

**Representations received in relation to street trading application by One Licensing on behalf of Mr Mehmet Ozer for site at Unit 19, Lower Road Industrial Estate, Ledbury.**

**1. Herefordshire Council elected ward members:**

Cllr Holton:

*"This is not suitable for Ledbury or required as we have several late night eating establishments on the high street which are covered by CCTV. The Industrial Estate is surrounded by a residential area and families."*

Cllr Harvey:

*"I am not supportive of the location of a street vendor at this location. Ledbury town centre is in easy walking distance of all residential areas. We have a wide selection of food outlets already in the town centre which are open late into the evening - and my view is that these are sufficient for our needs. I remain of the view that this is unnecessary and intrusive."*

**2. Ledbury Town Council:**

*"This application was discussed at last night's Economic Development & Planning Committee meeting. Cllrs expressed concerns, but finally voted that the application could be supported, provided it was on an initial three month trial basis."*

**3. Environmental Health Officer (Environmental Protection), Mr A Trezins:**

*"I can confirm that I have visited the site and am of the opinion that the new application does not significantly address the concerns of noise, disturbance etc. that formed part of the reasons for the refusal with regard to earlier applications. I would also add that should problems occur the powers available to the Local Authority as regards noise nuisance would not be applicable or largely unenforceable in this situation. My comments therefore remain unchanged from that previously submitted"*

**4. West Mercia Police:**

*"We would be concerned about the closing time of 11pm in particular. It could easily become a gathering point, and because of increased traffic to the Industrial Estate that local occupants have not been used to, it could easily be viewed as ASB at this time of night. I don't see anything that changes my original concerns this time around"*

**Nick Green PS 1954**

“From an ASB point of view I would expect this location to become a problem location – especially during the evening with regards to 'boy racers'.

**Jim Mooney, Licensing & Harm Reduction Coordinator**

**5. Feedback from Balfour Beatty who conducted a highways impact assessment of the proposed site.**

Site visited 16<sup>th</sup> of May 2017 - 11:30 AM

There were quite a lot of cars parked on the whole industrial estate generally, a couple opposite the Riley plastics/carwash site and some on the junction or near the junction turning into this spur on the industrial site.

The spur road has the entrance to another business opposite Rowley plastics/carwash, and it is also the access to Amcor.

The site itself is approximately 30 m wide with 2 dropped kerbs for access. One of these is in front of a doorway which forms access into the building. This entrance was open at the time of the visit and presumably needs to be left clear for access inside the building.

The second access is at the other end of the site opposite another doorway, which was closed.

The burger van unit is 3.6 m long x 2.1 m wide, towed by another vehicle. The van would need to be manoeuvred into position on the forecourt of the building, probably parallel to the road as there does not seem to be sufficient width to park it in end on at the left side of the site as you look from the road. The only way to do this would be to drive it up over the kerbs and pavement. It could not be located on the right side of the site due to the access.

As a result, I do not consider there would be sufficient room to park more than a couple of vehicles on the site by visiting customers.

It is highly likely that customers arriving by car will park their vehicles on the road. By doing this they are causing an obstruction to other customers using the car wash, and vehicles arriving and departing the business premises opposite.

If vehicles are parked between 3 and 5 PM when the majority of businesses are still open, and people are leaving for work this adds further congestion and vehicle movements to an already busy site.

This spur road also provides access to Amcor. This business, I understand operates 24/7 and has a number of HGVs coming and going regularly. There were lorries being loaded at the time of my visit. Additional cars parking on this road would make it more difficult for lorries manoeuvring, and particularly trying to turn out of this spur onto the main road to exit the industrial estate.

In conclusion – I would refer to my original comments on the original application from August 2016 in that I feel there would be additional obstruction caused by cars parking for people to use this facility. This will make access and egress much more difficult for vehicles particularly HGVs, using the businesses located on the spur road. As such, I do not support this application.

**Fiona Miles – Licensing and Enforcement officer – BBLP Highways division**

**6. Feedback provided from One Licensing following their leaflet drop to houses in the vicinity about the proposed venture: (two comments only are considered to be valid. One was discounted as it was verbal only and the other claimed to represent the view of 3 properties, so this has been classed as just one)**

*“Mrs Richardson wrote to say she would like to oppose the hot food catering unit on the Lower Road Industrial Estate. “We oppose due to the reason why on earth do you want to trade from 4pm- 11pm at night when it is a trading estate:- there will be no customers as the Amcor factory have their own canteen and are not happy with the idea also. That would bring people from town from the pubs causing trouble at that time of night. Also the smell of fried food all evening.”*

Mr Lewis wrote to say: *“On reflection of the last time a unit was sited at the same location, I would object to any unit moving back. A few questions:*

*Is this the same unit that is already sited elsewhere on the Lower Road estate moving or another unit?*

*What guarantees can be given about the increased noise pollution between the hours requested?*

*What is happening to the existing car wash business parking arrangements between the 4 - 6 pm time frame (proposed site for the snack bar)?*

*How will the unit be secured out of hours?”*

**7. Local resident who chose to e-mail the Council of their own volition, after the original application decision rather than respond to One Licensing direct:**

*Mrs Dee wrote:*

*[REDACTED] This junction is currently very busy and will, I am sure, see an increase in traffic once the new Aldi is completed.*

*As a resident close to the estate I was totally against this venture from the start and had planned to express my views at the meeting. The location of the burger van seemed totally unsuitable due to access issues and the close proximity of some very busy businesses which use very large vehicles. I am obviously pleased the licence has not been granted but felt it necessary to write to express my views.”*

**8. Amcor Flexibles who operate the large factory at the end of the road of the proposed trading site. Note they were not an original consultee but e-mailed their viewpoint to the Council of their own volition after the original application decision:**

*I have listed below the concerns that we as a business have around the proposed siting of the Burger Van on Lower Road Industrial Estate.*

- a) The overall disturbance to residents. We currently deal intermittently with complaints from residents regarding the noise from our own business and we have worked hard to build up a relationship with our neighbours by liaising with them as much as possible in respect of the noise levels and timing. This would add to this disturbance and we suspect you would receive a number of complaints from the surrounding residents.*
- b) The traffic issue is already a problem around the Lower Road Industrial Estate. As you turn right out of the road that the burger van is proposing to be sited, you come to a junction which is already quite dangerous. It is consistently parked up on one side which means numerous vehicles are approaching the junction on the wrong side of the road. Coming out of the junction is also a bit of a blind spot for drivers. We actively encourage all suppliers to send their vehicles along the ring road and up past Homebase to avoid this particular junction. Increasing the traffic in this area is increasing the risk of accidents which is already quite high. On this matter as well we receive complaints from residents when vehicles use this route and this junction. Increasing the volume of traffic we are sure would result in numerous complaints to the council on the traffic and associated risks.*
- c) Parking - the road in question is public land to the point of our entrance gates on the right and our car park on the left. Following this point the land is owned by Amcor Flexibles and as our operation is 24/7 we would not want the public parking along our road and blocking access to our warehouse at the rear of the business, or utilising our car park whilst they visit the burger van. Heavy goods vehicles are entering and leaving our business via this road on a regular basis; plus tankers delivering our solvent and collecting waste solvent; plus there is the fact that our employees constantly entering and leaving the car park. If the application was to go ahead we would seriously be looking at gates being erected to block access to our site.*
- d) The litter this would create would be high and again being so close to our private land this would be a big issue. We are subject to many audits being a manufacturer of food packaging. One them the American Institute of Bakeries (AIB) is a requirement by many of our customers such as Allied Bakeries. This covers not just inside the factory but the hygiene and environmental appearance of our external land. Therefore, if we were unable to erect gates to block access to our land, it could mean that we ended up employing someone to ensure each day that the site was free from debris and litter. This is not a cost we would wish to incur. This is just one audit and there are many others that we have to adhere to being both in manufacturing and within the food packaging industry.*
- e) Worthy of note is that a neighbouring business also has heavy goods vehicles regularly visiting them and actually load and unload these vehicles on the road directly in front of*

*where the burger van is proposed to be sited. Again increasing the risk of accidents with both pedestrians and vehicles, particularly our employees arriving and leaving site.*

- f) As we are a 24/7 site our employees are arriving at various times throughout the day and leaving. We operate a number of shift patterns and the timings of such arrivals / departure vary and cover both day and night. Therefore the risk to pedestrians is high.*
- g) Finally, we as a business subsidise a canteen on site for our employees and outside of opening hours they provide vending machines on site. A business such as this is likely to encourage our employees to leave site and not utilise the canteen or vending machines, therefore increasing the cost to the business in the subsidisation of the facilities on site as the level of subsidy is dictated by the takings of the canteen.*

*Many of the local residents we know are in disagreement as they are also our employees. Apparently all they have received is a flyer by the people proposing to site the burger van and the information on that leaflet was very poor in respect of the actual location.*

**Marion Flaherty**  
HR Manager  
Amcors Flexibles Ledbury

**9. Existing licensed snack bar trader (Mr R Jerabek, t/a J R Catering) who operates elsewhere during the day on Lower Road Industrial estate:**

I am emailing regarding the new burger caravan applying to trade in Ledbury. This new application creates a number of concerns for me.

I am concerned about this new caravan coming into the area where I trade as it will be detrimental to my trade and business. I feel that having this other business would undermine my sales and that this would be bad for business. It seems very unfair that you are considering giving this person an evening trade license when I have applied for an evening trading license on numerous occasions and have been declined. I have recently put a new caravan into my site which has new equipment and a kebab machine in it. If this is approved this will be very unpleasant for me as I have invested a lot of time and money in my business for it to go downhill and lose money.

I have been here many years and as I have said applied before for evenings and been turned down, so why should this application be approved? I feel it would be very wrong.