
Report To:	General Purposes Board	Date:	10 June 2015
Report By:	Head of Legal and Property Services	Report No:	LP/089/15
Contact Officer:	Lindsay Carrick Legal Services	Contact No:	01475 712114
Subject:	Application for Grant of a Street Trader Licence John Molloy Fixed Site at Esplanade (Lay-by between the Boat Club & North Street), Greenock		

1.0 PURPOSE

1.1 The purpose of this report is to ask the Board to consider the application for a Street Trader Licence submitted by John Molloy. Mr Molloy made application for a Street Trader Licence on 2 April 2015. This is Mr Molloy's first application for a Street Trader Licence

2.0 SUMMARY

2.1 The Board will note that 23 objections have been received with regard to the application and a copy of the objections form Appendix 1 to this report.

2.2 The applicant was given the opportunity in terms of the Act to make representations in writing to the objections and a copy of Mr Molloy's response dated 19 May 2015 forms Appendix 2 to this report.

2.3 The applicant has also been advised that he may be present or represented at this meeting to be heard should the Board decide to hear him.

3.0 RECOMMENDATIONS

3.1 The Board are asked to decide whether or not they wish to hear the applicant in support of his application.

3.2 The Board are asked to determine the application in light of the objection and to determine whether Mr Molloy's application for a Street Trader's Licence should be granted.

4.0 BACKGROUND

4.1 An application for the grant of a Street Trader Licence has been made by John Molloy to allow him to operate a mobile stall trading in hot and cold food and beverages at the Esplanade (lay-by between the Boat Club and North Street), Greenock. The proposed hours of trading are from 8am and 3pm Mondays to Fridays and 10am and 4pm on Sundays.

4.2 Consultations have been undertaken with Police Scotland, the Head of Safer & Inclusive Communities, the Head of Regeneration & Planning, the Head of Environmental & Commercial Services (Roads) and the Ward Councillors, none of whom has made any objection to the application.

4.3 Safer and Inclusive Communities commented that if the licence is granted Mr Molloy should contact the department to make suitable arrangements for the inspection of the van to be carried out.

4.4 The Head of Regeneration & Planning commented that provided the vehicle is sited on the public road and removed each night planning permission is not required.

4.5 The application was advertised in the Greenock Telegraph.

5.0 IMPLICATIONS

Finance

5.1 There are no financial implications

Legal

5.2 The Board will note that the provisions in the act regarding the refusal of an application stipulate that a Licensing Authority shall refuse an application, where, in their opinion certain grounds apply including:-

(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 under section 7(6) of this Act, or
- (ii) not a fit and proper person to be the holder of the licence;

(b) Where a 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 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

(c) There is other good reason for refusing the application.

5.3 Mr Molloy has recourse to the Sheriff Court in the event he wishes to appeal any decision of the Board.

Human Resources

5.4 There are no Human Resources implications.

Equalities

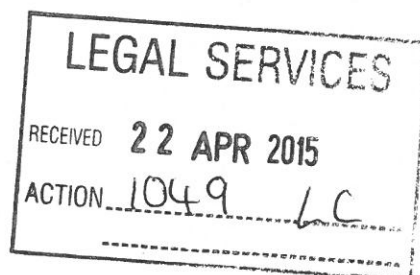
5.5 There are no equalities implications.

Repopulation

5.6 There are no repopulation implications.

19-04-15

Head of Legal and Property Services
Municipal Buildings
Greenock. PA15 1LY



Dear Sir,

REF: - STREET TRADER LICENCE APPLICATION
ITEM 2 JOHN MOLLOY APPLICATION
RE- ESPLANADE, TRADING.

I hereby submit my objection to
this proposed trading licence.

The Esplanade is not a commercial site
and should remain as such.

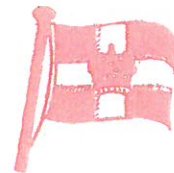
This type of venture would only demean
the status of the Esplanade.

Yours sincerely

(CAPT. A. I. MACFEEATE)



Royal West of Scotland Amateur Boat Club



Esplanade, Greenock

Tel: (01475) 723260

27th April 2015

Head of Legal & Property Services
Inverclyde Council
Municipal Buildings
Greenock
PA15 1LY

Dear Sirs,

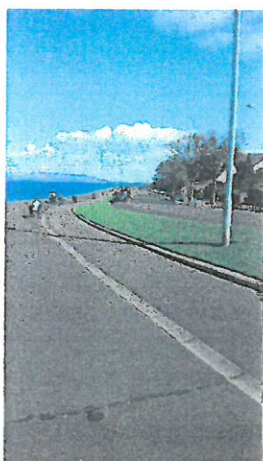
Re: Street Trader Licence Application by Mr. John Molloy

On behalf of the membership of Royal West of Scotland ABC the Management Committee would like to register our objection to this application. We are near neighbours of the intended location, being located at the West end of the Esplanade.

The reasons for our objection are as follows:

If the application is to park the mobile unit on the North side of the Esplanade parallel to the carriageway

1. In our opinion this intended location is not a lay-by, it is an on-street parking area adjacent to the single carriageway.
2. This places the mobile unit, its operator and customers within inches of traffic descending a hill on the outside of the bend. We would be very concerned about the safety implications to those operating the unit, using it as customers and passing it in vehicles. This must surely be an issue for both Police Scotland and the Council's road safety officers.
3. There is no pavement adjacent to this area. There is a grass verge then a cycle lane between the pavement and the parking area. If the sales window is to face North then the customers will be standing on the grass verge, to the detriment of this over time, and potentially standing in the cycle lane with the obvious safety issues. If it were to face South then the customers would be standing on the carriageway, with the obvious safety issues. This must surely be an issue for both Police Scotland and the Council's road safety officers.



From left to right; Pavement, cycle lane, grass verge, parking bay, carriage way



If the application is to park the mobile unit on the South side of the Esplanade parallel to the carriageway

4. Again in our opinion this is not a lay-by, it is on-street parking area adjacent to the single carriageway.
5. There is no pavement adjacent to this area. There is an unpaved gravel verge between the pavement and the parking area. If the sales window is to face South then the customers will be standing on the unpaved verge. If it were to face North then the customers would be standing on the carriageway, with the obvious safety issues. This must surely be an issue for both Police Scotland and the Council's road safety officers.
6. This would place the mobile unit across the pavement from residential properties that use this area for parking, to keep the carriageway clear on the inside of this bend. The mobile unit and its customers will have an adverse effect on the availability of parking for the residents and potentially the safety of this section of the carriageway. This must surely be an issue for both Police Scotland and the Council's road safety officers.



From left to right, carriageway, parking bay, gravel verge, pavement, residents gardens

General safety issues

7. With direct reference to point 1 & 4 above, The Highways Agency guidance document <http://www.standardsforhighways.co.uk/dmrb/vol6/section3/ta5787.pdf> and Transport Scotland's guidance document <http://www.transportscotland.gov.uk/guides/j256264-07.htm> both support our opinion that the areas in question are not lay-bys. See attached guidance drawing. The parking areas do not meet these standards and should not be considered suitable for street trading. The photos above illustrate the proximity of the parking bays to the carriageway.
8. Its location may also encourage an increase in the number of heavier commercial vehicles turning off Eldon Street, who will then subsequently needing to return onto Eldon Street from smaller linking roads such as North St., Bentinck St. & Madeira St. This must surely be an issue for both Police Scotland and the Council's road safety officers.
9. The location, in this area, is on the only bend of any significance on the Esplanade. The point with least visibility for approaching traffic from either direction. This must surely be an issue for both Police Scotland and the Council's road safety officers.

Other issues

10. The intended location is within the Greenock West End Conservation area, which by the Council's own definition is an 'area of special or historic interest, the character or appearance of which it is desirable to preserve or enhance'. We feel that a street trader operating a mobile food unit will be detrimental to both the character and appearance of the Esplanade and will do nothing to preserve or enhance the area.
11. We feel that the application may be as a direct result of the recent permission being granted to Drum Properties to develop the former Naval Buildings site adjacent to ourselves. The hours that have been applied for in the licence will suit the contractors on the site. Therefore this application is wholly commercially driven and will do nothing to 'preserve or enhance the area'.
12. If the operation of the licence was to continue after the completion of the development then it may actually be detrimental to the sale values of the properties within the development, as a number of them would be overlooking it.

13. The hours chosen would imply that the applicant is not interested in providing a service to users of the Esplanade at its busiest times, early evening and Saturdays. Therefore a further indication that they have no interest in enhancing the area.
14. Although the Street Trader's Licence Standard Conditions stipulate that the Licence holder "shall clear away and uplift all litter...from the stance", the Esplanade already has a litter issue with fast food packaging from outlets further away being left when cars drive off. Regardless of the best efforts of the operator, this outlet right on the roadside can only make this situation worst.
15. This end of the Esplanade is also popular with seabirds that catch shellfish on the foreshore at low tide and then drop them onto the pavement to get inside the shells. A food kiosk facing the river with easy access to potentially open topped bins and discarded food is going to encourage scavenging by the birds. This will be detrimental to their well being, as their diet could be affected, and also users of the Esplanade if they become a vermin problem.

In Summary

We object on the grounds that

- the location is inappropriate as regards road and pedestrian safety
- it contravenes the ideals of the Conservation Area, that the Council has rightly upheld elsewhere on the Esplanade in the last few months
- it could lead to litter and vermin issues

All of the above without benefit to the local residents or community.

Can you please advise when the licence application will be considered by the General Purposes Committee, as we may wish to make representations to that meeting.

We trust this clarifies the Club's objection to this application.

Yours Sincerely,

Adam A. Graham
Honorary Secretary

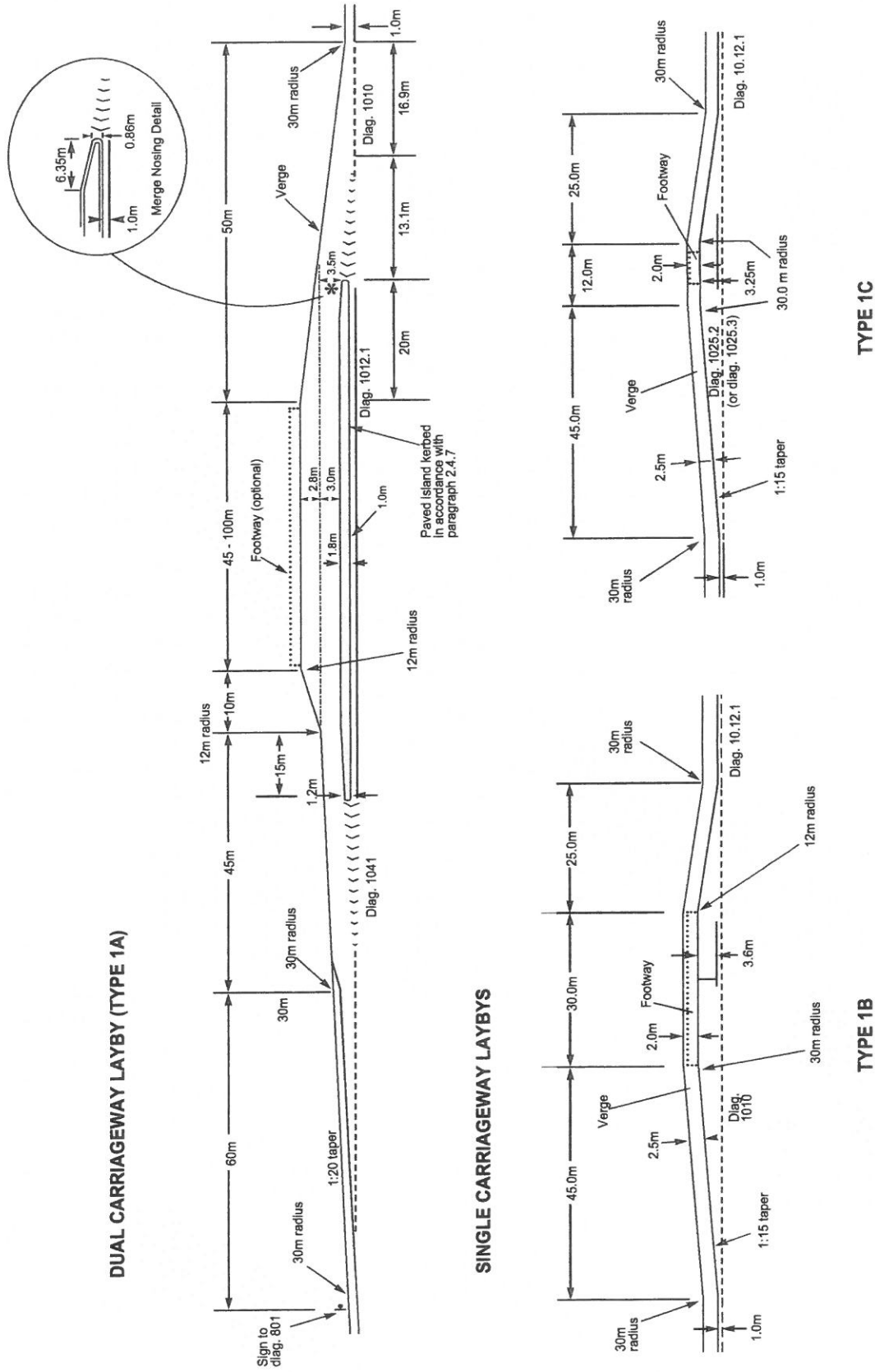


Figure 1 Geometrical Layout of 'Laybys'

Fig 1 - GEOMETRIC LAYOUT OF 'LAYBYS'

CONSERVATION AREAS
Site - Greenock West End
Grid Reference - NS 268 773

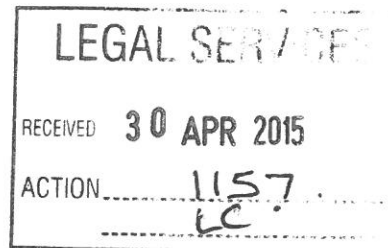


Inverclyde Council
Regeneration & Planning

SCALE 1:6000

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Monday 27th April 2015

Objection to Street Trader License Application – John Molloy,
Esplanade, Mobile Food and Beverage Unit

Dear Sir/Madam,

I write to list my objections to the above-proposed Street
Trader License Application.

- 1) A mobile food and beverage unit would be completely out of character in this conservation area.
- 2) A mobile food and beverage unit would encourage anti-social behaviour such as has been an ongoing problem on the Esplanade for many years. Congregation of cars, speeding, noise and litter.
- 3) The proposed unit and inevitable litter problem that it would create would exacerbate vermin in the area. Including already aggressive seagulls on a public walk.

May I suggest a more suitable site for this sort of unit still within this area would be Fort Matilda Industrial Estate?

Yours faithfully,

James McFadden

30th April 2015

Head of Legal and Property Services
Inverclyde Council
Municipal Buildings
Greenock
PA15 1LX

Dear Sirs

**Objection to Street Trader Licence Application from John Molloy
Mobile Hot and Cold Food Van, Esplanade**

I wish to object to the above proposed Street Trader Licence on the following grounds:

- The Esplanade is within a conservation area. A hot and cold food van would be detrimental and out of character for such an area.
- A hot and cold food van would inevitably cause litter and would encourage even more seagulls whose behaviour is already aggressive towards pedestrians

Yours faithfully

Margaret Sheridan





Marco Medinelli

28.04.2015

I would like to formally object to the application for a mobile unit to trade on the Esplanade between the Boat club and North Street for the following reasons.

1) Greenock's Esplanade is one Greenock's main assets in terms of its natural beauty and lovely views however there is at times a litter problems and the presences of this trader would exacerbate the situation.

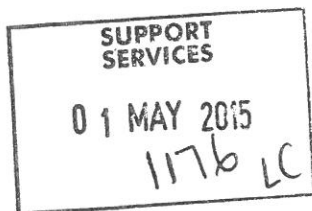
2) Do we really need this mobile trader as the is plenty of premises already supplying hot and cold food and beverages within the vicinity, you have towards the Gourock end — The BlueBird Café, Auld , the coffee shop @ 1 Cove Road and a newsagents that sell hot and cold food, towards the Greenock end you have — Lorna`s where you can sit in or carry out, the West End newsagents where you can get cold rolls, both these shops have suffered badly with the closure of the Greenock Academy and could do without the added competition from someone who does not have the same overheads, then there is the co-op a newly opened shop which supplies cold food , the Esplanade Café and food express all within the same radius as this proposed mobile van.

3) As this is a conservation area is it actually acceptable for a mobile trader to trade from this position and is there no Bylaws that prohibit trade selling along the Esplanade.

In my opinion , we need to try and enhance and promote the beauty of this area and any type of street selling trader would not help towards that goal.

Your sincerely,

M. Medinelli.



30th April 2015

Inverclyde Council
Planning Department
Head of Legal and Property Services
Municipal Buildings
GREENOCK
PA15 1LY

Dear Sirs

Street Trader Licence Application dated 14th April
Paragraph 2

I am writing to object to an application made to Inverclyde Council for a Street Trader Licence on the 14th April 2015, under Paragraph 2, by John Molloy, to trade in hot and cold food and beverages from a mobile unit situated at the Esplanade (layby between the Boat Club and North Street) for the reasons below:-

1. The site in question is a conservation area and a mobile fast food unit is not in keeping with the amenity of the Esplanade.
2. There will be noise pollution (a generator), and smell pollution.
3. There already is fast food available in the area at the Esplanade Café and the Battery Park.

Yours faithfully

Alan L Dunnet

LEGAL SERVICES	
RECEIVED	01 MAY 2015
ACTION	1170
	LC

25 - 4 - 15

Dear Sir/Madam,

I wish to register
my objection to the street trader
license application - John Molloy, Esplanade,
Mobile Food & Beverage unit.

This is out of
character for the area & may
encourage vermin, particularly seagulls.
The area is beautiful and attracts
many tourists, the van would reduce
the beauty & status of this area.

Yours faithfully,

L. Caldwell

Gerard Malone
Head of Legal and Property Services
Inverclyde Council
Municipal Buildings
Greenock

Dear Mr Malone,

Objection to burger stall at The Esplanade

I would like to make a formal objection to the plans for a static burger stall between North Street, Esplanade and the Royal Boat Club on the Esplanade. I believe this would have a detrimental effect, not only to the residents of the Esplanade, but on the many conservational aspects and architecture at the Esplanade.

Many visitors to Greenock include the Esplanade as a 'must go to' destination when visiting this area and a large number of local residents currently enjoy walking and cycling along the Esplanade – attracted by the spectacular views and current well maintained elegance of the area.

A static burger stall would not only ruin this, it would also subject this area to an abundance of litter and potentially vermin.

The area is already well served with food establishments at Campbell Street on the Esplanade, the Co-op in Fox Street and nearby Cardwell Bay.

Let's not spoil this beautiful Greenock landmark with the eyesore of a static burger stall that no-one needs or wants – please!

Many thanks

Lesley Ferguson



Dear Sir , I would like to object to proposed Hot and Cold Mobile Unit situated between the Boat Club and North Street on Greenock Esplanade .This being a conservation area of the town it would be out of keeping with the architecture of the area and as the area is served well by static shop units it will also be unnecessary .I am also concerned this will also attract seagulls and other vermin to the area .

Sincerely Mrs Irene Byng.

LEGAL SERVICES	
RECEIVED	04 MAY 2015
ACTION	1180 LC

LEGAL SERVICES	
RECEIVED	04 MAY 2015
ACTION	1179 LC

Dear Sir or Madam,

We the undersigned wish to object to the siting of a burger van on the Lisplannede.

The Lisplannede already has a little problem with KFC, Mc Donald's and Burger King wrappings thrown from car windows by those too lazy to walk to a litter bin. What actually does make it to bins is usually removed by the seagulls. We do not need a burger van to add to this problem.

Yours faithfully
JOHN BOYLE

MARIA BOYLE

Street Trader Licence Application

It is quite inconceivable, to us, that the presence of a Burger Van (or all that that entails) should be considered to trade in a Conservation Area such as the Esplanade. It must not happen.

George & Dorothy Horley

LEGAL SERVICES	
RECEIVED	06 MAY 2015
ACTION	1211 <i>U</i>



3 May 2015

Dear Sir/Madam

Civic Government (Scotland) Act 1982 Street Trade Licence Application

I refer to the above and specifically the application by John Molloy to trade a Mobile Food Unit on the Esplanade between the Royal West of Scotland Amateur Boat Club and North Street.

In the first instance I was disappointed that the only notification we could possibly have noticed was printed once in the Greenock telegraph, on 14 April 2015. Common courtesy would have been to inform those most likely to be affected by a note of intention, either sent by post or dropped off to the residencies.

The following are our own concerns, and not necessarily a comprehensive list.....

Visual impact – the Esplanade is both a tourist attraction and a favoured location for locals during their social time. It could be considered the first sight of Greenock for visiting tour ships and therefore making a first impression. Would it not be hypocritical of the Council to grant this application given their stance with a painted house!

Council's Nutrition Policy – We understand the Council has committed to promoting healthy eating through its nutrition policy. Surely this proposal contradicts the Council's objectives.

Noise pollution – 8am is early for a facility to be trading, particularly in an exclusively residential area with elderly individuals and young families. Although the proposal has stipulated specific hours, its highly likely that there would be slippage, resulting in increased trading times and therefore further disruption.

Traffic/Parking congestion – the Esplanade already has a well-documented problem with young drivers congregating, driving at speed, braking violently and generally causing a disturbance. A facility such as proposed, would surely exasperate this situation, attract further young drivers, possibly becoming their focal point and additionally for youngsters in general.

Road Safety - we assume the Council actively supports road safety. The proposal is located close to a busy main road junction. Additionally with the proposed Housing Development, on the site of the old Coast Guard building surely there would be major upheaval with the road infrastructure/parking

Litter – currently, Council cleaners need to make regular visits to clean up the considerable litter deposited daily, predominantly; it seems, in the evenings. Would this proposal increase the litter volumes and therefore increase costs to the Council

Vermin/Pest control – would such a facility possibly increase the number of air borne pests, such as seagulls, and with the close proximity to the sea, would this facility also attract rats?

Catering facilities – We are currently well served by catering facilities in the form of the popular Esplanade Café, and west of the Esplanade, the Battery Park outlet.

Odour pollution – from experience such a facility would produce smells, which could attract further pests, and additionally not be pleasing to everyone!

We completely encourage business imitative however there are other locations that would seem to have a much greater potential than the Esplanade, e.g. the Battery Park, car park, which has the parking space and clearly a greater customer base, given similar conditions.

We are of the opinion that this proposal would have a detrimental impact, not only for the local residents, but the Esplanade as a whole and the wider Greenock community, having the likely outcome of spoiling a widely recognised beauty spot.

We trust you will treat our genuine concerns with respect and act accordingly

Yours faithfully,

Steven M Haldane

Head of Legal & Property Services
Inverclyde Council
Municipal Buildings
Greenock, PA15 1LY

5/05/2015

To Head of Legal and Property Services,

Street Trader License Applications

Further to your notice for a mobile unit for hot food on the Esplanade I am writing to object for the reasons listed below.

The Esplanade is a promenade that is admired from visitors coming to our town from countries afar. We gain more income now with liners coming into Greenock, why would you consider having a hot food van in an area of scenic beauty that we promote to tourists? This will not enhance or compliment the area and I'm sure for tourists it will not be a great promotion for the town!

What will happen at the end of the night with the oil from cooking fats, where will this be disposed? What about the cooking smells, again not a selling attraction for tourists and permanent residents.

There is already a problem with fast food rubbish being disposed out of cars on the Esplanade, do we need to add to this problem? Additional bins will not help as this is a problem with people throwing rubbish out of their cars. A fast food van will only contribute to the problem of rubbish.

Current Locations for carry out food on Esplanade or close proximity.

Esplanade Café

Café on Eldon St and corner of Wood St.

5 minutes going in to Gourock café at Cardwell Bay.

Why do we want to take away from businesses that have been established in this area? It will only attract more trucks and vans parking like a motorway café, as a resident it is not something I want to look at as we bought in the area for the view. Again, surely this is not the image we want to portray to the visitors from the cruise liners?

It will also increase the amount of seagulls and urban foxes.

Lastly would you like a hot food van outside your house.? We moved here to have views and for my husband to have easier access as he is wheelchair bound.

I hope you will consider all my objections and refuse permission for this proposal.

Kind regards

John Kennedy

LEGAL SERVICES	
RECEIVED	06 MAY 2015
ACTION	1209 LC

LEGAL SERVICES
RECEIVED 08 MAY 2015
ACTION 1230 LE

7th May, 2015.

Head of Legal and Property Services,
Inverclyde Council,
Municipal Buildings
Greenock, PA15 1LY.

Dear Sir,

Civic Government (Scotland) Act 1982.
Street Trading Licence Application.

② MR MOLLOY.

I am objecting to the above Trading
Licence Application as I do not think
that a mobile unit providing hot and
cold food would improve one of our
town's attractions - THE ESPRANADE.
I feel that a food outlet could
cause traffic and parking problems,
emit cooking smells - unavoidable -
and, of course, litter.

The Esplanade, with magnificent
views across the Clyde, has been
enjoyed by the people, who live in
our town, for a long time. It is a
unique area in Inverclyde and I
hope it will continue to exist for
many years to come.

I feel that this application
should not be granted.

Yours faithfully,

MRS. CLAYRE BAIRD.

06/05/2015

As the owner/resident at the above address for 50+years I would like to submit the following objections to the issue of a Street Trading Licence to Mr J. Molloy to erect a mobile unit for the supply of hot and cold food and beverages on the Esplanade between the R.W. Boat Club and the North Street Layby.

1. The Esplanade is part of the special conservation area and a food stall would not be in keeping with this classification.
2. Fast food stalls generate litter not only around the stall but further afield as customers drive or walk away, dropping their containers and associated litter, as they finish their purchases.
3. There are no public toilets in the vicinity.
4. The smell of cooking in the open air quickly spreads over the surrounding area.
5. The Esplanade is walked by many tourists from the cruise ships, photographing the river and its environs.

Margaret B.E.Colquhoun
(Signed)

Transcribed from original letter
Received on 8 May 2015

GREENOCK
MAY 2015

Head of Legal and Property Services
Inverclyde Council
Municipal Buildings
Greenock
PA15 1LY

7th May 2015

To whom it may concern,

Civic Government (Scotland) Act 1982 – Street Trader Licence Applications
Site: Between the Boat Club and North Street, Greenock

It has been brought to our attention that an application has been lodged with regards to a mobile food unit being placed between the Boat Club and North Street on the Esplanade, Greenock. We are vehemently against this and the impact this would have on the area.

We feel that there is no requirement for a food unit, due to there being a long established and popular food outlet already situated on the Esplanade. The mobile unit proposed by John Molloy would create serious problems with regards to parking, which is already of concern to residents during peak times and in the better weather and the addition of a mobile food unit would only exacerbate this issue.

Further, a mobile food unit would spoil the outlook for neighbouring proprietors. Litter is already a huge problem in the Inverclyde area and the siting of a food unit would only add to the problem.

Although your notification specifies this is a "mobile" food unit, you do not indicate that it will be removed each night. This could create further issues in relation to vandalism and loitering. We also feel that allowing John Molloy to set up his unit would only be a catalyst for further application for more trading in the area.

We find it absurd that this application has even been considered.

We should be obliged if you could acknowledge safe receipt of our objection, in writing, and thereafter provide us with your resolution on the matter.

Yours faithfully,

Mr & Mrs Brian Keith



LEGAL SERVICES	
RECEIVED	11 MAY 2015
ACTION	1248 LC

05 May 2015

Mr G Malow
Head of Legal + Property Services
Inverclyde Council
Municipal Buildings
Greenock
Renfrewshire PA15 1LY

Dear Mr Malow;

OBJECTION: Application by John Molloy to operate food/beverage outlet between Boat Club + North Street.

I strongly object to the placement of a mobile catering outlet on the Esplanade. It is not appropriate for such trade to take place in a Conservation Area and place of scenic beauty. The increase in litter, potential smells and vermin such as gulls attracted by discarded food could significantly reduce the enjoyment of visitors + residents alike.

I believe that there are sufficient nearby outlets should visitors require food and drink.

Yours sincerely

P.C. BAIRD

Dear Sir/Madam

I wish to lodge my objection to the application for a mobile unit to be placed between the Boat Club and North Street by Mr. John Malloy. As far as I am aware we live in a conservation area! There will be rubbish which will bring more seagulls, vermin and smell. I am sure the said person could find a more suitable place to sell his food.

Yours
Mrs A McPhail
(Signed)

Transcribed from original letter.
Received on 6 May 2015

7 May 2015

Head of Legal & Property Services
Inverclyde Council
Municipal Buildings
Greenock
PA15 1LY

Dear Sir,

**Civic Government (Scotland) Act 1982
Street Trader Licence Application – The Esplanade Greenock**

I refer to the application made by John Molloy for a licence to trade in hot and cold food and beverages from a mobile unit located on the Esplanade between the Royal West Boat Club and North Street and object to the granting of this licence for the following reasons.

1. There are already a number of hot & cold food traders located within one mile of the proposed location i.e. at Campbell St, Eldon St, Cove Road and Tarbert St.
2. The proposed location in the parking bay area between the Royal West Boat Club and North St is unsuitable for operating a mobile unit. Depending on which side the serving hatch is located then service will be provided directly on to the north side of the Esplanade carriageway which becomes a danger to pedestrians and to vehicles using the road, or on to the grass verge which will be destroyed by any volume of pedestrian traffic.
3. The proposed location is not a level site and there is a danger that the vehicle is left in-situ out-with the proposed hours of operation therefore becoming a blot on the amenity of the Esplanade.
4. The proposed location is too close to the Esplanade / Eldon Street junction and will be a hazard to vehicles entering / exiting the Esplanade at this junction.
5. There is already a problem with litter from other fast food outlets being dumped on the Esplanade despite the efforts of the Council in providing litter bins along the length of the Esplanade. This problem will be exacerbated if this application proceeds.
6. The Council and community have held the amenity of the Esplanade as a significant attraction for visitors to Inverclyde and the location of a mobile retail unit will severely detract from this.
7. Residents will be subject to increased noise and disturbance from users of the mobile unit and from the cooking odour from the hot food.

I trust the application will be refused accordingly.

Yours Faithfully

Norman Thomson

LEGAL SERVICES	
RECEIVED	11 MAY 2015
ACTION	1245 LC

10/5/15

Head of Legal and Property Services
Inverclyde Council
Municipal Buildings
Greenoch
PA15 1LY



Dear Sir/Madam,

We are writing to state our objections with regard to application by John Molloy to trade in food & beverages from a mobile unit on the Esplanade.

As residents of this section of the street we are greatly concerned at the noise and odours which would be associated with such a unit as well as the increased likelihood of Littering. We are also concerned this would attract increased traffic and congestion and take away from the peacefulness and attractiveness of the area for both residents and visitors who come to walk or run or cycle.

I hope you will take this into consideration in your decision.

Kind Regards Yours faithfully

Mrs Heather and Neil Latterty

8th May 2015

Head of Legal and Property Services
Inverclyde Council
Municipal Buildings
Greenock
PA15 1LY

Dear Sir,

We would formally like to object to the application for a licence to operate a hot and cold food unit on the Esplanade, made by James Malloy. There are many reasons why this application should be refused and we have listed our concerns below.

1. As the Esplanade is part of the conservation area then this eyesore should not be permitted.
2. The Esplanade is a residential area and the residents should not be subjected to this business enterprise outside their doors.
3. Noise pollution would be evident from early in the morning, presumably even before the 8am start time as the unit would need to be set up and get the cooking started, ready to begin trading.
4. The residents would also be subjected to constant cooking smells 6 days a week.
5. There would be an increase in parking requirements causing congestion, pollution from running engines and double parking.
6. There is a bend in the road just beyond the layby which causes difficulties already with traffic speeding along when residents are trying to enter and leave.
7. The road narrows outside nos. 65 and 66 Esplanade, and it is reduced to one lane at times when events are on at the Boat Club and parking is at a premium. This is a bottleneck already.
8. There is already adequate provision for the selling of food and drinks with outlets at both ends of the Esplanade and also with the Coop and newsagent in the middle.
9. Litter is already a huge issue and this mobile unit will only exacerbate this.
10. Seagulls are also in evidence at the location. Food scraps will only encourage even more. They are already very adept at taking things from the bin, when people actually make the effort to discard rubbish there. It may also encourage rats from the river and other vermin.
11. If this is to serve the builders who will be working on the construction at the Navy Building site then I would suggest putting the mobile unit on the building site.
12. This development at the Navy Buildings will also increase the parking requirement at this end of the Esplanade as the construction workers and staff will need to park somewhere.

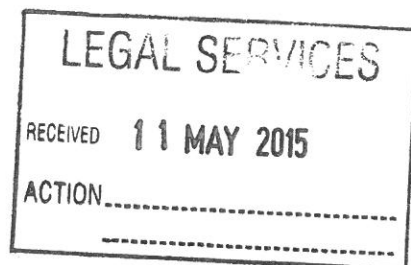
I can't believe that our council would consider sanctioning this application. The Esplanade is one of the "jewels in Inverclyde's crown." First impressions matter! For the many visitors who drive or sail to Greenock, the beautiful surroundings will be blighted by an eyesore. The residents have to live by strict regulations when choosing to live here, so why should those regulations not be used to prevent ventures like this detracting from what the council wants to achieve - the feel of a Victorian seaside town. We know that we are not the only residents who feel like this and I hope our views will be taken into account when the decision is being made.

Thanking you for your consideration of this letter,

Yours sincerely

Ann Spence and R Lawrie Spence

LEGAL SERVICES	
RECEIVED	11 MAY 2015
ACTION	1243 LC



9th May 2015

Attention: Lindsay Carrick
Head of Legal & Property Services
Inverclyde Council
Municipal Buildings
Greenock PA15 1LY

Dear Sir/Madam

Street Traders Licence Application by: Mr John Molloy

As residents at 68 The Esplanade Greenock we wish to register our objections to this application on the following grounds:

1. Location

The intended location is not a lay-by. The north side of this location is an on-street parking area adjacent to the single lane carriageway, the south side of this location is also an on-street parking area adjacent to the single lane carriageway. We understand these two locations are not classed as Lay By's and therefore are not considered suitable for Street Trading.

2. Safety

If the vehicle was parked on the north side of the road, customers could only stand on the grass or on the single lane carriageway. If the vehicle was parked on the south side of the road, customers would be extremely close to the main door of residents' properties. This area is used by residents as off-street parking and also used by the general public when parking up to enjoy walking with families or jogging.

3. Litter

The Esplanade already has a significant litter problem mainly caused by careless drivers/walkers dropping carry out food and packaging. This litter problem would be exacerbated by the selling of food by this applicant. There is also a grave concern regarding vermin.

4. Conservation.

The Esplanade is at the centre of Greenock's Conservation Area, and at no time has any permission been granted for any type of Commercial Operation.

In conclusion, as residents, we feel very privileged to live on one of the finest promenades in Scotland, the walk and the views so enjoyed by the many visitors, both local and from far afield, unspoilt by any commercial activity.

Yours sincerely

George and Mary Hossack

(1)

LOCAL SERVICES	
RE	12 MAY 2015 9 may 2015
ACT:	West Esplanade

STREET TRADER LICENCE APPLICATION

Objection to application for licence ref. mobile food unit west Esplanade. Considering :

- 1) Potential for more cars parking in front of houses whilst consuming . Propensity for car usage – as opposed to pedestrians, cyclists etc.
- 2) Substantial history of racing, littering, noise etc. in this vicinity, by car users. Records with police, council etc. Note meeting I arranged at Council - West Stewart St. with staff and police. Various issues relating to cars in front of houses - contact office for details (ref Mr Gilliland etc.)
- 3) A lack of respect for residents generally. Some entertain prejudiced loathing for Esplanade dwellers. Residents who attempted to “confront” uncivil behaviour subsequently targeted etc.
- 4) Council street cleaning staff well aware of the littering problem here .
- 5) Some examples of incidents at 56 (more available) :-
 - eggs thrown at windows (reported to police)
 - until high gates installed, grounds used as toilet including at house level.
 - gates incorporate mailbox at street level. Mailbox broken into during daytime. Specific items of mail lost. Police involved.
 - bottles smashed against front wall
 - up to 10 cars at a time, partying in front of house
 - car racing and stunts (e.g. 180degree handbrake turns)
 - car maintenance activities, e.g. involving 2 cars sitting nose to nose with bonnets open
- 6) House burgled twice in my lifetime. Evidence indicated preparatory observation and visit. Cars parking for lengthy periods “observing “ house and movements.
- 7) Cheap fastfood ; packaging; fizzy drinks . Manufactured meat sourced for pennies sold for pounds. What does it attract ? (The Council arranged similar for the “Tall Ships” in the east docks. Many of the foreign crewmen I conversed with were dismayed by the quality and prices.)

The Council has a history of negativity towards the Esplanade, for example :

- (a) £1m upgrade - European money to be spent by a deadline. Residents requested maintaining enhancing traditional/Victorian heritage . Council operative who presided over meetings had no interest in such, cutting short people like myself . Brought in a non local “designer” with no knowledge/understanding of Esplanade. Opportunity missed , indeed misused.
- (b) Balls knocked off the railings by a thug wielding a metre length of scaffold tube, witnessed mid morning – reported to police twice at the time. No action, no investigation. Some 49 balls collected off beach at low tide. Only after many phone calls did Council send van to collect from house. Are they stored, marked for future reinstatement. Will they become unrecognised, scrapped ?
- (c) Questionable “Hardstanding” at rear of 57 - historic “Bowers” house. Council denied me access to the “application” near the time. Consequential damage to boundary wall, loss of walled garden privacy/security etc.. (Currently being pursued – refer Mr.Ashman , Planning)

Grandfather arrived on the Esplanade in 1900, No.23 until 1917, then ' . My earliest memories include observing gas streetlamp being extinguished at Roseneath Street. It is vexing to be told by outsiders what the Esplanade needs. In the last 25 years undesirable incidents have increased markedly, much of it down to increased use of the car.

Of the decision making panel, how many have mobile fast food outlets operating on their residential street ? Are you exposed to regular car based incidents and harassment like we have to endure ?

N Brown

(2)

GREENOCK ESPLANADE

In the seventeenth century, fishing and weaving sustained the small community of "Grenok". The herring industry developed greatly, increasing the sea going traffic which in turn lead to harbour development.

~~The town grew in size and importance with the expansion of industries such as sugar, shipbuilding and timber. The West harbour was completed in 1710, East India in 1805 Victoria in 1850, Albert in 1867 and the Watt dock in 1886. It was the building of the Albert harbour that had a bearing on Greenock Esplanade.~~

Work began on the harbour in 1862, and in 1863 it was decided to extend westwards to form Princess Pier. The pier and railway terminus was to be built over a lovely sandy inlet known as the Bay of Quick. From this bay to Fort Matilda was an open shore with several houses built on the breast between the shore line and the Low Gourock Road. The fues of these properties ran down to the water edge where many of the owners had boat houses. This was all to disappear with the construction of the Esplanade, which was not created to beautify the area, but to create a coup for the soil from the massive excavation of the harbour. A retaining wall was built along the low water mark for 1 1/8th miles and filled in. Access for boat owners was left in the way of slips and staircases. It was not long before builders saw the advantage of this attractive stretch of river. Vacant lots were soon fued and some very fine property was built in line along the full length. In later years, what was a rough surfaced way, used mainly as a walk and also as a bridal path was to be fully developed. Today we have the finest Esplanade in the country comprising a most attractive view of the Argyll and Dumbartonshire hills, a beautiful well kept grass verge with floral plots and many seats. Above all, it is completely free of any commercialisation.

Peat

THIS IS A COPY OF A DESCRIPTION OF
THE ESPLANADE FROM THE START BY
THE LATE BOBBY PEAT. PLEASE NOTE
THE LAST SENTENCE.

John Molloy

19 May 2015

Lindsay Carrick
Senior Admin Officer
Legal & Property Services
Municipal Buildings
Clyde Square
Greenock

Dear Lindsay

Re: Request for Street Traders Licence, Esplanade, Greenock, LC/JD/CIV/0811

I am writing regarding the objections to my application for a s Street Traders License at the Esplanade in Greenock. I welcome the feedback I have received and would like to take this opportunity to respond to the points raised.

Being born and raised in the area I like many others have enjoyed the scenery and community spirit of the Esplanade. I have fond memories of teaching my daughter to cycle at the ' Splash'. Please be reassured that this is not a venture I have entered into lightly and I have gave considerable consideration to my application and venue for my business.

I fully understand and appreciate the concerns and worries that have been forwarded to me. Who would want a 'Burger Van' on their doorstep?

Having spent considerable time at the Esplanade over the years I have always thought that a quality cappuccino or herbal tea (for my wife) would be a nice treat before heading back to Greenock. This has been the premise for my business. I believe that there is a market for luxury coffee and pastries as well as some hot gourmet food. I am not as suggested going to have a 'burger van.' My business will be aimed at the visitors who already enjoy the Esplanade and would wish to partake of a 'treat'.

The Esplanade is a conservation area, many areas of such natural beauty have designated areas that sell refreshments. I do not agree that my business will negatively impact the area. Vermin and seagulls are attracted to litter / food waste, please be under



no illusion that I would allow littering around my business. I will ensure that any litter generated around my business is fully cleared away during and prior to my departure.

It has been mentioned that perhaps my application has been placed in light of the work that will be carried out at the Coast Guard site, this is not true. However if a workman wants a delicious coffee and a crepe then who am I to discriminate against them?

This is a small six foot van which is essentially catering hot beverages, cakes, pastries, crepes and a limited selection of hot gourmet food. My business would be on site between the hours of 8am and 3pm. I would like to thank you for considering my application and would be happy to discuss any further questions you may have on the 10th of June. I look forward to meeting with you then.

Sincerely yours

John Molloy