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To: Councillor Reynolds, Convener; and Councillors Bell, Delaney, Malik and McRae.

Town House,
ABERDEEN 30 March 2021

LICENSING SUB COMMITTEE

The Members of the **LICENSING SUB COMMITTEE** are requested to meet remotely on **WEDNESDAY, 7 APRIL 2021 at 10.00 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

In accordance with UK and Scottish Government guidance, meetings of this Committee will be held remotely as required. In these circumstances the meetings will be recorded and available on the Committee page on the website.

BUSINESS

- 1.1 Declarations of Interest

- 2.1 Grant of a Street Trader's Licence - Douglas Durno - Canal Street (Woodside) South Side, 25m East of Bank Street (outside No 26) (Pages 3 - 8)

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Mark Masson, tel 01224 522989 or email mmasson@aberdeencity.gov.uk

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LICENSING COMMITTEE INFORMATION SHEET

7 April 2021

APPLICATION FOR THE GRANT OF STREET TRADER LICENCE

LICENCE HOLDER: Douglas Durno

Location: Canal Street (Woodside) South Side, 25m East of Bank Street (outside No 26)

DESCRIPTION

- Application submitted: 30/11/2020
- Determination Date: 29/11/2021

Landowner consent has been received.

CONSULTEES

- Police Scotland
- Environmental Health

OBJECTIONS/REPRESENTATIONS

- Members of the Public x 4

COMMITTEE GUIDELINES/POLICY

N/A

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

Public Objection 1

I have become aware the burger van which was found to operating illegally in Canal Street off Bank Street, Woodside has applied for a licence.

This operation was referred to our local councillor by our neighbourhood group who instructed enforcement officers would visit.

Surely it is wholly unacceptable for a food van to position itself on a private lane without permission of fue holders. There have also been multiple sightings of vermin behind the small supermarket within few minutes from this van.

This type of business will add to even more litter and foot fall/traffic in an area where road surface is already crumbling from the excessive traffic from the garage and supermarket. It is already near impossible to get a car down Bank Street with the cars parked on both pavements and impossible for an emergency vehicle to get down there.

As for lane van is parked I cannot see how an emergency vehicle would be able to pass to get to the homes there either. As there is no pavement on Canal Street surely not safe for customers especially school children who have been seen in groups there.

Please record my strong objection on above grounds and also already excessive number of take away outlets in this area.

Public Objection 2

We have been advised that a license has been requested for a fast food van at the above address. We are extremely unhappy at this application and would like the opportunity to object. There are ongoing issues with traffic congestion in Bank street and Gladstone place Woodside. This van has already been trading and traffic congestion has caused difficulty to neighbours in the area.

Thank you for your email acknowledgement. As we have a little more time we would like to expand on our original objection.

Traffic congestion on Bank Street and Gladstone Place has been an issue for quite some time. At the corner of Bank Street and Great Northern Road we have a busy supermarket with only three dedicated parking spaces. Their customers have to park in the adjacent streets. There are also garages in Canal Street with cars arriving for repair. These cars are often left on Gladstone Place, Bank Street and Deer Road - either awaiting repair or collection and again add to the congestion we are experiencing. Complaints regarding this have been made to the police with details provided of the number of cars emanating from the garages with no valid Road Tax or MOT. Councillor Lesley Dunbar has assisted in this and forwarded information to the local Police Inspector on our behalf.

There is very little parking in Canal Street. The garage at the end of the lane, where the Burger Van is situated, has no dedicated customer parking space that could be used by customers. The Burger Van is taking up a parking space that could be used by garage customers.

We have had to reverse out of Bank Street onto Great Northern Road as cars have parked so badly that you cannot pass through Bank Street. We have also experienced abusive drivers

who refuse to move to allow other cars to pass and force you to fold in your wing mirrors and hope for the best. This is an accident waiting to happen. Why encourage further trade to the area when the street is so busy already?

Parking issues on Bank Street as a result of the supermarket have already been raised with our local Community Council.

The Burger Van has already been trading without a licence and we are sure this will be adding to the congestion which was extremely bad in the lead up to Christmas due to the number of customers visiting the supermarket.

We understand that work is to be started on utility infrastructure at the Don Place end of Gladstone Place. This will no doubt add additional parking pressures and issues regarding entry and exit for residents.

I have attached a photo that gives an indication of the problem.



A number of years ago double yellow lines were introduced to Gladstone Place following "concerns raised by Grampian Fire and Rescue regarding access to Gladstone Place. It was found that vehicles were parking in such a manner that they were effectively obstructing access to this street for any HGVs, including fire appliances or other emergency vehicles." See Environment, Planning and Infrastructure Committee paper dated 18th Jan 2011, Report Number EPI/11/016 for further information. There are days that cars cannot drive down Bank Street never mind a Fire Engine or Ambulance.

We feel that this area cannot support a Burger van that will attract additional customers and request that the license is not approved. Although the Burger Van is situated in a private lane there is no parking space available in the lane for customers and they will have to park in Bank Street or Gladstone Place. Due to the congestion caused already by parked cars it is not a safe area to encourage pedestrians to visit either. For these reasons we would request that the licence is not granted.

Public Objection 3

We live in Gladstone Place, Woodside , and have done for 59 years but we are having difficulty getting out on to the main road (Great Northern Road) for the cars, vans parked on Bank Street on both sides sometimes double parked and parked on the pavement.

There is now even more congestion as there are two garages opened in Canal Street and a hot food van in a very congested and unhygienic place.
Cars are also being parked in in Canal Street, Bank Street and Gladstone Place.

There is also a Supermarket on Great Northern Road and because they can't use their back door they use their front door where large lorries have to park their vehicle half way across the top of Bank Street near the crossing and blocking the entry and exit to Bank Street.

Public Objection 4

I would like to object to a license being given to this van. At present the parking situation on bank street and Gladstone place is appalling. Cars parked everywhere and access limited due to the current shops/ fast food outlets/ garages parking their cars everywhere. If emergency access was need to bank street, it would have no hope. There seems to be no current respect to residents and thus would only make it worse. Accessing Bank street at present is currently a liability. Personally due to vehicles stopping everywhere on the street sometimes you turn in off great northern road and fear for your life as there is nowhere to go and you are stuck half in and out of the junction. A food van several metres down the road will only impact negatively on this danger. I hope my objection will be taken seriously