

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 17 July 2014

PRESENT: Councillors David Barker (Chair), Jack Clarkson and Stuart Wattam

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1. APOLOGIES FOR ABSENCE

- 1.1 No apologies for absence were received. Councillor Denise Reaney attended the meeting as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING - CITY CENTRE SMALL TRADING STALLS

- 4.1 The Chief Licensing Officer submitted a report to consider two applications for a street trading consent to trade in the city centre, at Tudor Square and Sheaf Street, Sheffield.
- 4.2 Present at the meeting were Zina Simeonova and Hristo Hristov (Applicants), Natasha Wagstaff (Events Manager, City Centre and Major Events), Guy Biggin (City Centre Management), Andy Ruston (Licensing Enforcement and Technical Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).
- 4.3 Marie-Claire Frankie outlined the procedure which would be followed at the meeting.
- 4.4 Andy Ruston presented the report to the Sub-Committee and it was noted that an objection to trade at Sheaf Street had been received from the Sheffield Rail Station Manager and was attached at Appendix "B". Following a site visit, an alternative site was identified away from the Station and a picture of the site was attached at Appendix "C". An objection was then received from the Highways Service and a copy of this objection was attached at Appendix "D". The applicant made a site visit to the area and was subsequently advised to make an application for a site at Tudor Square as an alternative to Sheaf Street and a copy of the application was attached at Appendix "E". Comments on both the Sheaf Street and Tudor Square applications were received from the City Centre Management Team and were attached at Appendix "F".

- 4.5 Zina Simeonova referred to the report and stated that it was their intention to trade on either site selling traditional Balkan food and not, as stated in the report, chips, breaded chicken and pork skewers. She referred to the Council's website which encouraged more local businesses to trade in the city centre and offer a more continental style of trading in certain areas. She added that the food will give customers a healthier option and will be sold in eco-packaging.
- 4.6 Zina Simeonova stated that she felt that Tudor Square had easy access and egress for their small trailer, which would be brought into position each day by a driver, who would return to remove the trailer at the end of the day.
- 4.7 In response to questions from Members of the Sub-Committee, Zina Simoneova said that the intention was to serve salads, herbal teas, Turkish coffee and a small amount of fried food which would be cooked by gas and stated that the trailer had a ventilation system in place. She added that there was space at the side of the trailer to store a gas bottle safely. She informed the Sub-Committee that she had contacted Waste Management and was informed that once they started trading, the necessary contract would be drawn up with them to control waste in the area. She added that there were adequate containers within the trailer to deal with waste.
- 4.8 In response to a further question, Zina Simoenova stated that they do hold a food hygiene certificate and were going to trade at Devonshire Green on Saturdays.
- 4.9 Natasha Wagstaff outlined her objections stating that turning/manoeuvring space is required at the bottom end of Tudor Square which is used regularly by articulated lorries delivering stage sets to both the Crucible and Lyceum Theatres. She further stated that the applicants would not be able to trade in Tudor Square for the whole period before, during and after the snooker event each year and that the area is also used during Doc Fest and Fright Night, thus restricting trade at these times. Ms. Wagstaff felt that footfall was limited to certain times of the day and due to other outlets in the area, the business might not be viable.
- 4.10 Natasha Wagstaff added that £12m had recently been spent refurbishing Tudor Square, introducing street furniture and specialist lighting and also that the paving is made from high quality granite which is non-porous so is particularly susceptible to becoming slippery when wet and is expensive to maintain and keep clean.
- 4.11 Guy Biggin added that the area at Sheaf Street is also paved with granite and the fountains could become contaminated. He also felt that the positioning of the trailer at Sheaf Street would cause health and safety risks and would compromise the "gold route" into the city centre from the Rail Station.
- 4.12 In response, the applicants felt that they were being discriminated against as vehicles are allowed onto Fargate and there is a large ice cream trailer at the top of the Peace Gardens which has to be positioned passing a number of bus stops and pedestrians on a daily basis. Natasha Wagstaff informed the meeting that vehicle movement is only allowed on Fargate until 10.00 a.m., but vehicles are allowed onto Tudor Square at any time.

- 4.13 Natasha Wagstaff then offered a site on Angel Street as part of the Council's initiative for encouraging small businesses to trade in the City Centre.
- 4.14 The applicants and the objectors were then given the opportunity to sum up, at which point the applicants agreed, if granted the consent at Tudor Square, to trade for 48 weeks of the year.
- 4.15 RESOLVED: That the public and press and attendees involved in the hearing be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.16 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the applications.
- 4.17 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.18 RESOLVED: That, in the light of the information contained in the report now submitted, the additional information now circulated and the representations now made, in connection with two applications for a street trading consent to trade in the city centre, the Sub-Committee:-
- (a) refused the street trading application at Sheaf Street on the grounds of health and safety; and
 - (b) granted consent for the street trading application at Tudor Square for 48 weeks of the year, and requiring the applicant to hold detailed discussions with the relevant Services regarding positioning of the trailer and waste management.
- (The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)