Street Trading Consent Policy adopted by Bromsgrove District Council on 20th January 2010.

8. COUNCIL OBJECTIVES

- 8.1 CO1 – Regeneration, Priority Economic Development

**LICENSING
SUB-COMMITTEE**

3RD AUGUST 2010

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY
CONSIDERATIONS**

9.1 The main risk associated with the details included in this report are:

- Decision made without having regard to Council Policy.

9.2 This risk is being managed as follows:

- Adhere to all licensing policies and legislation when determining applications for all licensing functions.
- Risk Register: Planning and Environment Services
- Key Objective Ref No. 8

10. CUSTOMER IMPLICATIONS

10.1 All parties will be notified of the Council's decision in writing.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 All applicants are dealt with on their own individual merits are accepted in line with legislation and Council Policy.

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET
MANAGEMENT**

12.1 None.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 None.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None

**LICENSING
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3RD AUGUST 2010

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF
CRIME AND DISORDER ACT 1998**

16.1 None

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None

18. LESSONS LEARNT

18.1 None

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 None

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	No
Corporate Procurement Team	No

**LICENSING
SUB-COMMITTEE**

3RD AUGUST 2010

21. WARDS AFFECTED

This report affects the Ward of Furlongs

22. APPENDICES

Appendix A – Application

Appendix B – Letter of Representation from responsible authority

Appendix C - Location plan of the proposed site

Appendix D - Photograph of the Snack Van

23. BACKGROUND PAPERS

Street Trading Policy

AUTHOR OF REPORT

Name: Sue Garratt – Licensing Manager
E Mail: sue.garratt@redditchbc.gov.uk or
s.garratt@bromsgrove.gov.uk
Tel: (01527) 534100

6.05.10.
£552.00

Application for a Street Trading Consent

Full Name

Kirsty Humphrey

Full Residential Address

[Redacted]

Telephone No.

Email

[Redacted]

National Insurance No.

[Redacted]

I hereby apply for GRANT / ~~RENEWAL~~ of a Street Trading Consent to sell goods in the street as a mobile trader

Hours/Days of Operation

Monday	7am - 6pm	Friday	7am - 6pm
Tuesday	7am - 6pm	Saturday	7am - 6pm
Wednesday	7am - 6pm	Sunday	7am - 6pm
Thursday	7am - 6pm		

To sell (describe articles to be sold)

Burgers, hot dogs etc
Plus a healthy option + breakfasts
Drinks

Proposed trading location (please also attach map showing exact location)

A442, Bromsgrove, England, United Kingdom

The mobile unit is kept at the following address when not trading

[Redacted]

Description of mobile unit, including dimensions

White in colour,
 H - 222cm, W - 204.5cm, L - 311.5cm
 + tower - 405.5cm
 front opening hatch and door on back

If you are selling food or beverages, please state, if any, which local authority you are registered with.

Bromsgrove

I understand that any vehicle will be inspected prior to the start of trading.

I enclose the following items with this application:

A colour photograph of the mobile Unit/vehicle	✓
A recent passport sized photograph of the applicant	✓
Food Hygiene Training Certificates (if relevant)	✓
Certificate of inspection for any fire extinguishers	
Certificate to show electrical/gas installations have been tested and are safe	✓
Public liability insurance to 5 Million pounds	✓
Plan showing proposed location of unit when trading	✓
Evidence of Trade Waste Agreement	
Annual Consent Fee - £552 – cheques made payable to Bromsgrove District Council	✓
Occasional Consent Fee £25 per day - cheques made payable to Bromsgrove District Council	

Signed

[Redacted signature]

Date

05/05/2010

Please return this form and any supporting documents to the Licensing Section, Planning and Environment, Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, Worcs., B60 1AA

Telephone: 01527 881626
 Email: licensing@bromsgrove.gov.uk

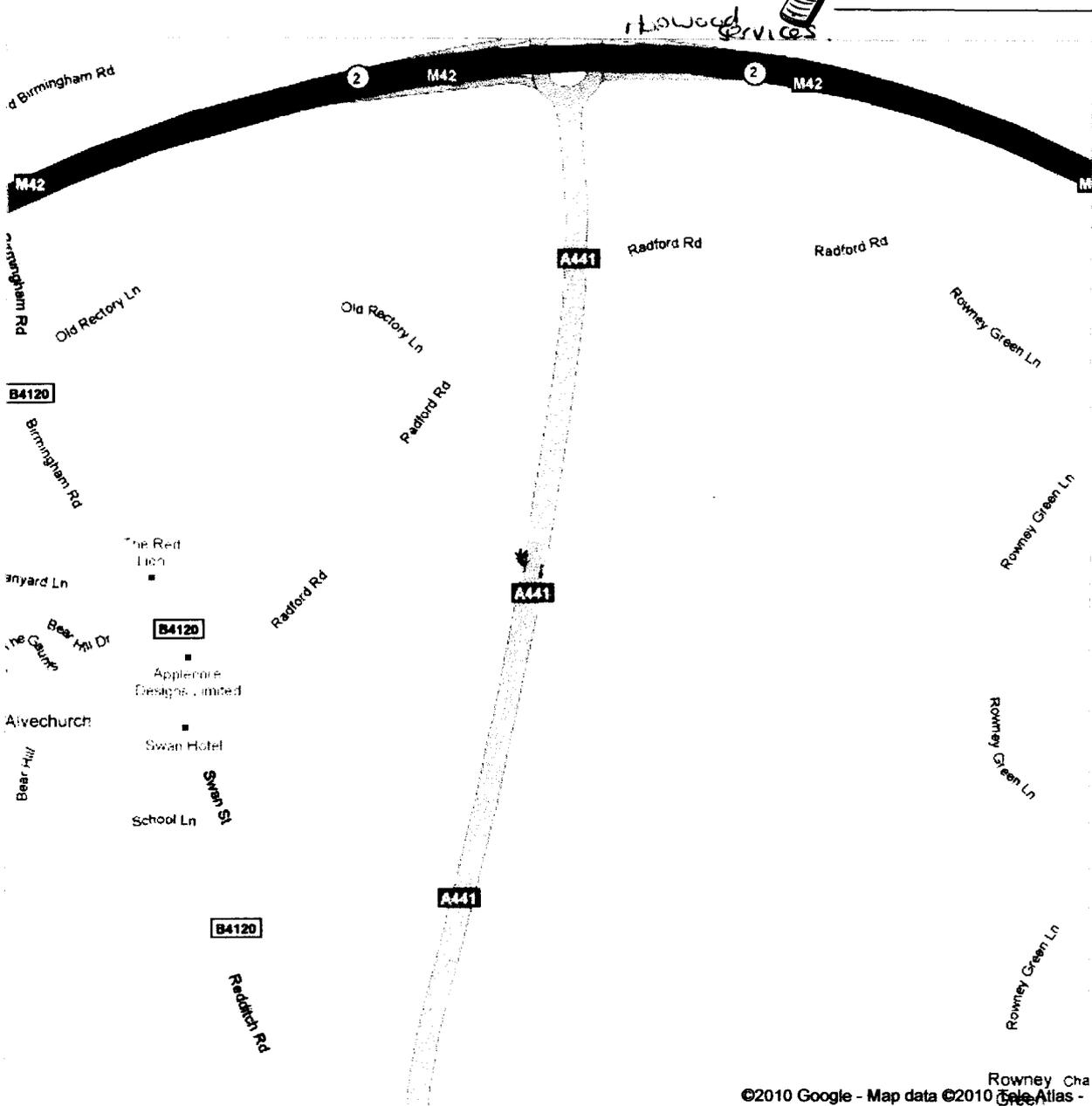
Google maps

Address **A441**
Worcestershire
UK



Google maps Address Redditch, Worcestershire UK

Get Google Maps on your phone Text the word "GMAPS" to 466453



* - location of planned site

APPENDIX B

From Pauline

From: Pauline Ross [p.ross@bromsgrove.gov.uk]
Sent: 03 June 2010 09:45
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: application for a licence for hot food van on A441 near Hopwood
Importance: High

From: Roger Hollingworth
Sent: 03 June 2010 08:40
To: Pauline Ross
Subject: application for a licence for hot food van on A441 near Hopwood

Pauline,

Would you please forward this objection to the appropriate person.

I wish to object strongly to the application for a street trader's licence on the A441 at Hopwood.

This stall encourages heavy goods vehicles to park on the side of a very fast busy road.

These vehicles damage the verges and vehicles and frequently block the footpath making it impossible to pass on foot, with a push chair or with a wheelchair.

They also make no attempt to clear the rubbish left by their customers, which costs the council tax payers for the council to keep removing the litter caused by this hot food van being where it is.

Just across the road is a proper lorry park, with planning permission and on which business rates are paid.

This road is a gateway to Bromsgrove, which frequently looks like a land fill site, and does not present a good first impression of the district.

Roger Hollingworth

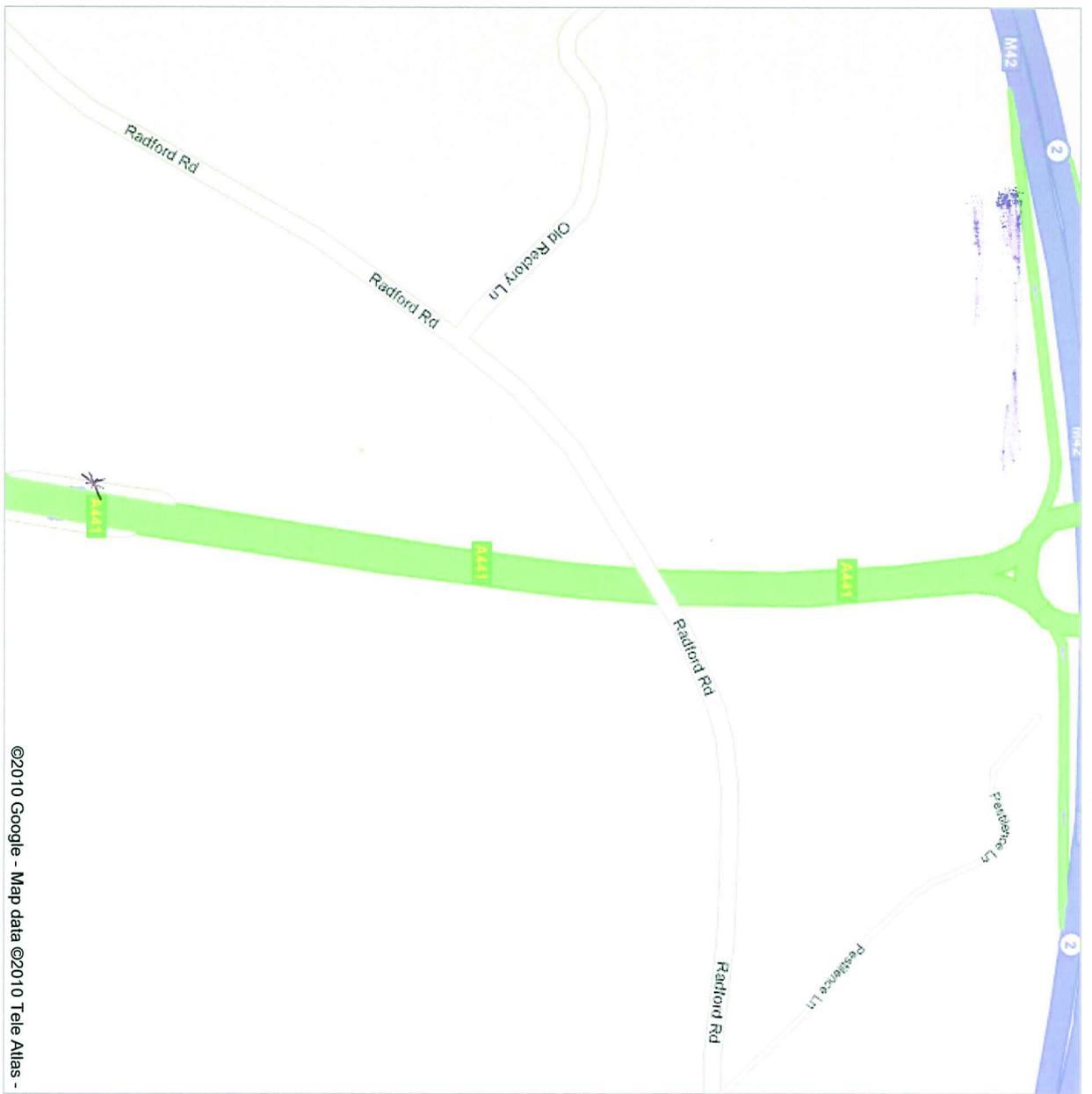
 This email and any files transmitted with it are intended solely for the use of the
 Statements and opinions expressed are those of the author and do not necessarily
 All Bromsgrove District Council emails may be subject to recording and/or monitor
 Any Freedom of Information requests should be sent directly to foia@bromsgrove.gov

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Address Redditch, Worcestershire
UK

Get Google Maps on your phone
Text the word "GMAPS" to 466453



©2010 Google - Map data ©2010 Tele Atlas -

* - location of planned site

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Appendix D



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BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

3rd August 2010

STREET TRADING CONSENT - APPLICATION

Relevant Portfolio Holder	Cllr. P. Whittaker
Relevant Head of Service	Steve Jordan - Head of Worcestershire Regulatory Services
Key Decision / Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To consider an application to permit street trading in respect of David Alcock who is a trader providing hot and cold food and drinks from a mobile unit sited at Bransons Cross, Broad Lane, Beoley.

2. RECOMMENDATIONS

- 2.1 That Members determine the application. The application may be:

2.1.1 granted in whole or in part (with additional conditions, if appropriate) and subject to Mr. Alcock producing a trade waste agreement as set out at 12.1 of the Street Trading Policy and Public Liability insurance to 5 million pounds;

or,

2.1.2 refused,

provided that the Sub-Committee's decision is consistent with the Council's Street Trading Consent Policy.

3. BACKGROUND

- 3.1 In accordance with the Street Trading Policy, a responsible authority is entitled to make representations. Responsible authorities include:-

- the Highways Authority – Worcestershire County Council;
- the Chief Officer of Police;
- the Council's Environmental Health team;
- the Council's Street Scene and Community Services team;
- the Council's Economic Development team;
- Trading Standards;
- the Parish Council (if any) in which the Trading Unit is to be located;,
- the Ward Councillors

**LICENSING
SUB-COMMITTEE**

3rd August 2010

3.2 In accordance with the Street Trading Policy, the owners/occupiers of any properties near to the proposed location of the trading site for which an application has been made are entitled to make representations. "Near to" is not defined in the Street Trading Consent Policy.

4. KEY ISSUES

4.1 The Licensing Authority has received an application to conduct Street Trading, in accordance with the Street Trading Policy at Broad Lane, Branson's Cross. Please see appendix A.

4.2 The application is seeking the following permissions:

Street Trading

- 07:00 am – 15:00pm Monday to Saturday,

Actual opening hours

- 07.00 am – 15:00pm Monday to Saturday;

4.3 No representations have been received from the responsible authorities named at 3.1 above.

4.4 Properties near to the proposed site as specified in 3.2 and 4.1 above have been notified and letters of objection have been received. Please see Appendix B

4.5 A plan indicating the location of the proposed street trading site is attached at Appendix C.

4.6 A photograph of the Snack Van can be found at Appendix D.

4.7 Mr. Alcock has been invited to the meeting to put forward his case.

4.8 All those making objections to this application have been invited to the meeting so they can put forward their case.

5. FINANCIAL IMPLICATIONS

5.1 Paragraph 6.4 of the Street Trading Consent Policy states if an application for a Street Trading Consent is refused the Council will refund the fee in full.

BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

3rd August 2010

6. LEGAL IMPLICATIONS

- 6.1 The Local Government Miscellaneous Provisions Act 1982 section 3 empowers local authorities to designate all or part of their areas for the purposes of street trading. Schedule 4 of that Act specifies the procedure for resolving to designate streets, and for issuing Street Trading Consents.
- 6.2 Paragraph 7 of Schedule 4 of the Act permits the Council to grant a Street Trading Consent if they think fit and to attach conditions to it as they consider reasonable necessary to prevent obstruction of the street or danger to persons using it; or nuisance or annoyance (whether to persons using the street or otherwise). Model Conditions are included within the Bromsgrove District Council, Street Trading Policy
- 6.3 Paragraph 8 of Schedule 4 of the Act, further permits the Council to include in a Street Trading Consent permission for its holder to trade in a Consent Street from a stationary van, cart, barrow or other vehicle or from a portable stall.
- 6.4 Paragraph 10 of Schedule 4 of the Act states that a Street Trading Consent may be granted for any period not exceeding 12 months, but may be revoked at any time.
- 6.5 There is no right of appeal against the refusal to grant a Street Trading Consent.
- 6.6 The Sub-Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights.

7. POLICY IMPLICATIONS

- 7.1 The Sub-Committee must have regard to the Street Trading Consent Policy adopted by Bromsgrove District Council on 20th January 2010

8. COUNCIL OBJECTIVES

- 8.1 CO1 – Regeneration, Priority Economic Development

**LICENSING
SUB-COMMITTEE**

3rd August 2010

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY
CONSIDERATIONS**

9.1 The main risk associated with the details included in this report are:

- Decision made without having regard to Council Policy.

9.2 This risk is being managed as follows:

- Adhere to all licensing policies and legislation when determining applications for all licensing functions.
- Risk Register: Planning and Environment Services
- Key Objective Ref No. 8

10. CUSTOMER IMPLICATIONS

10.1 All parties will be notified of the Council's decision in writing.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 All applicants are dealt with on their own individual merits and are accepted in line with legislation and Council Policy.

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET
MANAGEMENT**

12.1 None.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 None.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None

BROMSGROVE DISTRICT COUNCIL

**LICENSING
SUB-COMMITTEE**

3rd August 2010

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF
CRIME AND DISORDER ACT 1998**

16.1 None

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None

18. LESSONS LEARNT

18.1 None

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 Please see paragraphs 3.1 and 3.2 above.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	No
Corporate Procurement Team	No

BROMSGROVE DISTRICT COUNCIL

**LICENSING
SUB-COMMITTEE**

3rd August 2010

21. WARDS AFFECTED

This report affects the Ward of Slideslow.

22. APPENDICES

Appendix A – Application

Appendix B – Letters of objections from local residents

Appendix C - Small map of location

Appendix D - Photograph of Mobile Van

23. BACKGROUND PAPERS

Street Trading Consent Policy

AUTHOR OF REPORT

Name: Sue Garratt – Licensing Manager
E Mail: sue.garratt@redditchbc.gov.uk or
s.garratt@bromsgrove.gov.uk
Tel: (01527) 534100

20/4/10

Application for a Street Trading Consent



Full Name

DAVID ALCOCK

Full Residential Address

[Redacted]

Telephone No.

[Redacted]

Email

None

National Insurance No.

[Redacted]

I hereby apply for GRANT / RENEWAL of a Street Trading Consent to sell goods in the street as a mobile trader

Hours/Days of Operation

Monday		Friday	
Tuesday		Saturday	3.7am-3pm
Wednesday	7am-3pm	Sunday	NONE
Thursday			

To sell (describe articles to be sold)

HOT & COLD
FAST FOOD

Proposed trading location (please also attach map showing exact location)

Bransons - Cross
Bransons Lane Beoley

The mobile unit is kept at the following address when not trading

AS ABOVE

Description of mobile unit, including dimensions

WHITE 6 PAGE 27 X 12 FEET

[Empty box]

If you are selling food or beverages, please state, if any, which local authority you are registered with.

Broms Grove

I understand that any vehicle will be inspected prior to the start of trading.

I enclose the following items with this application:

A colour photograph of the mobile unit/vehicle	<input checked="" type="checkbox"/>
A recent passport sized photograph of the applicant	<input checked="" type="checkbox"/>
Food Hygiene Training Certificates (if relevant)	<input checked="" type="checkbox"/>
Certificate of inspection for any fire extinguishers	<input checked="" type="checkbox"/>
Certificate to show electrical/gas installations have been tested and are safe	<input checked="" type="checkbox"/>
Public liability insurance to 5 Million pounds	<input checked="" type="checkbox"/>
Plan showing proposed location of unit when trading	<input checked="" type="checkbox"/>
Annual Consent Fee - £552 – cheques made payable to Bromsgrove District Council	<input checked="" type="checkbox"/>
Occasional Consent Fee £25 per day - cheques made payable to Bromsgrove District Council	<input type="checkbox"/>

[Redacted area]

Date 15-04-2010

Certificates will follow as discussed

Please return this form and any supporting documents to the Licensing Section, Planning and Environment, Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, Worcs., B60 1AA

Telephone: 01527 881626
Email: licensing@bromsgrove.gov.uk

Tenworth In Arden

Solihull

04 - 06 - 2010.

Dear Mr Davies,

Application For A Street Trading Consent
Bromsgrove District Council.

With reference to the above application, I would like to object to this in accordance with section 4(1)(a) Public Safety is at risk from the location of the snow van, on a number of occasions I have come off the 435 bypass to get home and it has been blocked by large lorries being double parked. I have in fact had words with David Alcock about this, he has said

sorry but that is no consolation
if I am lying in hospital injured
and my car is being repaired.
There is no need for a burger
van in a rural residential
area. There are places selling
food for drivers on the 435 road.
There is a Portaloos at the side of
the road which on a couple of
occasions I have seen him
emptying at the side of the road
in the hedges this in itself is
going to cause health and
environment problems.

At weekends we also have
to put up with the car hoist which
in itself is causing problems with
traffic backing up onto the 435
and on the Broad Lane, we as
residents can't get into our
Blind Lane to get home.
When I decided to move

into a rural location. I thought it would be nice and peaceful, but gradually over time I feel I am on an industrial estate.

I strongly object to this application for a Snax Bar on the grounds mentioned in this letter namely

- 1 Safety
 - 2 Obstruction
 - 3 Road Safety
 - 4 Blocked Access to Blind Lane Road Lane
 - 5 Environmental health issues
- Yours faithfully

and

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Appendix B

[REDACTED]

Tanworth-in-Arden
Wark
[REDACTED]

1st June, 2010

Dear Sir/Madam,

Objection to Street Trading in Broad Lane, Branson's Cross

I wish to make representations re the current above application and strongly object to any granting of consent. The site in question is totally on the road and pavement, only doing business with passing drivers, who can only park on the road and quite often on the pavement. Your records may show innumerable accidents over the years, with street furniture and lighting often demolished on the sharp bend approach off the A435. As a result of fatal accidents the footpath crossing facility was denied locals who are now forced to use the underpass to cross the A435. Not so the drivers, who leave their cars HGVs, and abandoned trailers, sometimes overnight, they choose to leap the barriers.

There is left on site a mobile fibre glass toilet which is a nuisance and probably smelly. This is detrimental to the area and contributes to the general littering and mess.

The service is not needed in the area which is well served by the shop across the road, 24hrs a day, and a public house. Most of the HGV drivers go on to OAKLANDS in Seafeld Lane where they have canteen facilities, toilets and parking off the road.

I would like to know why in 1998, when I contacted Bromsgrove Council to tell them of large lorryloads of mixed builders and apparent chemical waste being dumped on the small triangular field immediately adjacent to this caravan and toilet, I was told it was nothing to do with you. The waste remains having been bulldozered into huge mounds and covered with soil to hide it. The grounds for the abrogation of responsibility were presumably over the handing over of planning responsibility, for this exact location, to Warwickshire County Council under Statutory Instrument 1993 No. 272 over the (County Boundaries) order 1993 wef Dec 1993 and 1.4.1994. What has happened since then to give Bromsgrove jurisdiction over Warwickshire planning matters. Please explain at your earliest.

Yours Sincerely

[REDACTED]

DEVELOPMENT

Tanworth In Arden

Solithul

30-05-2010

Dear Sir, i wish to register my stongest objection to the re-ljcence to the street traderin the slip road (not a Lay-bye) off the A435 to Broad Lane.i am one of the residents that has encountered a very near miss as i exited the A435 i was met by a very large truck that was waiting for another one to move so he could take up this space this i feel is just an accident waiting to happen as there is just not enough space to allow queing for this sevice.Also the siting of a Porto Loo is an eyesore we in Tanworth In Arden do not need.Another ugly sore is the signage in the trees along the A435 advertising the snack bar two in the same tree.five in all. I have been observing this trader for more than a year now

both in winter and summer,have you noticed the destruction to the verges caused by these heavy goods vehicles and have now started to park and sleep over night.Please can we ask you to take some action on our behalf.

Yours sincerely

-3 JUN 2010
DEVELOPMENT CONTROL

Tanworth in Arden
Warwickshire

30 May 2010

PLANNING & ENVIRONMENT
SERVICES

- 7 JUN 2010

Bromsgrove District Council
Burcot Lane
Worcs B60 1AA

Dear Sirs

Application for a Street Trading Consent: Broad Lane, Branson's Cross

I have seen an undated circular circulated to "The Occupier" which apparently is owners/occupiers of any properties near the proposed location. Even though my house is under half a mile from the location I strangely did not receive any such notice.

My thoughts on the matter are that the application should be refused on the following grounds :-

The location and use is not suitable; the area concerned is merely an access road from the A435 and as such is not even a lay by. This part of the road is one way up to a point and I can foresee potential traffic problems from both directions.

If the use is formalised the use of signage and an established use will encourage more commercial vehicles to use this stretch of road to park articulated and other vehicles. Apart from a potential shortage of space from vehicles leaving the A435 in a southerly direction to reach the site; others will use the two way section of the road to reach the site. This two way part is only meant for access to services and farm land and it would be dangerous for vehicles to turn 180 degrees in this area as they cannot proceed past a certain point.

If there is a need for a snack bar and toilet then the long standing problem of nearby areas should be resolved for a permanent solution. One of these is the Alderhanger lay by which was closed a couple of years ago because of unseemly night time activity. This has deprived the A435 of a much needed lay by even if it has solved the evening problem. If the trees were cut or thinned it would expose the area and it could be re-opened and monitored.

Secondly, the Branson's Cross junction with the garage on one side and the Cross and Bowling Green is an accident waiting to happen. The sight line for people leaving the garage is the most appalling one I have experienced in over 40 years of driving. If a facility is needed for motorists then this whole area should be redeveloped for fast food/snacks including an area for commercial vehicles.

The snack bar on the A435 slip road to Broad Lane makes the area seem very scruffy and not in keeping with the tone of the road which is the beginning of a well kept residential area.

Finally, I do not agree to legalise the use of temporary building on a permanent basis. If it is not legalised it means that the Council can turn them off the site at any time and this is an important aspect which would not be an option if the licence is granted.

Yours faithfully,





3 June 2010

Bromsgrove District Council
Burcot Lane
Worcestershire
B60 1AA



Dear Sir / Madam

Street Trading Consent – David Alcock trading as Ants Snacks, Broad Lane, Bransons Cross

We **strongly** oppose the granting of a street trading license for the above-named person trading on the slip road leading from the A435 to Wood End.

The food van trading in this location breaches several of the clauses in 4.1 and 4.2 of your 'Criteria for Street Trading Consents'.

4.1

(a) Public Safety

We have witnessed on several occasions a build up of traffic around the van when potential customers are trying to find somewhere to park. The area is not large enough to handle the size of vehicles and in addition, there is no space for these vehicles to park legally, therefore, they attempt to park on the pathway/road which results in damage to the pedestrian walkway and creates a health & safety hazard for pedestrians.

Traffic coming off the A435 onto the slip road is still travelling at speed and manoeuvres by parking vehicles in the middle of the road cause a very real hazard for motorists. We are surprised there has not already been an accident, however, it is only a matter of time before this happens if this is allowed to continue.

(c) Public Order

There is considerable litter left after the van has finished trading, particularly polystyrene cups which get blown from the area across the fields and is a serious hazard for the grazing animals in the adjoining fields. The litter can also be found in residential areas whereby residents have to collect the debris left behind to keep their own properties clean and tidy. There seems little consideration given by either the owner or customers to the van on keeping the area tidy.

(d) **Needs of the Area**

This is a quiet residential area with no offices or work places nearby. There is no need by the residents of a hot food van parked on a slip road.

Since this van has been allowed to operate we have seen an increase in the number of vehicles illegally parking overnight, which is unsightly for residents and considerable increases the number of large vehicles and traffic movement in the area. There would be little reason, if any, for lorries to access that area other than the location of the hot food van and the portable toilet.

4.2 The van and the portable toilet, which is left there overnight, are very unsightly, particularly as this is the first sight many people see on entering the village from the A435. This is a very expensive residential area where residents have paid large sums for their houses. We keep our properties and gardens maintained to a high standard and to be met with the disruption and disturbance of this van as we enter the village has caused much distress. We can see no benefit whatsoever to residents and feel our right to enjoy the views as you enter the village and our homes has been compromised by this trader.

We would also like to draw your attention to the issues that we had to endure before action was taken in relation to the lay by located off the A435 which used to have a snack van. This also encouraged visitors from outside of the area and resulted in overnight parking of HGV's exacerbating an existing issue of inappropriate sexual behaviour.

It is worth noting that the council did take onboard the comments and communication of the residents and closed this area off.

We very much trust the Council does not grant a license to this trader to trade at this location. We are sure there must be better locations that are fit for purpose where lorries and vans can stop without the distress and disruption to residents that this temporary operation causes.



- 9 JUN 2010

JH

Taruath in Arden

Dear Sirs,

I wish to lodge an objection to the application for a street trading license by David Alcock at Broad Lane Bransons Cross. I see no need for this facility given the 24 hour garage directly opposite with a substantial choice of food & beverages. Additionally there is often litter blowing from the area onto Broad Lane & congestion caused by lorries.

Mrs Pauline

9 JUN 2010

Tanworth in Arden, Solihull

Re: Street Trading Application by David Alcock, at Bransons Cross

Dear Sirs,

We wish to make representation concerning this application which we believe poses serious public safety, public order and public nuisance issues as stated below:

1. The siting of the mobile snack van is a risk to public safety. It is situated on a slip road off the A435. It is not actually on Broad Lane as stated on the application. This slip road is not a lay-by, nor is it a car park. The slip road is not wide enough to accommodate the HGVs and other vehicles that use it and is certainly not a good place for the vehicle manoeuvring that goes on there at busy periods. On numerous occasions we have witnessed dangerous parking and vehicles reversing down the slip road and even facing the wrong way and having to turn round. We have also seen HGVs attempting to parallel park along the slip road. This slip road is clearly not wide enough as the vehicles have to park on the verge, causing damage to it. Vehicles using this snack van have to exit the A435 and then return onto it via Broad Lane, increasing the traffic flow, particularly of slow moving HGVs crossing a busy fast moving road.
2. Increased HGV usage has led to increased noise levels for local residents and particularly us as we are so close.
3. The applicant has put up signage along the A435 actively encouraging HGVs to pull off the A435 and park on this slip road. It is our understanding that it is illegal to do so and we also understand that he has been requested to remove these signs and he has failed to do so. This is a good enough reason in its own right to refuse his application as he has shown his blatant willingness to flaunt authority, rules and regulations.
4. The applicant has placed a portaloos on the site. On several occasions we have seen this on its side and it is currently leaning at an angle that must make it difficult to use and we suspect may contravene environmental standards. It is also left overnight once the snack van has left for the day. This encourages HGVs to park overnight on the slip road. This has only happened since the snack van appeared.

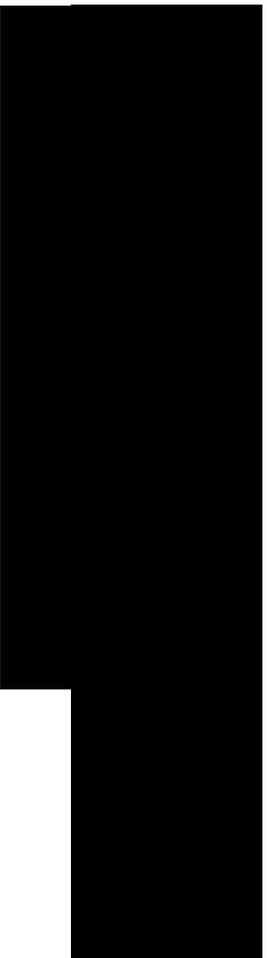
5. The overall site is unsightly and not complementary to the character of the area, with flags flying from the van, badly written signage close to the site and along the A435 (which we assume is illegal). The portaloo is unsightly. The damage to the slip road through increased traffic was so bad that it had to be resurfaced recently. The verges have not been repaired but they need to be. They are not intended for HGVs to park on. In wet weather mud from the verges is often transferred onto the road which is unsightly and could prove dangerous .

6. This trader is not bringing anything new to the area. There are numerous snack vans along the A435 with better and safer access. These other vans do not advertise their services. This applicant has to advertise because he is taking traffic off the dual carriageway, effectively in to a residential area.

What we find most galling about this applicant is that he has been allowed to prosper by ignoring highways regulations by putting up cheap signage on the highway. He has built up a clientele through these actions and if his application was to be successful it sends out all the wrong messages to law abiding citizens.

We strongly urge you to refuse this application, return this slip road to its proper purpose of allowing vehicles to exit the A435 in a safe manner, and to repair the verges.

Yours faithfully

A large black rectangular redaction box covering the signature area of the letter.

[REDACTED]

Tanworth-in-Arden
Solihull
Warwickshire

[REDACTED]



Mr John Davies
Planning and Environmental Services
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove
B60 1AA

Dear Mr Davies

STREET TRADING APPLICATION

I object to the street trading licence application reference to a mobile roadside snack bar apparently known as Ants Snacks situated on Broad Lane, Branson's Cross on the slip road just off A435.

I live very close to where this mobile vehicle parks and the portable toilet that is now left there overnight. In addition, the presence of the facility encourages HGVs and others to park overnight in a wholly unsuitable and dangerous place. I am appalled by the fact that this street trading, which is completely uncharacteristic of this residential area, could be allowed to continue:

Specifically, the grounds for my objection are:

1. **Road safety**
 - a. There are several unsightly signs on the main trunk road A435 travelling South and this could lead to distraction and accident as HGVs and others seek the exit.
 - b. The parking of several vehicles on the slip road could lead to real danger as vehicles exit from A435 (a fast road) onto the slip road where there is no proper warning of the snack place and the line of parked vehicles. Some of these vehicles are left overnight.
 - c. Emergency vehicles leaving A435 South or turning there to take the A435 North could be impeded by the parked vehicles.

Cont'd/.....

2. Safety – public health and hygiene

We cannot see how appropriate food hygiene can be maintained at a roadside site with a portable toilet.

3. Need for the trading

- a. There is absolutely no need for this facility. Travellers on A435 South will have travelled only six miles from the Birmingham City boundary where there are many facilities. Many long distance travellers will have come from M42 just a mile away North on A435. For those who have travelled East on M42, they will have just passed a service area as they come to the A435 junction. Those who were travelling West on M42 will have found service centres on M40 and M42 within reasonable proximity.
- b. There is a garage at Branson's Cross (just across the road from the site that is the subject of the application). The garage has a toilet and sells sandwiches and snacks, chocolate bars and similar as well as petrol and a full range of convenience store type items.

4. Damaging the character of the area

The temporary toilet and the snack bar itself are ugly and damaging to the area as are the series of signs painted on to rough sign boards and fastened to trees along A435. It is completely inappropriate to have vehicles parked overnight at this site. The presence of this street trading outlet at this location is completely out of character for the area.

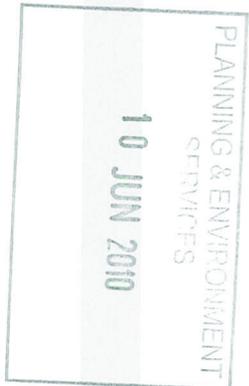
Please take this letter as a statement of wholehearted objection to the application for a street trading licence.

Yours sincerely

[Redacted signature]

[Redacted address]

Tanworth In Arden
Warwickshire



8 June, 2010

Ref.- Street Trading Consent Bromsgrove District Council – Ants Snacks, Broad Lane, Branson's Cross.

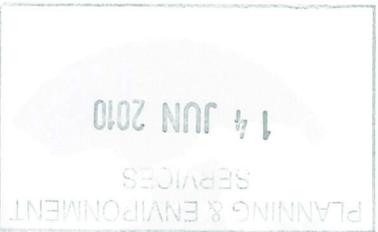
Dear Sir,

I refer to your recent undated letter regarding the above and living very close to the site in question, wish to formally raise objection to the application for the following reasons.

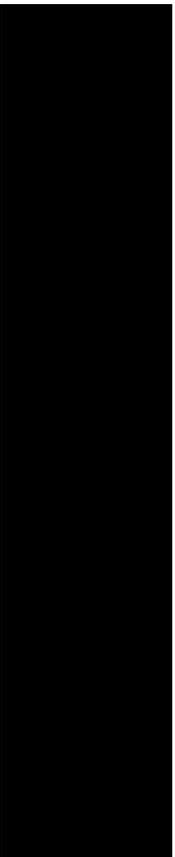
1. We believe that there is a fundamental health and safety issue here in that we already know of one incident when a non resident was drawn off Broad Lane by his advertising boards into the slip road and then when he had finished his snack tried to access the A435 the wrong way down the slip road into the oncoming traffic. In addition we have witnessed vans and similar sized vehicles, which had entered the slip road from Broad Lane and then trying to do a three point turn on this very narrow strip of road, in order to go out the way they came in, causing vehicles to back up along the slip road. On this particular matter, I personally have been involved in the problem of cars backing up along the slip road while two or three HGV's try to manoeuvre themselves into a parking place in the very restricted area. Finally there is the matter of his portaloo, which is not only unsightly and prone to being tipped over by the local children, this has to be emptied by a vehicle, which has to back into position adjacent to the loo again blocking the slip road and causing traffic to back up. **These are accidents waiting to happen.**

2. The current trader has unsightly boards in trees along the side of the A435, advertising "Snax" in the lay by ahead. May I point out that this is not a lay by but a slip road leading from the A435 into Broad Lane, which was constructed with the by-pass in the 1970's. **It has never been a lay by.** Further more these heavy lorries have already broken up both the kerb edgings and the road surface, which has had to be repaired since this latest activity commenced and which is already starting to deteriorate again. No doubt the Council or the Highways authority (and indirectly us through our taxes) paid the costs associated with those repairs and not the root cause of the damage – the street trader.

3. We understand that there are regulations governing the size and positioning of signage along our roads. Not only has this man trespassed in order to fix his ugly signs to trees etc., we are advised that he has protected these signs by installing trip wires and



4. There is also the question of litter building up both in the verge and in the field behind the slip road. This can be considerable at times with whole black bags being tossed into the field. The farmer used to keep animals in this field – usually horses and sheep but since this trading commenced this has stopped again affecting our semi rural lives.
5. We now also have a situation where HGV's are now using the slip road to park up over night, again on a road which is clearly not suitable for this and which could also be a fuse for the re-appearance of the unsociable activities which went on just down this same section of road in Alderhanger Lane, during 2005 through to 2007, against which the local people worked so hard to remove it.
6. Finally we do not consider that there is any need for this facility here as there are ample, well established premises with proper safe parking, between Becketts Farm and Mappleborough Green along the A435.



To: - Bromsgrove District Council, Burcot Lane, Worcestershire, B60 1AA.

Appendix B

Planning & Environmental Services

Planning Administration

The Council House

Burcot Lane

Bromsgrove

Worcestershire

B60 1AA

14 JUN 2010
DEVELOPMENT CONTROL

Dear Sir

Re:- Application for a street trading consent license by David Alcock at Broad Lane, Bransons Cross

I understand that complaints concerning the above should be addressed directly to yourself.

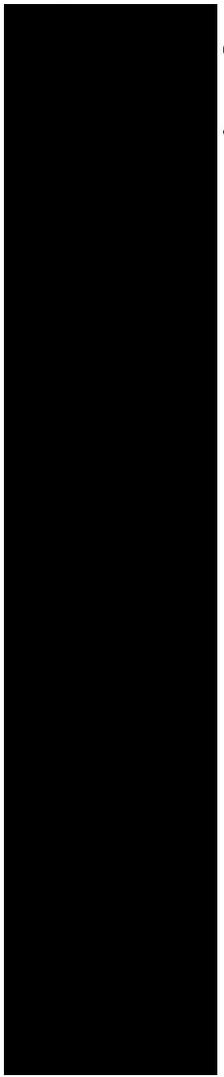
I would like to lodge my own complaint to no doubt, that of many other local residents, in urging local authorities to have the trader referred to above removed and his licence revoked.

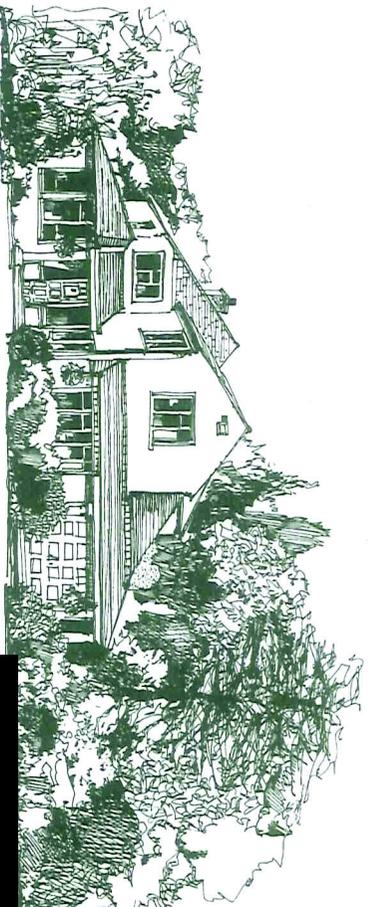
The manner in which he advertises his trade is distracting in the extreme when driving along the main A435 from the M42 and also very unsightly with 6 or 7 large hand painted signs tied to trees and bushes in the hedge row. We as local residents have to put up with many heavy goods vehicles parked up in the slip road day and night, which leads to much more traffic noise and rubbish left on the verges. Walking up the slip road is no longer an option.

The trader has also installed a portaloos which is left on the grass verge permanently. This is not only unsightly but must present a health risk.

It is only a matter of time before an accident occurs with traffic leaving the A435 via the slip road and then encountering vehicles either parked or turning having used the burger van.

I would urge you as a governing body to look very closely at this issue and take into account the concerns and wishes of us local residents who take pride in our local area and do not wish it spoilt by street traders.





Mr. John Davies,
Bromsgrove District Council,
Planning & Environment Services,
The Council House,
Burcol Lane,
Bromsgrove,
Worcestershire, B60 1AA

12th June, 2010

Dear Mr. Davies,

Ref: Application for a Street Trading Consent by David Alcock called Ants Snacks

I wish to lodge the strongest possible objection to the above application. I am a local resident greatly inconvenienced by what has happened in the last year as a result of Bromsgrove Council licensing the existing snack bar. I will limit my comments to your Street Trading Consents Section 4.1 and 4.2.

4.1 Public Safety

(a)

The slip road is for 2-way traffic except for the last 20 yards. The street trading has blocked access on one side making the road a one way street. When vehicles that are parked take up one side of the road and pavement, the rest of the road is taken up fully by passing vehicles, leaving nowhere for pedestrians except to jump onto a rough grass verge. Traffic has also been held up while trucks are manoeuvring.

Hygiene is very bad with a Portaloo open to vermin and food and rubbish left by people using the snack bar.

Public Nuisance

(c) This is considerable – starting with a petrol generator running constantly and a never ending string of vans and HGV's starting and stopping, litter deposited every day from drivers using the snack bar and the overnight parking of trucks who follow the appalling string of signs encouraging them to leave the A435 to enjoy the parking! The heavy traffic also destroyed the road surface which has recently been replaced and is already showing signs of wear and several street signs wrecked by trucks and lorries too large for the road.

Needs of the area

(d) The site has nothing at all to do with the local area. No local resident needs or uses the snack bar. The garage at Bransons Cross sells food and all other supplies



including take-away food and hot and cold drinks. The trader is advertising for passing traffic on the A435 to pull off into a rural residential area for his commercial gain. It has nothing to do with local residents only inconvenience.

Consultation

- (e) I have approached the Applicant to question the look of the six or more street signs along the A435, I was verbally abused in a most offensive way and have not approached him since.

4.2 The snack bar has no benefit at all to the local community only a degrading of the area and an intrusion to local residents. It does not enhance or bring any vitality to the area.

How can litter and an old Portaloos compliment the character of the area not to mention the ugly signs in the trees. I do not know of any other road-side trader who has a permanent Portaloos and I also know if I wanted to erect one on Broad Lane, the Council would reject my proposal immediately. It is an eyesore and an insult to local residents.

The local community has no need at all for the snack bar, perfectly adequate facilities already exist, it is a business venture which obtains its turnover by drawing passing vans, cars and especially HGV's off a busy dual carriageway into a rural residential area.

The road used by the trader is now a hazard for pedestrians, dog walkers and residents who used to enjoy the quiet rural setting. I used to take my grandchildren cycling and blackberry picking in safety. That is no longer possible. Instead we have noise, half the road blocked off for two way traffic, litter, damage to road signs, a stretch of the A435 with third world signs hanging from trees, HGV's constantly coming and going, all for the commercial profit of a trader who has nothing to do with the local community and provides no benefit or service to any local residents.

Might I suggest that if the Council feels the area needs a snack bar on the A435 South, then the purpose designed layby which was closed, should be repaired and re-opened. The problems which previously existed here should have been resolved rather than dump a different problem on to local residents in Broad Lane and Blind Lane. I would also like to point out that the old closed off layby has become a dumping ground for rubbish and fly tipping, something which will grow and eventually have to be addressed by the Council.

If you would like me to visit you and present my serious objections in person, I would be more than willing to do so. It is also very difficult to understand why a licence was ever given to the trader in the first place and why the Council have acquiesced to the awful signs, the litter, the overnight lorry parking, the danger to pedestrians, the loss of local rural amenity, the expense of a new road surface and damage to road signs, without proper consultation with the local community. For what reason I ask? The sole benefit of a single non-resident opportunist trader. It is not right.

I have annotated your Sections 4.1 and 4.2 to match my letter and concerns. Will you please acknowledge receipt of this letter before the due date – 21st June, 2010.

Yours sincerely,



4. Criteria for Street Trading Consents

4.1 In determining an application for a Street Trading Consent, the Council will consider the following factors:

- (a) **Public Safety** – does the location of the proposed trading site represent or is it likely to represent, a substantial risk to the public and users of the highway? The Council will consider things like important sight lines for CCTV cameras, requirements of emergency vehicles, fire hazards, hygiene and the safety of access to or from the trading site.
Public Order – does the street trading activity represent, or is it likely to represent, a substantial risk to public order?
- (b) **The avoidance of public nuisance** – does the street trading activity represent, or is it likely to represent, a substantial risk of nuisance to the public from noise, smell, litter or late night disturbance?
- (c) **Needs of the area** – are there enough other trading outlets to serve the needs of the area? A Street Trading Consent will not be granted where it is considered that there are already enough traders trading in the vicinity (from shops or other stalls) in goods in which the applicant wishes to trade, or if there is an existing concentration of street traders in the street in which the applicant wishes to trade.
- (d) **Consultation** - relevant responses from consultees.
- (e) In addition the Council will consider the following general criteria:

- The trader will be expected to provide a service which is a benefit to the public and which enhances the area by bringing in new products or adding to the vitality of the area;
- The Trading Unit, including any associated equipment must be of good quality and complimentary to the character of the area;
- Each application will be judged on the general needs of the locality; a Street Trading Consent will not normally be granted where there is already adequate similar provision in the immediate area;
- The effect on road safety caused by the siting of the Street Trading Unit or by customers visiting or leaving the Street Trading Unit;
- The effect of any loss of amenity caused by noise, traffic or smell;
- Any existing Traffic Regulation Orders e.g. waiting restrictions; and
- Any potential obstruction of pedestrian or vehicular access.

Fair



[Redacted]

Tanworth-in-Arden
Soilthull [Redacted]
13th June 2010

Dear Sir

Application for a Street Trading Consent Bromsgrove District Council
David Alcock – Ants Snacks Broad Lane/Branson's Cross

Thank you for forwarding information in respect of the above. I would like the following comments to be noted when considering this application.

- The van is parked in the slip road from the A435 to Tanworth in Arden. Customers are from outside the area and the majority are commercial vehicle drivers. The signage on the A435 says 'HGV's OK' which results in vehicles up to this size leaving the A435 and parking on the verge/footpath. The kerbs have recently had replaced and the driving and parking of these vehicles presents obstruction and new wear and tear.
- The facility provides no enhancement to the area – it encourages commercial vans and articulated vehicles to park in the area. The area is well serviced by other outlets within minutes of driving time from the location. The facility takes business from other licensed and established outlets.
- Signage is of very poor quality – several hand written signs tied to roadside trees. These are a distraction and an eyesore to the area.
- There has been an increase in litter since the snack van started to trade.
- The portable toilet has been pushed over on a number of occasions with the associated spillage and health risks. There are no washing facilities provided.

Yours sincerely

[Redacted]

PLANNING & ENVIRONMENT
SERVICES
15 JUN 2010

15 JUN 2010

Tanworth-in-Arden
Solihull
12th June 2010

Dear Sir

Application for a Street Trading Consent Bromsgrove District Council
David Alcock – Ants Snacks Broad Lane/Branson's Cross

Thank you for forwarding information in respect of the above. I would like the following comments to be noted when considering this application.

Hygiene and Safety

Whilst travelling on the slip road in October 2009 the snack van parked on the road **threw a bowl of dirty water from the back of the van** hitting the front screen of my vehicle. Given that there were a number of people around the snack van at the time I didn't feel it safe as a lone woman driver to stop and speak to the owner of the snack van. The contents of the bowl (fat and bits of food) had to be cleaned from my car and the smell lingered for so long that I eventually had the car valeted which included a cleaning of the engine at a cost of £40.

My understanding is that the disposal of **dirty water directly on to the road, or into public road drains** would break health and safety rules. In addition the throwing of water on to passing vehicles could pose a danger to the driver and the travelling vehicle.

The **portable toilet** has been pushed over with resulting pollution to the local environment. Given my experience of inappropriate waste disposal I would question how and where the waste from the portable toilet is disposed of. The same unit has clearly been left unlocked with the door open overnight on more than one occasion. Without this I would question which toilet facilities the parked truck drivers are using when they stay overnight.

There has been a considerable amount of **litter** on the slip road in question, which we have all noted has been tidied up in recent weeks. The poor maintenance in the past should not be overlooked, but I trust will be considered as a clear indication of the lack of care the owner of the snack van has had for the local environment.

Public Safety

Many of the vehicles that utilise the snack facility **park on the footpath – obstructing pedestrian access**. I have noted that some vehicles now remain parked overnight which presents a greater danger to pedestrians wishing to use the footpath in order to reach the Cross and Bowling Green or the local shop.

When the vehicles move, there remains considerable **damage to the public footpath** which could pose a danger to pedestrians.

There have been occasions where the **traffic coming off the A435 onto Broad Lane has had to slow whilst vehicles are parking/pulling away**. This poses a danger to traffic both on the A435 or turning the corner on to the slip road.

Needs of the Area – Travelling public

Within less than 3 miles of the Branson Cross/Broad Lane slip road on the A435 there are:-

3 garages with snack facilities and some with washroom facilities – one on the opposite side of the road from the slip road in question

3 pubs offering snacks and meals as well as washroom facilities (The Dog, The Cross and Bowling Green and The Rose and Crown) – one on the opposite side of the A435 from the slip road in question

1 farm shop – with meals, snacks and washroom facilities

1 restaurant – The Portway

All of the above have appropriate and adequate parking.

In addition there are **2 snack vans** which regularly park on the A435 within parking bays which offer purpose built parking sites for vehicles using the facilities.

We are only one junction down on the M42 from a full motorway service provision which a number of the trucks must pass before turning onto the A435.

The slip road is not an appropriate parking area and the business and people/trucks visiting the van are causing an **obstruction**. There are now chairs on the footpath providing seating for customers – again obstructing the footpath.

Needs of the Area – Local Community

In addition to the facilities listed above which are already available to the residents of Tanworth-in-Arden and Beoley we also have **3 pubs/restaurants, 2 shops, a Saturday produce market and a post office** which more than adequately serve the local residents – with many more facilities closely situated on our boundaries in Henley-in-Arden, Earlswood and Redditch.

The van has **taken the passing trade from local services** – services provided by our local residents, and part of our community.

I am not aware of anyone in the local community that use this facility, nor anyone that would support this application.

Public Nuisance/Consultation

In addition to the above I would like to express my considerable disappointment that it has taken so long for the Council to address the **question of an unlicensed business trading on the side of a road**. As a company director both my company and I am bound by law to comply with current legislation. Yet in the case of Ants Snacks this business appears to have been allowed to site itself on a stretch of road without proper consent and without the agreement of local residents. It has now fallen to

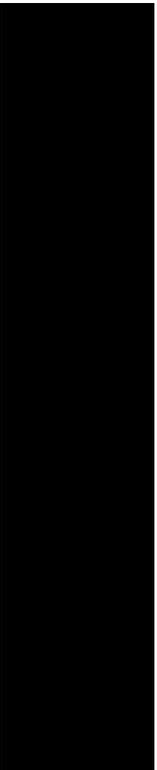
individuals to protest and hope that the Council will support their rights over and above an individual who has clearly been in breach of the law on a number of counts.

Finally, on Saturday the 5th June the Chuck Wagon was parked on the same slip road at 3.00 pm in the afternoon. If the Council refuses to act to prevent businesses simply setting themselves up without due consideration for the law, then **what's to stop a number of other businesses setting themselves on the same slip road as appears to have happened recently.**

The signage on the A435 is distracting and unsightly and I would challenge anyone to suggest that it is appropriate or in keeping with *any* residential area. Again I assume this has been placed without any permissions granted.

I hope that my comments and those of other residents will be given appropriate consideration and the democratic rights of the local community will be respected in this matter.

Yours sincerely

A large black rectangular redaction box covering the signature and name of the sender.



Fanworth in Arden
Solihull, Warks



16th June 2010

Mr. John Davies
Planning and Environmental Services
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove
B60 1AA

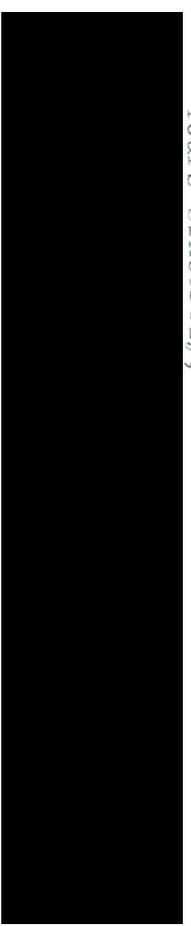


Dear Mr. Davies,
STREET TRADING APPLICATION

With reference to Ants Snacks application for a street trading licence. We wish to object to this being granted.

- (1) Parked on a slip road off the A435, south at Bransons Cross, which can also be accessed from Broad Lane. When two 40 foot HGV's are parked up it is very difficult to turn round to exit the slip road, thus creating the potential for a major accident.
 - (2) There is a garage accross the junction which already sells food and also has toilets, therefore it doesn't need a portaloos left in the hedge 24/7.
 - (3) There are also many rough painted signs, on the A435, in the hedgerow and nailed to trees which are very unsightly in this green belt area.
- We think that it is a very inappropriate site for street trading.

Yours sincerely,



PLANNING & ENVIRONMENT
SERVICES
21 JUN 2010

[REDACTED]

Tanworth-in-Arden

SOLIHULL, W. Mids.

[REDACTED]

17th June 2010

Bromsgrove District Council
Burcot Lane
BROMSGROVE
Worcs. B60 1AA

Dear Sirs,

Re: STREET TRADING APPLICATION – D. Alcock ANTS SNACKS, BROAD LANE

As residents of Broad Lane, we object most strongly to the above application for the following reasons:-

The slip road from the A.435 at Bransons Cross is very sharp and not much notice is given ahead of time for exit onto the road to Solihull/Beoley and to find once leaving the A.435 that there are H.G. V.s and others parked actually on this slip road is very dangerous.

Emergency vehicles, which could be coming along the A.435 at speed to emergencies, would have to negotiate this area very carefully indeed. What about pedestrians who are purchasing drinks, food etc. from this van? Surely they are in great danger as they may inadvertently step into the path of traffic leaving the A.435.

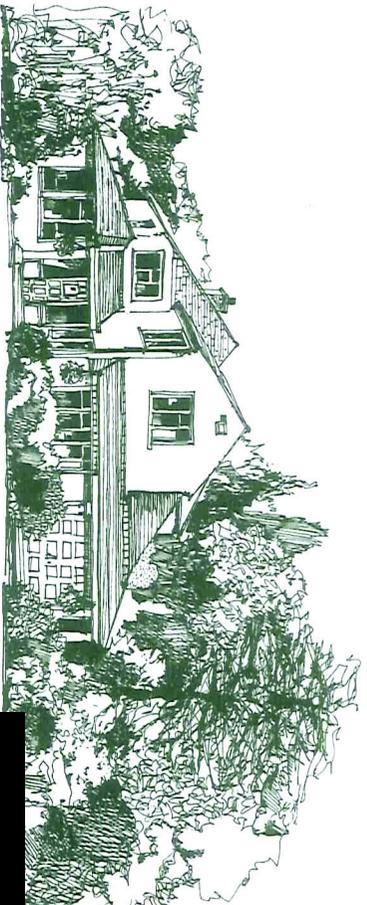
Another great concern is the portaloos which accompanies this snack bar which could also be a hygiene issue along with the litter which inevitably follows this kind of outlet. We are in the countryside here and rats are likely to be attracted to any dropped food etc. (hopefully this person is clearing everything before closing down each day).

This snack bar does not enhance the area in any way and does not benefit us either apart from being an eyesore in the locality.

This is not the place for a Snack Bar and we hope that you will remove this unregulated street trader from the slip road off the A.435 as soon as possible.

Yours faithfully

[REDACTED]



Mr. John Davies,
Bromsgrove District Council,
Planning & Environment Services,
The Council House,
Burcot Lane,
Bromsgrove,
Worcestershire, B60 1AA

15th June, 2010

Dear Mr. Davies,

Ref: Application for a Street Trading Consent by David Alcock called Ants Snacks

After posting my objections to the snack bar application for Broad Lane, I drove home last night and to my astonishment and dismay all the small signs have been replaced by more signs which are much larger and even more hideous and garish than before. Surely the Council will do something about this. During my only conversation with the trader (mentioned in my first letter) he was abusive and said Bromsgrove Council had approved all the signs.

I cannot believe this to be true and urgently request you examine the new signs. I am sure you will insist on their immediate remove. May I also ask if residents are entitled to remove them if the Council has not granted permission for them?

Yours sincerely,

[Redacted signature area]

PLANNING & ENVIRONMENT
SERVICES
21 JUN 2010

Bromsgrove District Council
Planning & Environment Services
Planning Administration
The Council House
Burcot Lane
Bromsgrove
Worcestershire B60 1AA

[REDACTED]
Tanworth in Arden
[REDACTED]

Date 14/6/10

Re: Street Trading Consent
Ants Snacks, Broad Lane, Bransons Cross.

Dear Sirs,

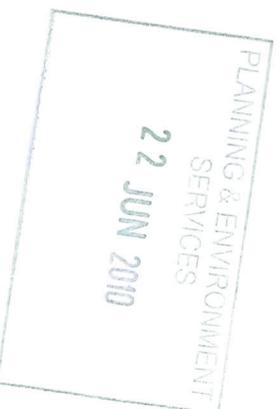
I wish to submit an objection to the proposed re-license of the above trader.

The trading unit does not enhance the area and is of little benefit to the public and of no benefit whatsoever to the local community and near by residents. In no way can it be considered to be complimentary to the character of the area.

The unit produces litter, noise and on occasions, hazardous vehicle movements making a late exit from the main road to the unit.

Yours sincerely

[REDACTED]



Tanworth-in-Arden
Solihull
Warwickshire

Mr John Davies
Planning and Environmental Services
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove
B60 1AA

Dear Mr Davies

STREET TRADING APPLICATION

I object to the street trading licence application reference to a mobile roadside snack bar apparently known as Ants Snacks situated on Broad Lane, Branson's Cross on the slip road just off A435.

We live on Broad Lane, very close to where this mobile vehicle parks and the portable toilet that is now left there overnight. In addition, the presence of the mobile snack bar encourages HGVs and others to park overnight in a wholly unsuitable and dangerous place. I am appalled at the prospect that this street trading, which is completely uncharacteristic of this residential area, could be allowed to continue.

Specifically, the grounds for my objection are:

1. Road safety

- a. There are several unsightly signs on the main trunk road A435 travelling South and this could lead to distraction and accident as HGVs and others seek the exit.
- b. The parking of several vehicles on the slip road could lead to real danger as vehicles exit from A435 (a fast road) onto the slip road where there is no proper warning of the snack place and the line of parked vehicles. Some of these vehicles are left overnight.
- c. Emergency vehicles leaving A435 South or turning there to take the A435 North could be impeded by the parked vehicles.

Cont'd/.....

2. Safety – public health and hygiene

We cannot see how appropriate food hygiene can be maintained at a roadside site with a portable toilet.

3. Need for the trading

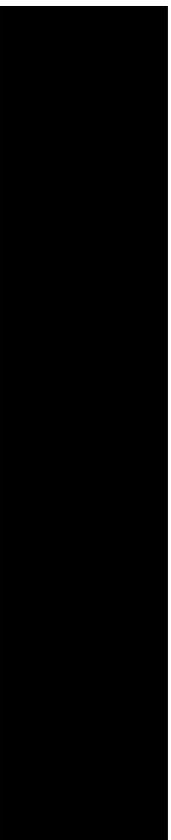
- a. There is absolutely no need for this facility. Travellers on A435 South will have travelled only six miles from the Birmingham City boundary where there are many facilities. Many long distance travellers will have come from M42 just a mile away North on A435. For those who have travelled East on M42, they will have just passed a service area as they come to the A435 junction. Those who were travelling West on M42 will have found service centres on M40 and M42 within reasonable proximity.
- b. There is a garage at Branson's Cross (just across the road from the site that is the subject of the application). The garage has a toilet and sells sandwiches and snacks, chocolate bars and similar as well as petrol and a full range of convenience store type items.

4. Damaging the character of the area

The temporary toilet and the snack bar itself are ugly and damaging to the area as are the series of signs painted on to rough sign boards and fastened to trees along A435. It is completely inappropriate to have vehicles parked overnight at this site. The presence of this street trading outlet at this location is completely out of character for the area.

I would like to register my objection to the application for a street trading licence.

Yours sincerely



Appendix B

PLANNING & ENVIRONMENT
SERVICES
18 JUN 2010

[Redacted]
Tanworth-in-Arden
Solihull
Warwickshire
[Redacted]

Mr Tom Phelan
Licensing Assistant
Bromsgrove District Council
Planning and Environmental Services
Planning Administration
The Council House
Burcot Lane
Bromsgrove
Worcestershire
B60 1AA

Wednesday 9 June 2010

Dear Mr Phelan,

**Application for a Street Trading Consent,
Bromsgrove District Council
David Alcock, 'Broad Lane', Branson's Cross**

I write in respect of the above application and the undated, hand delivered, letter of information sent to me by your predecessor, John Davies. I wish to make a representation on the basis that I am a resident in the area.

With regard to Section 4 of the policy, my principle objection to Mr Alcock continuing to trade at the stated location is encompassed within subsection (a) public safety, and also a number of the criteria contained in paragraph 4.2 of the information you enclosed.

I have lived in Blind Lane, Warwickshire, since 1975 and have a good general knowledge of the area and also a knowledge of the history of the locality over the last 35 years.

I have 35 years experience as a police officer, with part of that time engaged in public safety issues. I have a comprehensive knowledge of the causation of road traffic accidents, the investigation of accidents by the use of mathematics and road traffic legislation.

THE LOCATION

As you are no doubt aware, in the early 1970s the A435 (Birmingham to Evesham) Road was greatly modernised and made into a dual carriageway. Prior to that time the road from Hockey Heath to Beoley met the A435 at the crossroads where the *Cross and Bowling Green* public house is situated.

Broad Lane and Beoley Lane met at the Warwickshire boundary, adjacent to Blind Lane.

The slip road off the dual carriageway, where Mr Alcock trades, is referred to on maps as **Beoley Lane**.

The A435 has has a notorious history. There have been many motorist and pedestrian deaths at its junction with Beoley Lane. The road is marked with commemorative crosses, and annually, with bunches of flowers to denote the anniversaries of those who have lost their lives. If you require it, I can provide details of the deceased.

In 2000 a public meeting was held at the location to protest about plans to redesign the road following another pedestrian death. It was decided by the Highways Authority, which until recently had responsibility for the road, to seek to do everything possible to discourage persons on foot from being anywhere near the location, and a new footpath was built under the road bridge to seek to ensure pedestrians attempting to cross the road at that location be discouraged by all means.

Traffic uses the A435 at great speed, often in excess of 80 mph. The resultant crashes are spectacular and often involve many vehicles. The Highways Authority have acknowledged that the slip road that feeds traffic off the A435 onto Beoley Lane towards Hockley Heath would not be sanctioned for approval if it were being planned today. It is too short and often causes vehicles to overshoot into the hedge next to where the sandwich van presently trades. The overshooting is sometimes accompanied by a collision with a lamp post at the location. The lamp post has spent a long period of it's time felled and awaiting reinstatement.

A reflective barrier of 'turn left' arrow markings was instated there in 2000 in an attempt to help the situation. It has been demolished on at least three occasions to my knowledge. An illuminated 'keep left' bollard stands in front of the 'keep left' sign as a further warning of the sharp bend. The bollard has been knocked from its base on numerous occasions by cars overshooting the turn. At present it is lying on it's side after being the casualty in a recent collision.

When the location was a quiet crossroads, and for many years after the redevelopment, the field on the right when exiting the A435 was used to graze horses. Evidence of it's use remains in the form of animal shelters.

It was decided that the slip road would remain for most of its length as a two-way road to enable access into the field. Later when a water pumping station was built on land adjacent to the field, the two-way nature of the road enabled access to the facility from Broad Lane. Both the owner of the pumping station and the field have statutory rights to access their property under present regulations.

THE STREET TRADER

Mr Alcock tried various sites along the A435 before settling on Beoley Lane. Invariably the sites he chose showed no respect for his own or his customer's safety. They were an obvious danger to other road users. He has used the present site for approximately 18 months. He has erected numerous illegal road signs advertising his wares along the A435 and in Broad Lane in an attempt to generate business.

As you are aware, the the Traffic Signs Regulations and General Directions 2002 sets out the criteria for signs on the highway and local councils are firm in their rules relating to such illegal signs. Page 10 of *Worcestershire Highways Maintenance Policy* clearly sets out what the county will do if illegal signs are placed on the highway.

Under Section 224 of the *Town and Country Planning Act 1990* it is an offence for any person to display an advertisement in contravention of the regulations. The relevant legislation is contained in the *Town and Country Planning (Control of Advertisements) Regulations 1992*. Any person contravening the legislation is liable on summary conviction to a fine, currently not exceeding £2500. This was recently increased under the provision of the *Antisocial Behaviour Act 2003*. In the case of a continuing offence there is £250 for each day on which the offence continues after conviction. Under *Section 132 of the Highways Act 1980* it is an offence for any person to paint or in anyway inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without consent of the Highway Authority. If guilty of an offence the person can be liable to a fine of up to £1000, in the case of a second offence up to £2500.

Illegal road signs, placed in non-obvious locations at irregular heights **do cause distraction to road users**. Mr Alcock has placed numerous signs on the highway during his tenure at the location. The signs have attracted criticism, anger and calls for action from the local Parish Council and residents in the area. They have been removed by the council from time to time and Mr Alcock has always promptly replaced them. They have advertised illegal parking for HGVs, they contain opening hours for the business and are hand written and difficult to read. **They are undeniably a dangerous distraction.**

In the beginning, the signs were erected on the highway verge at below headlamp level. They were close to the road edge and affixed to sturdy scaffolding poles driven into the verge in such a manner as to cause a very serious multi-vehicle collision if a vehicle had hit one and been deflected back onto the carriageway. The signs have been attached to trees on private land adjacent to the highway, to lampposts, and on the public highway itself, attached to fences.

A year ago one such sign was affixed to the fence alongside the bridge where Penn Lane crosses the A435. The person fixing the sign advertising the 'Snax' van no doubt accessed the location via the embankment down from Penn Lane. The sign was removed by the authorities and was quickly replaced. After erecting the second sign at that location, the item was booby-trapped by having its edges painted with anti-vandal paint, a tripwire sited in the grass of the slope fixed between what looked like two tent pegs and the handrail down to the bridge was also coated in anti-vandal paint. Evidence of this remains today. If an accident were to occur on the A435 at this location, the handrail is to assist persons to leave the scene. This may occur during the hours of darkness. To coat it with sticky paint is a testament to the disregard he has for the safety of others.

After protestation through official channels by residents and the parish council, all of the signs were removed by council employees but the sandwich vendor replaced all of them overnight. Indeed, to observe some of the signs, it must be apparent that considerable effort has been employed in their erection. It is impossible to argue they do not represent a distraction and hazard for road users along this location. I have personally witnessed on several occasions, HGVs drifting in the carriageway when passing the signs, indicating to me the drivers are being distracted while trying to read them.

Mr Alcock sites his van on the opposite lane to vehicles leaving the slip road. Vehicles stopping to buy his produce park in the same lane. Often it is impossible for the owner of the field to access his property as the vehicles park

across the gateway to the field and indeed, on occasions, occupy the whole length of the lane.

He also used to place a large flag at the road edge of the A435 but has not done that in the recent past.

He has modified the verge (highway property) by clearing an area and putting down wood chippings. He sets out chairs for customers to sit on and has sited a portable toilet for customer use.

The toilet has been pulled over on several occasions, and at least twice pulled into the carriageway at night. The nearby public house is the scene of periodic rowdy behaviour and its patrons may have been responsible for this as a prank on their way home but nonetheless it represents a considerable danger to vehicles who exit the A435 at speed and turn the sharp bend to be confronted by the toilet on its side in the roadway.

The farmer who owns the field has complained about being unable to cut his hedge due to the presence of the toilet. When it is emptied periodically, a wagon **has to back up towards it** to suck out its contents. This involves the vehicle being parked briefly **across the entire slip road**. I have witnessed this on at least one occasion. The toilet should not be allowed to be sited there at all. It represents an environmental eyesore and tangible danger and was, I assume placed without permission.

Throughout the times Mr Alcock operates his vending operation, traffic of all sizes enter Beoley Lane from Broad Lane and drive along the opposing carriageway to the slip road traffic which they are legally entitled to do. They park, use the facility and then have to do what often amounts to a five point turn at a point just around the sharp bend for vehicles exiting the A435, to leave the location. They have no choice but to do this. Large articulated lorries also enter Beoley Lane from Broad Lane, but they have to reverse out. The two road signs have both recently been demolished, presumably by vehicles reversing at the location. One has been replaced, the other remains damaged.

The act of leaving the A435 to have a sandwich at the location and then rejoining the dual carriageway means that long vehicles have to cross Broad Lane. This has been the cause of a couple of accidents in the last two years. If the van did not trade there, long vehicles would not be executing the manoeuvre.

Persons who park for the sandwich van periodically walk across the dual carriageway to visit the garage on the opposite carriageway, which sells newspapers and a wide selection of personal and household items. This has also noticeably increased pedestrian traffic at this notoriously dangerous junction.

The lack of any apparent policing of the location(Beoley Lane), nor any carriageway signage has resulted, for the first time in thirty years, lorry drivers parking overnight at the location, again denying access to the owner of the field. The field has been littered with rubbish discarded over the hedge. The site has also become an occasional fly-tipping spot for builders' rubble, old carpets etc. You should have records of the occasions when this has had to be cleared away.

The act of lorries continuously stopping and pulling away from this location had damaged the road surface to the point when it became unusable. Again, records

at Worcestershire Council will show the date in the recent past, (and no doubt the cost) when this surfacing work had to be redone. All of the replaced kerbing has now been damaged by lorries visiting the sandwich van and parking overnight. I have counted 18 damaged kerbstones which had been replaced only a few months ago.

Articulated vehicles are also now starting to park on the southbound slip road onto the A435 in order that the occupants can walk to the sandwich van and therefore avoid the reversing manoeuvre. I have witnessed this recently on two occasions.

The slip road is in effect an important 'gateway' to the county of Warwickshire creating the first impression for its users, of illegal signage, an illegal toilet wedged in a hedge, a broken-up road surface, damaged road signs, vehicles executing dangerous turning manoeuvres, litter, fly-tipping and the smell of cooking fat. This occurs within 500 metres of residential dwellings.

The Highways Authority produced guidelines on what makes for an ideal rest stop but this location does not come close. This section of Beoley Lane should be designated and signed as a 'clearway' and access to the road from Broad Lane should be restricted to access for the field, maintenance such as hedge cutting and access to the water pumping station. More significant signage needs to be in place to discourage pedestrians from crossing the A435 at this point. Overshoot accidents should be monitored and consideration to the installation of rumble strips and or extending the slip road where it runs alongside the dual carriageway. Any form of enforcement to seek to keep traffic on the A435 to under 80 miles per hour would be welcomed.

In my opinion this is not, under any circumstances, a suitable location for food vending, toilet emptying, overnight lorry parking, fly tipping, litter dumping or any form of pedestrian presence whatsoever. This is a proven dangerous location with the potential for fatality and the presence of people on foot should be deterred at all costs. I ask you to very closely consider **rejecting the application** and for Worcestershire Highways to immediately designate the slip road as a clearway, as it has already done on the opposite carriageway.

Yours Sincerely

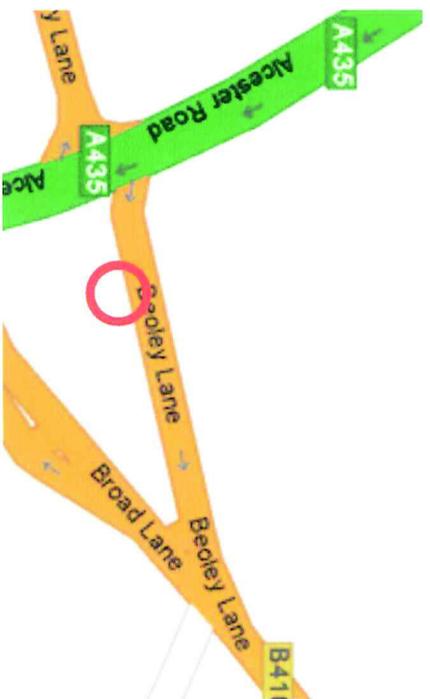
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Application for Street Trading Consent:- David Alcock

Page 1

Location: Beoley Lane

The location is Beoley Lane, not Broad Lane as mentioned on the application. The red circle shows the location of the trader who has been at this site for 2 years.



David Alcock: Illegal Signs

For two years the A435 has been plagued with an assortment of handmade signs that are distracting and unsightly and constitute a criminal offence under **Section 132 of the Highways Act 1980**. Below is a collection of the latest ones. Some 2 dozen have already been removed by the council and were replaced immediately by Mr Alcock. The signs are easily capable of causing an accident through distraction due their location and illegibility. Earlier signs also advertised car parking for HGVs. Presently 7 signs herald the approach of the 'Snax Bar.'



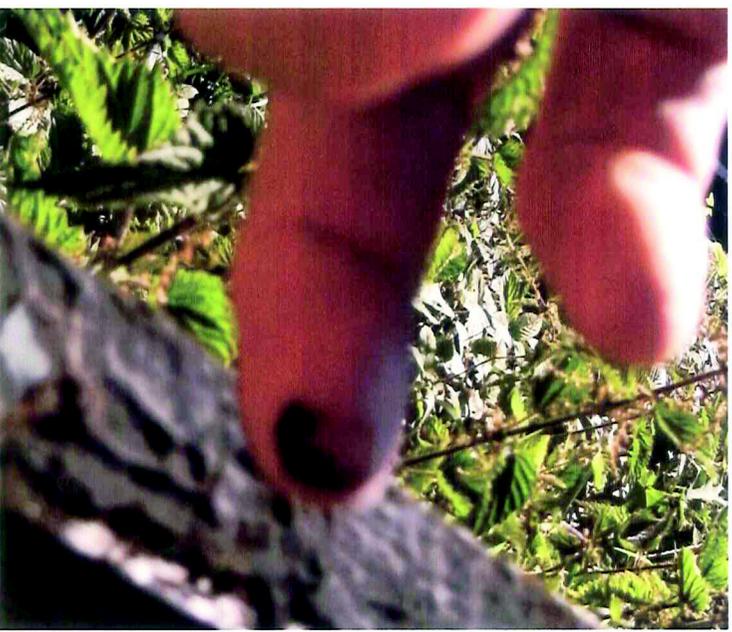
David Alcock: Illegal Signs - Anti-Vandal Paint

A number of the signs illegally placed on the highway are painted with anti-vandal paint to deter their removal. The sign shown to the right has the thick, sticky paint surrounding its perimeter.

David Alcock: Illegal Signs - Anti-Vandal Paint A435 - Penn Lane Bridge



For some months, Mr Alcock displayed a sign on a wooden fence alongside the bridge over **Penn Lane**. In addition to the edges of the sign, anti-vandal paint was also applied to the top hand rail of the fence. In the event of an accident close to the bridge, motorists would need to use the hand rail to assist themselves to leave the carriageway. No doubt the person fixing the sign wanted to deter its removal, but also created a hazard by vandalising the fence. Although the sign has gone, the hand rail is still painted with the sticky gunk.



Application for Street Trading Consent:- David Alcock

Page 3

David Alcock: Environmental Issues - Gateway to Warwickshire.

The presence of Mr Alcock's sandwich van has resulted in a blight on the area. This important gateway to the county of Warwickshire now bears numerous scars and the van, portable toilet, plastic chairs, fly tipping, damaged road surface and kerbing, hedges blown with litter and damaged road signs create a very negative first impression for travellers entering the county and the prestigious village of Tanworth-in-Arden.

Beoley Lane is a two way road for part of its length to permit access to a farmer's field and a water pumping station. It should be a clearway, other than for this essential access.

This unsightly scene is only 500 metres away from residences.



The road surface was repaired as recently as 6 months ago after being chewed up by lorries pulling away from the location. The new kerbing is, in almost every instance smashed as a result of the lorries driving onto the verge. The toilet is often pulled over and left in the road.

Two signs at the Broad Lane end have been damaged due to lorries reversing.



Application for Street Trading Consent:- David Alcock Page 4

David Alcock: Dangers created by the presence of street trading.

The A435 at this location is a very fast moving dual carriageway. Traffic regularly travels in excess of 80 mph. When accidents occur they usually involve excess speed and result in multiple pile-ups and death.

This particular location is notorious for deaths of pedestrians due mainly to the presence of a petrol station on the opposite carriageway that sells almost every amenity.

In 2000 after a spate of deaths and serious injuries, the highways authority sought to remove the presence of persons on foot by closing an opening in the crash barrier on the central reservation and constructing a footpath under the road.

Vehicles exit the A435 too fast and often crash at the end of the slip road. Road signs seeking to slow down motorists were placed at this location in 2000.

The presence of the sandwich van and toilet puts persons on foot at this dangerous stop that would otherwise not be there and encourages pedestrians to cross to the garage.

Beoley Lane is a two way road for part of its length to permit access to a farmer's field and a water pumping station. It should be a clearway, other than for this essential access.

Road signs and the lamp post at the location are regularly hit by speeding motorists who overshoot the end of the slip road.



Vehicles visiting the vendor regularly enter from Broad Lane and have to do 3 or 5 point turns to exit. Lorries often reverse out and damage signs



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10.6.00

Bromsgrove Justice Council

Dear Sirs



Street Trading License
Bromsgrove Borough Council

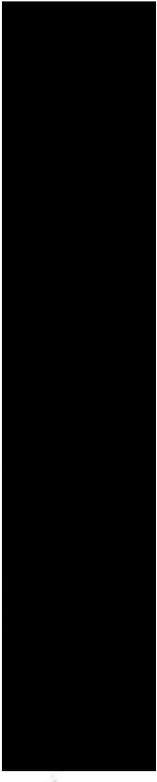
Please be aware for a considerable time of the parking of HGV's on the slip road off the A430 (The Services) (not to mention can boat sales at an adjoining field) and refuse.

This has been repeated since a layout of 14.35 between Rowcott and Cillenhall from from St. Conna was barred.

The parked vehicles are a hazard and furthermore I have often seen private autos entering the 155 road from the other direction off Broad Lane. admit planning error has left a speed de-restriction

Office to remain with of course no exit at the other end.

Yours truly,



Hand delivered 17/6/10

Tanworth-in-Arden
Solihull

16th June 2010

Tom Phelan
Licensing Officer
Planning and Environmental Services
Planning Administration
The Council House
Burcot Lane
Bromsgrove
Worcestershire
B60 1AA



Dear Mr Phelan

**Objection – Application for Street Trading Consent
David Alcock, Broad Lane, Branson's Cross**

Firstly may I thank you on behalf of the local community for your communication to-date and affording us the opportunity to lodge our objections – it means a lot to us all as many residents in Blind Lane and Broad Lane and the wider community continue to object to the unregulated burger van in the slip road off the A435 towards Broad Lane. As Chair of the Residents Action Group established in opposition, I first registered our objection in October 2008 (see copy of email to Councillor Atkinson).

In recent communications with yourself, I asked that you make direct contact with Mike Walton from Warwickshire Highways who has communicated his objection to the signage and refers to West Mercia Police also objecting (refer to attached email). I trust that you have, as requested, contacted them and afforded them the opportunity to object to the application made.

The issues tabled then have worsened and indeed, as I type at 2100hrs 16/6/10, there are 3 HGVs, nose to tail, parked up for an overnight stay. I can categorically state that this slip road was not used for HGV parking prior to the arrival of the street vendor in October 2008. The trader has completely changed the landscape of the local community by advertising the slip road as suitable for HGVs. Your records will show that the road has been resurfaced in that time due to significant deterioration attributed to the HGVs. If you conduct a site visit today, you will see road signage on the bend at Broad Lane damaged. Another sign was knocked over and flattened last year and both incidents are attributed to HGVs negotiating the bend.

Associated with such activity is the placement of the permanent portaloo on the highway and the inappropriate signage posted along the A435 advertising the slip road as suitable for HGV parking. The slip road and kerbing has deteriorated and we have petitioned for a long time to have the vendor properly licensed and moved to a more suitable location. Having been notified that Bromsgrove District Council is currently reviewing all street traders, the local community wish to voice their concerns. I too wish to formally voice my objection as I have championed community policing and wish to convey to you in the strongest terms the strength of feeling and opposition from the day the trader arrived.

I attach a very very small snapshot of the communications tabled on behalf of local residents. We are delighted to have been consulted in the application process and I plead you to seriously consider the strength of local feeling and the effect this has had on the locals for 20 months now. We have campaigned tirelessly and been met by a brick wall at every turn, compounded by the lack of ownership and accountability by the relevant authorities/agencies.

This is our one chance to have a say on the local environment. I am a Senior Police Officer in a large neighbouring Police Service whose vision is to respond to the needs of our customer and champion neighbourhood policing. As a resident affected personally by the trader, I refer to the criteria set by which to object and am prepared to provide personal testimony if required. The most notable objections are as follows:

4.1 (C) - The avoidance of public nuisance - *does the street trading activity represent, or is it likely to represent, a substantial risk of nuisance to the public from noise, smell, litter or late night disturbance?*

Response: the litter is often very noticeable, the portaloos has been knocked over on many, many occasions during the night, the smell from the portaloos is disgusting and almost without exception HGVs are parking overnight because he advertises the slip road as suitable for HGV parking. In the mornings the slip road is utilised by many, many parents parking to drop their children off for the school coaches. The abundance of HGVs is a disaster waiting to happen. The noise and emissions are not welcomed either. I attach a photograph of HGVs parked up for May bank holiday weekend. This is now a daily occurrence due to the trader advertising the location.

4.1 (d) - Needs of the area - *are there enough other trading outlets to serve the needs of the area? A Street Trading Consent will not be granted where it is considered that there is already enough traders trading in the vicinity (from shops or other stalls) in goods which the applicant wishes to trade, or if there is an existing concentration of street traders in the street in which the applicant wishes to trade.*

Response: - there is a 24 hr garage facility directly opposite and there is a 2nd identical street trader on the opposite side of the carriage way. Some residents believe the one on the opposite side of the carriage way is owned by the same vendor but this cannot be confirmed. It is easy to access the one on the opposite side of the carriage way, there is ample parking and there is no impact on local residents. There can be no justification for the trader in the slip road towards Broad Lane. The Rose and Crown Public House, situated on the A435 is exactly 1.2 miles from the trader referred to in this objection. The pub opens at 0530hrs for breakfast to accommodate the haulage business. There is ample parking on site and parking bays on either side of the dual carriage way to accommodate HGVs. The trader is not utilised by the local community.

4.2 Other criteria:

The trader will be expected to provide a service which is a benefit to the public and which enhances the area by bringing in new products or adding to the vitality of the area.

Response: **In no way does this trader add value to the local community - our lives have been blighted by the constant stream of HGVs and litter. The service is not being provided to locals and there is significant objection.**

The trading unit, including any associated equipment must be of good quality and complimentary to the character of the area.

Response: **The amateur signage is unprofessional, stuck to trees on the highway and is not conducive to the local community. The permanent placement**

of a blue portalo on the highway cannot in any way be considered complimentary to the area (despite the views of Mr Goundry). It is totally out of place, attracts a stream of vehicles seeking to utilise the facility and an eyesore. Never have I, nor any of the residents spoken to, ever seen this portalo being cleaned and it must be noted that there are no washing facilities. I have, however, seen the trader throw his slops onto the highway regularly and local residents have witnessed this also. The trading unit has a large black board advertising "SNAX" and the unit has flags waving to attract custom. Plastic tables and chairs are often placed on the highway for the comfort of customers. In summary, such a trader it totally out of character for the area and residents are willing to provide such a testimony. I have today been informed that in recent days, he appears to have added to his amateur signage along the A435 which adds insult to injury given he knows there is strong local objection.

The above strongly evidences the unsuitability of the application for street trading consent/licensing for this trader. Please help us police the local community. We photocopied the letter, the criteria and gave up a whole weekend as a small group to knock all the doors of those affected and invite them to voice their concerns. We have done everything we can, by the book and rely on your sound judgement in this matter.

The trader is not local, is licensing by Birmingham, has impacted significantly on the local community and as a resident of Blind Lane near to the junction with Broad Lane, I plead with you to listen to our concerns and refuse the application.

Attached is a small sample of our efforts to-date, including communications with Local and County Councillors, Dr George Lord, the Parish Council, Highways (both Warwickshire and Worcestershire and a sample photo referred to above.

I am happy to act as the single point of contact for the community and will attend and give evidence of the above if required. We genuinely have our fingers crossed for the 21st June. It would make a real difference locally to our quality of lives if you relocated this vendor and declined his application.

As Chair of the group, can I please ask that I am contacted on 0 [REDACTED] with the decision so that I can communicate it to local residents.

Thank you

[REDACTED]

Protecting our Community – Our only chance!

Dear Neighbour

A small group in Blind Lane have been working tirelessly to remove the unregulated street trader from the slip road off the A435 towards Broad Lane. We have campaigned for 2 yrs to have this vendor removed. During that time we have opposed the signage along the A435, the portaloos on the highway and the parking of HGVs (many overnight). We only have this one opportunity to oppose the re-license. Please support us by referring to the criteria referred to at 4.1 and 4.2 and submit an objection **in writing by 21st June** (see attached for address). Please take 10 minutes to support us!

Blind Lane Residents Action Group. Our email address is [REDACTED]

Dear Sir or Madam,

Application for a Street Trading Consent Bromsgrove District Council

A Street Trading Consent Policy was adopted on 20th January 2010, a copy of which can be viewed on Bromsgrove District Council web site.

This has been adopted in order to regulate this type of activity, to ensure equitability for all traders and to improve service provision.

The policy states that the owners/occupiers of any properties near to the proposed location of the trading site must be consulted and may make a representation.

I attach details of such an application.

The criteria used when determining any application is outlined in section 4 of the policy and will need to be considered when making any representation.

The determination period is 28 days upon receipt of the application.

Should representations be made the matter will be heard by the Licensing Sub Committee for a decision.

Yours sincerely,

[REDACTED]

John Davies *Tomkinson*
Licensing Assistant
Planning and Environment Services



INVESTOR IN PEOPLE



Bromsgrove
District Council

www.bromsgrove.gov.uk

An application has been submitted to
Bromsgrove District Council
as the LICENSING AUTHORITY as follows:-

Type of Application: Street Trading Consent
To Trade between the hours of: Monday to Saturday – 07:00 – 15:00
Name of Applicant: David Alcock
Premises: Ants Snacks
Address of Premises: Broad Lane, Branson's Cross

Any person wishing to lodge a representation concerning this application may send this, in writing, to Bromsgrove District Council, Burcot Lane, Worcesterchire, B60 1AA. The application may be viewed at Licensing Surgeries at Bromsgrove Service Centre between:

Tuesday	01:30 – 02:30
Wednesday	09:30 – 10:30
Friday	09:30 – 10:30

Any such representation must be received by the Licensing Authority by the following date: 21st June 2010

4.

Criteria for Street Trading Consents

4.1 In determining an application for a Street Trading Consent, the Council will consider the following factors:

- (a) **Public Safety** – does the location of the proposed trading site represent or is it likely to represent, a substantial risk to the public and users of the highway? The Council will consider things like important sight lines for CCTV cameras, requirements of emergency vehicles, fire hazards, hygiene and the safety of access to or from the trading site.
 - (b) **Public Order** – does the street trading activity represent, or is it likely to represent, a substantial risk to public order?
 - (c) **The avoidance of public nuisance** – does the street trading activity represent, or is it likely to represent, a substantial risk of nuisance to the public from noise, smell, litter or late night disturbance?
 - (d) **Needs of the area** – are there enough other trading outlets to serve the needs of the area? A Street Trading Consent will not be granted where it is considered that there are already enough traders trading in the vicinity (from shops or other stalls) in goods in which the applicant wishes to trade, or if there is an existing concentration of street traders in the street in which the applicant wishes to trade.
 - (e) **Consultation** - relevant responses from consultees.
- 4.2 In addition the Council will consider the following general criteria:
- The trader will be expected to provide a service which is a benefit to the public and which enhances the area by bringing in new products or adding to the vitality of the area;
 - The Trading Unit, including any associated equipment must be of good quality and complimentary to the character of the area;
 - Each application will be judged on the general needs of the locality; a Street Trading Consent will not normally be granted where there is already adequate similar provision in the immediate area;
 - The effect on road safety caused by the siting of the Street Trading Unit or by customers visiting or leaving the Street Trading Unit;
 - The effect of any loss of amenity caused by noise, traffic or smell;
 - Any existing Traffic Regulation Orders e.g. waiting restrictions; and
 - Any potential obstruction of pedestrian or vehicular access.





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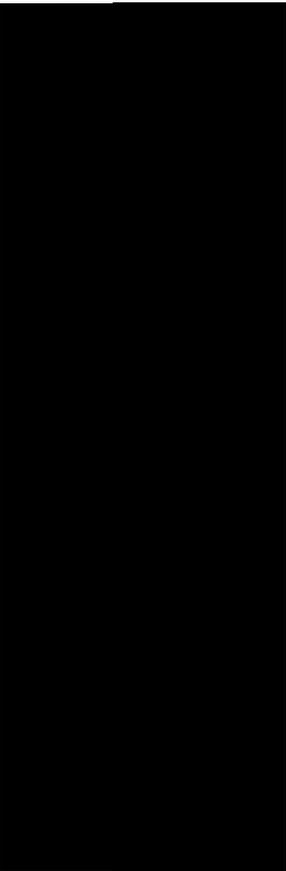
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Trading on the highway on the slip road from the A456 to Ullenhall Lane



Hello Sharon,

Your recent email to Dr Lord, Leader of Worcestershire County Council, has been passed to me to investigate and provide a response.

As you are aware we are trying to get the trader in question removed from the slip road by way of the new re-licensing procedure now being implemented by Bromsgrove District Council. John Davies of Bromsgrove DC was heading up the re-licensing task but I have been informed he leaves the Authority on the 14th May and this task has now been passed to Tom Phelan, Licensing Officer at Redditch Borough Council, Tele No 01527 [redacted] I have recently emailed Tom for an update as to what is happening and an indication of when the trader could be moved subject to Bromsgrove's Licensing Committee agreeing to this action. To date I am waiting for a reply.

On a separate but related matter, I recently visited the slip road in the company of a Traffic Management Officer from West Mercia Police to see at first hand the traffic and highway maintenance problems caused by the trading activity at this site. I can confirm we both agreed that if and when our respective Authorities are consulted as part of Bromsgrove's re-licensing procedure then we would object to the granting of a license to trade on the highway.

I will contact you further when I have received information Bromsgrove/Redditch District Council.

Kind regards,

Mike Walton (County Highways Liaison Engineer, Bromsgrove)



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Toilet on Main highway

From: **Dave White**

You may not know this sender. [Mark as safe](#) | [Mark as junk](#)

Sent: 05 May 2010 10:14:47

To: [redacted]@gov.uk

WITHOUT PREJUDICE

Dear Mr. Goundry

I would like to point out that I believe it is illegal to position a portable Toilet permanently on the side of the main highway without planning permissions. I also understand that your council would be held responsible for effluent leakages in to water courses from such a facility and any other health and safety issues arising. Why have you allowed this in the slip road off the A453 at Branson's Cross for the past 12 months? I would appreciate your attention to the matter and your feedback after your investigation?

Thank you.

Kind Regards,

[redacted]

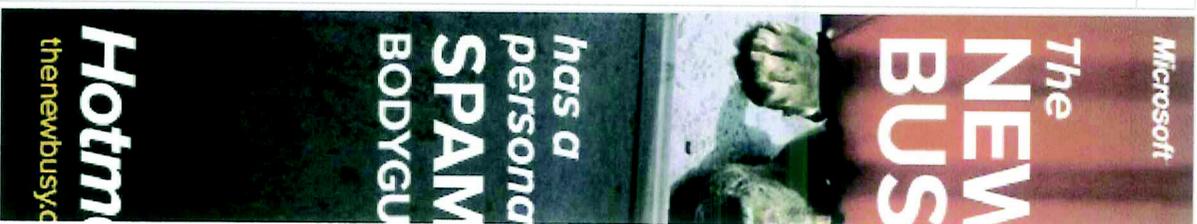
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RE: FOI 2838637 cost of road re-surface for the sliproad off the A435

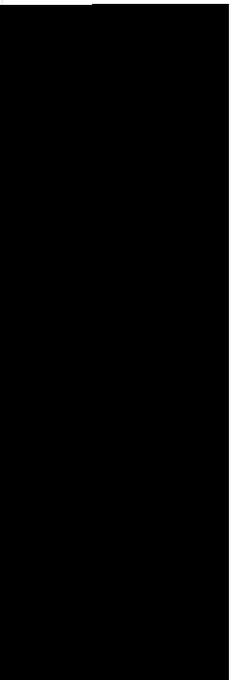
From:



Sent: 20 January 2010 22:23:18

To:

Cc:



Thank you for the response however, whilst I understand the privileged argument, residents will contest that the deterioration of the road surface was not contributed to by the HGVs using the burger van. Many many local residents, including myself, use that sliproad on a daily basis and we know with certainty that the road got worse in the preceding 12 months. We can provide photographic evidence. Can you please provide information relating to the reasons and schedule of the resurface as it is an almightly co-incident that we fight to get an inspection and plead with Worcestershire Council to conduct a site visit and then the road be resurfaced.

What is frustrating is that the Local Authority will not acknowledge that the continued use of the sliproad by HGVs will further drain the public purse and undermine your efforts to-date.

Regards



Subject: FOI 2838637 cost of road re-surface
Date: Wed, 20 Jan 2010 12:53:54 +0000



**ENVIRONMENTAL INFORMATION REGULATIONS 2004-
INFORMATION REQUEST CONCERNING cost of road re-
surface.**



Mobile food van - Help please

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]

On behalf of the residents action group for Blind Lane and Broad Lane, can you please make representation to both Warwickshire County Council and Highways Dept at Bromsgrove District Council about a mobile food van and the associated issues outlined below:

The mobile food van is parked on the grass embankment on the slip road off the A435 (towards Redditch) on the approach to Broad Lane, Tanworth In Arden. We first reported the matter on 15th October and were given a service request number of 2052932. We lodged a complaint about the van being parked on the embankment and the permanent lodging of a portaloos in the hedgerow. There have been a number of incidents reported and we are unable to get any action or satisfactory response. The food van is on the grassland belonging and the issue is complicated by the ownership between Warwickshire County Council and Bromsgrove District Council.

I believe this to be the same foodseller that was in Alderhanger Lane. It is wholly unacceptable that a food van is unregulated and just pitches up at the side of the road (now on the grassland belonging to Bromsgrove). The portaloos is an absolute eyesore and given that the sliproad has now turned into an overnight truck stop, we are desperate for your help. You fought tirelessly for us over the Alderhanger Lane issue and if we are not careful, it will be back with us on that sliproad as there is a little unoccupied field that would service such activity.

We have asked that the Council enforce against the placing of the portaloos and stop the food van (towed by a 4x4) from reversing onto the grassland. The owner has resorted to flags waving from the food van and on a number of occasions, flowersellers have pitched up with deckchairs selling flowers from the boot of the car.

The seller has clearly been advised about advertising hoarding and advertises on the A435: (one sign by the bridge after the Portway turnoff and another nailed to the tree by the scrapyard on the opposite carriageway. We ask that these signs are removed by highways.

We ask that the Council conduct a site visit and deal with this matter. They keep saying it is a police matter but there is no obstruction and no permanently damage so there is no police jurisdiction. Even if there was permanent damage that would still



DGS



DEAR SIR OR MADAM,

AS A RESIDENT OF BLIND LANE MY HUSBAND AND MYSELF WHICH IS ONLY A SMALL PART OF THE COMMUNITY THAT STRONGLY OBJECT TO THIS LICENCE BEING GIVEN. IT IS FIRST A DANGER TO ALL DRIVERS WHO USE THE SLIP ROAD TO COME OFF THE A435. LORRIES AND HGV VEHICLES ARE ALL OVER THE GRASS VERGES TYRE MARKS ARE ALL OVER THE GRASS. ONE DAY THERE WILL BE A BIG ACCIDENT. BY THE TREES ON THE A435 SIGNS ARE HUNG IN TREES TO TELL PEOPLE TO PULL IN. ALSO HGV WAGONS ARE PARKING THIER ALL NIGHT AND IT LOOKS SUCH AN EYE SORE.

Page 81

WE PAY A LOT OF MONEY FOR OUR HOMES AND WE ALL TRY TO KEEP. TANWORTH A NICE PLACE TO LIVE BUT WITH THE BURGER VAN AND THE CAR BOOT SALE ON WEEK ENDS IT IS NOISY TO SAY THE LEAST. ALSO THERE HAVE BEEN CAR'S PULLING ONTO THE SLIP ROAD FROM BROAD LANE AND JOINING THE 435 FROM THERE IF A CAR COMES OFF THERE WILL BE A BIG CRASH. PLEASE CONSIDER ALL THE OBJECTIONS BEFORE MAKING A DECISION.



ARDS
CO.

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photo taken

Friday 28/5/10 @
19.23.

NO TRADER ON SITE
but today utilised
for overnight parking
and to use the portaloos
Parked over basic recycling

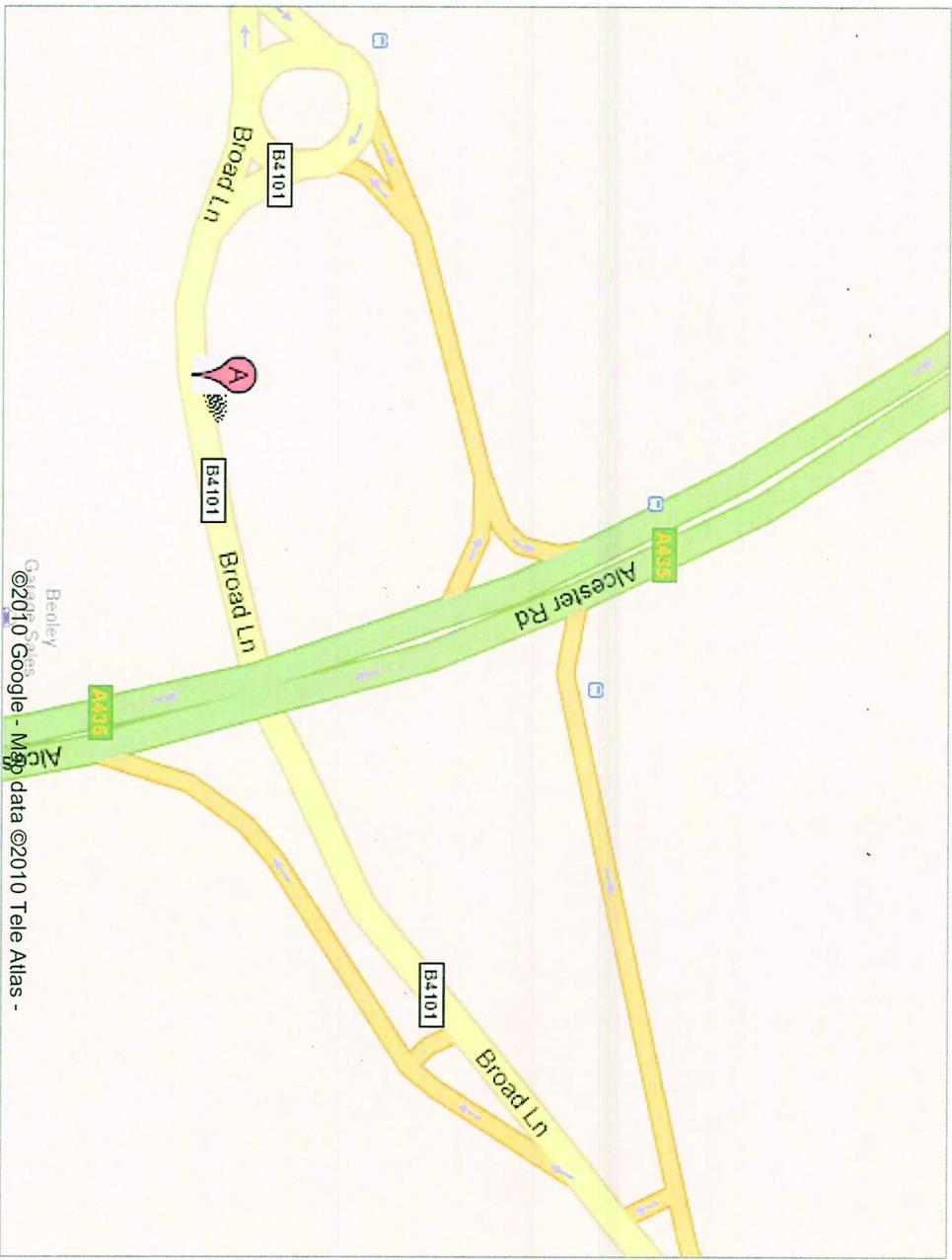
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APPENDIX C



To see all the details that are visible on the screen, use the "Print" link next to the map.

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Appendix D



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