

27 b Keptie Road  
 Arbroath DD11 3ED  
 31.7.17

To Angus Council

Dear Dawn,

We object to the siting of a street-trader's van on Keptie Road layby. Driving down the hill from Kendale Hall, it is difficult enough watching for cyclists coming at speed along the pavement, children running ahead of parents together with cars coming along the layby, passed parked cars, or using it for turning. A van sited there with the added traffic + pedestrians would only make it worse. Also when the college is open the layby is already full of cars.

There are already two food outlets, which students use, which pay commercial rates. We would also object to the increased likelihood of litter, perhaps leading to vomit.

Your faithfully,



Norma A. Scothern  
21 Keptie Road  
Arbroath DD11 3ED

25<sup>th</sup> July, 2017.

Dear Sirs,

A small form has been posted on a lamp-post outside my home which is situated in the lay-bye in Keptie Road.

A request, in the name of Himitar Iliev Marinov, has been made for a street traders' licence to situate a burger van in the lay-bye in Keptie Road and I want to protest very strongly against it.

1) Keptie Road is in a conservation area.

2) Litter problems. I would refer you to the amount of litter left behind when pupils of the High School spend their lunch money at the local bakeries. There is a group of volunteers who regularly clean up the area around Keptie Pond as it is.

3) Parking. No.17 -25 Keptie Road, situated in the lay-bye, have several cars, some of which are parked there over -night. Any van parked there will certainly cause problems for these tenants.

I should be pleased to hear what action has to be done to stop the request for a licence to be granted for a burger van to be situated in the lay-bye at Keptie Road.

Received  
Legal & Democratic Services

27 JUL 2017

Time 9.35 Ints JMA

07 August 2017

Received  
Legal & Democratic Services

**For the attention of:**  
Head of Legal and Democratic Service  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Time 9-10 Ints PM

Mr & Mrs M Turner  
2 Caenlochan Gardens  
Arbroath  
DD11 3HN

**Letter of objection to a Burger Van Street Trade Licence application request by a Dimitar Iliev Marinov**

We write to object to the content of a notice stuck on a lamp post in the Keptie Road layby, Arbroath. A person named Dimitar Iliev Marinov has put up a Civic Government (Scotland) Act 1982 Certificate of Compliance indicating he wishes to use the layby for a street trade licence to house a permanent Burger van. This notice is dated 21/07/2017 to 17/08/2017. A more bizarre request could not be comprehended as this is an extremely busy layby used by residents, clients of D&A college, the public who park vehicles to take the bus to other towns for the day, funeral traffic attending the West church and parents who drop off and pick up children for buses and the public visiting the Kendale Hall care home at 27 Keptie Road.

Our other objections are:

**Health and Safety:**

There are two public bus stops and a road train stop in this area. The Keptie Road is continually busy with traffic at all times. On occasions this layby has double parking issues leading to congestion. This is already a dangerous and high risk area when crossing Keptie Road without having more people standing about at a Burger van and others trying to park at the layby causing more congestion.

**Access to our home:**

We cannot gain entrance to our own homes on occasions due to the ignorance of some drivers parking over the entrance which allows us access to the single track road from the layby to this area in Caenlochan Gardens (4 houses) and 27, 27A and 27b Keptie Road which has 2 houses and a large Care Home (Kendale Hall owned by Kennedy Care Group) on the grounds. We were informed when we bought our property 29 years ago that this single track access should always be kept clear to allow emergency vehicles to attend the Care home at any time day or night. Access is also required at any time for delivery vehicles of varying sizes including the Council recycle lorry. Unfortunately no keep clear sign has ever been painted on the road or sign posted to stop the access to our homes from being blocked. We can only see more disruption happening if a Burger van is sitting in this area.

**Litter and vermin:**

We already suffer from vast amounts of litter, food, other items being thrown into our garden ~~by the public and clients of Arbroath High school and D&A College. This littering leads to~~ Seagull attacks, foxes and mice in our garden and around our home. It is also disgusting having to continually clean up the mess. A Burger van would compound and add to these never ending issues.

It is already relied upon in Arbroath that a group of volunteers called Keptie Friends keep the area neat and tidy as the Council provide only a very basic service to the area. This area, Keptie Pond, is opposite the layby should be very clean, environmentally friendly and attractive for locals and visitors to encourage tourism. Wildlife is sadly already affected by the litter dropping into the pond.

We have for numerous years witnessed the trail of break time litter and food from Arbroath High School and D&A college clients at Keptie Road , Lochlands Drive, McDonald Park, Elliot Place right down to all the shopping areas. The owners and the Council should be made to act responsibly by discussing such issues with their clients.

**Local businesses:**

We thought Angus Council wanted to support local businesses in the town. How would a Burger van situated permanently in a busy road layby help the hot and cold food shop providers in Timmergreens and Keptie Road survive? These shops all have bins strategically placed to help control litter but with little success sometimes. These shops also provide healthy food options which are supposed to be the Scottish Government recommendations for all school pupils. Are Burger van foods healthy options?

**Environment:**

Smells/odours emitting from a Burger van is not exactly environmentally friendly for a residential area. Washing hung out on clothes lines will stink and our homes will smell if windows are opened. Burger vans are usually allowed permission to set up on Industrial estates not highly populated residential areas.

If this Burger van is intended for the sales of burgers to Arbroath High School pupils and D & A College clients then there is a perfectly good wide open space at the back gate entrance to Arbroath High School and an area behind D & A college at the McDonald Park which is away from the residential areas and would also be far safer spots to house a Burger van.

Hopefully the above objections are given full consideration. Your response in due course would be appreciated.



Mrs Dorothy Turner

Mr Malcolm Turner

Received  
Legal & Democratic Services

27 JUL 2017

935 Ints *AMS*

23A Keptie Road  
ARBROATH  
DD11 3ED

24 July 2017

Head of Licencing  
Angus Council  
Angus House  
Orchardbank Business Park  
FORFAR  
DD8 1AN

Dear Sir

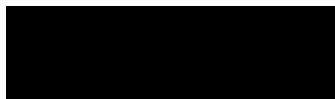
I am writing on behalf of my elderly mother as we heard from her neighbour that there was the possibility of a Burger Van working from the layby in front of her house.

I am amazed that this could be considered as it is a residential and Conservation Area just across from Keptie Pond and the smell not to mention the possible litter problem would not be good. I don't think the Friends of Keptie Pond would be happy either as they spend their Sunday mornings clearing rubbish etc to keep the area nice.

While I appreciate someone's endeavour to start a business it has to be in a suitable place that won't impact on residents.

I trust you will take this into consideration.

Yours faithfully



M L Jarret (Mrs)

on behalf of Mrs Elizabeth Smith

Honeyford House  
17 Keptie Rd  
Arbroath  
Angus DD11 7ED

7<sup>th</sup> August 2017

Head of Licencing  
Angus Council  
Angus House  
Orchardbank  
Forfar DD8 1AN

Received  
Legal & Democratic Services

Time 9.40 Ints Am

Dear Sir/Madam

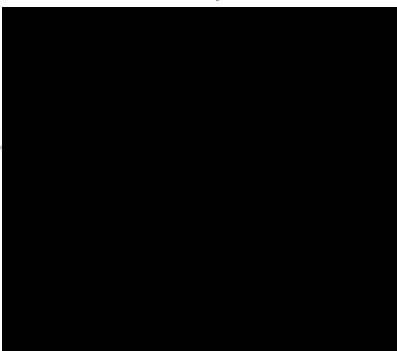
**Re: Street Trade Licence Application - To site Burger Van in layby at front of 17 – 25 Keptie Road, opposite Keptie Pond, Arbroath**

As a Keptie Road Resident I wish to note our concerns and objection to the above application as follows:

- The terrace of properties fronting on to the layby have no driveways, and being a conservation area, the construction of driveways is in fact prohibited. This means residents have to park along the length of the layby and are already often unable to do so, due to the volume of parked cars created by the nearby college. The siting of a burger van would further diminish available parking spaces, and so would impact on neighbouring residents
- There is an existing gull problem in the area, and this could be exacerbated by outdoor food service and the litter subsequently created
- Local people, in particular the volunteer group 'Keptie Friends' are working very hard to clean up the pond area, and whilst the preservation of the conservation area is paramount, the litter which will inevitably be created would be detrimental to the area. The issue of litter is already a problem in neighbouring gardens as discarded cans, bottles, wrappers, etc get tossed into gardens and stuffed into hedges on a regular basis. I am of the opinion that this would just exacerbate the problem.
- There is no doubt such a business would do very well in the area, I would assume the trader hopes to gain custom from D&A college and Arbroath High School students. I would think due to the planned location – and it's proximity to the high school – that the school should also be consulted for their opinions regarding not only litter but also the possible impact on the health and wellbeing of pupils,

With all of the above noted we feel that the granting of this licence will not enhance the surrounding area or Conservation Area status, but in fact be to it's detriment and we therefore wish to lodge our firm objection at this time.

Yours sincerely



1 Caenlochan Gardens  
Arbroath  
Angus  
DD11 3HN

03/08/2017

Dear Sir/Madam

I wish to inform you that I object to the application for a street trade licence, where the applicant wishes to set up a burger van in the lay-by on Keptie Road in Arbroath.

This lay-by is situated in front of our house and I feel that there are a number of issues with a burger van being set up there.

The first issue here is the fact that we already have a lot of seagulls in the area and I feel that this would only increase the amount of vermin gathering in this area.

This brings me to my next reason. Our garden is often thought of as a rubbish bin, or so it would seem, by some members of the public, who throw various items into our garden on a regular basis. A burger van right outside our garden would only add to this problem.

There is also the issue of parking in the area. Although we do have off street parking at our property, any visitors use this lay-by to park, which is quite often quite busy anyway.

I would also rather not have a gathering of high school pupils or college students outside of our property. I've also had to ask youths in the past not to sit on our front wall, in their own interests to be honest as it would be a fair fall for anyone into our garden.

I hope that this has explained some of my concerns with regards to this application. Can you please take whatever steps are required to ensure my concerns are recognised by the relevant person/persons.

Many thanks.

Yours faithfully

  
Glen Laskiewicz

Received  
Legal & Democratic Services

07 AUG 2017

Time 930 Ints ca

Received  
Legal & Democratic Services

25 Keptie Road

02 AUG 2017

Arbroath

Time 955 Ints GM

DD113ED

01.08.2017

Head of Licencing

Angus Council

Angus House

Orcharbank

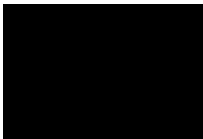
Forfar

Dear Sir

I would like to formally object to the proposal that DIM TAR ILIEV MARINOV applicant for a Street trade licence is proposing to sight a burger van within the layby at Keptie Road Arbroath under paragraph 2(3) of schedule 1 of Civic Government (Scotland) Act 1982

- 1 This is a conservation area.
- 2 This layby is used by residents to park their cars and there would be a higher risk of damage making car insurance more expensive if there are more claims.
- 3 There would more rubbish possible in gardens and pond causing damage to the environment and wild life.
- 4 Food waste would encourage vermin and more gull scavenging.
- 5 This is an unhealthy option for young people.
- 6 It would be disruptive with more foot and vehicle traffic making the foot path dangerous.
- 7 All of which would make the area unsightly
- 8 There are already 2 take away, 2 bakers 2 major supermarkets and a local convenience store within walking distance of the high school and college.

Yours sincerely



Helen Gilbert



FAO D. Smeaton.

Received  
Legal & Democratic Services

11 SEP 2017

Time 9.45 Ints ML

47 Keptie Road  
Arbroath  
Angus

07 September 2017

Planning Department  
Angus Council  
Forfar

(previously sent by  
e-mail 16/8/17)  
Place Directorate  
Legal & Democratic Services

Re: Siting of Burger Van Keptie Road Arbroath

Dear Sirs

I refer to the above and understand that an application has been lodged for a license for what I understand to be a mobile food outlet adjacent to Keptie Road Arbroath across from Keptie Pond. I am assuming the application is for a Street Traders Licence but unfortunately although initially some sort of notice of application was posted it is no longer there so there are few details available.

I reside at 47 Keptie Road which is a house approximately ninety seconds to two minutes walk from the proposed site and on a direct route between the site and the main entrance to Arbroath High School.

I wish to make a number of representations in respect of the application- some general and some more specific to the position of my home.

Initially, however, it is worth pointing out that the reference in the application as one of placement in a lay-by is misleading. The road on which the unit is to be sited is on the route of the original Keptie Road and should be regarded as if it were situated on a road not a lay-by.

The area where the unit is proposed is primarily a residential one. The nearest retail outlets are situated either at the corner of Lochlands Street or at Timmergreens shops. The main pedestrian route at that side of the road would be the pavement adjacent to the unit. This is not wide enough to accommodate more than two adults passing one another.

Numerous houses are situated with their front gardens adjacent to the pavement and homeowners park their vehicles on the roadway since the properties have no rear access. There is also a fairly steep hilled driveway which serves further properties and a nursing home.

The island between the site and the other section of Keptie Road has a bus stop which serves both local and longer distance buses and the road train. The site is also opposite Keptie Pond which is currently being upgraded to provide a more attractive park like environment with picnic tables. The site is also a stones throw from Angus College which has limited parking availability and this causes parking problems and a bottle neck at the site.

I do not think it would be appropriate for a license to be granted as the development of the site would not be in keeping with the residential nature of the area, would cause difficulties with pedestrian traffic,

would also attract customers with cars creating parking problems for residents ( and potentially causing access problems for a nursing home), would create a bottleneck for buses, the road train and bus passengers and would encourage patrons to either hang around the area in groups or go across to the pond to eat, both of which have the potential to cause disruption , noise and litter problems for both local residents and at a local beauty spot.

I believe the siting of the unit near to Angus College would exacerbate both the parking and traffic problems already in existence.

So far as the direct affects on me are concerned I believe the potential clientele of the unit fall into two categories.

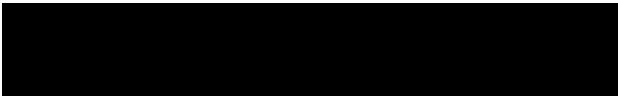
Firstly, school and college students( whom I believe to be the main target market). There is no doubt in my mind that these students will use it for breakfasts, snacks and lunches. I have already altered the footprint of my garden so I no longer have a hedge the children can use as a litter bin but still continually have various food and sweet wrappers thrown into my garden. My house sits on the direct route between the proposed site and is around the correct distance for food to be finished and wrappers discarded. This would clearly exacerbate the litter problem I already have. In addition my wall is already used as a picnic bench at lunchtime and again I can only see that getting worse.

The second group I foresee using this is people going home after a night out and the same concerns apply to them.

On a more general note I would refer you to the councils own guidance document on conditions for applications for street trader licences and committee report 925/08 from December 2009. The general ethos of these documents is that in keeping with the Scottish Governments healthy eating policy for schools, licenses for mobile food outlets should not be granted within 500m of a school. If one looks at the map for Arbroath High School attached to the guidance one will see the the new line of Keptie Road is highlighted as being within that 500m perimeter. The part of Keptie Road where the applicant proposes placing the mobile food outlet lies within the perimeter between the High School and the new line of Keptie Road and since the greater, I would suggest, includes the lesser it would appear that this application falls within 500m of a School and should therefore be refused.

I trust you will take all of the above points on board in considering the application and accordingly refuse the application.

Yours sincerely



Susan M L Thomson



31 AUG 2017

File 9-58 Ints 

**First Class Recorded Delivery**  
Head of Legal and Democratic Services  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

30 August 2017

27a Keptie Road  
Arbroath  
DD11 3ED

Dear Sir

Application for Street Trader's Licence, Lay By, Keptie Road, Arbroath

I am writing in connection with the application for a street trader licence by the applicant, Dimitar Iliev Marinov in respect of a site at Keptie Road, Arbroath which the applicant is looking to operate a burger van on the site and notice of which was displayed on the site on 14 August 2017.

I wish to lodge my objection to this application for the following reasons: -

- 1) The proposed site for the applicant's burger van is in a residential area. This would be completely out of keeping with the amenity of the area and I am not aware of such a unit being allowed to operate in other residential areas of the town. It would, in my opinion, set a dangerous precedent if the application was granted.
  - 2) Noise and smell: - the presence of such a van is bound to create cooking smells and odours which will be a nuisance to the residents. Increased noise is bound to occur from the presence of people purchasing from the van thus again causing a nuisance to the residents particularly during the evenings and at week ends.
  - 3) Litter: - The Lay By in question sees a lot of foot traffic from pupils of Arbroath High School or who attend Angus College, who seem incapable of using the bins provided in the layby when disposing of their litter. Quite often litter will blow up the driveway into Caenlochan Gardens and into my own garden area, which is located at the top of the driveway in to Kendale Hall, and the residents are then left with the problem of clearing up other people's rubbish. The presence of such a van can only increase the risk of more litter occurring.
  - 4) Parking: - The proposed site is a busy layby which is used not only by the residents whose properties front the lay by, but also by people who drop off and pick up their children from the bus stop in the Lay By and by people who park their car there in order to use public transport to Dundee and other towns. Also people will park their car in this Lay By with a
-

view to walking their dog around Keptie Pond. The presence of such a van would clearly restrict the available parking in the Lay By.

- 5) Access: - The proposed site is next to the access driveway leading to Caenlochan Gardens, Kendale Hall and my own property. As mentioned above, the Lay By can get very busy with parked cars which can sometimes encroach on the access entrance and can make visibility when exiting the driveway very difficult. Quite often, pedestrians and cyclists are unaware of the existence of the driveway and there have been a few near misses when vehicles enter or exit the driveway. The presence of a burger van could lead to increased foot traffic whose attention may be distracted by the burger van and increasing the risk of obstructing the access.

I also note from the Council's conditions applicable to street traders that food vendors are not be permitted to trade during the school term between the hours of 9 AM and 4 PM within the Arbroath High School exclusion zone which this Lay By clearly falls within. Presumably the applicant is aware of this? If the application is granted can the Council guarantee that the applicant's hours will be monitored to ensure that he does not breach these conditions?

Yours faithfully



David Mathieson