

Licensing Sub-Committee

**Thursday 26 September 2013 at 10.00
am**

**To be held at the Town Hall, Pinstone
Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

**Councillors Clive Skelton (Deputy Chair), Roger Davison, Stuart Wattam and
Joyce Wright**

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

Whilst recording is allowed at Committee meetings under the direction of the Chair of the meeting, Licensing Sub-Committee meetings may not be suitable for recording due to the nature of some of the evidence to be given, and the Chair will use discretion to decide if recording is allowed. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you require any further information please contact Harry Clarke on 0114 273 6183 or email harry.clarke@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING SUB-COMMITTEE AGENDA
26 SEPTEMBER 2013**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading - Static Application and Football Application - Unit 2 Claywheels Lane**
Report of the Chief Licensing Officer.
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading - City Centre Small Trading Stalls**
Report of the Chief Licensing Officer.

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in

land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or

- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at -<http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests>

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

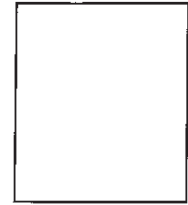
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

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SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 26th September 2013 - 10am

Subject: Street Trading
Static Application and Football Application

Author of Report: Shimla Finch – 203 7752

Summary: To consider two applications for a static and football street trading consent to trade outside unit 2 Claywheels Lane, Sheffield.

Recommendations: That Members consider all the relevant information available and any representations that may be made.

Background Papers: Attached
Street Trading Policy

Category of Report: OPEN

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Street Trading – Static and Football Applications

Site: Outside Unit 2 Claywheels Lane, Sheffield

1.0 PURPOSE OF REPORT

- 1.1 To consider two applications for a static and football street trading consent to trade outside unit 2 Claywheels Lane, Sheffield.

2.0 INTRODUCTION

- 2.1 The Council have power under the provision of the 1982 Act to regulate street trading in the city.
- 2.2 A Street Trading Consent is required to trade on any street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.
- 2.3 The Licensing Committee at its meeting of 29th January 2002 passed the following resolution:
1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
 - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
 - (b) such street trading designation shall take effect as from the 1st April 2002; and
 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.
 2. The effect of this resolution is that from 1st April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.
- 2.4 A Local Authority may attach conditions to a Street Trading Consent. The conditions may include conditions to prevent obstruction of the street and danger to persons using the street or nuisance or annoyance.
- 2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.
- 2.6 There is no appeal procedure against the refusal or revocation of a consent. An applicant may, however apply for judicial review of the Council's decision.
- 2.7 A copy of the Council's Street Trading Policy is available via the following link;
<https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/retail/street->

[trading.html](#). Members should note that the age restriction of 5 years for motorised vehicles has been removed and is not presently being enforced.

3.0 THE APPLICATION

3.1 A static application has been submitted by Ms Fay Mullen and Ms Lynn Egley on the 30th July 2013. The application proposes to trade outside unit 2 Claywheels Lane to sell hot and cold food and drinks Monday to Saturday 7am to 2pm. A copy of the static application is attached at Appendix 'A'.

3.2 A football street trading application has also been submitted by the applicants for the same site on the 5th August 2013. A copy of this application is attached at Appendix 'B'.

3.3 A copy of the site plan is attached at Appendix 'C'.

4.0 REASONS FOR REFERRAL

4.1 The applications have been referred to the Licensing Committee as the Licensing Authority has received a joint objection on both applications.

5.0 BACKGROUND

5.1 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning. Notices were erected by Licensing Officers at the site advertising the application and notice was also given to shops and anyone that might be affected by the applications within the immediate vicinity.

5.2 During the consultation of this application an objection has been received from a local business concerning both applications which is attached at Appendix 'D'.

5.3 The objection refers to factors specified in 2.8 of Sheffield's street trading policy in considering applications for grant or renewal.

5.4 Members are to refer to section 2.8 of the policy in consideration of the objection and in particular to the following bullet points under that section:

- **Public Safety / Highway**

- (a) Whether the street trading activity represents or is likely to represent a substantial risk to the public from the point of view of obstruction, fire hazard, unhygienic conditions or danger that may occur when a trader is accessing the site;

- (b) Whether there is sufficient space in the street for the applicant to engage in the trade in which he/she is proposing without causing undue interference or inconvenience to other persons using the street;

- (d) Whether the location and operating times will be such that the highway can be maintained and that there are no dangers to those who have a right to use the highway and no obstruction for emergency services.

- **Avoidance of Public Nuisance**

- (b) Whether the granting of the application is likely to give rise to nuisances or loss of amenity caused by noise, odour, litter, disturbance or anti social behaviour;

- **Environmental credentials**

- (a) Whether there is a negative impact of the proposed operation on the local environment including street surfaces and materials, power supply, carbon footprint, supply chain, packaging, waste minimisation, waste disposal and waste created by customers. Mitigating measures to minimise the environmental impact of the proposed operation will be taken into account.

- **Traders**

- (a) Whether the traders in hot or cold food hold a current Level 2 Food Hygiene Certificate;
- (b) Whether the granting of a consent for the sale of goods would conflict with those provided by nearby shops or cafes providing similar services;
- (c) Whether the trading in a particular location will conflict with concessions granted to other existing street traders;
- (d) Whether the quality of the goods to be sold and the hours and days for which it is intended to trade are suitable.

- **Objections**

- (a) Take into account any objections made about the application or Consent holder from interested parties.

5.5 Comments have also been received from the Highways department of Sheffield City Council which is attached at Appendix 'E'.

5.6 The applicants and the objector have been invited to attend the Licensing Committee hearing to present their case. Copies of the invitations are attached at Appendix 'F'.

5.7 A copy of the hearing procedure is attached at Appendix 'G'.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications for the Council arising from this report.

6.2 Members should note that if any application is referred to the High Court significant legal costs are likely to be incurred. There is no hold over budget within Licensing to cover such costs.

7.0 RECOMMENDATIONS

7.1 That Members consider all the relevant information available and any representations that may be made.

8.0 OPTIONS OPEN TO THE COMMITTEE

- 8.1 To grant one or both applications in the terms requested.
- 8.2 To grant both applications with amendments to the static application.
- 8.3 To defer the matter on one or both applications for further consideration.
- 8.4 To refuse one or both applications.

Steve Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy and Regulation, Place Portfolio
Block C Staniforth Road Depot
Staniforth Road,
Sheffield S9 3HD

6th September 2013

APPENDIX 'A'

Rec No: 28582

Local Government (Miscellaneous Provisions) Act 1982

Application for a STATIC Street Trading Consent

Notes to Applicant
All questions must be answered unless otherwise stated.
If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

*I / *WE HEREBY APPLY to the Sheffield City Council for the grant of a static street trading consent (*delete as appropriate).

30 JUL 2013

A. THE APPLICANT(S)

Table with 4 columns: Question ID, Question Description, 1st Applicant (Mr/Mrs/Miss/other), and 2nd Applicant (Mr/Mrs/Miss/other). Rows include Q1 (Full name), Q2 (Address), Q3 (Date of birth), Q4 (Nationality), Q5 (National Insurance No.), Q6 (Legal right to work), Q7 (Refused consent), Q8 (Telephone No), and Q9 (Email address).

B. COMPANY DETAILS (if applying as a Corporate body)

Q10	Name	
Q11	Registered address	
Q12	Registered number	
Q13	Telephone number	
Q14	Email address	
Q15	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	

C. THE UNIT / VEHICLE

Q16	Description of unit / vehicle to be used	20 Foot coloring trailer (static)
Q17	Registration number (if applicable)	
Q18	Date of first registration (if applicable)	
Q19	Last MOT and service (if applicable)	
Q20	Size of vehicle	Height: 10FE Width: 7FE Length: 20FE
Q21	Does the vehicle meet the qualitative criteria? Your vehicle will be inspected prior to granting a consent.	YES

D. TRADING DETAILS

Q22	Details of site to be occupied	UNIT PRIVATE LAND
Q23	Location of pitch: (include site plan to scale)	UNIT 2 CLAYWHEELS LANE WALSLEY BRIDGE SHEFFIELD

Q24	Is this private land?	YES
Q25	If private, who owns the land and have you obtained consent from them to use the land to trade?	Richard Bannister CONSENT GIVEN
Q26	Items to be sold	HOT + COLD FOOD HOT + COLD DRINKS
Q27	Specify days of trade	Mon - Sat
Q28	Specify times of trade (use 24 hours clock e.g. 10:00 to 16:00 hours)	7am - 2pm
Q29	Highways comments attached?	YES
Q30	Planning comments attached?	

E. CONVICTIONS / CAUTIONS

Q31	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?	Applicant 1 Yes [] <input checked="" type="radio"/> No []		
	If the answer is Yes please give full details below:	Applicant 2 Yes [] <input checked="" type="radio"/> No []		
Details of previous convictions and/or cautions				
	Date of Conviction	Court of Conviction	Nature of Offence	Sentence
	Applicant 1			
	Applicant 2			

F. CHECK LIST

The following documents must be attached with this application:

(tick)

Appropriate fee (if short term) or non refundable fee of £100	✓
Your current passport	✓
Your current drivers licence	N/A
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	✓
Right to work documentation (if applicable)	N/A
Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	✓
If trading from private land, written confirmation from the landowner	✓
Ordnance survey map of at least 1:1250 scale clearly identify the proposed trading position. An additional map to scale showing its proximity to other similar retail outlets within an 800 metre radius.	✓
Photographs of the vehicle / unit showing front, side and rear.	NA Small
Confirmation in writing that you have consulted with the Highways Department	via email
Confirmation in writing that you have consulted with the Planning Department	✓
Details of any food hygiene qualifications (unless trading in non food items)	✓
If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	
Confirmation that your vehicle meets the quality criteria	✓
Any further information you may wish to submit in support of your application	

The following documents must be forwarded to us before the grant of your consent:

(tick if enclosed with this application)

The remaining quarterly fee or full annual fee.	
Certificate of insurance in respect of the vehicle / unit	
Appropriate vehicle test	
Public liability insurance (minimum of £2,000,000)	
Written confirmation that the vehicle meets the Council's food safety standards	
Waste management contract	
Declare that you have registered as a food business	✓

G. DECLARATION



WARNING

Paragraph 10(3) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 gives the following warning:-

"Any person who, in connection with an application ...for a street trading consent, makes a false statement which he knows to be false, in any material respect, or which he does not believe to be true, shall be guilty of an offence."

I / We,

- declare that all the information I have given in this application is complete and correct;
- declare that I am over 17 years of age (in cases of individual applicants)
- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield City Council the relevant consent fee in advance whether demanded or not;
- understand that consents are not transferable;
- understand that the Local Authority reserve the right to make further enquiries with South Yorkshire Police as a result of this application as they may consider desirable; and
- understand that giving false information is an offence and may result in prosecution and / or a street trading consent being refused or revoked:

Applicant 1 Signature:  Print name: <u>FAY MULLEN</u> Date: <u>30 June 13</u> Capacity: <u>CATERER / FOOD</u>
Applicant 2 Signature:  Print name: <u>LYNN EGLEY</u> Date: <u>30th JUNE 13</u> Capacity: <u>CATERER / FOOD</u>

Please read these notes before completing the application form.

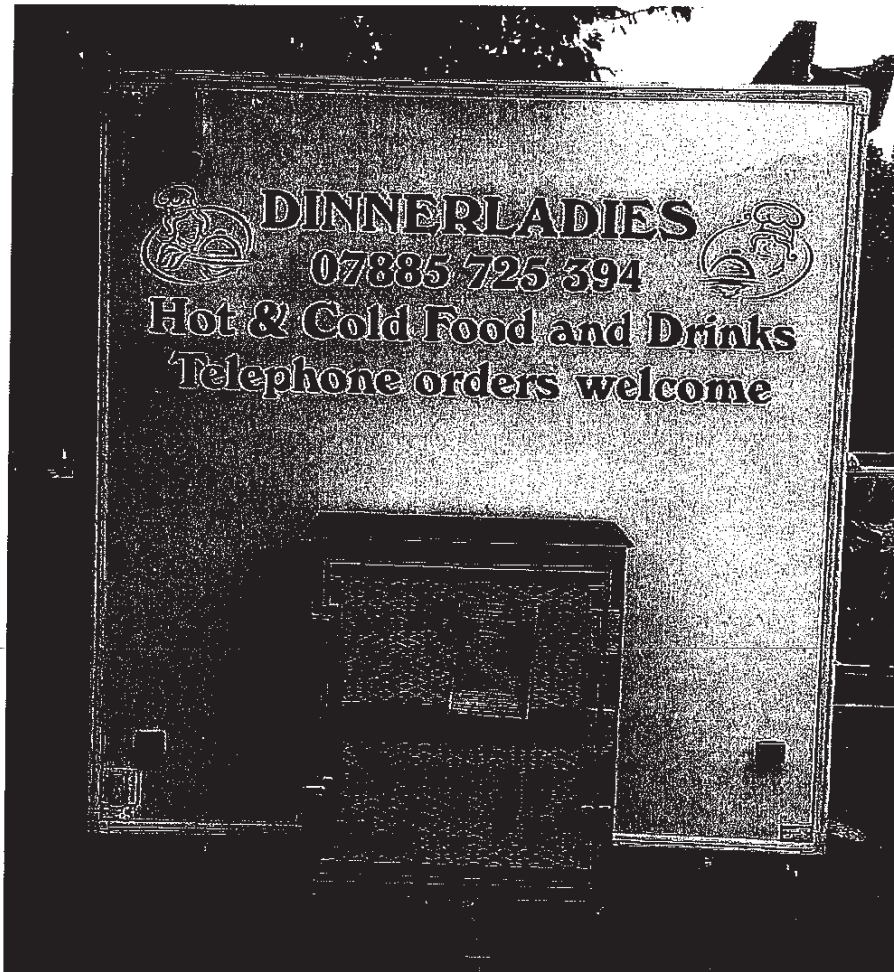
- If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.
- The Council is under no obligation whatsoever to grant a consent to any person; you will be notified of the result of this application, as soon as possible.

Please return the fully completed form and all attachments to:

**Licensing Service,
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD**

The Service is open from 9am to 5pm, Monday to Friday. Telephone (0114) 203 7752.







This is to certify that

Fay Mullen

Has been awarded the

**Level 3 Award in Supervising Food Safety in
Catering
500/5483/1**

PASS

*Date of Award
08 September 2010*



Christopher Suter
Director of Qualifications



172944 080910



00152270



Advanced Food Safety

L I M I T E D

NATIONAL FOOD SAFETY CONSULTANTS AND TRAINERS

CPD CERTIFIED
 Lynn Egley
 has completed the
ALLSAFE
 Food Hygiene and Health & Safety
 Induction Programme
 at a level of
 All Induction courses set a level
 Issued on this day 23rd May 2011

Russell Parry FRSPH
On behalf of
Advanced Food Safety Limited

CPD
CERTIFIED
The CPD Certification
Service



ALLSAFE® Distance Learning



7th October 2012

Reference Letter - Fay Mullen

To Whom it may concern

Dear Sir / Madam,

In my position of Operations Director with Optima Catering Ltd along with 25 years experience in the catering industry I am writing to you with reference to my employee Fay Mullen whom I employed over 4 years ago and have been able to personally develop in to an extremely efficient, hard working chef manager with an aptitude to succeed.

Fay Has successfully organized the catering department in to an extremely efficient and successful facility keeping customer interest constantly with theme days and offers. Her quality of cooking skills and presentation is excellent.

Fay has headed the successful rebuilding of the catering department with constant success in the completion of audits by Marks and Spencer's , Tesco's and many other external companies with great aptitude.

Fay Handles staff issues effectively and is well liked by everyone that meets her and her attitude and flexibility towards customers is second to none.

Fay communicates efficiently with clients, staff and myself and is always ahead of the game.

Her administration skills are of a good standard and has been trained efficiently on Food safety management systems(HACCP), Risk assessment , Health and safety , Coshh , Food Hygiene. A 4 star hygiene rating from Sheffield council also 3 years running from a previous 2 star.

Overall a member of staff that has developed in to a key member of the team and one that is employable in any catering establishment in any key management roll.

If you require any further information please do not hesitate to contact me.

Yours sincerely

David Coleman – Operations Director

APPENDIX 'B'

Local Government (Miscellaneous Provisions) ¹⁹⁸² Act 1982

Application for a
FOOTBALL Street Trading Consent

Notes to Applicant
All questions must be answered unless otherwise stated.
If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

*I / *WE HEREBY APPLY to the Sheffield City Council for the grant of a football street trading consent (*delete as appropriate).

A. THE APPLICANT(S)

		1 st Applicant (Mr/Mrs/Miss/other)	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	FAY MULLEN	LYNN EGLEY
Q2	Applicant(s) permanent private address	[REDACTED]	[REDACTED]
Q3	Date of birth	[REDACTED]	[REDACTED]
Q4	Nationality and place of birth	BRITISH (Sheffield)	C of E Sheffield.
Q5	National Insurance No.		
Q6	Do you have the legal right to work and live in the UK?	<input checked="" type="radio"/> YES / <input type="radio"/> NO Details:	<input checked="" type="radio"/> YES / <input type="radio"/> NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	<input type="radio"/> YES / <input checked="" type="radio"/> NO Details:	<input type="radio"/> YES / <input checked="" type="radio"/> NO Details:
Q8	Telephone No	[REDACTED]	[REDACTED]
Q9	Email address	[REDACTED]	[REDACTED]

B. COMPANY DETAILS (if applying as a Corporate body)

Q10	Name	
Q11	Registered address	
Q12	Registered number	
Q13	Telephone number	
Q14	Email address	
Q15	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	/

C. THE UNIT / VEHICLE

Q16	Description of unit / vehicle to be used	CATERING TRAWLER
Q17	Registration number (if applicable)	
Q18	Date of first registration (if applicable)	
Q19	Last MOT and service (if applicable)	
Q20	Size of vehicle	Height: Width: Length:
Q21	Does the vehicle meet the qualitative criteria? Your vehicle will be inspected prior to granting a consent.	

D. TRADING DETAILS

Q22	Details of stadia applying for. Tick as appropriate:	<input type="checkbox"/> Sheffield United Football Club or <input checked="" type="checkbox"/> Sheffield Wednesday Football Club
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Q23	Location / details of pitch: (include site plan to scale)	UNIT 2 CLAY WHEELS LANE SHEFFIELD
Q24	Is this private land?	YES
Q25	If private, who owns the land and have you obtained consent from them to use the land to trade?	RICHARD BANNISTER 31 MOOWEN YES
Q26	Type of application	<input checked="" type="checkbox"/> Hot and cold food and drinks or <input type="checkbox"/> Memorabilia
Q27	Specify items to be sold	HOT + COLD FOOD + DRINK
Q28	Highways comments attached?	YES
Q39	Planning comments attached?	YES

E. CONVICTIONS / CAUTIONS

Q31	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?	Applicant 1 Yes [] No <input checked="" type="checkbox"/>	
	If the answer is Yes please give full details below:	Applicant 2 Yes [] No <input checked="" type="checkbox"/>	
Details of previous convictions and/or cautions			
	Date of Conviction	Court of Conviction	Nature of Offence
	Sentence		
	Applicant 1		
	Applicant 2		

F. CHECK LIST

The following documents must be attached with this application:

(tick)

The appropriate fee	✓
Your current passport	✓
Your current drivers licence	N/A
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	✓
Right to work documentation (if applicable)	N/A
Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	✓
If trading from private land, written confirmation from the landowner	✓
A detailed ordnance survey map showing the location of the site you are applying for	✓
Photographs of the vehicle / unit showing front, side and rear.	?
Confirmation in writing that you have consulted with the Highways Department	✓
Confirmation in writing that you have consulted with the Planning Department	✓
Details of any food hygiene qualifications (unless trading in non food items)	✓
Confirmation that your vehicle meets the quality criteria	✓
Any further information you may wish to submit in support of your application	✓

The following documents must be forwarded to us before the grant of your consent:

(tick if enclosed with this application)

Certificate of insurance in respect of the vehicle / unit	
Appropriate vehicle test	
Public liability insurance (minimum of £2,000,000)	
Written confirmation that the vehicle meets the Council's food safety standards	
Waste management contract	
Declare that you have registered as a food business (if applicable)	

G. DECLARATION

WARNING



Paragraph 10(3) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 gives the following warning:-

"Any person who, in connection with an application ...for a street trading consent, makes a false statement which he knows to be false, in any material respect, or which he does not believe to be true, shall be guilty of an offence."

I / We,

- declare that all the information I have given in this application is complete and correct:
- declare that I am over 17 years of age (in cases of individual applicants)

- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield City Council the relevant consent fee in advance whether demanded or not;
- understand that consents are not transferable;
- understand that the Local Authority reserve the right to make further enquiries with South Yorkshire Police as a result of this application as they may consider desirable; and
- understand that giving false information is an offence and may result in prosecution and / or a street trading consent being refused or revoked:

	Applicant 1 Signature:  Print name: <u>RAY MULLON</u> Date: <u>5/AUG</u> Capacity: <u>OWNER</u>
	Applicant 2 Signature:  Print name: <u>LYNN EGLEY</u> Date: <u>5/AUG</u> Capacity: <u>CO OWNER</u>

Please read these notes before completing the application form.

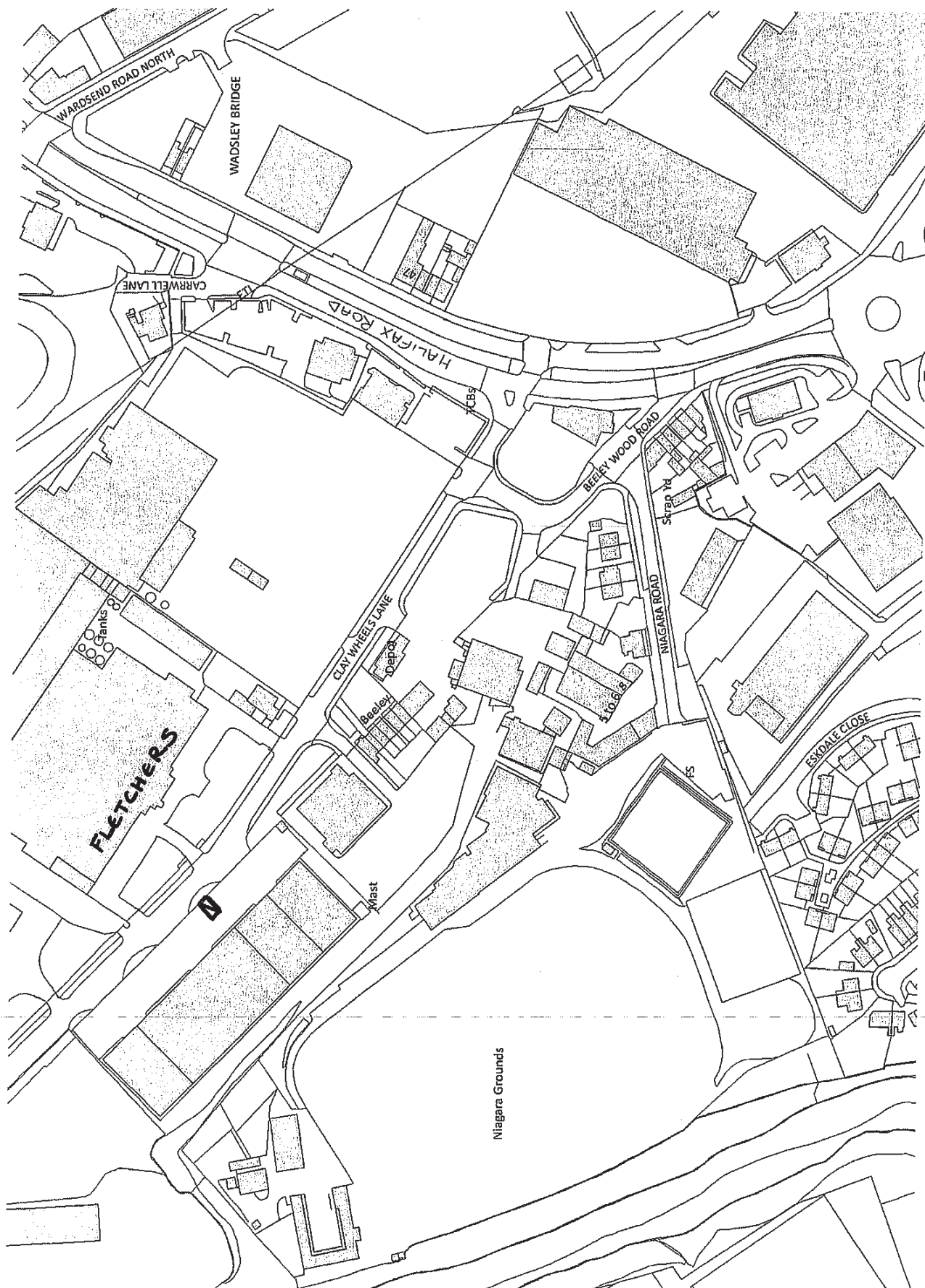
- If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.
- The Council is under no obligation whatsoever to grant a consent to any person; you will be notified of the result of this application, as soon as possible.

Please return the fully completed form and all attachments to:

**Licensing Service,
 Block C, Staniforth Road Depot
 Staniforth Road
 Sheffield
 S9 3HD**

The Service is open from 9am to 5pm, Monday to Friday. Telephone (0114) 203 7752.

APPENDIX 'C'



APPENDIX 'D'

SHEFFIELD CITY COUNCIL



Local Government (Miscellaneous Provisions) Act 1982
Street Trading – Outside Unit 2 Claywheels Lane,

An application has been submitted to Sheffield City Council for a static street trading consent at the above named site:

By: Ms Fay Mullen & Lynn Egley
To trade: Hot and Cold Food and Drink
On: Monday - Saturday: 07:00 - 14:00

As a local business/person that could potentially be affected by the siting of this vendor, we would like to consult with you to gain your opinion.

Please refer to the attached information - you will note the proposed location of the consent and details of the proposed vehicle.

I would be grateful if you would take a couple of minutes to write any comments below.

If it is more convenient for you, you are welcome to submit your comments by email to general.licensing@sheffield.gov.uk. Please ensure all your details and all the traders' details are included in your message.

Any comments you have regarding this application must be received by the Licensing Service by 27th August 2013.

If you have any queries, please contact The Licensing Service on 0114 2037752.

Company/name and address: FLETCHERS BAKERY

Form completed by (please print): [REDACTED] HR MANAGER

- a) I have no comments to make about this application
- b) I have the following comments to make about this application
(please detail below)

Comments: PLEASE SEE ATTACHED SHEET

Signed: [REDACTED]

Date: 22.8.13

Position in company: HR MANAGER

Applicant: Ms Fay Mullen
Proposed Location: Outside Unit 2 Claywheels Lane,

Street Trading – Outside Unit 2 Claywheels Lane

By: Fay Mullen & Lynn Egley

To Trade: Hot and Cold Food and Drink

On: Monday – Saturday: 07:00 – 14:00

Background

Both Fay Mullen and Lynn Egley are ex employees of Optima Catering which is the company who operate the canteen facility at Fletchers Bakery. Our canteen opens from 7.00am to 2.00pm Monday to Saturday.

Fletchers Bakery employ up to 500 people and produce morning goods and confectionary under supermarkets own label and also into foodservice. As you can image we have extremely high hygiene standards on site to meet out customers requirements. One area where we are regularly audited by our customers is the canteen area.

Concerns

Traffic/Road Safety

- The Hot and Cold Food Van is located directly opposite our main entrance where large HGV vehicles are turning to enter and leave site. Vehicles which stop or park on the road in this area to purchase items from the food van could would cause a major obstruction and hinder the safe entry and exit of large vehicles on to and off of our site.
- On weekdays we can have between 60 and 90 HGV vehicles and over 150 cars enter and exit our site on a daily basis (i.e. between 120 and 180 HGV movements and over 300 car movements)
- Cars stopping on the road next to the Hot and Cold Food Van would force traffic on to the opposite side of the road which will cause accidents on this busy road.
- The Hot and Cold Food Van trade will cause disruption particularly as the whole road network is going to undergo major redevelopment as a result of the new Sainsbury store being built on Claywheels Lane.
- Safety of our employees crossing busy road to obtain food in their breaks.
- On days when Sheffield Wednesday play at home the away coaches will park down Claywheels Lane. As the Hot and Cold food van will be open until 2pm they will catch some early way fans trade. Football fans will congregate around the Hot and Cold Food Van (as they did when Sheffield Wednesday played Glasgow Rangers last month and the van traded without a licence) This caused issues for vehicles in general driving along the road and for large vehicles trying to enter and exit our site as some football fans would not move

off the road. On this occasion fans were attempting to enter our premises and we had to lock our pedestrian entrance and call extra security guards in to work to secure our site which added cost in to our business.

Pest Control

- It is inappropriate to have a Hot and Cold Food Van opposite a food manufacturing site as they will have no formal pest control but they will inevitably attract pests. This increases the risk of pests on our site (e.g. flies / rats / mice etc) and an increased cost to our business to manage this.
- Increased litter in the area and increased cost for our business to clear this litter.

Allergen Control

- No Allergen controls by the Hot and Cold Food Van.
- We are a nut free site and we operate a high level of controls to ensure that our products are nut free and that the end consumer can eat our products with confidence. Protein from nuts can be passed on easily and if a person has a serious nut allergy they could have a severe anaphylactic shock even if the slightest of nut protein is found in our product. This could result in loss of life for the individual and be catastrophic for the business.

Food Safety Requirements (Fletchers Bakery and our Major Retail Customers)

- Ms Mullen and Mrs Egley will only have to reach level 3 food safety. Our canteen is at level 5 and we also have to pass regular audits from BRC, Tesco, M&S and other professional auditing companies.
- We have a comprehensive HACCP system in place and check our products have been delivered to site under the correct control measures and they are rejected if the required control measures have not been met. This will not be in place at the hot and cold food van and therefore could put our employees and business at risk.
- Weekly samples are sent to the labs checking for different bacteria's (e.g. staphylococci / campylobacter / salmonella etc) to ensure products and equipment are safe to use. This will not be in place at the hot and cold food van and therefore could put our employees and business at risk.
- Lack of food safety control with the products our employees could eat on a regular basis may result in members of our workforce becoming unwell and any food poisoning bacteria could be carried into our factory and ultimately passed on to the products on the supermarket shelves, thus jeopardising our business and the livelihoods of everyone who works here.
- Our customers require that we have site captive footwear i.e. safety shoes worn on our shop floor are not to be worn off site. Employees will be

encouraged to breach this policy and leave site during breaks in site safety footwear. This would result in increased risk of product contaminants on site, increased customer complaints and reduced customer confidence.

Employment Issues

- Employees will be encouraged to leave site at unauthorised times or wearing site captive PPE, potentially jeopardising their employment.
- Loss of trade to the site canteen would result in Optima closing this resulting in 4 compulsory redundancies.

APPENDIX 'E'

Anderson Anne (CEX)

From: Turner Paul (DEL-H/Way Regs)
Sent: 01 August 2013 09:20
To: Anderson Anne (CEX)
Cc: highways@sheffield.gov.uk; 'DGill@syfire.org.uk'; planningdc@sheffield.gov.uk; 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'
Subject: FW: New Static Street Trading Application - Claywheels Lane
Attachments: DOC310713-31072013110325.pdf

Anne

Provided that the applicant intends to trade from well within the private land of unit 2 at Claywheels Lane then the Highway Authority has no basic objections. It is noted that there are a considerable number of Traffic Regulation Orders (yellow line parking restrictions) on much of Claywheels Lane. This clearly isn't an problem for local customers and if passing customers park within the private land then this should not be an issue. However, it is unlikely that drivers of large vehicles would be able to access the car park so there could be a tendency for them to park on the double yellow lines. Apart from potential parking offences being committed in the immediate term this may present further issues as the area becomes more developed.

The above could be said for some of the catering trailers who operate from retail car parks such as Wickes and B and Q. They do not present problems but the car parks there are quite large, enabling easy access.

Regards, Paul.

Paul Turner
Highway Licences
2-10 Carbrook Hall Road
Sheffield
S9 2DB
Tel : 0114 2736137
Fax 0114 2736210

APPENDIX 'F'

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static and Football Applications

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Ms Lynn Egley

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Football and Static applications
Outside Unit 2 Claywheels Lane, Sheffield.

I refer to the above and your applications for the grant of static street trading consent and a football street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

The Committee has indicated that it expects applicants and interested parties to attend the meeting.

The meeting in respect of the application will take place on **Thursday, 26th September 2013** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **10:00 am**.

PLEASE NOTE:

I would be grateful if you could confirm that you will be attending the meeting by telephoning the Licensing Office on 0114 2037752.



.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 6th September 2013

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD
Telephone 0114 2037752

The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Football and Static applications

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Ms Fay Mullen

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Football and Static applications
Outside Unit 2 Claywheels Lane, Sheffield.

I refer to the above and your applications for the grant of static street trading consent and a football street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

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Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 6th September 2013

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Telephone 0114 2037752

The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Football and Static Applications

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: The Objector

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Football and Static applications
Ms Fay Mullen and Ms Lynn Egley - Outside Unit 2 Claywheels Lane,
Sheffield.

I refer to the above applications received for the grant of a static and football street trading consents.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

The Committee has indicated that it expects applicants and objectors to attend the meeting.

The meeting in respect of the application will take place on **Thursday, 26th September 2013** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **10:00 am**.

PLEASE NOTE:

I would be grateful if you could confirm that you will be attending the meeting by telephoning the Licensing Office on 0114 2037752.

Steve Lonnia

.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 6th September 2013

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD
Telephone 0114 2037752

The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday

APPENDIX 'G'

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

This procedure has been drawn up to assist those parties attending Street Trading Consent Committee hearings.

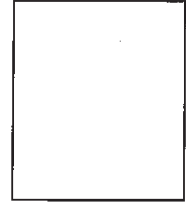
1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
2. The Chair will ask the applicants and interested parties to formally introduce themselves.
3. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
4. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The applicant/consent holder (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (d) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the applicant and/or his/her representative.
 - (e) Consultees / interested parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf. New representations must not be raised.
 - (f) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the consultees / interested parties.
 - (g) The consultees / interested parties will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (h) The applicant will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for Members to take legal advice and consider the application.
 - (k) Once a decision has been reached, all parties will be invited to return. The Sub-Committee's decision and reasons will be announced by the Chair.
 - (l) The Sub-Committee's decision will be confirmed in writing to the applicant and those parties who made representations.

- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.



SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 26th September 2013 - 11am

Subject: Street Trading
City Centre Small Trading Stalls

Author of Report: Shimla Finch – 203 7752

Summary: To consider an application for a street trading consent to trade in the city centre.

Recommendations: That Members consider the application submitted alongside the Council's "City Centre Street Trading - Small Trading Stalls" qualitative criteria, the street trading policy and comments submitted by Development Services (Planning) City Centre Management Team and the Highways Department.

That Members consider all the information provided by the applicants both in their written application and in person at the meeting.

Background Papers: Attached documents
Street Trading Policy

Category of Report: OPEN

**REPORT OF CHIEF LICENSING OFFICER, HEAD OF LICENSING,
TO THE LICENSING COMMITTEE**

Ref: 57/13

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Street Trading – City Centre Small Trading Stalls

1.0 PURPOSE OF REPORT

1.1 To consider an application for a street trading consent to trade in the city centre.

2.0 INTRODUCTION

- 2.1 The Council have power under the provision of the 1982 Act to regulate street trading in the city.
- 2.2 A Street Trading Consent is required to trade on any street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.
- 2.3 The Licensing Committee at it's meeting of 29th January 2002 passed the following resolution:
1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
 - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
 - (b) such street trading designation shall take effect as from the 1st April 2002; and
 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.
 2. The effect of this resolution is that from 1st April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.
- 2.4 A Local Authority may attach conditions to a Street Trading Consent. The conditions may include conditions to prevent obstruction of the street and danger to persons using the street or nuisance or annoyance.
-
- 2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.
- 2.6 There is no appeal procedure against the refusal or revocation of a consent. An applicant may, however apply for judicial review of the Council's decision.
- 2.7 A copy of the Council's Street Trading Policy is available via the following link; <https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/retail/street-trading.html>. Members should note that the age restriction of 5 years for motorised vehicles has been removed and is not presently being enforced.

3.0 CITY CENTRE STREET TRADING

- 3.1 Working in partnership with the City Centre Management Team and Planning, Licensing presented a report to Committee in August 2011 to encourage more local businesses to trade in the city centre whilst also controlling the type and thereby controlling the quality that is on offer.
- 3.2 This is to encourage more local businesses to trade in the city centre and to offer a more continental style of trading in certain areas of the city centre
- 3.3 There is no constraint on the type of goods that can be sold. However, we would like to encourage more traditional goods that would give a more continental style to the City Centre.
- 3.4 A City Centre Qualitative Criteria for Small Trading Stalls was approved to meet these requirements (attached at Appendix 'A').
- 3.5 The fee for consent has been set at £498.50 per quarter (£1,994 per annum) to trade seven days a week between 7am and 7pm.

4.0 THE APPLICATION

- 4.1 An application has been submitted by Stephen Harrison Academy c/o Mr Stephen Harrison to trade at Barkers Pool to sell soups, healthy shakes, tea, coffee, soft drinks, fruit toast, panini's, sandwiches, breakfast pots and cereal bars. A copy of the application is attached at Appendix 'B'.
- 4.2 A number of pitches have been allocated for city centre street trading at a previous meeting, therefore, the location of the remaining pitches are:
- Barkers Pool
 - Sheaf Street;
 - Tudor Square; and
 - Devonshire Green (currently an application pending)
- 4.3 Members are to note that the specific location at the site will be agreed in conjunction with the City Centre Management Team and Planning Department.

5.0 REASONS FOR REFERRAL

- 5.1 The application has been referred to the Licensing Committee as the Licensing Authority has received objections and comments during consultation of the application concerning the motorised vehicle and falling outside the qualitative criteria set for city centre street trading which forms part of the Street Trading Policy.
- 5.2 Mr Harrison has been notified about the requirement to meet the city centre qualitative criteria and that motorised vehicles are not permitted as part of this scheme.
- 5.3 Each application must be determined on its own individual merits and has therefore been referred to the Licensing Committee.

6.0 BACKGROUND

6.1 Mr Harrison's application was circulated in the usual manner to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways, Planning Department and the City Centre Management Team.

6.2 During the consultation of this application comments and an objection have been received from the following:

Lucy Bond, Planning (objection)
City Centre Management Team
Highways Department

Appendix 'C'
Appendix 'D'
Appendix 'E'

6.3 The objections and comments received refer to factors specified in Part 3 section 3.1 and Appendix '6' (city centre qualitative criteria) of Sheffield's Street Trading Policy when considering applications for grant or renewal.

6.4 Members are also to refer to section 2.8 of the policy in consideration of the objection and comments and in particular to the following bullet points under that section:

- **Public Safety / Highway**

- (a) Whether the street trading activity represents or is likely to represent a substantial risk to the public from the point of view of obstruction, fire hazard, unhygienic conditions or danger that may occur when a trader is accessing the site;
- (b) Whether there is sufficient space in the street for the applicant to engage in the trade in which he/she is proposing without causing undue interference or inconvenience to other persons using the street;
- (c) Whether the street trading activity may damage the structure or surface of the street;
- (d) Whether the location and operating times will be such that the highway can be maintained and that there are no dangers to those who have a right to use the highway and no obstruction for emergency services.

- **Appearance of the unit**

- (a) Whether the unit is of a smart appearance and meet the specific qualitative criteria.
- (b) Whether the appearance of the trading unit or structure is compatible with the character of the area in which it is proposed to be situated.

- **Environmental credentials**

- (a) Whether there is a negative impact of the proposed operation on the local environment including street surfaces and materials, power supply, carbon footprint, supply chain, packaging, waste minimisation, waste disposal and waste created by customers. Mitigating measures to minimise the environmental impact of the proposed operation will be taken into account.

- **Objections**

- (a) Take into account any objections made about the application or Consent holder from interested parties.

6.5 The applicant has been invited to attend the Licensing Committee hearing to present his case. A copy of the invite is attached at Appendix 'F'.

6.6 Planning, Highways and City Centre Management have been invited to attend the meeting for further clarification. Copies of the invites are attached at Appendix 'G'.

6.7 A copy of the hearing procedure is attached at Appendix 'H'.

7.0 FINANCIAL IMPLICATIONS

7.1 If Members are minded to refuse this application, there are no financial implications for the Council arising from this report.

7.2 If Members grant the application, the Licensing Authority will be required to increase the fees to enable it to recover the reasonable costs of the Council as the fee set for city centre consents are based on small stalls.

7.3 Members should also note that if any application is referred to the High Court significant legal costs are likely to be incurred. There is no hold over budget within Licensing to cover such costs.

8.0 RECOMMENDATIONS

8.1 That Members consider the application submitted alongside the Council's "City Centre Street Trading - Small Trading Stalls" qualitative criteria, the street trading policy and comments submitted by Development Services (Planning) City Centre Management Team and the Highways Department.

8.2 That Members consider all the information provided by the applicant both in their written application and in person at the hearing.

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To grant the consent in the terms requested.

9.2 To grant the consent at an alternative location.

9.3 To defer the matter for further consideration.

9.4 To refuse the street trading application.

Steve Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy and Regulation, Place Portfolio
Block C Staniforth Road Depot
Staniforth Road, Sheffield S9 3HD

5th September 2013

APPENDIX 'A'

Sheffield City Council
CITY CENTRE STREET TRADING
Small Trading Stalls

BACKGROUND

Street activities are an essential ingredient of a vibrant and lively city, and in Sheffield there is a strong demand for legitimate small scale trading pitches. They also offer an opportunity for small businesses to get started with relatively modest outlay.

The widening of footways offers the opportunity to designate more pitches in locations that will add to the attractiveness of the City Centre. In Orchard Square and Meadowhall 'Barrow' style stalls are used extensively, enhancing the colour and vitality of those places.

This scheme is part of the City Council's campaign to make Sheffield City Centre a more attractive and vibrant place. Set out below is the qualitative criteria which forms the basis on which to test applications for the grant of designated small trading stall Street Trading Consent sites within the City Centre.

QUALITATIVE CRITERIA – SMALL TRADING STALLS

GENERAL DESIGN

- There will be no motorised vehicles or stalls etc. permitted as part of this scheme.
- All barrows/handcarts must be capable of being moved on and off site by hand and any vehicles used to bring the barrows/handcarts to the site must be parked, loaded and unloaded off site.
- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailer reputation.
- It is in the best interest of traders to produce a high quality design in their barrows/handcarts. The function of the stall is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness and order in their operation. The barrow/stall contributes to the appearance of the street for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Sign writing and scrollwork must be finished to a standard acceptable to the City Council.
- The unit must be visually acceptable to the City Council (this will include the Head of Licensing, City Centre Manager and Planning Service) and be in-keeping with the street/area that it is to be located.
- Advertisements on stalls will not be permitted except by permission of the Council in writing and subject to further conditions. The Council shall be the sole judge of what is an acceptable advertisement.
- The Council will reserve the right to not renew any consent where it considers the product(s) offered by the operator are not in keeping with the requirements of the site and the promotion of the City Centre.

- Non functional elements attached to barrows / handcarts, are not acceptable.
- The general design of the barrow/handcart must meet the requirements of the Council for that location.
- Flame retardant 'skirts' are to be used if necessary, so as to obscure the frame, gas bottle etc. They should be designed to 'unify' the barrow/handcart.
- All equipment, tools, gas bottles etc. must be self contained within the stall/handcart etc.
- Bright colours and a sense of fun are encouraged.
- Finished in flame retardant paint.
- A colour photograph or scale illustration of the proposed handcart must be submitted to the Licensing Service as part of the application process.
- No barrow/handcart should have a frontage greater than 3.0 metres or a width greater than 2.0metre.
- Roofs should be no more than 2.5m above ground level.
- Pitched and curved roofs are encouraged.
- Canopies should be high quality with a feeling of 'permanence'. These could be manufactured from either stretched canvas, or woven material, opaque or light metal materials. Clear plastic awning and extensions to the canopy will not be acceptable.
- Canopies must be maintained and cleaned to a high standard.
- Food traders must ensure that any stall design satisfies the requirement of food safely legislation. Staff must be adequately trained in good hygiene (Basic Food Hygiene Certificate and regular on going training) and records of training must be made available on request.
- Best practise of food hygiene must be adopted by the operator. This covers:
 - Personal hygiene
 - Hand washing
 - Ill health
 - Prevention of contamination
 - Temperature control
 - Temperature monitoring
 - Cleaning
 - Storage and stock rotation
 - Procedures in the event of freezer breakdown
 - Site cleanliness
 - Waste disposal
 - Pest control
 - Quality control
 - First aid facilities

Food traders must have a minimum food hygiene rating score of 3.

APPENDIX 'B'



Licensing Service
Town Hall
Sheffield
S1 2HH

21st June 2013

Dear Sir/ Madam,

The Stephen Harrison Academy (SHA) is a ground breaking social enterprise based in Sheffield which since 2007 has developed and proven innovative methods initially primarily using snooker as a fun way to attract and make entertaining personal development programmes, nutrition, mentoring and employment opportunities for a wide variety of disadvantaged groups. These include young offenders, people with physical and learning disabilities or mental health problems, young people and adults not in education, employment or training and disengaged communities in areas of high deprivation.

People who often won't attend more traditional activities about health or learning are attracted to the way we work which combines fun and learning in accessible locations. We have unique physical resources which can be used. Early in 2012 we have been successful in getting a capital grant for nutrition and healthy eating training vehicle.

The plan is to park the vehicle at Barkers Pool in Sheffield and sell food and soft drinks, healthy options to the public, the money raised from our efforts will be re-invested back in to the services we provide in Sheffield, we will also be handing out leaflets to the public about nutrition and diabetes, staying in good health.

~~Over the years the academy has run contracts for the Local Authority and relied upon grants to run our services we now need to become more sustainable due to the funding cuts within the local authority, this initiative is part of our fund-raising efforts.~~

Yours sincerely

Local Government (Miscellaneous Provisions) Act 1982

Application for a (City Centre – small unit) Street Trading Consent

Notes to Applicant:
All questions must be answered unless otherwise stated.
If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

*I **HEREBY APPLY** to the Sheffield City Council for the grant of a (city centre – small unit) street trading consent.

A. THE APPLICANT(S)

		1 st Applicant Mr	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	Stephen Harrison	
Q2	Applicant(s) permanent private address	[REDACTED]	
Q3	Date of birth	[REDACTED]	
Q4	Nationality and place of birth	British Sheffield	
Q5	National Insurance No.	[REDACTED]	
Q6	Do you have the legal right to work and live in the UK?	YES :	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	NO	YES / NO Details:
Q8	Telephone No	[REDACTED]	
Q9	Email address	Stephen@snookerskills.com	

B. COMPANY DETAILS (if applying as a Corporate body)

Q10	Name	Stephen Harrison Academy (not-for-profit-organisation)
Q11	Registered address	The Innovation Centre, 217 Portobello, Sheffield , S14DP
Q12	Registered number	6323562
Q13	Telephone number	01142242346
Q14	Email address	Stephen@snookerskills.com
Q15	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	<p>Stephen Mercer [REDACTED] [REDACTED] David Routledge [REDACTED] [REDACTED] [REDACTED] Jon Harrison [REDACTED] [REDACTED] Gregg Wilson [REDACTED] [REDACTED]</p>

C. TRADING DETAILS

Q16	Trading Name (if applicable)	As above
Q17	Trading address (if different from above) Post Code	As above
Q18	Site to be occupied	Barkers pool
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	Soups, Healthy Shakes, Tea, coffee, soft drinks, fruit toast, toast, Panini's, sandwiches, Breakfast pots, cereal bars
Q20	Please specify preferred days of trade:	Mon-Tue-Wed-Thur-Fri-Sat
Q21	Please specify preferred hours of trade:	10am – 5pm

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	THINK FOOD motorised vehicle
Q20	Size of unit	Height:7ft

		Width: 7ft Length: 20ft
--	--	----------------------------

E. CONVICTIONS / CAUTIONS

Q21	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? If the answer is Yes please give full details below:	Applicant 1 Yes [] No [x]	Applicant 2 Yes [] No []
Details of previous convictions and/or cautions			
	Date of Conviction	Court of Conviction	Nature of Offence
	Sentence		
	Applicant 1		
	Applicant 2		

F. CHECK LIST

The following documents must be attached with this application: (tick)

Non refundable fee of £100	x
Your current passport	x
Your current drivers licence	x
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	x
Right to work documentation (if applicable)	N/A
Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	x
Photographs of the vehicle / unit, front back and rear.	x
Details of any food hygiene qualifications (unless trading in non food items)	x
If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	
Confirmation your vehicle meets the quality criteria	
Any further information you may wish to submit in support of your application	x

The following documents must be forwarded to us before the grant of your consent:
(tick if enclosed with this application)

The remaining quarterly fee or full annual fee.	
Certificate of insurance in respect of the vehicle / unit	x
Public liability insurance (minimum of £2,000,000)	x
Written confirmation that the vehicle meets the Council's food safety standards	
Waste management contract	X
Declare that you have registered as a food business	x

G. DECLARATION


WARNING

Paragraph 10(3) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 gives the following warning:-

"Any person who, in connection with an applicationfor a street trading consent, makes a false statement which he knows to be false, in any material respect, or which he does not believe to be true, shall be guilty of an offence."

I

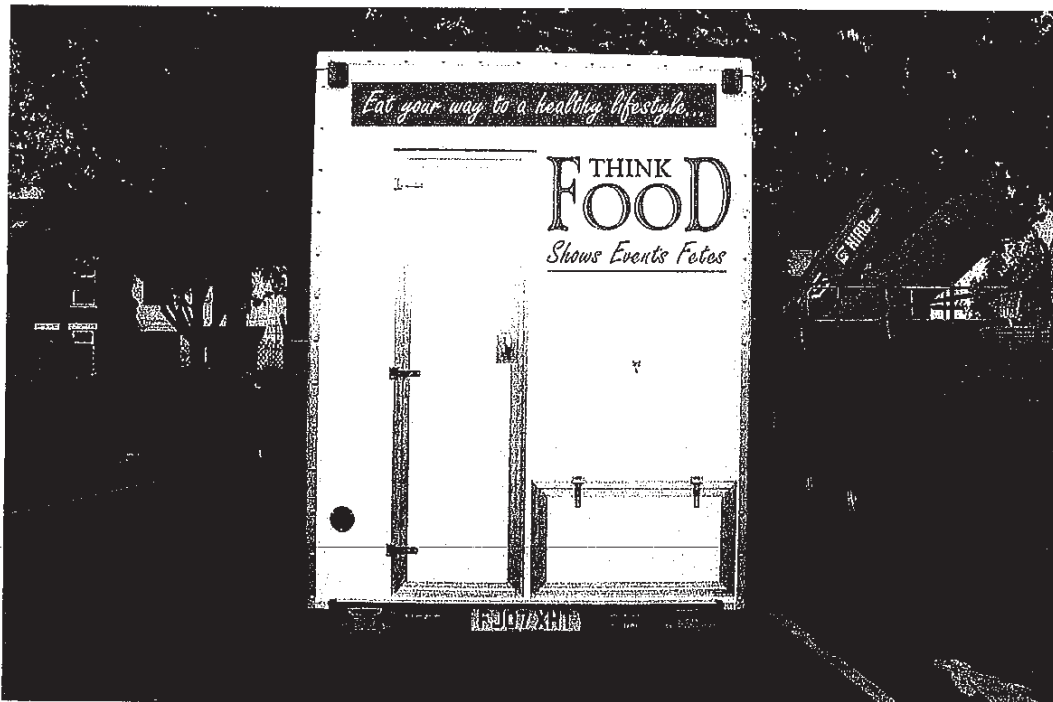
- declare that all the information I have given in this application is complete and correct;
- declare that I am over 17 years of age (in cases of individual applicants)
- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield City Council the relevant consent fee in advance whether demanded or not;
- understand that consents are not transferable;
- understand that the Local Authority reserve the right to make further enquiries with South Yorkshire Police as a result of this application as they may consider desirable; and
- understand that giving false information is an offence and may result in prosecution and / or a street trading consent being refused or revoked;

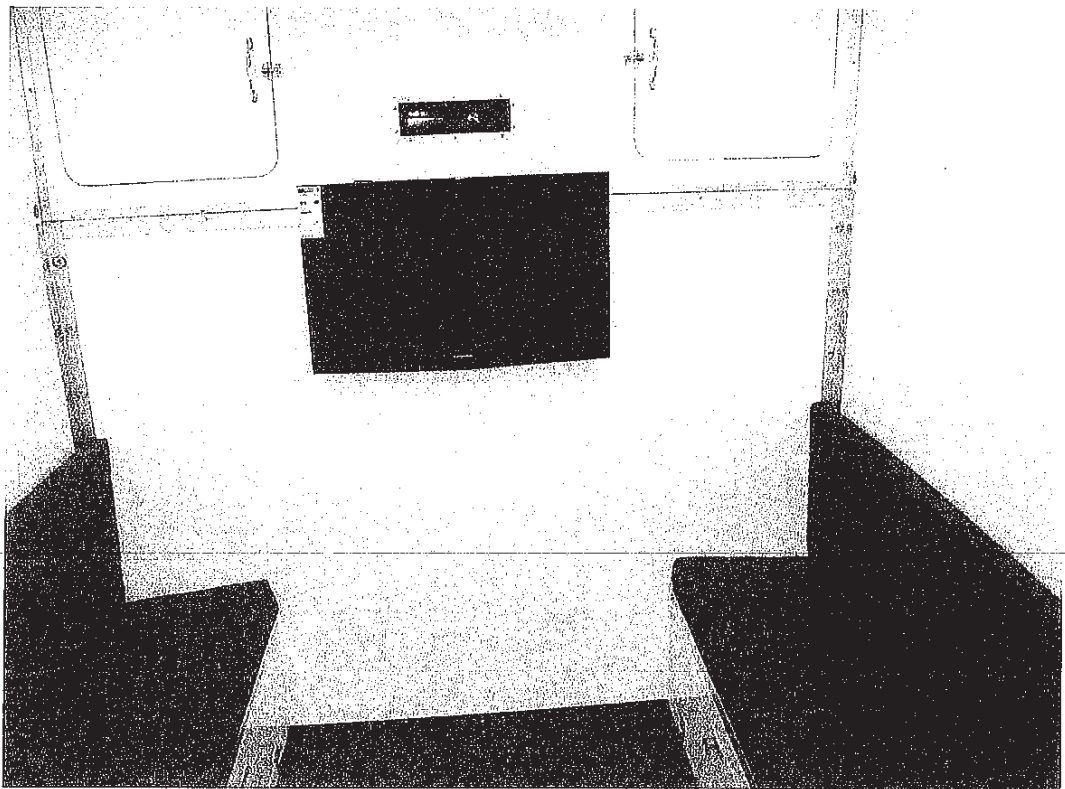
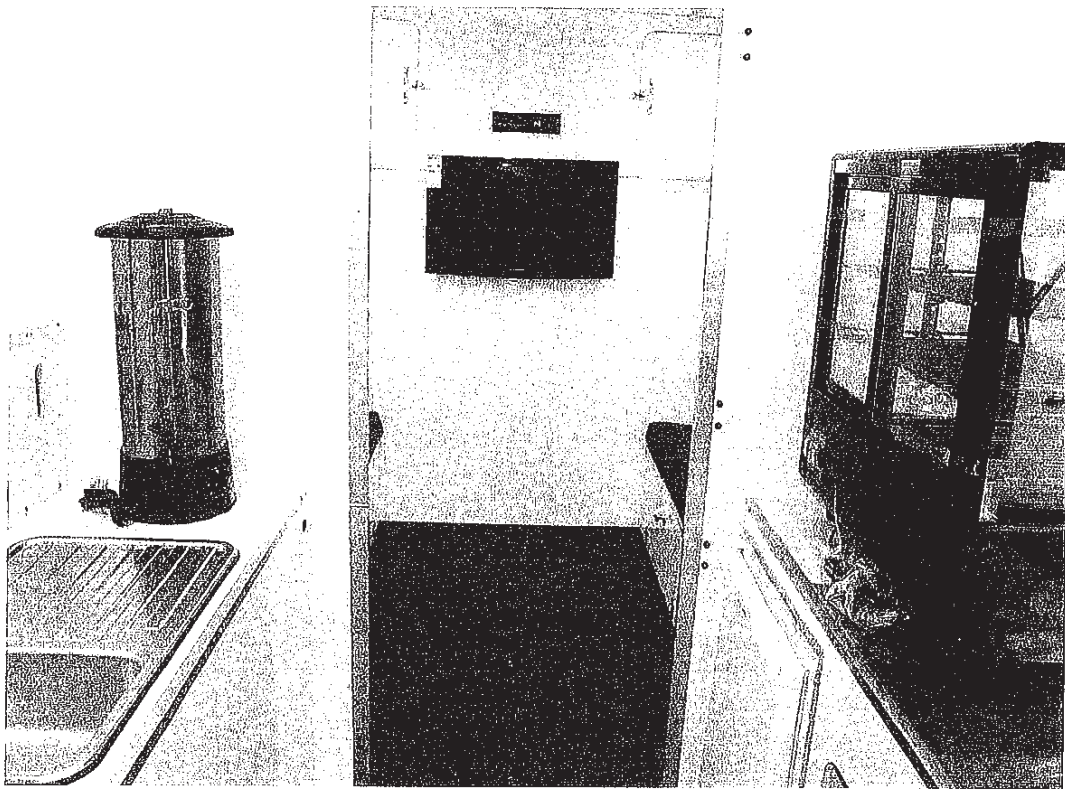
Applicant 1	
Signature:
Print name:	Stephen Harrison
Date:	21/6/2013
Capacity:	Team Leader
Applicant 2	
Signature:
Print name:
Date:
Capacity:

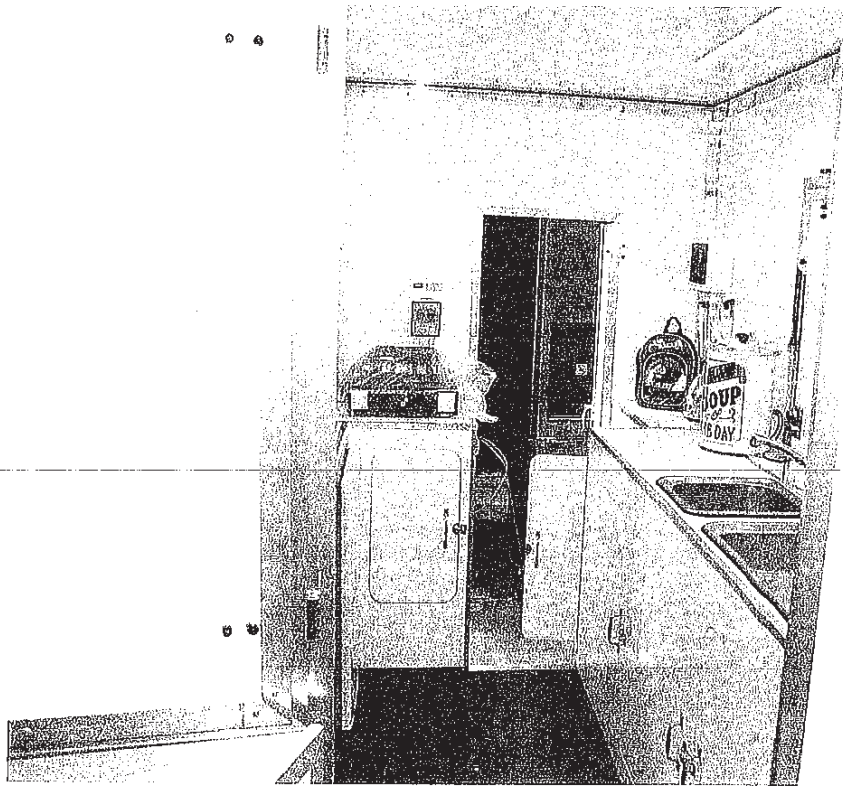
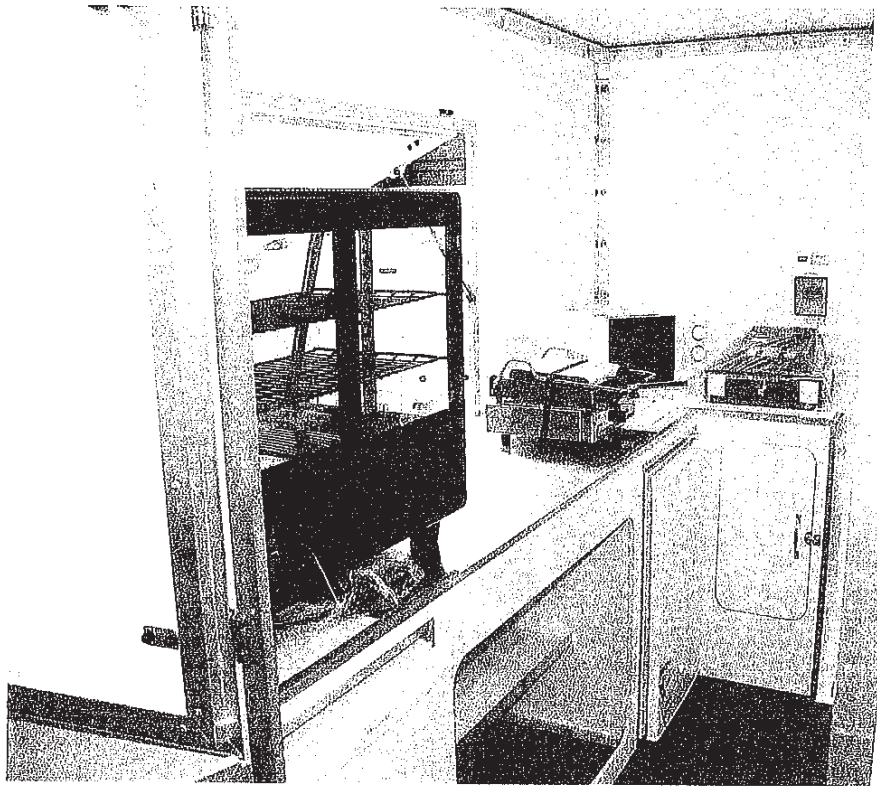
Please read these notes before completing the application form.

- (a) If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- (b) None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.









Sheffield
City Council



Health Protection Service



Highfield

awarding body for compliance

Highfield Awarding Body for Compliance

Certifies that

Stephen Harrison

has successfully passed an assessment in

**HABC Level 2 Award in Food Safety
in Catering (QCF)**

Date of assessment 26 June 2012

Date of award 23 July 2012

Certificate number 0756145

Course Director

Sheffield City Council Environmental Health

Training Organisation



Jason Sprenger - Chief Executive
Highfield Awarding Body for Compliance

Regulated by

Ofqual

THE QUALIFICATIONS AUTHORITY
The Qualifications Authority is a body regulated by Ofqual.



Llywodraeth Cymru
Welsh Government



Rewarding Learning

Qualification number

500/5485/5

APPENDIX 'C'

Memorandum - Sheffield City Council
Place

Regeneration & Development Services

From: Lucy Bond
Development Management

To: Licensing Service
Staniforth Road Depot

Tel: 34556
Email: lucy.bond@sheffield.gov.uk

Date 13 August 2013

Our Ref:

FAO Ann Siddall - Licensing Officer

Licensed Premises: Mobile Catering Van – static location (Stephen Harrison)

Address: Barkers Pool

I refer to your consultation received by e-mail on 13 August, regarding the above application.

Having considered the application I am of the opinion that the application fails to meet the qualitative criteria that have been agreed by the city council for static street trading pitches in the city centre.

The application involves a large motorised vehicle rather than a small hand cart (maximum dimensions 3m x 2m x 2.5m high) and is not of a high quality design.

Barkers Pool is an important city centre open space with a civic function. It forms part of the award winning gold route and provides a backdrop to the grade 2* listed City Hall as well as the city's landmark war memorial.

On the basis that this proposal fails to meet the agreed qualitative criteria and on the basis that it would be visually dominant and out of character with this attractive and important civic space it is considered that this proposal should be strongly resisted.

The proposal would also require planning permission but it would fail to meet the planning policy criteria for this part of the city.

David Caulfield
Head of Planning

13 AUG 2013

APPENDIX 'D'

Anderson Anne (CEX)

From: Gower Angela
Sent: 04 September 2013 15:41
To: Anderson Anne (CEX)
Cc: Gill David; Biggin Guy; Cooper Steve (DEL); Wagstaff Natasha
Subject: FW: Static Street Trader for the City Centre.
Attachments: DOC130813-13082013104735.pdf

Hi Ann

Sorry for the delay with this, please see comments below.

We think a better option would be on Devonshire Green. However, if this is not possible then perhaps an area near the Gold Post Box (backing onto the Wall) at the very top of Barkers Pool may be ok.

Our thoughts are:

1. The pictures of the unit are not easy to make out on the document, but we should be insisting on, ie Purpose built high quality unit. No vehicle remaining on-site. Images of the proposed unit should be supplied and agreed upon prior to any Lease being granted.
2. We would need to be able to take back the site for events and markets throughout the year. Typically this could be in excess of 20 days per year considering event build and get out days.
3. The applicant should not be granted sole trading rights for Devonshire Green or Barkers Pool.
4. Vehicular access onto site is via the removable bollards off Fitzwilliam Street. Any bollard losses, bollard damages or damages to Devonshire Green due to unauthorised access through unlocked bollards, would have to be paid for by the applicant. Whilst the unit on Peace Gardens remains over-night on site, Devonshire Green would not be as safe, so would recommend daily delivery of unit to site. We could not accept any liability for the safety of the unit.
5. The applicant would need to place trays under the vehicle/engine to stop any oil leakages staining the pavement.
6. Vehicle movement on site would need to be restricted, with no movement between 10.00 - 18.00hrs daily.
7. Applicant to ensure adequate waste receptacles available for customers. All trade waste to be removed from site by the applicant on a daily basis. No build up of waste permitted.
8. The exact location of the unit to be agreed between CCMT and the applicant. Temporary relocation may be required to accommodate events or works.
9. In addition to any fees paid to Licencing for this concession, City Centre Management would require a Property Lease Fee for use of this site.

Kind regards

Angela

APPENDIX 'E'

Siddall Ann (CEX)

From: Turner Paul (DEL-H/Way Regs)
Sent: 13 August 2013 15:32
To: Siddall Ann (CEX)
Cc: highways@sheffield.gov.uk
Subject: RE: Static Street Trader for the city Centre.

Hi Anne

I am rather concerned about this one since I cannot find your e-mail of 26th June.

However, my comments on this application are as follows:-

There are no objections from a Highway Authority view provided that protective measures to the paving are put in place, including the provision of drip trays underneath the vehicle. The vehicle should not present any obstruction to the free passage of pedestrians or compromise the safety of pedestrians near any live carriageway. The positioning of the vehicle should not clash with any other previously consented activity within Barkers Pool.

Additional Note: Consideration should be given to Barkers Pool being a high quality public area. The frequent presence of customers being served food, and the presence of the trailer/vehicle at one particular location, will undoubtedly in time create some staining to the paving.

Regards, Paul.

Paul Turner
Highway Licences
2-10 Carbrook Hall Road
Sheffield
S9 2DB
Tel : 0114 2736137
Fax 0114 2736210

APPENDIX 'F'

APPENDIX 'G'

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre application (Barkers Pool)

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Stephen Harrison Academy c/o Mr Stephen Harrison
The Innovation Centre
217 Portobello
Sheffield
S1 4DP

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent (City Centre) – Barkers Pool

I refer to the above and your application for the grant of a city centre Street Trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

The Committee has indicated that it expects applicants and interested parties to attend the meeting.

The meeting in respect of the application will take place on **Thursday, 26th September 2013** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **11:00 am**.

PLEASE NOTE:

I would be grateful if you could confirm that you will be attending the meeting by telephoning the Licensing Office on 0114 2037752.



Date: 5th September 2013

.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD
Telephone 0114 2037752

The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre application (Barkers Pool) – Stephen Harrison Academy

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: **Lucy Bond**
Development Management (Planning)

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent (City Centre) – Barkers Pool – Stephen Harrison Academy

I refer to the above application received for the grant of a city centre Street Trading consent.

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SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre application (Barkers Pool) – Stephen Harrison Academy

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: **Richard Eyre**
City Centre Manager

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent (City Centre) – Barkers Pool – Stephen Harrison Academy

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SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre application (Barkers Pool) – Stephen Harrison Academy

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Paul Turner
Highways

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent (City Centre) – Barkers Pool – Stephen Harrison Academy

I refer to the above application received for the grant of a city centre Street Trading consent.

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Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 5th September 2013

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Telephone 0114 2037752

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APPENDIX 'H'

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

This procedure has been drawn up to assist those parties attending Street Trading Consent Committee hearings.

1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
2. The Chair will ask the applicants and interested parties to formally introduce themselves.
3. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
4. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The applicant/consent holder (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (d) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the applicant and/or his/her representative.
 - (e) Consultees / interested parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf. New representations must not be raised.
 - (f) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the consultees / interested parties.
 - (g) The consultees / interested parties will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (h) The applicant will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for Members to take legal advice and consider the application.
 - (k) Once a decision has been reached, all parties will be invited to return. The Sub-Committee's decision and reasons will be announced by the Chair.
 - (l) The Sub-Committee's decision will be confirmed in writing to the applicant and those parties who made representations.

- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.

