

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 29 September 2014

PRESENT: Councillors Geoff Smith (Chair), Vickie Priestley and George Lindars-Hammond

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Olivia Blake.

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 - STATIC STREET TRADING CONSENT

4.1 The Chief Licensing Officer submitted a report to consider an application, under the Local Government (Miscellaneous Provisions) Act 1982, for the grant of a Static Street Trading Consent for a site on Elmham Road (Ref No. 93/14).

4.2 Present at the meeting were Aamir Zaman (Applicant), Mohammed Khan (Applicant's representative), Nasar Ahmed (Objector), Andy Ruston (Licensing Enforcement and Technical Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 The Chair outlined the procedure which would be followed during the hearing.

4.4 Andy Ruston presented the report to the Sub-Committee and it was noted that an objection to the application had been received from Nasar Ahmed and was attached at Appendix 'B' to the report.

4.5 Mohammed Khan, on behalf of Aamir Zaman, stated that Mr Zaman had been trading at the same location since 2007, and had built up a solid customer base. He indicated that Mr Zaman would be trading only on a Monday, from approximately 12 noon to 3.00 pm.

4.6 In response to questions from Members of the Sub-Committee and Marie-Claire Frankie, Andy Ruston confirmed that Mr Zaman had

previously had a Mobile Street Trading Consent, which enabled him to trade at a number of different locations, but this application was for a Static Street Trading Consent, which would allow him to trade for a longer period, albeit in one location.

- 4.7 Nasar Ahmed stated that although he traded on Fridays, and the applicant would be trading on Mondays, he considered that there was not enough business in the area for two traders, selling similar produce. He stated that customers generally bought fruit and vegetables for the week and therefore, if they purchased their produce on the Monday, they would not need to buy anything on the Friday. Mr Ahmed also made reference to the fact that there was a shop in the immediate vicinity, selling similar produce.
- 4.8 In response to a question from a Member of the Sub-Committee, Mr Ahmed stated that he had held his Static Street Trading Consent since March 2013.
- 4.9 Nasar Ahmed summarised his objections, indicating that he objected to the application on the grounds that it would have an adverse effect on his business, for which he paid £400 a year for the consent to trade.
- 4.10 Mohammed Khan summarised the applicant's case on his behalf, indicating that there were a number of shops in the area, selling similar produce, so it was up to the public as to where they wished to purchase their produce.
- 4.11 Andy Ruston reported on the options open to the Sub-Committee, as outlined in the report.
- 4.12 RESOLVED: That the attendees involved in the application 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.
- 4.13 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.14 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.15 RESOLVED: That the application for a Static Street Trading Consent on Elmham Road (Ref No. 93/14) be granted.

(The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)

