

ADDENDUM TO ITEM 4

Juice Bros.



Neil Ehrhart
Markets and Fairs Service
Community and Culture
Markets Office
Glasshouse Street
Nottingham
NG1 3LP

11th September 2009

Dear Neil and To Whom It May Concern,

Notice to the markets office regarding juice bros. trading pitch appeal.

1a) Stephen & Simon fisher will be present at the appeal hearing on 15th September 10am at the Council House.

We will be representing ourselves due to the fact our legal representative is unable to attend at such short notice,
due to the fact we were only given 4 "working days" to respond to the councils report.

- b) Witnesses: NA
- c) Estimated time for witnesses: NA
- d) Witnesses support material: NA

2) Unable to bring legal representative due to such short notice (4 "working days") given by the council.

Which we feel is not in the interest of justice and we would have appreciated more time to respond to the report, considering the Council had several weeks to make their report against us.

3) See attached documentation:

- 1 A petition signed by 638 people to keep us on Bridlesmith Gate.
- 2 A News paper article.
- 3 A map of Nottingham.
- 4 A picture showing our trailer being used by companies such as Coca Cola.
- 5 A graphic image of our requested design for the aesthetics of our trailer.
- 6a) Email from David Maugham: Regarding not knowing how loud a generator could be.
- 6b) Email from Dawn Michalak: Stating to us to go ahead with the design colours, requested by the council of a beige band.
- 7 A letter from Michael Frater: Stating the City Centre Management has no objections.
- 8 A list of businesses and significant others whom signed the petition.

4) Dispute issues:

4.9 (Appendix E): See our petition (doc 1) signed by Diesel and Soletrader management, refer to 4.4 no comments received, refer to 4.16 Bridlesmith House is set back 10 feet and 90 degrees to block vision of shop windows also the pitch has been there for years.

NOTE DATE OF LETTER SENT 23RD JUNE 2008

4.10 (Appendix F): The lack of consultation is not our concern and our application did clearly state the dimensions of the trailer and we were told to decrease the length by 1 meter from our original request made to the Markets and Fairs team, which proves the size of our trailer was considered from the start of our application to trade on Bridlesmith Gate back in April 2007.

Refer to (Appendix A) No objections, "Happy days"? Is this how professional the City Centre Management are? (doc 7).

NOTE DATE OF LETTER SENT BY KURT GEIGER 3RD JULY 2008.

4.11 (Appendix G): Refer to petition, 4.4, 4.16, lack of consultation not our concern. NOTE DATE OF LETTER SENT BY ABERDEEN 14TH JULY 2008. "Complete news to me"

4.12 (Appendix H): Fourth floor complaining yet the lower floors have signed our petition to stay and the generator is super silenced and only has 70% of the power we require so that the generator is as quiet as possible. Refer to News article (doc 2), 4.14 and (doc. 6a).

NOTE DATE OF EMAIL SENT 17TH JULY 2008. Why wait 4 weeks to complain?

4.13 a) The generator is a noise and atmosphere pollutant which we never wished to use. We offered to pay for an electricity supply.

The Council decided that the electricity supply would be installed by them and we would pay extra rent for this facility.

This never happened and nothing had been done by David Maugham.

b) The Council consultations for an existing pitch are not our concern or fault 4.15.

c) Hardly blocking pedestrian's entry to shops, in fact the retailers have said we bring them more trade due to the fact the shoppers stop and look up instead of walking straight past them as they are set back from the main walkway.

d) We feel that we add value to the street giving a more vibrant and friendly feel and continue to help tourists out in finding there way around Nottingham, also recommending local places of interest and shops. 4.17 What does this have to do with the council?

e) See above and petition signed by 638 people thinking differently including (doc 8) to < a handful of complaints.

See (doc 4). It is not a "caravan" it is a £35,000 trailer built to the Councils size and specific colour requests 4.5 by Roka (UK) Ltd.

7.1 We did consult with Markets and Fairs on numerous occasions via telephone, meetings and email to discuss the style and design of the trailer 4.6 (doc 6b). The outcome was that we were told to put a beige band around the trailer to fit in with the streetscape which we were against as our colours are black and green (doc 5). The City Centre management had no objections. The only extreme opposition from a retailer came from the owner of the Tokenhouse card shop who then approached other retail outlets on the street to attempt to remove us from trading by raising a petition against us, however not one business agreed to his proposal so Mr Williams Spoke to the Nottingham Evening Post to express his concerns along side Mr Hargreaves from FHP. (doc 2)

7.2 From day one we said it would not be an option to trade on Clinton Street East which is why we waited 14 months for the Bridlesmith Gate pitch to be approved by The Regulatory and Appeals Committee earlier this year on the 25th February 2008 1.1 (doc 3) find Clinton Street East!

5) Additional material on the day: None as yet

6) a) N/A

b) N/A

7) Hearing procedure:

Stephen and Simon Fisher
Juice Bros.



Doc 1

**This is a ^{*}petition signed by
638 people against the
councils proposed eviction
of juice bros from Bridlesmith
Gate.**

***NOTE BY COMMITTEE ADMINISTRATOR**

**THE SIGNED PETITION WILL BE AVAILABLE FOR INSPECTION AT THE
MEETING OF THE REGULATORY AND APPEALS COMMITTEE ON 15
SEPTEMBER 2008**

In brief

Honour for school

A NOTTS school has won an award for its international outlook. The Dukeries College and Complex, New Olterton, has been awarded the Intermediate Level of the International School Awards. It recognises the college's work over the past two years to improve its global links, which include contact with schools in Brazil, Java, India, Ghana and France, and add an international dimension to learning. Heather Mason, geography teacher and global links coordinator, said: "This award proves that the students are well on their way to becoming part of a truly global community."

Summer concert

A SEASONAL concert is being staged by Nottingham's branch of Scrippist International. Music for a Summer Afternoon is at 3pm on Sunday, July 6, and will raise funds for Hope and Homes for Children - a charity which helps some of the most deprived women and children in the world. It takes place at St Mary's Church in High Pavement. Young musicians will perform and there will be an organ recital from John Keyes. Tickets are £6 on the door, £3 for children.

Charity meal

PROCEEDS from an Indian meal will go towards Diabetes UK. The meal is at the Vicarage Restaurant, in Hucknall Road, Sherwood, from 12.30pm, on July 14. Tickets are £22 for a four-course buffet; 50% will go to Diabetes UK. To book a place, call 0115 550 7147.

Be a Jive bunny...

TIME 2 Jive - a night of dance with lessons for complete beginners or experienced dancers - is in at Keyworth Village Hall on Wednesday from 7.30pm to 10.30pm. Admission is £6. Call 07785 594714.

Celebration time

YEAR 11 pupils at Manning School for Girls, Aspley, will be celebrating their time at the school on July 2 at the Albert Hall, Nottingham, at 6pm.



COMPLAINTS: Simon and Stephen Fisher are owners of the juice bar pitched in Bridlesmith Gate

POSTPHOTOGRAPHY

Fashion quarter in juice bar woe

NOTTINGHAM'S most important shopping street is being blighted by a juice-dispensing "caravan", according to a leading retail expert.

David Hargreaves, of property agents FHP, has written to city council bosses over the Juice Bros mobile juice bar, which has been in Bridlesmith Gate since Saturday.

Nearby shops bemoan the vehicle ruins the appearance of the street, part of Nottingham's fashion quarter, and will damage not only their businesses, but the city's reputation as a shopping destination.

Even the owners of Juice Bros admit the noise created by their generator is excessive - and say the city council need to provide an electricity supply.

In his letter to Nottingham City Council chief executive Jane Todd, Mr Hargreaves states: "Bridlesmith Gate is very much the flag-bearer for Nottingham's retail market."

"The retail market is having a difficult time and there are several retailers along Bridlesmith Gate considering disposing of their shops, which in the long term would not be good for Nottingham's image."

"It was, therefore, with dismay that I discovered the caravan on Bridlesmith Gate outside Oles and Solo Trader."

Mr Hargreaves says he has been contacted by a number of retailers to make comment on their behalf to the council.

The vehicle blocks the vision lines to Sole, Diesel and Replay, which Mr Hargreaves says will have an impact on trade.

Stephen Fisher, a partner in Juice Bros with his brother Simon, said he has received direct complaints from both shops and offices in Bridlesmith Gate.

He said: "The location is fine. The only thing wrong is we have asked for electricity to be fitted, and we are willing to pay extra rent."

"When we first came here on Tuesday they [the hire company] had delivered the wrong

By CAROLINE LOWBRIDGE

generator. We got a lot of complaints from the offices [about the noise], so we shut it down straight away because we don't want to upset anybody."

The juice bar returned on Saturday.

Mr Fisher said the new generator makes the street smell of diesel, but he has been told it will take up to eight weeks for an electricity supply to be fitted.

He does not believe the appearance of the vehicle is objectionable.

Nottingham City Council is set to generate £3,000 per year from the pitch.

But Geoff Williams, who has owned The Tokenhouse card and gift shop on Bridlesmith Gate for 36 years, says this is not justifiable.

He said: "The Markets and Fairs department are quite lousy to raise £3,000 a year and not give any consideration to the damage they are doing."

Nell Elchhart, Markets and Fairs manager, said: "This is a long-established street trading pitch that has been in Bridlesmith Gate for more than ten years, and we are in the process of putting in a permanent electricity supply so that the generator that work is completed."

"The new juice bar provides a healthy food option that we hope will attract people to Bridlesmith Gate and encourage them to stay for longer."

caroline.lowbridge@nottinghamwriting.co.uk

'Uni depends upon overseas student fees'

THE University of Nottingham could be too reliant on fees from overseas students, a standards watchdog has warned.

Peter Williams, head of Quality Assurance Agency, which monitors standards universities, believes the growing practice of recruit students overseas "could be lowering standards" because interviews are conducted externally.

In a league table of the ten universities for overseas non EU student recruits, University of Nottingham finished fourth with 2,610 students.

A spokesman for The University of Nottingham said: "We believe that widening pool from which we recruit students actually raises standards."

"We have more applicants from which to select the best students worldwide for our degree programmes."

"We do use educational consultants in some count to help promote our point at The University of Nottingham but none of them have the ability to act for University in admitting students. All admissions decisions are made purely the basis of academic merit ability by University of Nottingham staff."

Only London Metropolitan University, University of Arts, London and The University of Manchester recruit more overseas students than Nottingham.

Footy team on their bike

ASLOCKTON football team Greyhounds FC are taking their bicycles to raise awareness of testicular cancer.

The team and other members around the Vale of Belton on Saturday June 28, encouraging others to do changes, and giving out information leaflets.

The third "Tour de Belton" in four years is the first time the volunteers will attempt to raise money. Members of public can make donations to their travels. A spokesman said: "Testicular cancer is most common cancer in aged 15-45 and is a silent men each year."

The wonder wood work

THE next green woodwork course at Bestwood Country Park will be held on Sat July 5.

It will teach people to use tools to split, shave and turn items from green wood.

The one-day course is pre-booking and payment calling 0115 927 3674. The packed lunch and meet at Alexandra Lodge at 10am event will finish around

How to spot heart disease!

A NEW method of spotting heart disease in black and minority ethnic groups developed in Nottingham.

A new equation, QRIS, helps doctors identify the most at risk of developing cardiovascular disease first time.

It has been created by QRResearch, between the University of Nottingham primary care systems and EMIS.

FREE-SNACK-BAR

From round to rectangle, two of the nation's favourite treats have been transformed into seriously delicious, individually wrapped, snack bars.



From the UK's No.1 kids' biscuit brand, Jammie Dodger Snack Bars come jam-packed with cereal goodness, fruit pieces and a tasty Jammie Dodger-flavour fruit filling. Maryland Munch Bars combine the nation's favourite cookie pieces with wholegrain cereals and chocolate chips.

Both are available from leading supermarkets at a RRP of £1.59 for a pack of 6 bars.

You can claim your free Maryland Munch bar from city centre vending stands when you buy a copy of the Evening Post tomorrow.

EVENING POST www.thisisnottingham.co.uk

Offer restricted to one bar per person. Subject to availability. You will receive a Maryland Munch Bar.

Cash to put Notts on the UK's tourist trail

TOURISM in Notts is to get a shot in the arm after new funding plans were revealed.

East Midlands Tourism, part of the region's development agency is offering £2.4m in grants for projects aimed at improving the quality of tourism in the area.

It is hoped this will also provide a timely boost to the local economy.

Ruth Hyde, tourism director for the East Midlands Development Agency, said: "We are looking for projects that will really make a difference and give our visitors something new and

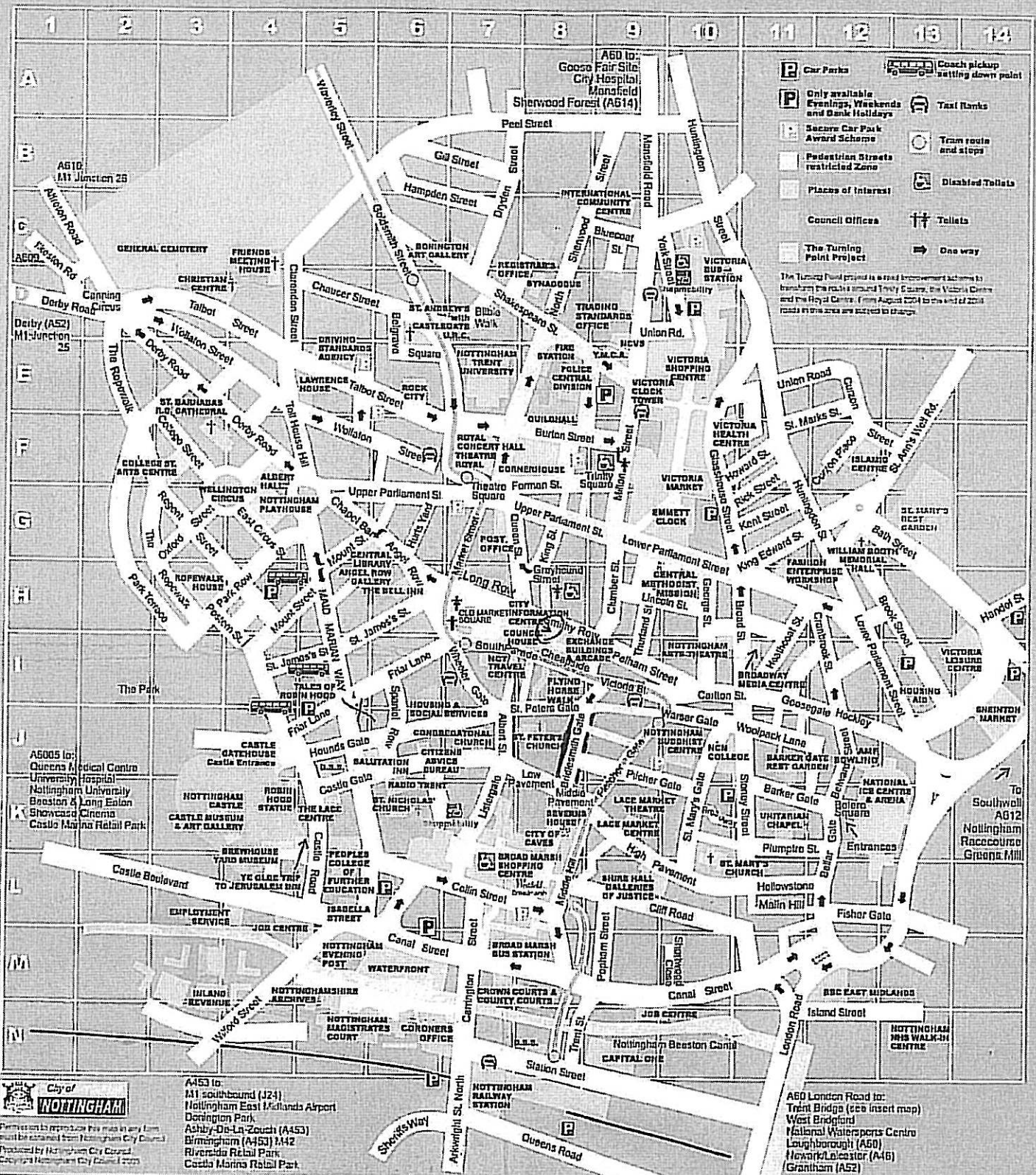
unique during their stay."

The winning bids must be innovative and challenging - with the potential to outshine other tourist destinations in the UK.

Businesses are invited to submit proposals with initial applications handed in by July 25.

DOC 3

Welcome to Nottingham city centre

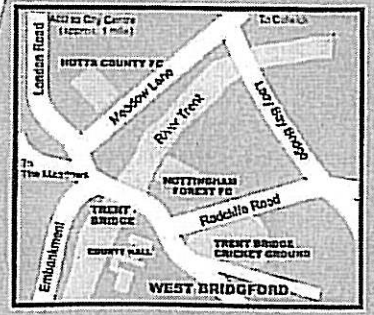


City of NOTTINGHAM
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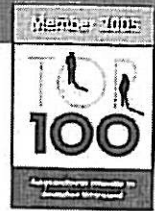
A53 to:
 M1 southbound (J24)
 Nottingham East Midlands Airport
 Doreington Park
 Ashby-De-La-Zouch (A453)
 Birmingham (A453) M42
 Riverside Retail Park
 Costa Marina Retail Park.

A60 London Road to:
 Trent Bridge (see inset map)
 West Bridgford
 National Watersports Centre
 Loughborough (A50)
 Newark/Leicester (A46)
 Grantham (A52)

Westfield Broadmarsh
 Broadmarsh Shopping Centre
 Nottingham NG1 7LL
 Tel: 0115 840 4555
 Fax: 0115 950 8994
 www.westfield.com/broadmarsh



Unit 10, Broadmarsh Park, Clumber Avenue, Nottingham, NG5 7AF
 Tel: 0115 952 8300
 Fax: 0115 952 5517
 www.westfield.com/broadmarsh



SPECIAL EQUIPMENT COCA COLA

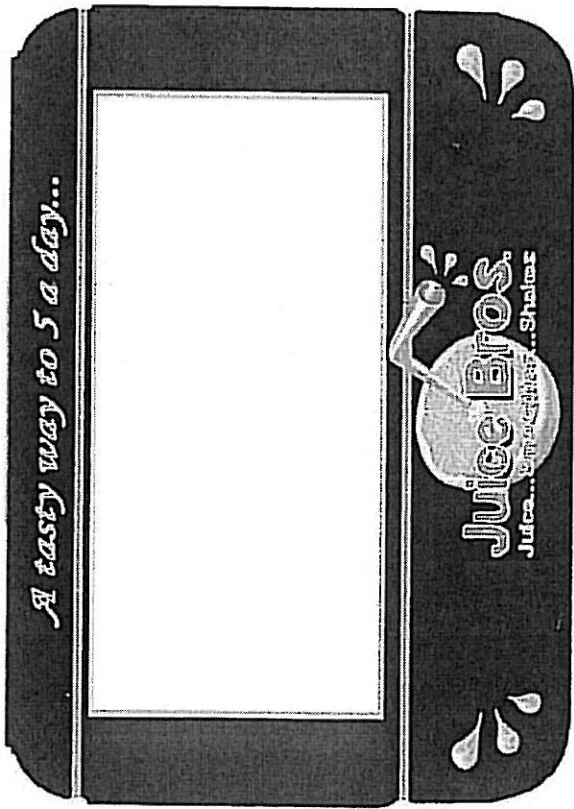


FOR A BETTER PRESENTATION

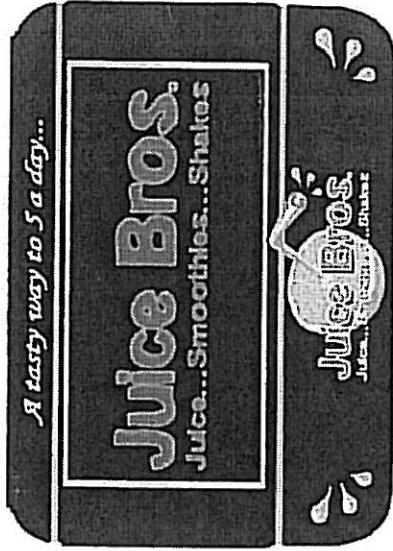




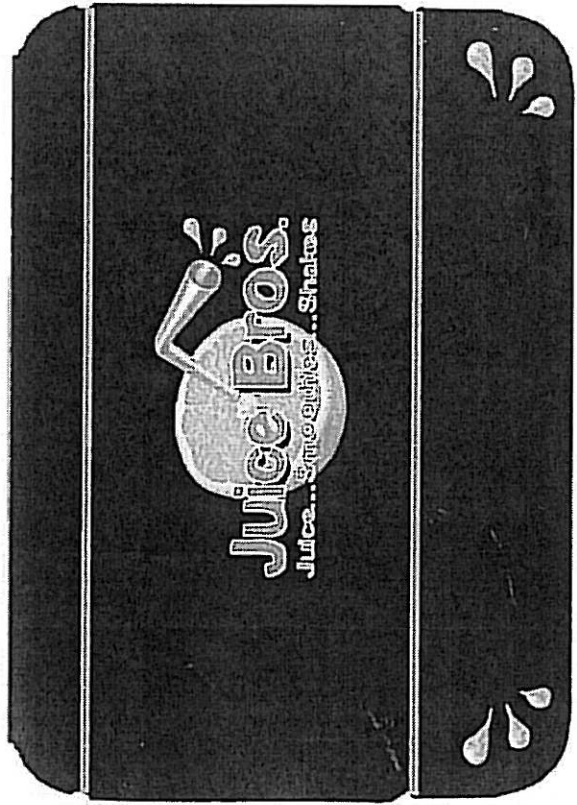
FRONT ELEVATION



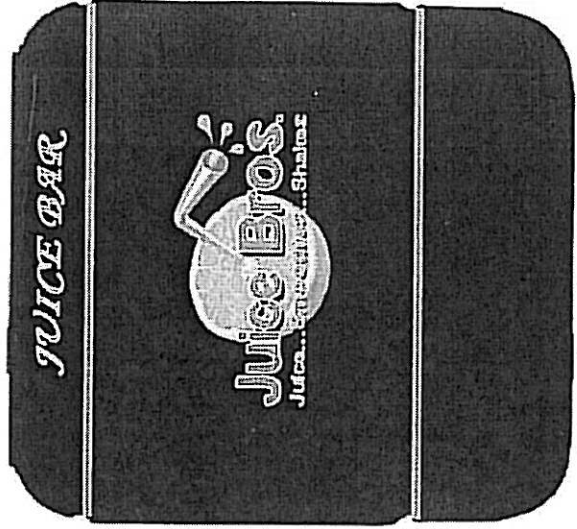
FRONT ELEVATION WITH SHUTTER CLOSED



REAR ELEVATION



SIDE ELEVATION



Doc 6a

Rachel Fisher


From: Stephen Fisher ([redacted])
Sent: 09 September 2008 11:50
To: Rachel Fisher
Subject: FW: generator [Scanned]

From: David.Maugham@nottinghamcity.gov.uk
[redacted]
Date: Tue, 10 Jun 2008 14:24:39 +0100
Subject: RE: generator [Scanned]

Hi Simon,

I left a message on the mobile number that we have on file.

Basically our health & safety people say that it needs to be a silent running generator, they also say that you will need a circuit breaker and that you would have to make sure it was tamper proof (from the public).

 Sorry I can't give you anymore info on the noise level but they were insistent that it just be a "silent" running one, hope this helps.

Regards,

David Maugham
Street Trading & Market Officer
Markets & Fairs
Community & Culture
Nottingham City Council
Tel: 0115 9156970
Fax: 0115 9156973

From: Stephen Fisher ([redacted])
Sent: 10 June 2008 14:22
To: David Maugham
Subject: generator [Scanned]

hi david, did you find out the noise level for me? need to collect one this week.

thanx simon.

Miss your Messenger buddies when on-the-go? [Get Messenger on your Mobile!](#)
Book now for Splendour, Nottingham's new music festival at Wollaton Park July 19-20 featuring Kate Nash, Paolo Nutini, The Charlatans and more - see <http://www.nottinghamcity.gov.uk/splendour> for details

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09/09/2008

Rachel Fisher

From: Stephen Fisher [juicebros@hotmail.co.uk]
Sent: 09 September 2008 11:48
To: Rachel Fisher
Subject: FW: Juice Bros Trailer [Scanned]

> Date: Wed, 28 May 2008 08:52:27 +0100
> From: dawn.michalak@nottinghamcity.gov.uk
> To: juicebros@hotmail.co.uk
> CC: Neil.Ehrhart@nottinghamcity.gov.uk; David.Maugham@nottinghamcity.gov.uk;
Stewart.Thornhill@nottinghamcity.gov.uk
> Subject: Fwd: Juice Bros Trailer [Scanned]

>
> Hi Stephen
>
> I have spoken to Neil Ehrhart and Stewart Thornhill from City Centre
> Management, see below and both feel that the agreed clours as in my email
> of 22 May should be stuck to. Sorry for the delay, I have just returned to
> work after the Bank holiday.

>
> Regards
> Dawn

>
>
> Dawn Michalak
> Team Leader
> Markets and Fairs Service
> Community and Culture
> Glasshouse Street
> Nottingham
> NG1 3LP
> Tel: 0115 9156970
> Fax: 0115 9156973
> Email: dawn.michalak@nottinghamcity.gov.uk

>
>
>
>
> ----- Forwarded message from Stewart Thornhill
> <stewart.thornhill@nottinghamcity.gov.uk> -----
> Date: Fri, 23 May 2008 14:04:33 +0100
> From: Stewart Thornhill <stewart.thornhill@nottinghamcity.gov.uk>
> Reply-To: stewart.thornhill@nottinghamcity.gov.uk
> Subject: Juice Bros Trailer [Scanned]
> To: "Dawn Michalak (E-mail)" <dawn.michalak@nottinghamcity.gov.uk>

>
> Hi Dawn,

>
> Further to our site visit and discussions yesterday, I feel that the design

09/09/2008

DOC Gb

Rachel Fisher

From: Stephen Fisher [juicebros@hotmail.co.uk]
Sent: 09 September 2008 11:48
To: Rachel Fisher
Subject: FW: Juice Bros Trailer [Scanned]

> Date: Wed, 28 May 2008 08:52:27 +0100
 > From: dawn.michalak@nottinghamcity.gov.uk
 > To: juicebros@hotmail.co.uk
 > CC: Neil.Ehrhart@nottinghamcity.gov.uk; David.Maugham@nottinghamcity.gov.uk;
 Stewart.Thornhill@nottinghamcity.gov.uk
 > Subject: Fwd: Juice Bros Trailer [Scanned]

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 > of 22 May should be stuck to. Sorry for the delay, I have just returned to
 > work after the Bank holiday.

>

> Regards

> Dawn

>

>

>

> Dawn Michalak
 > Team Leader
 > Markets and Fairs Service
 > Community and Culture
 > Glasshouse Street
 > Nottingham
 > NG1 3LP
 > Tel: 0115 9156970
 > Fax: 0115 9156973
 > Email: dawn.michalak@nottinghamcity.gov.uk

>

>

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>

>

> — Forwarded message from Stewart Thornhill
 > <stewart.thornhill@nottinghamcity.gov.uk> —
 > Date: Fri, 23 May 2008 14:04:33 +0100
 > From: Stewart Thornhill <stewart.thornhill@nottinghamcity.gov.uk>
 > Reply-To: stewart.thornhill@nottinghamcity.gov.uk
 > Subject: Juice Bros Trailer [Scanned]
 > To: "Dawn Michalak (E-mail)" <dawn.michalak@nottinghamcity.gov.uk>

>

> Hi Dawn,

>

> Further to our site visit and discussions yesterday, I feel that the design

09/09/2008

- > with the beige band around the trailer that we agreed to is the most
- > suitable and there should be no deviation from the chosen livery.

>

- > Regards,
- > Stewart

>

- > Stewart Thornhill
- > City Centre Operations Manager
- > City Centre Management
- > Nottingham City Council
- > Exchange Buildings
- > Smithy Row
- > Nottingham
- > NG1 2BS

>

- > Tel. 0115 915 5210
- > Fax. 0115 915 5429
- > Mobile: 07903 971 017

>

>

>

>

- > ----- End forwarded message -----

>

>

>

- > Nottingham stages its free music festival City Pulse from
- > Saturday 24 – Monday 26 May - see
- > www.nottinghamcity.gov.uk/citypulse

>

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Doc 7

5 Dec 2007



Nottingham
City Council

My Ref: MF/GEE/030907-001
Contac Michael Frater
t:
Email: michael.frater@nottinghamcity.gov.uk

Office of the Chief Executive
The Guildhall
Nottingham
NG1 4BT

Tel: 0115 915 4500
Fax: 0115 915 4580
www.nottinghamcity.gov.uk

Vernon Coaker MP
House of Commons
London
SW1A 0AA

03/09/07

Dear Vernon,

Juice Bros. 26 Forester Street Netherfield

Nottingham City Council controls street trading under the Local Government (Miscellaneous Provisions) Act 1982. This allows streets within the City to be designated as either "prohibited" or "licence" or "consent" for the purposes of Street Trading.

"Prohibited street" means a street in which street trading is prohibited.

"Licence street" means a street in which street trading is prohibited without a licence granted by the council.

"Consent street" means a street in which street trading is prohibited without the consent of the council.

Traders operating with a licence from the authority have many rights. These include the right of renewal of their licence, and of appealing to the courts against decisions made by the authority to vary the principal terms of the licence, to revoke or to refuse to renew a licence

Traders operating with "consent" do not have these rights and the "consent" can be revoked at anytime or not renewed.

Until 2005 streets in Nottingham City Centre were either "prohibited" or "licence". However during 2005 Nottingham City Council changed the designation of all "licence streets" to "consent streets". This gave the Authority more flexibility over the granting and termination of street trading positions and the ability to issue "daily consents" It did however also mean the loss of the rights that traders had with licences as opposed to "consent".

In March 2006 delegated authority was given to officers to grant street trading consents, one of the provisos being that anything considered contentious should be brought to committee for consideration.

Nottingham




INVESTOR IN PEOPLE

DOC 7

Mr Fisher came to us with a proposal for a juice bar on the vacant Street trading pitch on Bridlesmith Gate. It was pointed out to Mr Fisher that consultations had to take place with City Centre Management regarding the suitability of a juice bar at that location.

Mr Fisher stated that to purchase a unit may be around £16,000 and he accepted the fact that he would have no security or protection should the pitch have to be removed for any purpose in the future.

 City Centre Management had no objections. It later transpired however that the position had never been used before as a catering site with the additional concerns that these create (refuse etc). This change therefore may be considered contentious and should go to Committee for consideration, especially as Mr Fisher wished to invest such a substantial amount with no pitch protection.

More consultations were then required. These have been completed and the report is now in the process of getting onto the appropriate agenda for a decision to be made by committee.

Yours sincerely,

Michael Frater

Michael Frater
Chief Executive
Direct line ☎: 0115 915 4500

DOC 8

RELEVANT PETITION SIGNITURES

MANAGERS FROM: DIESEL, SOLETRADER, REPLAY,
KURT GEIGER, CAFÉ ROUGE,
OFFICES ABOVE CAFÉ ROUGE, OFFICES IN
BRIDLESMITH GATE HOUSE, CAFÉ NERO.
(CAFÉ NERO BRIDLESMITH GATE AND WHEELER
GATE)

MANAGEMENT AND STAFF FROM OTHER LOCAL
BUSINESSES:

FLANNELS, MOLTON BROWN, DUNE, ARGENTO,
JIGSAW, JACK WILLS,
ZARA, DOGMA, ECCO, MARKETING MACHINE,
HABITAT, TESCO EXPRESS,
BOOST JUICE, G-STAR, HOUSE OF FRASER, LACE
MARKET HOTEL,
SECURITY SOLUTIONS, BROADMARSH NEWS, GAME,
STA TRAVEL,
THE NAVIGATION, CHRISTIE & CO, CONNEX
EDUCATION, WESTFIELD,
NOTTINGHAMSHIRE COUNTY CRICKET CLUB.

OTHER SIGNIFICANT SIGNITURES:

P.E. TEACHER, NOTTS FIRE AND RESCUE SERVICE,
NOTTS POLICE SERVICE,
CITY HOSPITAL, NOTTS COUNTY COUNCIL, DERBY
COUNTY COUNCIL,
STUDENTS, CHILDREN, SHOPPERS, BRITISH ARMY,
PERSONAL TRAINER.