

# North Somerset Council

## REPORT TO THE LICENSING SUB COMMITTEE

**DATE OF MEETING: 8<sup>TH</sup> OCTOBER 2019**

**SUBJECT OF REPORT: GRANT OF A STREET TRADING CONSENT TO PAUL ELLIS T/A BBQ SMOKEHOUSE, 14 NIGHTINGALE COURT, NIGHTINGALE CLOSE, MEADVALE, WESTON SUPER MARE**

**TOWN OR PARISH: WESTON SUPER MARE**

**OFFICER/MEMBER PRESENTING: DIRECTOR OF DEVELOPMENT AND ENVIRONMENT**

**KEY DECISION: NO**

## RECOMMENDATIONS

That the Licensing Sub-Committee considers and determines the application made by Paul Ellis for a Street Trading Consent in the district of North Somerset.

### 1. SUMMARY OF REPORT

- 1.1 An application for the grant of a Street Trading Consent has been received from Paul Ellis trading as BBQ Smokehouse. The application made is for the sale of hot and cold food and refreshments from Nightingale Court, Weston Super Mare.
- 1.2 Consultations have been carried out and objections against the grant of a consent have been raised by 25 residents/local businesses. The objections received relate to increased noise, smells, litter, traffic, parking and associated anti-social behaviour.
- 1.3 Consultations have also been carried out with the relevant enforcement agencies and no adverse observations have been made.

### 2. POLICY

- 2.1 On 1 April 2008 the full Council adopted a revised district wide Street Trading Scheme for the North Somerset area. The revised scheme became operative on the 4 June 2008. The application made falls within the Council's street trading scheme.
- 2.2 At the same meeting the Council adopted guidelines for the administration of the Street Trading scheme. A copy of the Guidelines is available to the Committee and has been given to the applicant.

### 3. DETAILS

- 3.1 An application has been received from Paul Ellis to carry out street trading within the Council's area in the carpark of Nightjar Public House, 14 Nightingale Court, Mead Vale, Weston Super Mare, BS22 8SX. Outline details of the application are shown at *Appendix 1*.

3.2 The street trading activity being proposed is the sale of hot and cold food and refreshments on the following days and times;

|      | MON.     | TUES.    | WED.     | THURS.   | FRI.     | SAT.     | SUN.     |
|------|----------|----------|----------|----------|----------|----------|----------|
| FROM | 1700 hrs | 1700 hrs | 1700 hrs | 1700 hrs | 1700 hrs | 1100 hrs | 1100 hrs |
| TO   | 2200 hrs | 2200 hrs | 2200 hrs | 2200 hrs | 2200 hrs | 2200 hrs | 2200 hrs |

3.3 The application site for street trading is shown on the map at **Appendix 2**.

3.4 Photographs of the site subject to the application will be available at the hearing.

3.5 There are commercial/residential properties situated within 100 metres of the proposed site and these are shown on the map at **Appendix 3**.

3.6 This is a new application and a Street Trading Consent has not previously been granted at this site.

#### 4. CONSULTATION

4.1 Officers have followed the consultation process as outlined in the agreed Street Trading Guidelines. The following responses have been received:

| Consultee                      | Response           |
|--------------------------------|--------------------|
| Avon and Somerset Constabulary | No adverse comment |
| Avon Fire and Rescue Service   | No adverse comment |
| Ward Member(s)                 | No adverse comment |
| Highways                       | No adverse comment |
| Weston Town Council            | No adverse comment |
| Weston Town Centre Partnership | No adverse comment |
| Food, Health and Safety Team   | No adverse comment |
| Environmental Protection Team  | No adverse comment |

4.2 The details of the above observations have been made available to the applicant and members of the Licensing Sub-Committee prior to the hearing of this application.

4.3 A notice has been displayed at the site for 28 days from the date when the application was made. Property occupiers within the immediate vicinity of the proposed street trading site have also been consulted. Written objections and petitions have been received. The principle objections made are as follows:

- increased noise, smells, litter, traffic, parking and associated anti-social behaviour

4.4 Copies of the representations are shown at **Appendix 4**.

## **5. FINANCIAL IMPLICATIONS**

**Costs – None**

**Funding - None**

## **6. LEGAL POWERS AND IMPLICATIONS**

- 6.1 The Licensing Authority recognises that its licensing function is only one means of securing the delivery of the service. The Licensing Authority will therefore continue to work in partnership with other stakeholders, such as the Police, Crime & Disorder Partnerships and the Vehicle and Vehicle Standards Agency (DVSA) towards the promotion of any licensing objectives.
- 6.2 In undertaking its licensing function, the Licensing Authority has regard to the following legislation:
- Local Government (Miscellaneous Provisions) Act 1982
  - Environmental Protection Act 1990
  - Health Act 2006
  - The Smoke-free (Premises and Enforcement) Regulations
  - The European Convention on Human Rights, which is applied by the Human Rights Act 1998
  - The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002
  - Local Government (Miscellaneous Provisions) Act 1984
  - Licensing Act 2003
- 6.3 The Licensing Authority also has regard to any other relevant legislation, strategies, policies and guidance in its decision-making.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

There are no climate change and environmental implications noted as part of this report.

## **8. RISK MANAGEMENT**

- 8.1 Regularly reviewing licensing policies and practices and using a risk-rated approach to both proactive and reactive enforcement reduces the risk to the Authority. Ensuring MoU agreements are in place with external partner agencies will also help strengthen roles and responsibilities surrounding Licensing work.

## **9. EQUALITY IMPLICATIONS**

**None**

## **10. CORPORATE IMPLICATIONS**

- 10.1 Under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 the Council may grant a Street Trading Consent if they think fit. When granting a Consent, the Council may attach such conditions to it as they consider reasonably necessary, including those to prevent obstruction or danger or nuisance or annoyance.
- 10.2 There are no legal rights of appeal against the Licensing Sub-Committee's decision to refuse to grant a Street Trading Consent. Judicial Review on procedural issues in dealing with the application is though possible.
- 10.3 The provisions of the Human Rights Act 1998 apply to the process of granting Street Trading Consents.

## **11. OPTIONS CONSIDERED**

- 11.1 The following options are available to the Licensing Sub-Committee with regard to the application that has been made:
- a) Grant the application as applied for.
  - b) Grant the application as applied for but with modifications to the terms sought.
  - c) Refuse the application.
- 10.2 Should the application be granted the standard street trading conditions are recommended to be attached to the Consent granted.

## **AUTHOR**

Amanda Hodge, Licensing Officer

Tel: 01934 426 800

## **BACKGROUND PAPERS**

The relevant background papers are attached as appendices.

PROVISIONS)

LOCAL GOVERNMENT (MISCELLANEOUS  
ACT 1982APPLICATION FOR THE GRANT OR RENEWAL OF A STREET TRADING  
PERMISSIONPLEASE COMPLETE THIS FORM IN BLOCK CAPITALS AND IN BLACK INK

Type of Permission: Trading Consent

Trading Licence

I/We

PAUL ELLIS

Address

6 BRIDGE ROAD, WESTON-S-MARE  
NORTH SOMERSET, BS23 3PD

Telephone Number

07825141624

Email Address

paul@bbq-smokehouse.co.uk

Trading as

BBQ Smokehouse

HEREBY APPLY FOR THE GRANT/~~RENEWAL~~ of a Street Trading ~~Consent~~/  
Licence in accordance with the following particulars:

The Street/Location I/We wish to trade is:

THE NIGHTJAR,

14 NIGHTINGALE COURT, MEAD VALE, WORLE

W-S-M, NORTH SOMERSET BS22 8SX

I/We wish to trade as detailed below

|      | MON.  | TUES. | WED.  | THURS | FRI.  | SAT.  | SUN.  |
|------|-------|-------|-------|-------|-------|-------|-------|
| FROM | 17:00 | 17:00 | 17:00 | 17:00 | 17:00 | 11:00 | 11:00 |

TO 22:00 22:00 22:00 22:00 22:00 22:00 22:00

Date or dates ~~Consent~~/Licence is sought 12/09/2019

The articles I/We wish to trade in are

HOT AND COLD FOOD, HOT AND COLD DRINKS.

Please detail toilet facilities for persons working on a static site:

USE OF THE PUBLIC HOUSE TOILETS

Will the Consent Holder be present when street trading takes place?  Yes  
No

If no, name of the person who will be present and responsible for the unit/stall:

\_\_\_\_\_

I/We will be trading from a:

Van

Trailer

Cart

Barrow

Other (describe)

Dimensions: 8 FEET WIDE 18 FEET LONG

Colour BLACK

Will you have tables and chairs on the site? Yes No

If yes, Number of Tables: 1 Number of Chairs: 6

Will you be trading on private land? Yes No

If yes, name and address of landowner:

DIANE BRADLEY

THE NIGHTJAR, 14 NIGHTINGALE COURT,

MEAD VALE, WORLE, WESTON-S-MARE

NORTH SOMERSET BS22 8SX

Do you hold, or have you previously held, or been refused, a Street Trading Consent or Licence with this or any other Council? If yes, please give details

CURRENTLY HOLD A LICENCE FROM SEDGEMOOR

DISTRICT COUNCIL.

I/We declare that I am/we are NOT under the age of 17 years

Date of Birth(s) 20/11/1965

I/We declare that the information given in this application is true.

Signature of applicants [Signature]

**NOTICE OF INTENTION TO APPLY TO NORTH SOMERSET COUNCIL FOR THE GRANT OF A STREET TRADING CONSENT/LICENCE**

FULL NAME OF APPLICANT(S) PAUL ELLIS

LOCATION OF PROPOSED STREET TRADING SITE:

THE NIGHTJAR, 14 NIGHTINGALE COURT,  
MEAD VALE, WORLE, WESTON-S-MARE  
NORTH SOMERSET, BS22 8SX

ARTICLES TO BE SOLD:

HOT AND COLD FOOD, HOT AND COLD DRINKS

DESCRIPTION OF STALL OR OTHER STRUCTURE TO BE USED:

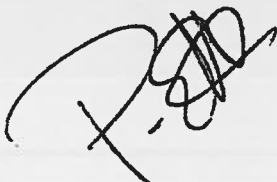
BLACK TRAILER

PROPOSED TIMES OF TRADING:

|      | MON.  | TUES. | WED.  | THURS | FRI.  | SAT.  | SUN.  |
|------|-------|-------|-------|-------|-------|-------|-------|
| FROM | 17:00 | 17:00 | 17:00 | 17:00 | 17:00 | 11:00 | 11:00 |
| TO   | 22:00 | 22:00 | 22:00 | 22:00 | 22:00 | 22:00 | 22:00 |

PROPOSED COMMENCEMENT DATE (if the application is granted)

SIGNATURE OF APPLICANTS(S)





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DATED 14/08/2019

**ANY PERSON WISHING TO MAKE A REPRESENTATION REGARDING THIS APPLICATION SHOULD WRITE TO NORTH SOMERSET COUNCIL, LICENSING TEAM, TOWN HALL, WALLISCOTE GROVE ROAD, WESTON-SUPER-MARE, BS23 1UJ, BY NO LATER THAN:**

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**Issued by North Somerset Council Licensing Team, telephone 01934 426  
800**

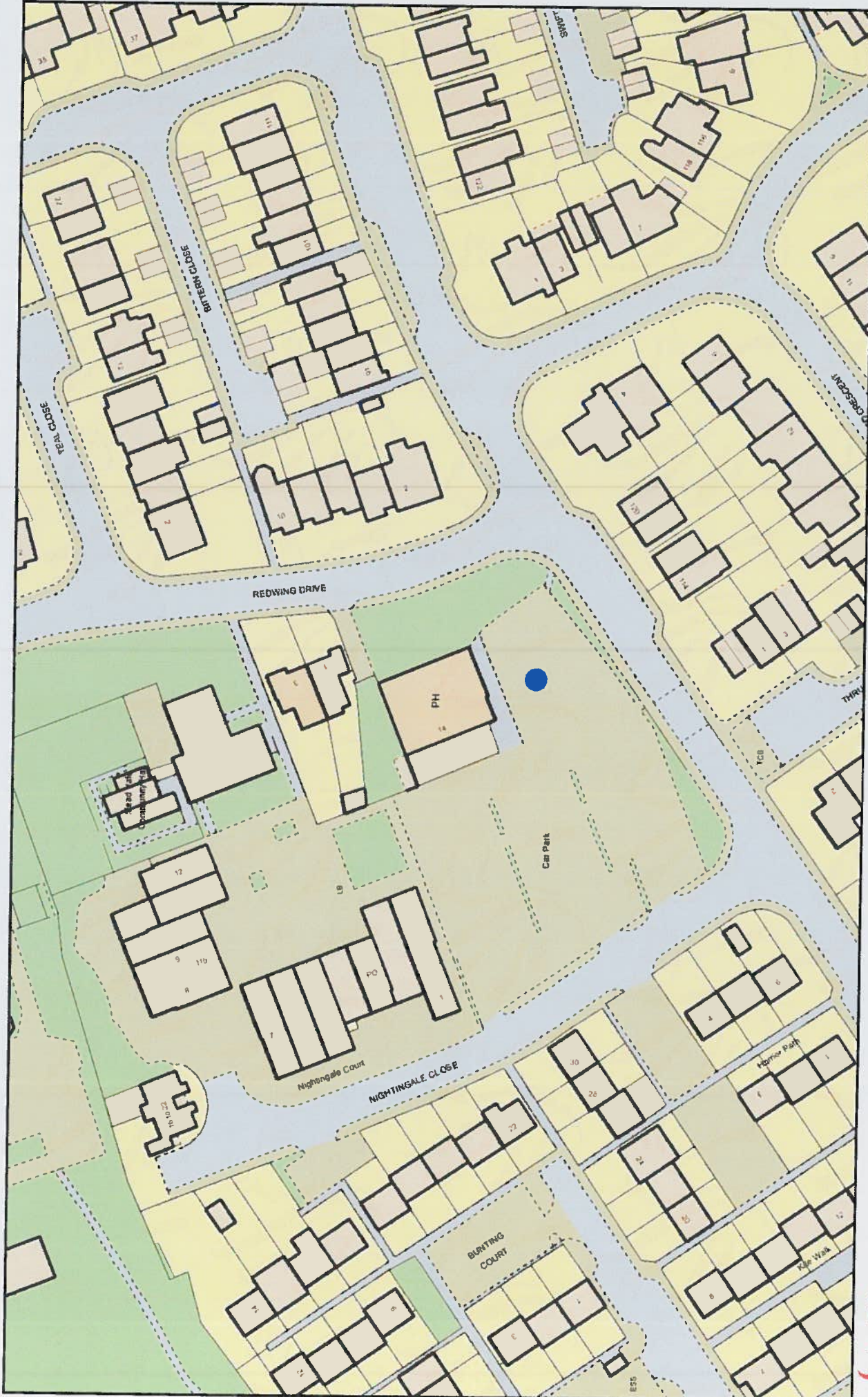
5

**THE BBQ SMOKEHOUSE**  
AUTHENTIC SMOKED MEATS  
CHICKEN WINGS | BEEF BRISKET | STIPPED BEEF RIBS

| LUNCH          |          | DINNER         |         | DRINKS                |        |
|----------------|----------|----------------|---------|-----------------------|--------|
| Hot Wings      | \$8.99   | Brisket        | \$12.99 | Soda                  | \$2.99 |
| Smoked Chicken | \$10.99  | Pulled Pork    | \$11.99 | Beer                  | \$3.99 |
| BBQ Ribs       | \$11.99  | Shredded Beef  | \$10.99 | Milk                  | \$2.99 |
| Smoked Turkey  | \$12.99  | BBQ Chicken    | \$9.99  | Soft Drink            | \$2.99 |
| Smoked Ham     | \$13.99  | Smoked Pork    | \$11.99 | Hot Chocolate         | \$2.99 |
| Smoked Beef    | \$14.99  | Smoked Sausage | \$10.99 | Hot Tea               | \$2.99 |
| Smoked Pork    | \$15.99  | Smoked Brisket | \$12.99 | Hot Coffee            | \$2.99 |
| Smoked Sausage | \$16.99  | Smoked Brisket | \$13.99 | Hot Lemonade          | \$2.99 |
| Smoked Brisket | \$17.99  | Smoked Brisket | \$14.99 | Hot Apple Pie         | \$2.99 |
| Smoked Brisket | \$18.99  | Smoked Brisket | \$15.99 | Hot Pecan Pie         | \$2.99 |
| Smoked Brisket | \$19.99  | Smoked Brisket | \$16.99 | Hot Pumpkin Pie       | \$2.99 |
| Smoked Brisket | \$20.99  | Smoked Brisket | \$17.99 | Hot Cherry Pie        | \$2.99 |
| Smoked Brisket | \$21.99  | Smoked Brisket | \$18.99 | Hot Blueberry Pie     | \$2.99 |
| Smoked Brisket | \$22.99  | Smoked Brisket | \$19.99 | Hot Strawberry Pie    | \$2.99 |
| Smoked Brisket | \$23.99  | Smoked Brisket | \$20.99 | Hot Raspberry Pie     | \$2.99 |
| Smoked Brisket | \$24.99  | Smoked Brisket | \$21.99 | Hot Blackberry Pie    | \$2.99 |
| Smoked Brisket | \$25.99  | Smoked Brisket | \$22.99 | Hot Elderberry Pie    | \$2.99 |
| Smoked Brisket | \$26.99  | Smoked Brisket | \$23.99 | Hot Mulberry Pie      | \$2.99 |
| Smoked Brisket | \$27.99  | Smoked Brisket | \$24.99 | Hot Boysenberry Pie   | \$2.99 |
| Smoked Brisket | \$28.99  | Smoked Brisket | \$25.99 | Hot Marionberry Pie   | \$2.99 |
| Smoked Brisket | \$29.99  | Smoked Brisket | \$26.99 | Hot Tiramisu          | \$2.99 |
| Smoked Brisket | \$30.99  | Smoked Brisket | \$27.99 | Hot Cheesecake        | \$2.99 |
| Smoked Brisket | \$31.99  | Smoked Brisket | \$28.99 | Hot Bread Pudding     | \$2.99 |
| Smoked Brisket | \$32.99  | Smoked Brisket | \$29.99 | Hot Apple Crisp       | \$2.99 |
| Smoked Brisket | \$33.99  | Smoked Brisket | \$30.99 | Hot Peach Crisp       | \$2.99 |
| Smoked Brisket | \$34.99  | Smoked Brisket | \$31.99 | Hot Blueberry Crisp   | \$2.99 |
| Smoked Brisket | \$35.99  | Smoked Brisket | \$32.99 | Hot Raspberry Crisp   | \$2.99 |
| Smoked Brisket | \$36.99  | Smoked Brisket | \$33.99 | Hot Blackberry Crisp  | \$2.99 |
| Smoked Brisket | \$37.99  | Smoked Brisket | \$34.99 | Hot Elderberry Crisp  | \$2.99 |
| Smoked Brisket | \$38.99  | Smoked Brisket | \$35.99 | Hot Mulberry Crisp    | \$2.99 |
| Smoked Brisket | \$39.99  | Smoked Brisket | \$36.99 | Hot Boysenberry Crisp | \$2.99 |
| Smoked Brisket | \$40.99  | Smoked Brisket | \$37.99 | Hot Marionberry Crisp | \$2.99 |
| Smoked Brisket | \$41.99  | Smoked Brisket | \$38.99 | Hot Tiramisu          | \$2.99 |
| Smoked Brisket | \$42.99  | Smoked Brisket | \$39.99 | Hot Cheesecake        | \$2.99 |
| Smoked Brisket | \$43.99  | Smoked Brisket | \$40.99 | Hot Bread Pudding     | \$2.99 |
| Smoked Brisket | \$44.99  | Smoked Brisket | \$41.99 | Hot Apple Crisp       | \$2.99 |
| Smoked Brisket | \$45.99  | Smoked Brisket | \$42.99 | Hot Peach Crisp       | \$2.99 |
| Smoked Brisket | \$46.99  | Smoked Brisket | \$43.99 | Hot Blueberry Crisp   | \$2.99 |
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| Smoked Brisket | \$49.99  | Smoked Brisket | \$46.99 | Hot Elderberry Crisp  | \$2.99 |
| Smoked Brisket | \$50.99  | Smoked Brisket | \$47.99 | Hot Mulberry Crisp    | \$2.99 |
| Smoked Brisket | \$51.99  | Smoked Brisket | \$48.99 | Hot Boysenberry Crisp | \$2.99 |
| Smoked Brisket | \$52.99  | Smoked Brisket | \$49.99 | Hot Marionberry Crisp | \$2.99 |
| Smoked Brisket | \$53.99  | Smoked Brisket | \$50.99 | Hot Tiramisu          | \$2.99 |
| Smoked Brisket | \$54.99  | Smoked Brisket | \$51.99 | Hot Cheesecake        | \$2.99 |
| Smoked Brisket | \$55.99  | Smoked Brisket | \$52.99 | Hot Bread Pudding     | \$2.99 |
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| Smoked Brisket | \$57.99  | Smoked Brisket | \$54.99 | Hot Peach Crisp       | \$2.99 |
| Smoked Brisket | \$58.99  | Smoked Brisket | \$55.99 | Hot Blueberry Crisp   | \$2.99 |
| Smoked Brisket | \$59.99  | Smoked Brisket | \$56.99 | Hot Raspberry Crisp   | \$2.99 |
| Smoked Brisket | \$60.99  | Smoked Brisket | \$57.99 | Hot Blackberry Crisp  | \$2.99 |
| Smoked Brisket | \$61.99  | Smoked Brisket | \$58.99 | Hot Elderberry Crisp  | \$2.99 |
| Smoked Brisket | \$62.99  | Smoked Brisket | \$59.99 | Hot Mulberry Crisp    | \$2.99 |
| Smoked Brisket | \$63.99  | Smoked Brisket | \$60.99 | Hot Boysenberry Crisp | \$2.99 |
| Smoked Brisket | \$64.99  | Smoked Brisket | \$61.99 | Hot Marionberry Crisp | \$2.99 |
| Smoked Brisket | \$65.99  | Smoked Brisket | \$62.99 | Hot Tiramisu          | \$2.99 |
| Smoked Brisket | \$66.99  | Smoked Brisket | \$63.99 | Hot Cheesecake        | \$2.99 |
| Smoked Brisket | \$67.99  | Smoked Brisket | \$64.99 | Hot Bread Pudding     | \$2.99 |
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| Smoked Brisket | \$69.99  | Smoked Brisket | \$66.99 | Hot Peach Crisp       | \$2.99 |
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| Smoked Brisket | \$73.99  | Smoked Brisket | \$70.99 | Hot Elderberry Crisp  | \$2.99 |
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| Smoked Brisket | \$75.99  | Smoked Brisket | \$72.99 | Hot Boysenberry Crisp | \$2.99 |
| Smoked Brisket | \$76.99  | Smoked Brisket | \$73.99 | Hot Marionberry Crisp | \$2.99 |
| Smoked Brisket | \$77.99  | Smoked Brisket | \$74.99 | Hot Tiramisu          | \$2.99 |
| Smoked Brisket | \$78.99  | Smoked Brisket | \$75.99 | Hot Cheesecake        | \$2.99 |
| Smoked Brisket | \$79.99  | Smoked Brisket | \$76.99 | Hot Bread Pudding     | \$2.99 |
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| Smoked Brisket | \$81.99  | Smoked Brisket | \$78.99 | Hot Peach Crisp       | \$2.99 |
| Smoked Brisket | \$82.99  | Smoked Brisket | \$79.99 | Hot Blueberry Crisp   | \$2.99 |
| Smoked Brisket | \$83.99  | Smoked Brisket | \$80.99 | Hot Raspberry Crisp   | \$2.99 |
| Smoked Brisket | \$84.99  | Smoked Brisket | \$81.99 | Hot Blackberry Crisp  | \$2.99 |
| Smoked Brisket | \$85.99  | Smoked Brisket | \$82.99 | Hot Elderberry Crisp  | \$2.99 |
| Smoked Brisket | \$86.99  | Smoked Brisket | \$83.99 | Hot Mulberry Crisp    | \$2.99 |
| Smoked Brisket | \$87.99  | Smoked Brisket | \$84.99 | Hot Boysenberry Crisp | \$2.99 |
| Smoked Brisket | \$88.99  | Smoked Brisket | \$85.99 | Hot Marionberry Crisp | \$2.99 |
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| Smoked Brisket | \$90.99  | Smoked Brisket | \$87.99 | Hot Cheesecake        | \$2.99 |
| Smoked Brisket | \$91.99  | Smoked Brisket | \$88.99 | Hot Bread Pudding     | \$2.99 |
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| Smoked Brisket | \$93.99  | Smoked Brisket | \$90.99 | Hot Peach Crisp       | \$2.99 |
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| Smoked Brisket | \$97.99  | Smoked Brisket | \$94.99 | Hot Elderberry Crisp  | \$2.99 |
| Smoked Brisket | \$98.99  | Smoked Brisket | \$95.99 | Hot Mulberry Crisp    | \$2.99 |
| Smoked Brisket | \$99.99  | Smoked Brisket | \$96.99 | Hot Boysenberry Crisp | \$2.99 |
| Smoked Brisket | \$100.99 | Smoked Brisket | \$97.99 | Hot Marionberry Crisp | \$2.99 |

THE BBQ SMOKEHOUSE





Scale: 1:1000  
Date: 15 August 2019

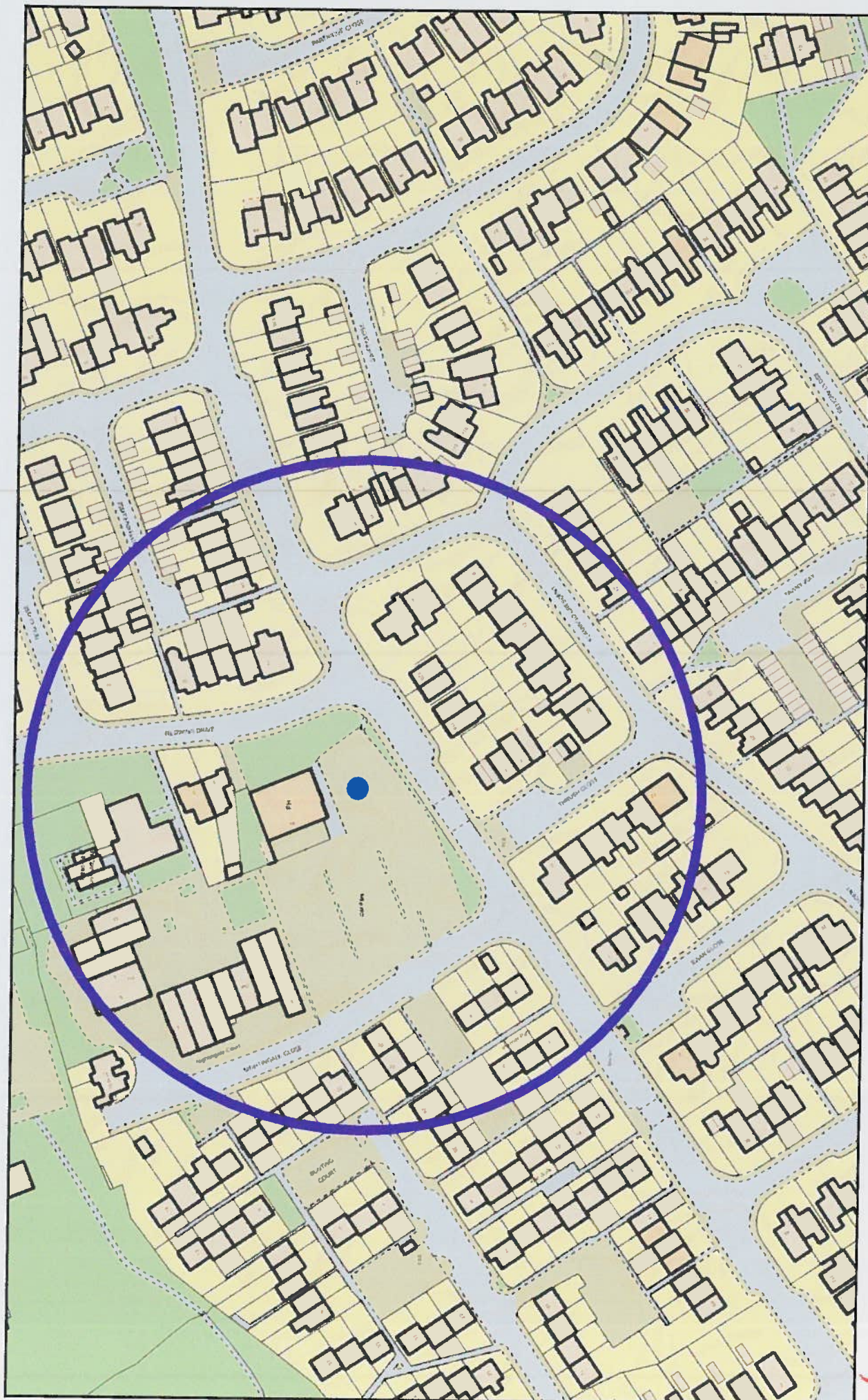
## BBQ Smokehouse



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# APPENDIX 3



Scale: 1:1500

Date: 16 August 2019



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353486  
APPENDIX 4

[REDACTED]  
Mead Vale  
Worle  
Weston Super Mare  
[REDACTED]

Dear Ms. Isherwood,

Application for a BBQ Smokehouse in the car park of the Nightjar Pub.

The main Mead Vale Road is a narrow estate road with houses either side. Houses surround the Nightjar on all sides.

The car park itself is in a dreadful state of repair. Huge potholes and boulders are on the site. (See photos).

A large BBQ van sited here is unsuitable and inappropriate. We already have a Chinese takeaway for hot food in the main shopping area. More than enough!

The BBQ van wants to be open for 5 hours and closing at 10p.m. 5 days a week and 11 hours over the weekend. This will attract cars, noise, probably kids hanging around and very probably cooking smells. This is far too close to housing.

At the moment we have quiet evenings and do not wish this to be shattered!!!

This is not the place to site this BBQ van. Please consider all the residents.

Thank you.

Yours sincerely

[REDACTED]  
[REDACTED]

North Somerset  
30 AUG 2019  
30.08.03  
Council Licensing



|                            |  |
|----------------------------|--|
| Application number:        | 055021   |
| Applicant's name:          |  |
| Premises name and address: | BBQ Smokehouse,<br>Nightingale Close,<br>Worle,<br>Weston-Super-Mare, North Somerset |
| Application for a:         |  |

|   |   |
|---|---|
| Objector's Name:  | Ms Janet Brereton                               |
| Objector's Address:<br>This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises. | 8 Thrush Close<br>Weston-Super-Mare<br>BS22 8XL |
| Organisation name if applicable:  |   |

Please note that a full copy of your objection (including your name and address) will be sent to the applicant and will form part of a public document prior to any hearing of this matter.

I ~~do~~ do not consent to my personal details, forming part of the official papers to be presented to a public hearing to determine the application, and a copy will be made available to the applicant.

Signed

J.K Brereton

Date

9<sup>th</sup> Sept 2019

Contact telephone number(s)  
(This is essential as we may need to contact you at short notice)

07801594284 Home 01934 514 592

I will be attending the hearing

I will not be attending the hearing

I will be represented at the hearing by

[Redacted]

Some of the residents in my area have expressed real concern about a planning application for a large BBQ Smokehouse in the nearby pub grounds.

The Nightjar is surrounded by houses with the elderly and those with children. It has been proposed that this Smokehouse lorry wants to be open 7 days a week, 5.00 pm until 10.00 pm on weekdays and 11.00am until 10.00 pm Saturday and Sunday.

I have been getting a petition signed by those affected. The main concerns are that it is sited in an entirely inappropriate place. Many worry about the noise of cars, the litter and young people hanging around, and the smell will be awful. An elderly disabled lady in Teal Close was worried about her health with the smoke and I am sure that anyone who has asthma will be affected.

This BBQ Smokehouse is a large black vehicle (which I have seen). This is really the most inappropriate place with so many houses so close to it. This is not the right place to site it. We already have a Chinese takeaway in the nearby precinct, which is more than enough.

I am writing to ask for your support to deny this planning application. Your help would be greatly appreciated.

Yours sincerely,

[Redacted]

Mead Vale,  
Weston Super Mare

[Redacted]

\* Petition attached with  
12 names & addresses.

Petition against BBQ Van

- 353487 ~~\_\_\_\_\_~~ ~~\_\_\_\_\_~~ ~~\_\_\_\_\_~~ ~~\_\_\_\_\_~~ ~~\_\_\_\_\_~~
  - 353491 ~~\_\_\_\_\_~~
  - 353494 MRS LA CLAPP 3 THRUSH CLOSE.
  - 353496 ~~\_\_\_\_\_~~ 2 Redwing Drive
  - 353502 ~~\_\_\_\_\_~~ 6 Redwing Drive
  - 353503 MRS L. WOOTTON 10 REDWING DRIVE.
  - 353504 ~~MR. D. WOOTTON. 10 REDWING DRIVE.~~
  - 353505 ~~MR. K. LANGE 3 Redwing Drive~~
  - 353506 ~~MRS J. LANGE 3 Redwing Drive~~
  - 353471 ~~\_\_\_\_\_~~ 1 Redwing Drive
  - 353505 ~~MRS P. LANGE 4 Redwing Drive~~
- J. LANGE  
 the  
 Clapp  
 Wootton  
~~Wootton~~  
 K. Wootton  
 P. Wootton  
 K. LANGE  
 J. LANGE  
 J. Wootton  
 P. Wootton

Petition against BBQ Van

- 353507 ~~\_\_\_\_\_~~ 20 Thrush Close, Worle
- 353509 Diane Morgan 9 Swan Close, Worle WSM.
- 353486 David + Janet Breerton, 8 Thrush Close, Worle.

16



INTERESTED PARTY REPRESENTATION



|                            |  |
|----------------------------|--|
| Application number:        | 055021   |
| Applicant's name:          |  |
| Premises name and address: | BBQ Smokehouse,<br>Nightingale Close,<br>Worle,<br>Weston-Super-Mare, North Somerset |
| Application for a:         |  |

|   |   |
|---|---|
| Objector's Name:  | Mrs L A Clapp                                   |
| Objector's Address:<br>This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises. | 3 Thrush Close<br>Weston-Super-Mare<br>BS22 8XL |
| Organisation name if applicable:  |   |

**NORTH SOMERSET  
COUNCIL**  
 13 SEP 2019  
 13.09.07  
**LICENSING**

**Please note that a full copy of your objection (including your name and address) will be sent to the applicant and will form part of a public document prior to any hearing of this matter.**

I ~~do~~ consent to my personal details, forming part of the official papers to be presented to a public hearing to determine the application, and a copy will be made available to the applicant.

Signed

Clapp

Date

10.09.2019

Contact telephone number(s)  
(This is essential as we may need to contact you at short notice)

01934 515514

I will be attending the hearing

I will not be attending the hearing

I will be represented at the hearing by

Mrs JANET BRERSTON



|                            |  |
|----------------------------|--|
| Application number:        | 055021   |
| Applicant's name:          |  |
| Premises name and address: | BBQ Smokehouse,<br>Nightingale Close,<br>Worle,<br>Weston-Super-Mare, North Somerset |
| Application for a:         |  |

|   |   |
|---|---|
| Objector's Name:  | Ms D Morgan                                   |
| Objector's Address:<br>This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises. | 9 Swan Close<br>Weston-Super-Mare<br>BS22 8XR |
| Organisation name if applicable:  |   |

**Please note that a full copy of your objection (including your name and address) will be sent to the applicant and will form part of a public document prior to any hearing of this matter.**

**I do/~~do not~~ consent to my personal details, forming part of the official papers to be presented to a public hearing to determine the application, and a copy will be made available to the applicant.**

Signed

Date

D.P. Morgan  
9-9-19

Contact telephone number(s)  
(This is essential as we may need to contact you at short notice)

01934 511874

I will be attending the hearing

I will not be attending the hearing

I will be represented at the hearing by



|                            |   |
|----------------------------|---|
| Application number:        | 055021  |
| Applicant's name:          |   |
| Premises name and address: | BBQ Smokehouse,<br>Nightingale Close,<br>Worle,<br>Weston-Super-Mare, North Somer |
| Application for a:         |   |

|   |   |
|---|---|
| Objector's Name:  | Mr D Wootton & Mts L Wootton                      |
| Objector's Address:<br>This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises. | 10 Redwing Drive<br>Weston-Super-Mare<br>BS22 8XJ |
| Organisation name if applicable:  |   |

**Please note that a full copy of your objection (including your name and address) will be sent to the applicant and will form part of a public document prior to any hearing of this matter.**

**I do/do not** consent to my personal details, forming part of the official papers to be presented to a public hearing to determine the application, and a copy will be made available to the applicant.

Signed

Date

*[Handwritten Signature]*  
 \_\_\_\_\_  
 9th Sep 2019

Contact telephone number(s)  
 (This is essential as we may need to contact you at short notice)

\_\_\_\_\_

I will be attending the hearing

I will not be attending the hearing

I will be represented at the hearing by

Mr & Mrs Winter



Teal Close  
Worle  
North Somerset  
BS22 8XD  
30<sup>th</sup> August 2019

Licensing Team  
Town Hall  
Walliscote Grove Road  
Weston-super-Mare  
BS23 1UJ

Dear Sir/Madam,

**Ref: C&CS/LSC09/055021. Street Trading Consent, BBQ Smokehouse, Car Park of Nightjar Pub, Nightingale Close, Worle, North Somerset.**

**OBSERVATIONS:-**

The proposed site applied for is an older population residential area, it is not a main trunk road, only access to private dwellings and to Worle Community School/Academy.

Extra traffic caused by a BBQ Smokehouse will undoubtedly exacerbate a traffic problem in the narrow roads leading to the Nightjar Pub Car Park, where parked cars already cause issues.

Objections are strong, especially against the weekend hours of business, McDonald's are open from 6am until 11pm seven days a week in a shopping precinct on the Queen's Causeway a short ride/walk away from a residential area.

There will be excess Rubbish discarded for the already over stretched council to deal with, in spite of bins possibly being provided.

There will be noise, smell, smoke and car pollution in an age when we are expected to be more environmentally aware.

Late night revellers will be encouraged to visit an otherwise quiet residential housing estate, possibly having had excess alcohol, for food or anything else on offer in these back streets late in the evening.

It seems that we are attempting to extend the problems existing in Weston-super-Mare into the suburbs which is unacceptable and a concern for elderly residents and to an already over stretched police force.

We do hope that these observations are viewed seriously and that those in the Licencing team have not already decided irrespective as we are aware that this sometimes happens.

Yours Faithfully

Teal Close Residents

\* Petition attached  
with 9 names  
and addresses.

|        |                    |                      |           |
|--------|--------------------|----------------------|-----------|
| 353512 | <del>1 R.</del>    | M <del>Redwing</del> | (4)       |
| 353514 | <del>2 R.</del>    | <del>1 R.</del>      | (2)       |
| 353515 | <del>1 R.</del>    | <del>1 R.</del>      | (2)       |
| 353521 | <del>1 R. 10</del> | <del>1 R.</del>      | (Redwing) |
| 353522 | <del>1 R.</del>    | <del>1 R.</del>      | (Redwing) |
| 353524 | <del>1 R.</del>    | <del>1 R.</del>      | (7)       |
| 353503 | K Woodcock         | 10 Redwing Dove      | (5)       |
| 353502 | <del>1 R.</del>    | <del>1 R.</del>      | ✓         |
| 353496 | Wtg Pige           | 2 Redwing            | ✓         |
|        | <del>1 R.</del>    | <del>1 R.</del>      |           |
|        | <del>1 R.</del>    | <del>1 R.</del>      |           |
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|                            |  |
|----------------------------|--|
| Application number:        | 055021   |
| Applicant's name:          |  |
| Premises name and address: | BBQ Smokehouse,<br>Nightingale Close,<br>Worle,<br>Weston-Super-Mare, North Somerset |
| Application for a:         |  |

|  |  |
|--|--|
| Objector's Name:   | Mr M A Pope                                      |
| Objector's Address:<br><small>This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.</small> | 2 Redwing Drive<br>Weston-Super-Mare<br>BS22 8XJ |
| Organisation name if applicable:   |  |

**Please note that a full copy of your objection (including your name and address) will be sent to the applicant and will form part of a public document prior to any hearing of this matter.**

**I ~~do~~ do not consent to my personal details, forming part of the official papers to be presented to a public hearing to determine the application, and a copy will be made available to the applicant.**

Signed

MA Pope

Date

10/9/2019

Contact telephone number(s)  
(This is essential as we may need to contact you at short notice)

07980314343 01934 516869

I will be attending the hearing

I will not be attending the hearing

I will be represented at the hearing by

**Amanda Hodge**

353482

**From:** LICENSING  
**Sent:** 27 August 2019 10:31  
**To:** Amanda Hodge  
**Subject:** FW: C&CS/LSC09/055021

Hello,

This one is for you

Kind Regards

Charlotte Parrott  
Assistant Licensing Officer  
Development & Environment  
North Somerset Council

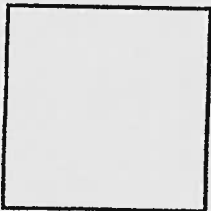
**Tel:** 01934 426800

**E-Mail:** [charlotte.parrott@n-somerset.gov.uk](mailto:charlotte.parrott@n-somerset.gov.uk)

**Post:** Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ

**Web:** [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk)

**From:** [REDACTED]  
**Sent:** Monday, August 26, 2019 9:14 AM  
**To:** LICENSING <[licensing@n-somerset.gov.uk](mailto:licensing@n-somerset.gov.uk)>  
**Subject:** C&CS/LSC09/055021



Dear Sioux Isherwood

I would like to object to the application to street trade front the Nightjar carpark.

Reasons for objection

1. Increased traffic
2. Increase in associated noise
3. Smell and fumes from cooking
4. Associated litter always present with fast food outlets



Please remember it is a car park for the pub. Not a tarmac area for street trading.

Thank you for taking the time to read this objection.

[REDACTED]

[REDACTED]

Weston super mare

[REDACTED]

353481

10

**Amanda Hodge**

---

**From:** Sioux Isherwood  
**Sent:** 23 August 2019 15:24  
**To:** Amanda Hodge  
**Subject:** FW: Application for street trading consent - BBQ Smokehouse at The Nightjar

FYI

Kind Regards

Sioux Isherwood, APCIP, MIOL

Principal Environmental Protection & Licensing Officer  
Development & Environment  
North Somerset Council

**Tel:** 01934 426 800 **Internal ext:** 6265  
**E-Mail:** sioux.isherwood@n-somerset.gov.uk  
**Post:** Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ  
**Web:** www.n-somerset.gov.uk

**Twitter:** [@SaferStrongerNS](#) | **Facebook:** [Safer Stronger North Somerset](#)

**From:** [REDACTED]  
**Sent:** Friday, August 23, 2019 9:09 AM  
**To:** LICENSING <[licensing@n-somerset.gov.uk](mailto:licensing@n-somerset.gov.uk)>  
**Subject:** Application for street trading consent - BBQ Smokehouse at The Nightjar



**Ref:** C&CS/LSC09/055021

I am emailing you in response to your letter concerning an application of a street trading consent by the BBQ Smokehouse at the proposed site of the car park of the Nightjar Pub, Nightingale Close, Worle. I live in Teal close and my email is to object to the licence on the following grounds:

1. In that area there is already a food store (selling food and drinks), a pub and a takeaway. There is no need to have another establishment selling takeaway food and drinks every weekday night from 17:00 to 22:00 and certainly no need to have it there all day on a Saturday and Sunday from 11:00 to 22:00. There are also takeaway stores and a trailer selling food in Worle High Street which is 10 mins away.
2. The pub already holds events in the car park such as car boots, biker rally's which also sell food – do they have permission to do this? All of these attract high numbers of people to the area who then park in our cul-de-sac blocking the road and access to our drives.

3. The BBQ smokehouse will also attract other people from outside of the area which will cause excess rubbish. We already have a problem with people littering the street and letting their dogs foul the pavement. Are the council going to provide additional cleaning services to clean up the area?
4. Why we do need a trailer selling takeaway food in a residential area? Are they going to ensure that groups of people don't stay there and clean up the mess?
5. The trailer will encourage people leaving the pub to hang around and buy food – there are already problems with individual using our cul-de-sac as a cut through to where they live making a noise by shouting and arguing after a night in the pub.
6. Most of the car park is blocked by large boulders to stop this happening. In addition the car park is being used by other vans that have been parked there to advertise their business such as Sweat FA and in fact there are even cars on sale in the car park. This area has deteriorated greatly in the last 4 years and this BBQ smokehouse trailer will only bring this down further. Are the Council going to invest money in Worle to prevent this and the effect it will have on the value of our homes?

As you can see I have real concerns which is why I am objecting to this being granted.

Regards

[Redacted signature]

[Redacted address]

Please note: I will be on annual leave from 27<sup>th</sup> August to 9<sup>th</sup> September (inclusive)

[Redacted address line]



[Redacted text]  
[Redacted text]



353479

**Amanda Hodge**

---

**From:** [REDACTED]  
**Sent:** 03 September 2019 20:40  
**To:** LICENSING  
**Subject:** Application for a street trading consent with Ref: C&CS/LSC09/055021



Dear The Licensing Team,

With reference to the above, we are strongly objecting to the granting of a Street Trading Consent as mentioned above.

Our reason for objecting to the application is we are running a takeaway restaurant opposite of Nightjar Pub with the same trading times and we believe it would affect our business for sure.

Your kind consideration is very much appreciated.

Thank you and regards,  
[REDACTED]  
[REDACTED]

353479

**Amanda Hodge**

---

**From:** [REDACTED]  
**Sent:** 03 September 2019 19:17  
**To:** LICENSING  
**Subject:** Objection to Street Trading Consent for BBQ Smokehouse Ref C&CS/LSC09/055021



Dear Sioux

Thank you for your letter dated 15 August 2019 regarding an application for the above.

We object to the application for the following reasons:

- The application is for trading 7 days a week, from 5pm to 10pm Monday to Friday and 11am to 10pm Saturday and Sunday. This totals 47 hours a week in a residential area, which we think is excessive on a housing estate and the closing time is late
- We fear that noise will be excessive, especially if generators will be used
- We already have cars revving and stereos playing in the car park at unsociable hours and it will only get worse
- We think the noise from people attending the smokehouse and anti social behaviour will continue until sometime after it has closed, more likely until 10.30pm or even later.
- It will be seen as a gathering point even after it closes. I work in Bristol and get up at 5.30am, and my wife works shifts and we are worried that there will be a lot of disruption
- The proprietor will take time to close up, clean the smokehouse etc. after it closes, again increasing the potential for disturbance way after 10pm
- It is clear that the opening hours are to attract people attending the NightJar pub and we believe it would be better for the pub to offer food inside. That way it would not disrupt anybody. Intoxicated people attending the smokehouse for food on their way home, or when they are still at the pub, are only likely to cause further disruption and noise
- We often get groups of youths in the car park and this can be intimidating for us and others in the area. It is likely to increase with people hanging around the smokehouse until late at night 7 days a week. There could possibly be not even one night of peace and quiet!
- There may be lighting, such as floodlighting, causing disturbance to local residents
- The smokehouse is close to 2 schools, increasing the likelihood of school children hanging around and making a nuisance of themselves after school and school clubs finish
- The area concerned is very close to houses. We live close to the NightJar pub, with our bedroom being closest to the car park and the noise is likely to be intrusive, and having it every day of the week seems excessive and likely to disrupt sleep and cause a nuisance
- The smell is likely to be noticeable and unpleasant
- We already have a problem with litter in the area. People park cars and empty their rubbish into the road and drive off. It is likely to get worse with another establishment
- Noise from traffic and the amount of vehicles in the area is already an issue around here and the smokehouse will likely result in an increase in traffic and congestion
- We already have a chinese takeaway/fish and chip shop and a local shop selling many different types of food so we don't see the need for further food establishments

Everything we have listed above has the potential to disrupt the peace and quiet of local residents' home life on the estate, and we believe that it will for the reasons stated.

The details on the application seem a little sparse. We note that there is no proposed commencement date on the application. The size of the trailer is not stated either.

Please feel free to email us back if you need anything further.

Please keep our objection confidential under GDPR.

Many thanks.

[Redacted signature]

353471

**Amanda Hodge**

---

**From:** [REDACTED]  
**Sent:** 03 September 2019 12:06  
**To:** Amanda Hodge  
**Subject:** Website contact - NightJar Public House - Licensing application

We have received the following

**Title:** [REDACTED]  
**Other Title:** [REDACTED]  
**First Name:** [REDACTED]  
**Last Name:** [REDACTED]  
**Post Code:** [REDACTED]  
**Address:** [REDACTED]  
**Email address:** [REDACTED]  
**Phone number:** [REDACTED]  
**Do you represent an organisation?:** Yes No  
**If so, name of organisation:**

**Details of your enquiry:**

There has been an application put forward, for a black trailer to be placed on the car park of the nightjar pub, by a mr Paul Ellis. I would like you not to let the application go through, as I don't think the the car park is a suitable place, the landlady of the pub, does not keep the outside of the premises clean or tidy, so to have food & drinks trailer on the site, is not a good idea. Thank you for your help.

**Nigel**

**Nigel Adkins  
Business Support  
Agilisys Partnership  
North Somerset Council**

**Tel:** 01275 888811  
**Email:** [nigel.adkins@n-somerset.gov.uk](mailto:nigel.adkins@n-somerset.gov.uk)  
**Post:** Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ  
**Web:** [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk)

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353483

~~\_\_\_\_\_~~  
Mead Vale, Worle  
Weston-super-Mare  
N Somerset

Your ref:  
C8CS/LSC09/055021

BS22 8XH

23rd August 20

Dear Sir or Madam

Thank you for your letter and copy of  
the Notice of Intention to apply for a Street  
Trading Consent.

Whilst I have no objection to the  
granting of a Street Trading Consent being as  
do farther round Flamings Crescent, as a good  
neighbour, I must add that if I lived  
immediately opposite the Nightjar I would  
have concerns.

Yours faithfully,

~~\_\_\_\_\_~~