

**Comments and Responses for the Mobile Catering Unit Draft Interim Policy Public Consultation**

**Appendix 1**

<b>Organisation commenting</b>	<b>Comment</b>	<b>Council Response</b>
<p>Paul Garrod, Network Manager, Highways England</p>	<p>Thank you for consulting Highways England on your proposed interim planning policy for mobile catering vans.</p> <p>The A40 trunk road, for which we are the highway authority, passes through the city between the Over and Elmbridge Court Roundabouts, and has a number of lay-bys. Whilst we note that the proposed policy is not specific to roads and lay-bys, it would appear to be relevant should a planning application be received to locate a mobile catering unit on one of the A40(T) lay-bys.</p> <p>It is likely that Highways England would object to any planning application for the change of use of land for the regular or permanent stationing of a mobile catering unit on the A40(T), its lay-bys or land immediately adjacent where access would be required from the A40(T). This would be in accordance with our policy on trading from lay-bys, Spatial Planning Advice Note: SP 01/12 (attached). Lay-bys on trunk roads are provided for short term stops or to enable HGV drivers to rest in accordance with drivers' hours regulations. The lay-bys on the A40(T) are not particularly large, are not segregated from the main carriageway, and are therefore unsuitable for mobile traders since they could pose a risk to safety and occupy space that could be required for drivers taking a rest.</p> <p>We request that item (3) of the proposed criteria is amended to remove the wording 'severe'. Any appreciable adverse effect on road safety would be 'severe' in terms of our safety priorities. The 'severe' test could imply that 'severity' would have to be proved in addition to risk to road safety.</p>	<p>Comments on the non-suitability of mobile catering units trading from layby of the A40 are noted.</p> <p>The test for highways issues in the NPPF is referred to as 'severe' and so we propose to retain this wording. Highways England would be consulted on any proposal located on the A40 and would have an opportunity to object on the basis of road safety.</p>

<p>Hayley Fleming, Lead Advisor, Natural England</p>	<p>Thank you for your consultation on Gloucester City's planning policy for Mobile Catering Vans.</p> <p>Natural England does not wish to make specific comments on the planning policy.</p> <p>The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may make comments that will help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process.</p>	<p>Noted.</p>
<p>Rohan Torkildsen, Historic England</p>	<p>Thank you for consulting Historic England on this matter. It may be beneficial to include the following additional criteria.</p> <p><i>Proposals for mobile catering units will be supported where the following criteria are met:</i></p> <p><i>The location of the mobile catering unit would not harm the setting of a heritage asset, historic landscape or townscape.</i></p>	<p>Impact on the setting of a heritage asset is an important issue, but existing generic policies in the 2002 plan are already used satisfactorily for this purpose. For example Policy BE.7 Architectural Design has a criterion (Point 4) on respecting the setting of the city's historic built environment:</p> <p><i>"New development should respect and protect the setting of the city's historic built environment, natural landmarks and important features"</i></p> <p>Therefore no additional policy criterion is required.</p>
<p>Beverley Aldridge, Quedgeley Parish Council</p>	<p>Further to the Mobile Catering Van consultation, Quedgeley Parish Council wish to comment as follows:</p> <ul style="list-style-type: none"> <li>• Permit no more than 10 hours in any 24 hour period.</li> <li>• Never allow 7 days a week operation.</li> <li>• Hours of operation should be specified within the application.</li> <li>• Operating weekday &amp; weekend should be treated as separate</li> </ul>	<p>We already propose to provide the following note to the policy:</p> <p><i>Note: The council will expect mobile catering units to be removed from the site following each day of trading, when located on public land.</i></p>

	<p>categories.</p> <ul style="list-style-type: none"> <li>• Any seating allocation must be included in the plan.</li> <li>• Applications must provide details of storage and disposal of waste.</li> <li>• Specify what welfare facilities and arrangements are provided ie toilets / wash basins.</li> <li>• Not to be located by an existing similar establishment in the immediate area.</li> </ul> <p>These items are in addition to the interim policy.</p>	<p>An applicant is able to apply for the hours of operation that they would like to operate. It is the purpose of the planning application process to consider whether the hours of operation proposed are acceptable, and conditions can be applied to an approval by the case officer which limit the hours of operation.</p> <p>Any proposed seating arrangements and other facilities will have to be included in the planning application as this would be part of the proposed change of use of the land.</p> <p>Details of storage and disposal of waste is already requested in the policy.</p> <p>Retail impact at this relatively micro level is unlikely to warrant the refusal of an application on its own. Other issues will have to be present that result in an application being refused.</p>
<p>Mr Hughes (local resident)</p>	<p>There is a need to define “significant impact” across the range of environmental and health issues. If local residents protest about the presence of mobile catering units in their area, when presumably they are there to serve local residents, that should be sufficient grounds to deny licences. Where existing permanent supply meets demand that should be sufficient.</p> <p>With the predominance of permanent fast food outlets in Gloucester, some of which are drive-through, it’s difficult to see why mobile catering units are needed at all. Indeed the existence of such units in the city centre is totally unnecessary. In the city centre they are likely to impact on sales from permanent food outlets, where food health and safety is likely to be better controlled.</p>	<p>It is for the case officer of the planning application to make a professional judgement on whether a significant impact exists or not, and the case officer will take account of the extent of local objection in making that decision.</p> <p>It is not possible to prevent applications for planning permission to operate a mobile catering unit, and therefore a professional planning judgement has to be made on each separate application on its merits.</p>

	<p>Similarly, mobile catering units in residential areas are unacceptable for a number of reasons:</p> <ol style="list-style-type: none"> <li>1 they are unsightly</li> <li>2 their use results in litter</li> <li>3 the quality of food and drink (and indeed staffing) cannot be as regularly inspected as permanent food outlets and the pricing systems inevitable mean cheap, unhealthy food</li> </ol> <p>Specifically in Longlevens, off Innsworth Lane, there has been controversy about the presence of such a unit on land adjacent to the allotments. This is attracting passing traffic, rather than serving the community where there are sufficient “take-away” establishments to cater for the community’s needs.</p> <p>We don’t need them within the city boundary and no licences should be issued.</p> <p>Their presence in rural areas, especially on main transport routes is understandable but not in city centres and certainly not in residential areas.</p>	<p>Retail impact at this relatively micro level is unlikely to warrant the refusal of an application on its own. Other negative impacts will have to be present that result in an application being refused.</p> <p>Comments noted.</p>
<p>Stuart Lee (local resident) Stuart Lee Design</p>	<p>Where are these catering units to be situated?</p> <p>It is not clear in documentation.</p>	<p>This is a general policy that if adopted by the council will be applied to all planning applications for mobile catering units that are submitted in the future.</p> <p>The policy does not try and direct mobile catering units to any specific location in the city.</p> <p>An applicant can choose where to locate the proposed catering unit, and will have to identify this clearly in the planning application.</p>

<p>Colin Field Town Planning Manager Western and Wales, Network Rail Property</p>	<p>This policy would of course not be relevant if we wished to install a mobile unit at our station for rail passengers as that would be permitted development albeit I'm not aware that we have any proposals on the horizon.</p>	<p>Noted.</p>
<p>Peter White King's Walk Centre Manager, Kings Walk Shopping Centre</p>	<p>On behalf of King's Walk Shopping Centre, I'd like to comment on the proposed planning policy regarding mobile catering vans.</p> <p>Looking at the proposals, I would agree that these certainly seem sensible when considering the location of a mobile unit. My concerns are the visual impact and the financial impact on the KWSC tenants and other businesses in the city centre. In terms of visual, I have an issue with the location of a certain mobile food van located in front of WHSmith in Eastgate Street as this affects the sight lines to the entrance of the shopping centre. There is also the financial impact on rate paying businesses in the city centre. Most businesses have to pay rent, business rates, utility bills and service charge and I believe that the mobile vans are probably not paying sufficient rent compared to other traders in the city centre. There should be a review of the rental values depending on what location they trade in.</p> <p>Also, who manages these vans on a daily basis? If they are in the incorrect place or trading illegally, there should be a council contact who is responsible for dealing with the day to day issues of such mobile units.</p>	<p>Comments noted.</p> <p>Visual impact will be considered as part of the planning application.</p> <p>Permission from the land owner is always required separately from the planning permission that is required.</p> <p>We do not propose to include retail impacts within the interim policy as this is considered too detailed an issue to consider as part of a planning application for what is a relatively small scale independent mobile trading unit.</p> <p>Rents and other financial costs of businesses are not a planning issue.</p> <p>The Environmental Health department of the Council provide operating licenses for these mobile units. The contact is: Lisa Jones - Food, Licensing &amp; Markets Manager, Public Protection, Gloucester City Council</p>
<p>Karen Pearson (local resident)</p>	<p>I would like to make the following points</p> <ul style="list-style-type: none"> <li>mobile units should not be allowed to set up in an area where they</li> </ul>	<p>This can be considered in the context of existing</p>

	<p>are blocking the views of the City's architecture or heritage</p> <ul style="list-style-type: none"> <li>• there should be no impediment to free movement of traffic or pedestrians during normal working hours (in normal circumstances)</li> <li>• food should be of good quality and encourage healthy eating</li> <li>• mobile units should NOT be allowed to be in place permanently - permission should be for strictly limited time frames and different operators should be encouraged to provide variety and an interesting food offering</li> </ul> <p>I have made these comments as it appears the mobile food units in the City at present are permanent features which provide poor quality food in the worst locations. They are not an asset to the City.</p>	<p>policies of the 2002 plan.</p> <p>This movement issue would be considered as part of the planning application.</p> <p>This issue is already addressed in the draft policy</p> <p>Mobile catering units will not be allowed to operate in place permanently. The following note will be appended to the planning policy:</p> <p><i>Note: The council will expect mobile catering units to be removed from the site following each day of trading, when located on public land.</i></p> <p>Comments noted.</p>
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