

Cornwall Licensing Team
Licensing Officer | Cornwall Council
Kath.woodfinden@cornwall.gov.uk |
www.cornwall.gov.uk 'Onen hag oll'

Dear Kath Woodfinden,

Re: Application for a street trading licence on Esplanade Road Newquay made by Matthew Wolstenholme
I wish to object to the application in its current form

The site position marked 'X' abuts the grass on Esplanade Road Village Green. This should not be permitted as previous trader's customers have damaged the grass on the Green. The proposal sites the vehicle close to where there is already an approved Street Trading License issued.

It should be noted that Street Trading is not permitted on a Registered Village or Town Green as it interrupts the use or enjoyment of the green as a place of exercise and recreation for residents in the locality.

Similarly the use of the Green for queueing, signage, and additional waste receptacles should be specifically excluded.

A hard footpath location only should be used or the road behind the vehicle.

Measures should be put in place to avoid damage to the Green by any increased or diverted foot traffic from the footpath with remedial proposals due to the sales point.

(Section 12 of the Inclosure Act 1857. and Section 29 of the Commons Act 1876 apply)

The waste bins and sign positions should not obstruct the footpath nor be on the Village Green.

The applicant states that the trading hours will be from 0900 to 1700hrs and then states that he is going to park early to reserve a space i.e. presumably before he is supposed to arrive at 0900hrs. Previous Street Traders have also 'reserved' their spot by parking another vehicle overnight and moving it away when they bring their retail vehicle. This should be specifically forbidden in any permit (with a penalty).

This type of unfortunate action would deny tourists, visitors, hotel customers, surfers, and residents the free use of a parking facility for personal commercial gain without benefit to the community.

From the photos provided the vehicle and trailer would take up at least two parking spaces and probably part if not all of a third. - about 9 to 10 metres (30 feet) not including the rear access ramp;

NB The retail vehicle and trailer dimensions given in the application are, to say the least, incorrect if not totally misleading.

This application should not be permitted as it would stop visitors, residents and surfers from using what is supposed to be free public parking over a considerable length.

In my opinion, as a retired safety advisor, the ramp/step access to the back of the serving van is a serious public health and safety trip hazard from all three access point directions - including to and from the more dangerous trafficked side.

This defect should be grounds for rejecting the application on its own.

What steps is the applicant proposing to take to prevent customers blocking the narrow footpath (1.6M wide maximum) and stop damage being caused from any passers-by forced onto the Green?

Why is he advertising a model of The Buoys hoodie top in his application if he is not selling clothing? This should be refused as a specific condition on Hygiene grounds..

What are his proposed alternative parking positions if the denoted one is not available?
It should be noted that the proposed parking position is opposite a marked bus-stop parking area.
Is this sensible or permissible?

There are three other street traders approved for Esplanade Road already, each looking to park after 0900hrs.

The number of street trading vans now proposed for Esplanade Road is FOUR sites; all on the road within 94 metres of each other.

We are now out of the EU and yet apparently we are still bound by their directives not to refuse any and all street trading applications – Why?

What legal measures will be available to him to prevent other vehicles parking close behind the trailer and stopping safe or any access to the selling unit?

It should be a condition should any licence is granted that no vehicle or barriers associated with the applicant park behind his selling unit.

What are the control measures to prevent odour nuisance to residents and visitors?

Residential flats are directly opposite the proposed retail point.

The general prevailing wind direction that normally results in a breeze blowing from the sea.

It would them collect the smells from around the pasty van and then on and in to the flats.

These are also holiday lets and next to hotels in the vicinity.

The adverse effect of unacceptable smells would probably result in a loss of lettings.

Pasties smell.

Cornish Pasties smell a lot.

These odours would also adversely affect the mainly residential-biased locality where there is already a plethora of take-away and food retailers in four hotels and cafés – these appear to have odour control systems that work.

Perhaps Planning should be consulted and advise as this situation is becoming silly.

regards