

Licensing Sub-Committee

Tuesday 18 April 2017 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 David Barker (Chair), Andy Bainbridge and Vickie Priestley

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.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. 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.

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
18 APRIL 2017**

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 - Peter Devoti - Ice Cream**
Report of the Chief Licensing Officer
- 6. Licensing Act 2003 - Ramos (Takeaway), 6 Church Street, Sheffield S35 9WE**
Report of the Chief Licensing Officer
- 7. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading - Hot Food & Drink - Fargate**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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.

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 Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 18th April 2017

Subject: Street Trading
Application for a Schools Ice Cream Street Trading

Author of Report: Clive Stephenson

Summary: To consider an application for a School Street Trading consent at Tinsley School (off Norborough Road)

Background Papers: As attached
Street Trading Policy

Category of Report: OPEN

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

REF No: 45/17

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Peter Devoti – Ice Cream

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a Static Street Trading consent to trade at Tinsley Green School. This is a new build just off Norborough Road Sheffield.

2.0 INTRODUCTION

2.1 The Council as a Licensing Authority 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 any consent. An applicant may, however apply for judicial review of the Council's decision.

3.0 THE APPLICATION

3.1 The applicant is a Mr Peter Devoti a copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 20th April 2016.

3.3 The application is to serve ice cream near the school entrance during school term times.

3.4 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning, and City Centre Management. 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.

3.5 Objections have been received by the head teacher of the School.

4.0 REASONS FOR REFERRAL

4.1 The application has been referred to the Sub-Licensing Committee for their consideration as the Licensing Authority has received objections to the application from the following parties:-

- The head teacher.

Copies of the representations are attached at Appendix 'B'

4.2 The objections refer to issues contained in section 2.8 of our street trading policy when determining the application, and Members are referred to in particular section 2.8.2:

Public Safety Highway Section B

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

4.4 The applicant and objectors have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'C'.

4.5 A copy of the hearing procedure is attached at Appendix 'D'.

5.0 FINANCIAL IMPLICATIONS

5.1 The Street Trading Policy states that fees will be set and reviewed annually on a full cost recovery basis. The level of fee takes into account the location, duration of consent, the trading hours and articles to be sold as well as the enforcement of terms and conditions.

5.2 Fees for static consents are determined at the grant of the application therefore there are no financial implications arising from this report.

6.0 RECOMMENDATIONS

6.1 That Members consider all the relevant information available, any representations that may be made and our policy.

7.0 OPTIONS OPEN TO THE COMMITTEE

7.1 To grant the application for a Static Street Trading Consent at location applied for.

7.2 To grant the application with amendments.

7.3 To defer the matter for further consideration.

7.4 To refuse the grant of the Static Street Trading Consent .

Steve Lonnia
Head of Licensing
Block C Staniforth Road
Staniforth Road
Sheffield
S9 3HD

18th April 2017.

Appendix A

Application and relevant documents

Application for a School 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 (school) street trading consent to sell ice cream (*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	PETER DEVOTI	
Q2	Applicant(s) permanent private address	[REDACTED] ROAD. SHEFFIELD. [REDACTED]	
Q3	Date of birth	07. 07. 1960	
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?	<input checked="" type="radio"/> YES / <input type="radio"/> NO Details:	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	YES / <input checked="" type="radio"/> NO Details:	YES / NO Details:
Q8	Telephone No	[REDACTED]	
Q9	Email address	[REDACTED]	
Q10	Current ice cream mobile consent number	ST/MIC0008	

New Licence.
ST/MIC0008.

New Licence not yet received.

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

A2

Q11	Name	
Q12	Registered address	
Q13	Registered number	
Q14	Telephone number	
Q15	Email address	
Q16	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	

C. THE VEHICLE

Q17	Description of vehicle to be used	MERCEDES SPRINTER 209 CDI SWB.
Q18	Registration number	DK08 YFW.
Q19	Date of first registration	10.04.2008
Q20	Last MOT and service	3rd March 2016
Q21	Size of vehicle	Height: 2.5m Width: 2m Length: 5m
Q22	Items to be sold	Ice Cream + Soft drinks.
Q23	Does the vehicle meet the quality criteria? Your vehicle will be inspected prior to granting a consent.	YES.

D. THE SCHOOL

Q24	Name and address of school where you wish to trade:	TINSLEY GREEN (NEW SCHOOL OPENING SEPTEMBER 2016).
Q25	Location of pitch: (include site plan)	

A3

E. CONVICTIONS / CAUTIONS

Q26	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 []	
Details of previous convictions and/or cautions			
	Date of Conviction	Court of Conviction	Nature of Offence
	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	
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	/
Right to work documentation (if applicable)	
Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	/
Head Teachers written consent ✎	
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 ✎	
Photographs of the vehicle / unit showing front, side and rear.	/
Details of any food hygiene qualifications	/
Confirmation that the business has a food hygiene score rating of 3 or more.	/
Ensure your vehicle meets the qualitative criteria	/
Any further information you may wish to submit in support of your application	/

A4

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	<input checked="" type="checkbox"/>
Appropriate vehicle test	<input checked="" type="checkbox"/>
Public liability insurance (minimum of £2,000,000)	<input type="checkbox"/>
Written confirmation that the vehicle meets the Council's food safety standards	<input type="checkbox"/>
Waste management contract	<input type="checkbox"/>
Declare that you have registered as a food business	<input type="checkbox"/>

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: <u>P. Devoti</u>
	Print name: <u>PETER DAOTI</u>
	Date: <u>20.04.2016</u>
	Capacity:
Applicant 2	Signature:
	Print name:
	Date:
	Capacity:

AS



Sports Ground

FERRARS ROAD

ST LAWRENCE ROAD

Tinsley Recreation Ground

ROAD TO SCHOOL

Depot

GREASBRO ROAD

NORFOLK ROAD

GABY STREET

IFFORD STREET

HATHERLEY ROAD

TOWN STREET

NEWBURN DRIVE

SIEMENS CLOSE

BALTRAY ROAD

SUDWY

HARGREAVES ROAD

HIGHGATE

INGFIELD AVENUE

HIGHGATE

MAPLEBECK DRIVE

ST LAWRENCE

carriage

SIEMENS

GREYSTONES

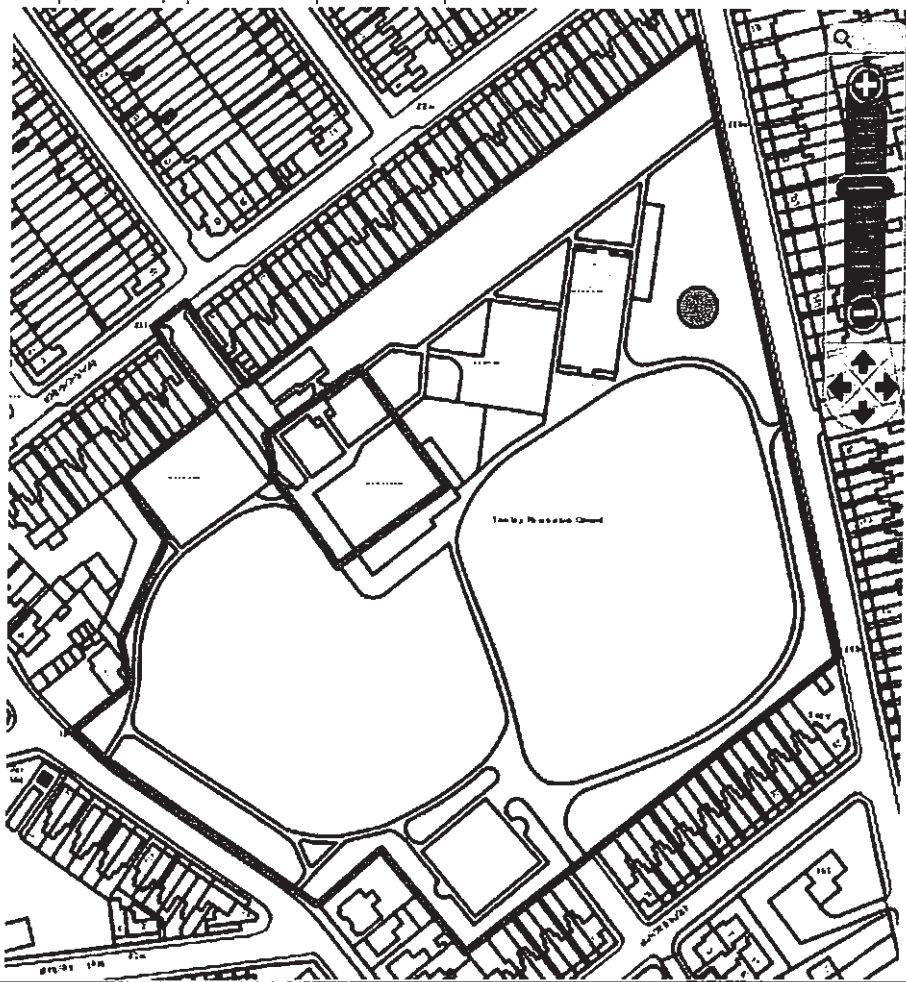
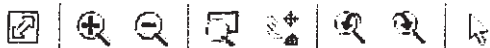
INGFIELD AVENUE

INGFIELD AVENUE

INGFIELD AVENUE

INGFIELD AVENUE

A6



E: 440030.6m, N: 391049.7m 286 x 304 (m) 1Spatial.com

Nearest Applications

04/02674/FUL

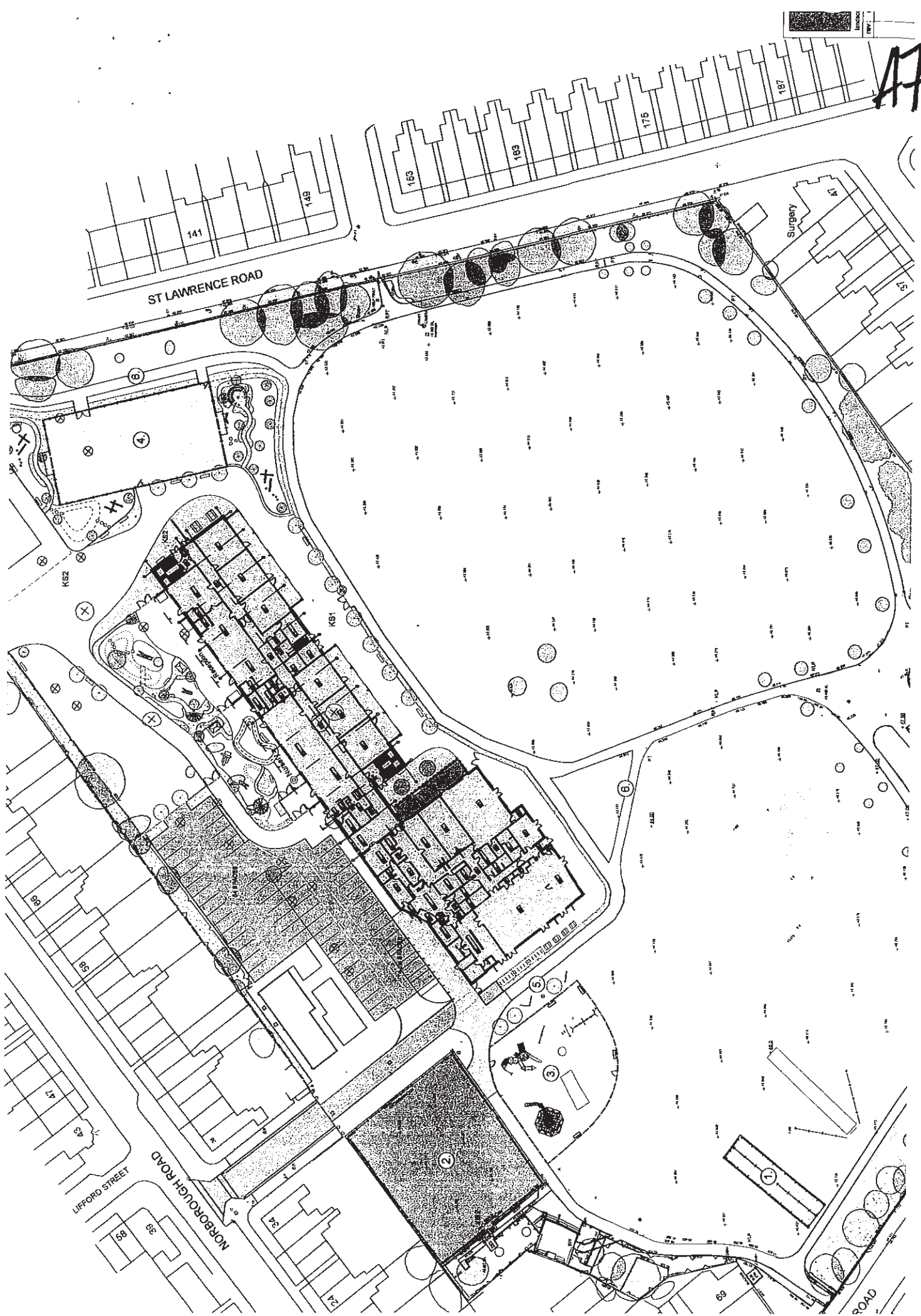
Erection of single-storey building for use as nursery, family centre, cafe, offices and the erection of a 2.1m high boundary fence with 3 disabled & 16 car parking spaces and associated landscaping (As amended plans 23.08.2004)
Site Of Bowling Green At Tinsley Recreation Ground Norborough Road Sheffield Now Numbered 34A Tinsley Green Centre)

06/00613/ADV

Signage of community centre including two non-illuminated name signs with logo and one non-illuminated name sign

Profile

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MOT Test Number
537627391724

Vehicle Registration Mark
DK08YFW

Vehicle Identification Number
WDB9061112N371795

Make
MERCEDES

Model
SPRINTER 209 CDI SWB

Colour
Multi-colour

Issuer's Name
P. T. HARVEY

Test Class
4

Country of Registration
Great Britain

Expiry Date
2 March 2017 (SEVENTEEN)


Issued
3 Mar 2016

Test Station
0208AH

Odometer Reading and History
3 3 2016: 43612 mi
14 4 2015: 39209 mi
8 4 2014: 34443 mi
17 4 2013: 29931 mi

Inspection Authority
VAUX TYRES LIMITED
30 CARLISLE STREET
SHEFFIELD
S4 7LJ 01142722334

Additional Information
To preserve the anniversary of the expiry date,
the earliest you can present your vehicle for
test is 3 February 2017.

Signature of Issuer


Advisory Information

About this document

- 1 This document is a receipt style certificate telling you that an MOT Test pass result has been recorded in the Driver & Vehicle Standards Agency's (DVSA's) database of MOT Test results; this can be verified at www.gov.uk/check-mot-status.
 - 2 A test certificate relates only to the condition of the components examined at the time of test. It does not confirm the vehicle will remain roadworthy throughout the validity period of the certificate.
 - 3 Check carefully that the details are correct.
 - 4 Whilst advisory items listed above do not constitute MOT failure items, they are drawn to your attention for advice.
 - 5 For further information about this document, please visit www.gov.uk/getting-an-mot or contact DVSA on 0300 123 9000*.
- *Your call may be monitored or recorded for lawful purposes.

4

Mister Softee

13 Chapel Street, Woodhouse, Sheffield S13 7JL

Date of hygiene rating

12 March 2012

Authorising signature



Contact details

Sheffield City Council
Health Protection Service
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel: (0114) 2735774

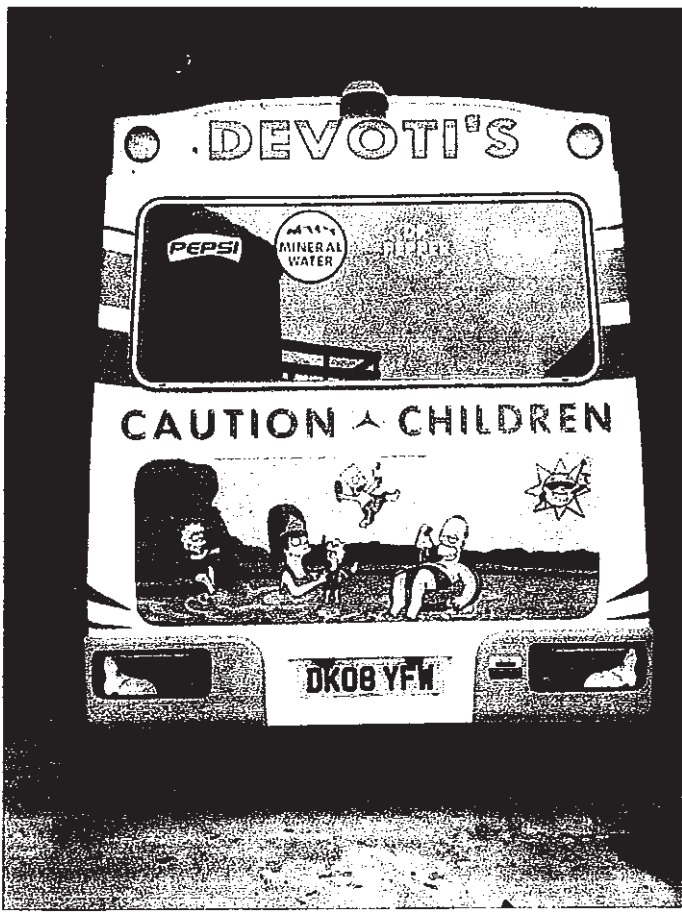
For more information about the Food Hygiene Rating Scheme visit food.gov.uk/ratings

The food hygiene rating shown above reflects the standards found on the date of inspection or visit by the local authority. Ratings are given on a scale from 0 (urgent improvement necessary) up to 5 (very good). The rating is not a guide to food quality.



AG

This certificate remains the property of the local authority which reserves the right to remove it at any time.



From: devoti2 <devoti2@aol.co.uk>
To: enquiries <enquiries@tinsleymeadows.sheffield.sch.uk>
Subject: New school premises.
Date: Tue, 12 Jul 2016 12:25

All

Dear Mrs Webb

My name is Peter Devoti and I currently hold a licence to sell ice cream outside your school parked on Siemens Close.

I understand you will be moving in September to the newly built school off Norborough Road at Tinsley Green.

I am currently re applying for my licence to trade at the new site.

I hope this is to your satisfaction.

Many thanks

Yours Sincerely
Peter Devoti

Appendix B

Objections. No.1

From: [REDACTED]
Sent: 02 November 2016 14:50
To: Crawshaw Michael (CEX)
Subject: Fwd: license

Sent from AOL Mobile Mail

On Monday, 3 October 2016, Deborah Sanderson <[REDACTED]> wrote:

Hi

We aren't happy for you to trade I am afraid due to the danger to children after school.

Kind regards

Deborah Sanderson

--

Mrs D Sanderson
Executive head of school
Tinsley Meadows Primary Accademy
Norborough Road
Sheffield
S9 1SG

[REDACTED]

Appendix C

Invitation to attend

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Schools (ice cream) Street Trading application - Tinsley Green School.

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Peter Devoti

[REDACTED]
Sheffield
[REDACTED]

Email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: School Street Trading Consent – Tinsley Green.

I refer to the above and the application for the grant of a static street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details are provided in the report enclosed and to the Committee. 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 and objectors to attend the meeting.

The meeting in respect of the application will take place on **Tuesday 18th April 2017** 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 2734264.



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

Date: 5th April 2017

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 2734264

The Licensing Service Reception is open from 10.00am to 4.00pm, Monday to Friday.

Telephone calls can be taken from 09:00am to 5:00pm.

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – School Street Trading Application – Norborough Road IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mrs D Sanderson
Executive head of School
Tinsley Meadow Primary School
Norborough Road
Sheffield
S9 1 SG

Email 

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: School Street Trading Consent – Norborough Road

I refer to the above and the application for the grant of a static street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details are provided in the report enclosed and to the Committee. The Licensing Committee has the authority to decide what action to take in relation to each application.

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Telephone 0114 2734264

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Telephone calls can be taken from 09:00am to 5:00pm.

Appendix D

Hearing Procedure

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.

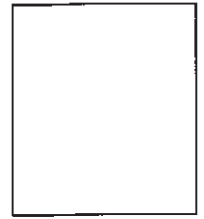
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee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

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SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 18th April 2017

Subject: Licensing Act 2003

Author of Report: Clive Stephenson

Summary: To consider an application to grant a premises licence made under the Licensing Act 2003.

RAMOS – 6 Church Street Sheffield S35 9WE

Recommendations: That members carefully consider the representations made and take such steps, as the Sub Committee consider necessary for the promotion of the Licensing Objectives.

Background Papers: Attached documents

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER
(HEAD OF LICENSING) TO THE LICENSING SUB COMMITTEE
LICENSING ACT 2003**

Ref No 46/17

Ramos (Takeaway) 6 Church Street Sheffield S35 9WE.

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a premises licence made under section 17 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is. Mr Raees Khan.

2.2 The application, which was received on 23rd February 2017, is attached to this report labelled Appendix 'A'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application have been received from the following and are attached at Appendix B:-

- No 7 – Public.
- No 1- Councillor

3.2 The applicant and objectors have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'

4.0 POLICIES TO CONSIDER

4.1 Sheffield City Council Licensing Policy

5.0 FINANCIAL IMPLICATIONS

5.1 There are no specific financial implications arising from this application. However, additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

6.0 THE LEGAL POSITION

6.1 The Licensing Act 2003 at section 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as:-

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm.

Section 6 Cont'd

- 6.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

7.0 HEARINGS REGULATIONS

- 7.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 7.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'D'.
- 7.3 Attached at Appendix 'D' is the following: -
- a) a copy of the Notice of Hearing;
 - b) the rights of a party provided in Regulations 15 and 16;
 - c) the consequences if a party does not attend or is not represented at the hearing
 - d) the procedure to be followed at the hearing.

8.0 APPEALS

- 8.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant and those making representations against decisions of the Licensing Authority to the Magistrates' Court.

9.0 RECOMMENDATIONS

- 9.1 That Members carefully consider the representations made and take such steps as the Sub Committee consider appropriate for the promotion of the Licensing Objectives.

10.0 OPTIONS OPEN TO THE COMMITTEE

- 10.1 To grant the premises licence in the terms requested.
- 10.2 To grant the premises licence with conditions.
- 10.3 To reject the whole or part of the application.


Stephen Lonnia
Chief Licensing Officer
Head of Licensing

18th April 2017

Appendix A

Application

Application for a premises licence to be granted under the Licensing Act 2003



Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/we RAEES KHAN
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
6 Church Street Ramo's			
Post town	SHEFFIELD	Postcode	S35 9WE
Telephone number at premises (if any)	01142 456677		
Non-domestic rateable value of premises	£ 3,300	BAND A £100	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as (Please tick as appropriate)

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm:

42





Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or


a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KHAN			First names RAEES		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town	Sheffield		Postcode		
Daytime contact telephone number					
E-mail address (optional)					

E

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

AB

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

13

When do you want the premises licence to start?

DD	MM	YYYY

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

It is Hotfood Lane way

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	23:00	2:00			
Tue	23:00	2:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) Day Prior to public holidays open 23:00 - 03:00 Xmas Eve 23:00 - 03:00 New Years Eve 23:00 - 03:00		
Wed	23	2:00			
Thur	23:00	2:10	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	23:00	2:00			
Sat	23:00	2:00	All public holidays & could open from 23:00 till 3:00 e.g. Christmas Eve or Bank Holiday		
Sun	23	2:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

AB

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

No ~~AD~~ APPLICABLE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>AS Per Sec I.</p>
Mon	16:00	02:00	
		02:00	
Tue	16:00		
		02:00	
Wed	16:00		
		02:00	
Thur	16:00		
		02:00	
Fri	16:00	02:00	
Sat	16:00		
		02:00	
Sun	16:00		
		02:00	

Describe the steps you intend to take to promote the four licensing objectives:

ADP

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

[Empty box for general response]

b) The prevention of crime and disorder

try to prove ~~the~~ about not stay or remain
groups people outside the shop,
zero tolerance to abusive customer.

c) Public safety

~~to~~ ~~be~~ ~~on~~ ~~the~~ ~~ground~~ for accident, incident or
OK refusal

d) The prevention of public nuisance

I will ask customer to leave quietly and ~~not~~
do put notice asking customer to Don't make
noise and leave quietly.

~~to~~ ~~be~~ ~~on~~ ~~the~~ ~~ground~~ regularly try clean and collect the
the rubbish.

e) The protection of children from harm

I would try to aware why the ~~kid~~ kid is
here at that late time.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee. - 48
- I have enclosed the plan of the premises. - 48
- I have sent copies of this application and the plan to responsible authorities and others where applicable. -
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application. -
- I understand that if I do not comply with the above requirements my application will be rejected. -

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	15/02/17
Capacity	owner

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

- informed via age date for comment - had been sent proof by newspaper by e-mail but he confirmed it was ok in error. @ 9/3/17 16:15

AGB
Thursday, March 20, 2014

WASTE REMOVAL

Waste Removal
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PUBLIC NOTICES

PUBLIC NOTICES

INSOLVENCY ACT 1986
IN BANKRUPTCY SHEFFIELD COUNTY COURT
NO 266 of 2003 RE: VALERIE KING
Who at the date of the bankruptcy order 10/07/2003 resided at 46 The Crescent, Swinton, South Yorkshire S64 8ET
D.O.B: 10 September 1938
NOTE: the above-named was discharged from the proceedings and may no longer have a connection with the addresses listed.
I intend to pay within four months from 31st March 2017 (being the last day for proving) the first and final dividend of 11 p/£.
Creditors who have not yet proved their debts must do so by 31st March 2017 (being last day of proving) otherwise they will be excluded from the dividend. The required proof of debt form is available on the Insolvency Service website (www.bis.gov.uk/insolvency, select "Forms" and then form 6.37). Alternatively, you can contact my office at LTADT, PO Box 490, Ipswich, Suffolk. IP1 1YR telephone 01473 383535 to supply a form.

NO 309 of 2003 RE: CLAIRE MICHELLE GIBBS
Who at the date of the bankruptcy order, 31 July 2003 resided at 10 Overend Drive, Gleadless Valley, Sheffield, South Yorkshire S14 1JH.
D.O.B: 26 September 1973
NOTE: the above-named was discharged from the proceedings and may no longer have a connection with the addresses listed.
I intend to pay within four months from 31st March 2017 (being the last day for proving) the first and final dividend of 23.12 p/£.
Creditors who have not yet proved their debts must do so by 31st March 2017 otherwise they will be excluded from the dividend. The required proof of debt form is available on the Insolvency Service website (www.bis.gov.uk/insolvency, select "Forms" and then form 6.37). Alternatively, you can contact my office at PO Box 16665, BIRMINGHAM, B2 2JX or telephone 0161 234 8500 to supply a form.
Mr D Gibson, Official Receiver and trustee

The Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005

Notice is hereby given that I/We **RAEES KHAN** Have made an application under Section 17 Part 3 of the Licensing Act 2003 for the grant of a Premises Licence for the Premises known as **RAMOS 6 CHURCH STREET S35 9WE**

We intend to conduct on or from the premises the following licensable activities:
MONDAY TO SUNDAY
23:00 TO 02:00
DAYS PRIOR TO PUBLIC HOLIDAYS
23:00-03:00
NEW YEARS EVE
23:00-03:00
CHRISTMAS EVE
23:00-03:00

Interested parties or responsible authorities may make written representations to Licensing Services, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD about this application by 28TH MARCH 2017

For information on representations, please see www.sheffield.gov.uk/licensinginforesidents

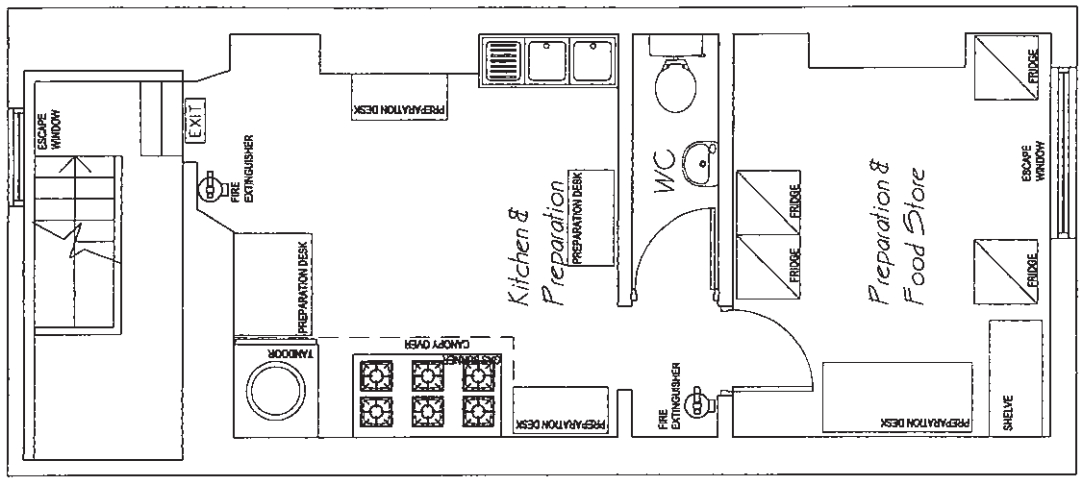
For full details and to view a copy of the application please contact the Licensing Service. Telephone: 0114 2734264 or by email to licensing@sheffield.gov.uk

It is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for which a person is liable on conviction for this offence is a fine not exceeding £5,000.

A90

L I C E N S I N G

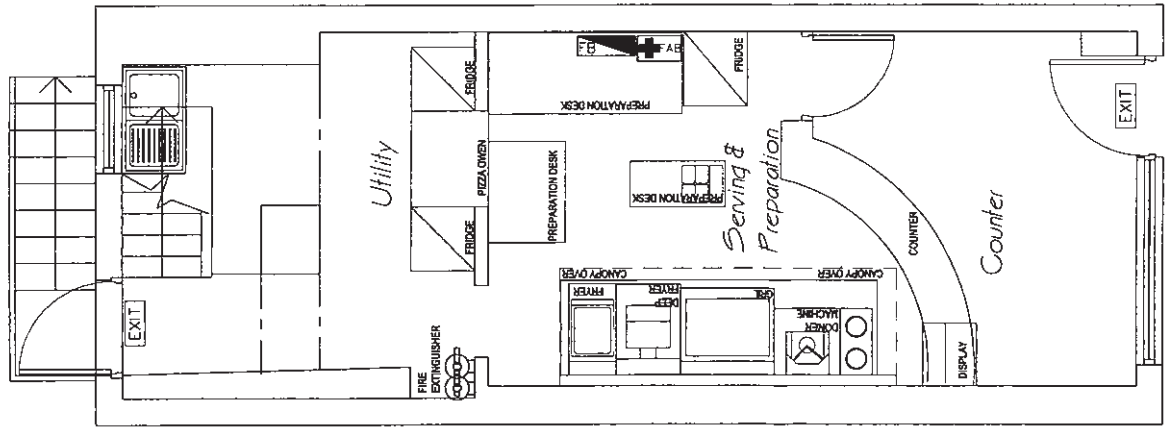
Client:	RAMO'S (Hot Food/Takeaway) 6 Church Street, Ecclesfield, Sheffield, S35 9WE
Job Title:	Existing Survey Drawings For:- Licensing & Planning
DWG TITLE:	Existing Ground & First Floor Plan
Drawn By:	TB
Date:	Feb.17
Scale:	1:50
Rev:	A3
DWG No.:	17/05.02
Drawing Status:	L I C E N S I N G



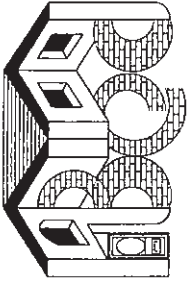
Existing First Floor

Legend Key

- EXIT
- Illuminated fire exit signs
- Fire Extinguishers
- First Aid Box
- Fire Blankets
- CCTV



Existing Ground Floor



**BASHIR EXTENSIONS
DESIGN**

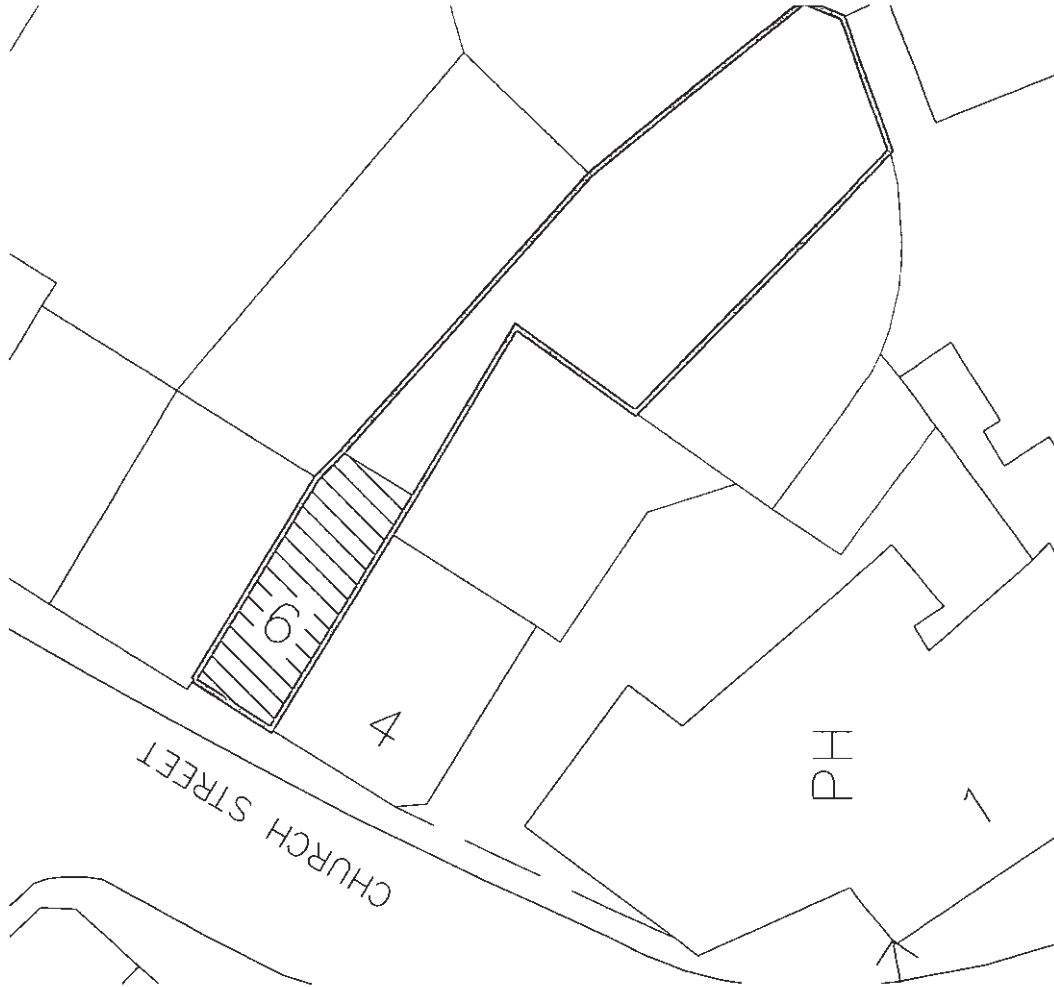
Mob: 07810758363
Email: extensionsandconversions@gmail.com

NOTES

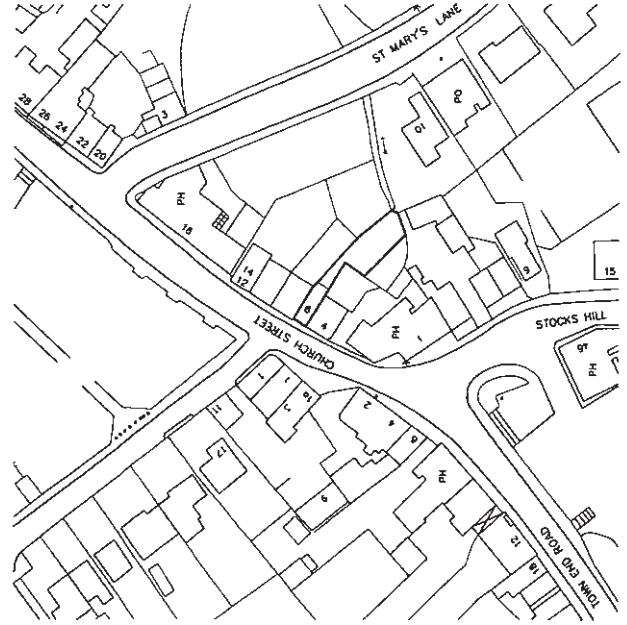
All dimensions to be checked on site
and any discrepancies to be notified
prior to the commencement of work

Do not scale from this drawing

If in doubt ask



Block Plan
@ 1:200



Site Location
Plan @ 1:1250

Rev	Revision Note	Date	By

CLIENT:	RAMO'S (Hot FoodTakeaway) 6 Church Street, Ecclesfield, Sheffield, S35 9WE
JOB TITLE:	Existing Survey Drawings For:- Licensing & Planning
DWG TITLE:	Site Location and Block Plan

DRAWN BY:	TB	SCALE:	As Shown
DATE:	Feb.17	REF:	A3
REV:		DWG N°:	17/05.02

A16

P L A N N I N G

Licensing Service
Sheffield City Council
Block C Staniforth Road Depot
Staniforth Road
Sheffield S9 3HD
E-mail: licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk/licensingact
Tel: 0114 273 4264
Our Ref: LIC/280/LNR/RAMOSEJR
Date: 30th January 2017

A11

FAO. THE OWNER / OCCUPIER
Ramos Pizza
6 Church Street
Ecclesfield
Sheffield
S35 9WE

Dear Sir/Madam,

LICENSING ACT 2003 – Provision of Late Night Refreshment:
Premises: Ramos Pizza, 6 Church Street, Ecclesfield, Sheffield, S35 9WE

I refer to the above premises and observations made by officers that the premises are open for trade after 23:00 hours. At 00:30 hours on Saturday 28th January 2017 officers noted that the door was open, the premises was fully lit and at least 5 persons who appeared to be customers to be in the premises at 00:30 hours on Saturday 28th January 2017. According to our records, this premise does not hold a Premises Licence.

I must inform you that if you supply hot food or drink between the hours of 23:00 and 05:00 it is a requirement under the Licensing Act 2003 to have a premises licence to provide late night refreshment.

Sheffield City Council is the Licensing Authority who issues the Licences and carries out any enforcement duties for this purpose. If you wish to continue trading after 11pm **you must apply for a licence within the next 28 days.**

I can confirm that it is a criminal offence under section 136 of the Licensing Act 2003, to carry on any of the Licensable Activities other than in accordance with a licence or other authorisation under the 2003 Act. The fine for this is unlimited.

Your premises will be closely monitored for illegal activity, and if we find that you are continuing to operate after 11pm and you have not obtained a licence, I will not hesitate to instigate legal proceedings.

If you have any queries please do not hesitate to contact the Licensing Service on 0114 273 4264.

Yours faithfully

Emma Rhodes
Licensing Enforcement & Technical Officer

Stephenson Clive (CEX)

From: Rhodes Emma (CEX)
Sent: 28 March 2017 10:38
To: Stephenson Clive (CEX)
Subject: Ramos, 6 Church Street, Ecclesfield. S35 9WE
Attachments: 28.1.17 - Ramos, 6 Church Street, Ecclesfield LNR No Licence.doc

Hi Clive

I have provided a brief history regarding Ramo's below for your information.

30.1.17 – letter sent (copy attached) as I witnessed the premises operating after 11pm without a licence.

Mr Khan then phoned me to ask what he needed to do & I explained about the pre-advice service to apply for a grant and also TEN's.

8.2.17 – Mr Raees Khan attended the Licensing reception and submitted 4 separate TEN's for the 16th to 19th Feb, 23rd to 26th Feb, 2nd to 5th March and 9th to 12th March to operate for Late Night Refreshment until 1am each day. No comments or objections from the RA's were received on consultation and no complaints have been made during the period the TEN's were in effect.

13.2.17 – Mr Khan attended the pre-application appointment with JG & paid for the full service.

23.2.17 – Mr Khan submitted an application for the grant of a premises licence.

Let me know if you need anything else.

Thanks

Emma

Emma Rhodes
Licensing Enforcement / Technical Officer

NEW

Pre-Application Advice & Consultancy Service
Do you need help with your application or just want it checking?
Then give us a call on 0114 273 4264
This new service starts on Monday 6th February 2017

Licensing Service, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264 Fax: 0114 27 35410

Email: Emma.Rhodes@sheffield.gov.uk or licensing@sheffield.gov.uk

Website: www.sheffield.gov.uk/business-economy/licensing

Appendix B

Public Objection - No -7
Councillor No -1

From: Andrew [REDACTED]
Sent: 08 March 2017 11:24
To: licensing@sheffield.gov.uk
Subject: Licensing Application - RAMO'S Kebab and Take-Away shop, Ecclesfield.

Dear Sirs,

I wish to object to this application. Before specifying the reasons, I think it is important to set the scene for the area in which this shop is situated.

Location of Ramo's

Ramo's shop is situated in the ancient and historic village of Ecclesfield, a Conservation Area, whose history goes back to before the Domesday book. The village is dominated by the unusually large and Grade 1 listed Church, St. Mary's, itself of important historic significance to the whole of greater Sheffield or Hallamshire as it used to be. In the 12th century, Hallamshire had only 3 churches – Ecclesfield, Bradfield and Sheffield (now Sheffield Cathedral) and all three were in Ecclesfield parish and were managed and organised from Ecclesfield. These three churches remain the only Grade 1 listed churches in the whole of Sheffield.

Ramo's shop is located on Church St which has double yellow lines on both sides of the road. It is opposite Priory Rd which also has double yellow lines on both sides of the Rd in the area where it meets Church St. This is a dangerous junction for vehicles coming out of Priory Rd joining Church St because of limited visibility and the speed of traffic. The owners of the current shop regularly park one or two vehicles at the bottom of Priory Rd on double yellow lines which has the effect of reducing access to the road to a single lane and making the junction extremely dangerous. There is more or less no parking in the village for customers of the shop and customer vehicles also from time to time park on double yellow lines. It should be noted that the customers of Ramo's are almost entirely not from the village.

Objection

1. Need. The only businesses open at 11pm are two pubs which stop serving at 11pm. There seems to be no justification for staying open until 2am.
2. Parking. The existing business already breaks parking regulations on a frequent basis by parking one or two vehicles on double yellow lines on Priory Rd. Any extended opening is likely to extend this abuse with the consequent danger presented to vehicles entering and exiting Priory Rd.
3. Disruption to the village. Current customers can be noisy and often leave a mess of litter and sometimes vomit which needs to be cleared up the following day. Extending this behaviour in the village, a Conservation Area, beyond 11pm would not be acceptable. It should be noted that nearly all customers of Ramo's are not from the village.

I am writing this objection in my role as a local resident and also as a churchwarden at St. Mary's Church, Ecclesfield.

Yours Faithfully,

Andrew Robinson

[REDACTED]

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B2

Sheffield city council
Licensing service
Block C
Staniforth Rd Depot
Staniforth Rd
Sheffield
S9 3HD



27th Feb 2017

Dear sirs

With reference to the application of **Raees Khan of Ramos, 6 Church st, Ecclesfield, Sheffield S35 9WE.**

I formally object to the suggested provision of light refreshments from 23.00hrs to 02.00 due to the following reasons

1. Current noise levels are already bad with current licensing hours due to:
 - 1a. Extractor fan from kitchen
 - 1b. Parking of cars illegally on double lines and
 - 1bi Leaving car engine running
 - 1bii Loud music from running cars
2. Noise from staff shouting and talking outside the flats
3. Customers hanging around to eat takeaway. excessive noise and at times anti-social behaviour.
4. More rubbish being generated in the area.
5. Additional mess caused by staff at the rear of the takeaway. (which I have personally had to clean up) even after being informed of this.

I have lived at the flats for over 20 years and this has always been an issue and so extending the hours would make the situation worse and cause sleep issues for local residents, in which already happens when noise levels increase.

Your faithfully

Stephanie de la Haye FRSA. FinstLM

[REDACTED]
Ecclesfield

Sheffield [REDACTED]

21. 3. 2017

Dear Sir,

Re Ramo's Takeaway
Church Street, Ecclesfield

I understand that the above named
wishes to extend the hours of opening.

He regularly illegally parks his
vehicle, half on the pavement, in double
yellow lines at the bottom of Poring
Road.

Why this man wishes to sell his
produce at 2 or 3 o'clock ^{in the morning} boggles
belief. I strongly object to him
doing so.

Yours faithfully
Maurice Ad.

██████████
 Sheffield ██████████

Dear Sir,
 We are writing to object,
 for the licensing department, to
 refuse the application, made by
 Ramo's Kebab take-away shop,
 at the bottom of Priory Rd. They
 are applying to extend their hours
 of opening. We object to this
 application.

Ramo's is in a residential area. The peace
 will be disturbed, by the increase in
 traffic, from different areas.

The protection of young people
 is important. Ecclesfield school
 has got counselling, for young
 people in many careers.

Yours faithfully
 Mr. & Mrs. J. H. Kennington



22 March 2017

[REDACTED]
Ecclesfield,
Sheffield [REDACTED]
Tel: [REDACTED]

BS

Sheffield City Council
Licensing Section
Block C, Staniforth Road Depot
Staniforth Road
Sheffield S9 3HD

19 March 2017

Dear Sirs

Re Ramo's Takeaway, Church Street, Ecclesfield S35 9WE
Licensing application for extended opening hours after 11.00pm

I would like to record my strong objection to the above application.

This establishment already constitutes a hazard and a nuisance in that every day, vehicles belonging to the owners of that shop, park on double yellow lines at the very bottom of Priory Road with its junction with Church Street where the shop is located. Priory Road is narrow and at that point just 2 cars wide. Church Street is also narrow, very busy and it too has double yellow lines. The junction is very tight and vehicles leaving or entering Priory Road have a difficult manoeuvre. Nonetheless the owners park their vehicles right at the junction in such a way as to inhibit the free movement of traffic – especially large vehicles such as ambulances and fire engines which may need emergency access at any time of the day or night. Local residents have many times complained to the police (who say it is not their responsibility) and to the local authority but the illegal parking continues.


The owners have got away with illegal parking for years.

I make the point about parking in order to draw attention to the fact that these people are not only continuously and flagrantly flouting the law but have a weak sense of social responsibility.

But my overriding concern is the effect upon local residents. Who are these supposed patrons of the business (almost certainly not locals) wandering around the area at 2 and 3am? And doing what else besides? I suggest a recipe for noise and trouble as the word gets around. There are residents to be considered not just the marginal addition to shop sales. In close proximity are families with and without children, sick people and the elderly who will undoubtedly suffer if the extension is sanctioned which I cannot believe you will allow to happen.

The prospect of this shop remaining open until the early hours of the morning is unthinkable

Yours faithfully


Dan Bufton

B6

[REDACTED]

Ecclesfield

Sheffield

[REDACTED]

14th March 2017

17/03/2017

Sheffield City Council,
Licencing Section Block C,

Sir,

Re: Ramo's, Church Street, Ecclesfield.

I am writing to object to the proposal to extend the opening hours of the above kebab shop.

The existing management conduct the business with no regard to the welfare or safety of residents or other road users, nor to the fact that they are operating within a Conservation area.

Examples include constantly parking delivery vehicles on double yellow lines at the bottom of Priory Road, making access from and exit onto Church Street difficult and indeed dangerous for residents and users of the Church and Gatty Hall. When not parked there, they, and their customers, also park outside the shop on Church Street which restricts the main road, and is immediately before a busy road junction.

Environmentally, there is a constant smell of grease or cooking oils emitting from the shop, no adequate provision for customers to dispose of packaging, thus causing litter problems, and a constant noise from cars and delivery vehicles.

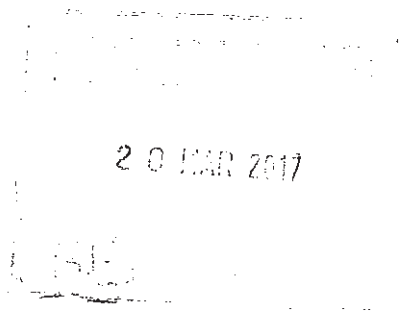
Furthermore, as the shop is within the Conservation Area it is inappropriate to have take away food shops opening till the early hours.

Yours Faithfully,



Michael Grey

B7



Mrs. G. HOXLEY

ECCLESFIELD

SHEFFIELD

14/3/2014

Re Ramo's Kebab & Takeaway application for an extension to their opening hours. Please take into account when making your decision that on Priory Road there is the Community Hall (Jenny Hall) used by local groups, including the 'Girl Guides', 'Brownies', 'Ecclesfield Ladies Group' and many others, all evening events.

We already have groups of youths congregating in the Village, mainly St. Mary's Lane. It's quite obvious to us when passing that the cars pulling up are dealing in drugs.

Please help to make our Community more safe when you make your decision.

Yours faithfully
G. M. Hoxley

From: Andrews Pauline (UKIP CLLR)
Sent: 09 March 2017 09:50
To: licensingservice
Subject: Objection to a proposed licence application from Applicant Raees Khan, premises Ramos address 6, Church Street, Sheffield, S35 9WE.

Good morning,

I would like to put in my objection to the above.

I am a Cllr for East Ecclesfield, and my reasons for this objection is as follows.

At this moment in time the takeaway all ready causes problems for our area.

Church Street is a very narrow road with double yellow lines on both sides of the road, which customers allready ignore while using the takeaway.



A conservation area with St Mary 's church standing on this heritage site opposite which is a landmark and grade 1 listed.

I have received messages from constituents expressing there objections to these extended hours of 2.00 am , and 3.00 am at holiday times ie bank holidays.

Where are the people going to sit both outside and in.

It's also a very busy road, with vehicles using it which would make it extremely dangerous, because of the narrow pavement and speeding traffic.

Regards Cllr Pauline Andrews


 Ecclesfield.


Sent from Email+ managed by MobileIron

Appendix C

Invitation notices



**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

Raees Khan
[REDACTED]

Sheffield
[REDACTED]

Sent via email: [REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos – 6 Church Street Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **18th April 2017 at 10.30am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to your application for a licence.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD** within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 5th April 2017

Signed: Clive Stephenson

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

C2

Andrew Robinson
[REDACTED]

Ecclesfield
Sheffield
[REDACTED]

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos 6 Church Street, Ecclesfield Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

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Dated: 5th April 2017

Signed: Clive Stephenson
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk



**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

Cllr Pauline Andrews
[REDACTED]

Ecclesfield
Sheffield
[REDACTED]

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos 6 Church Street, Ecclesfield Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

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Dated: 5th April 2017

Signed: **Clive Stephenson**
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

CH

Mr Dan Bufton
[REDACTED]

Ecclesfield
Sheffield
[REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos 6 Church Street, Ecclesfield Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **18th February 2017 at 10.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 5th April 2017

Signed: Clive Stephenson

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk



CS

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

Mrs G Loxely
[REDACTED]

Ecclesfield
Sheffield
[REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos 6 Church Street, Ecclesfield Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **18th February 2017 at 10.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 5th April 2017

Signed: **Clive Stephenson**
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk



C6

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

Mr & Mrs Kennington
[REDACTED]

Sheffield
[REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos 6 Church Street, Ecclesfield Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on **18th February 2017 at 10.30am**; following which the Council will issue a notice of determination of the application.

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Dated: 5th April 2017

Signed: **Clive Stephenson**
The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk



**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

CF

Maureen Del
[REDACTED]

Ecclesfield
Sheffield
[REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos 6 Church Street, Ecclesfield Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

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Dated: 5th April 2017

Signed:

Clive Stephenson

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk



C8

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

Mr Michael Grey
[REDACTED]

Ecclesfield
Sheffield
[REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos 6 Church Street, Ecclesfield Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

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Dated: 5th April 2017

Signed: **Clive Stephenson**

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk



C9

**Notice of hearing of representations
in respect of the following application:
LA03 Premises Licence Application**

Stephanie De La Haye
[REDACTED]
[REDACTED]

Ecclesfield
Sheffield
[REDACTED]

Emailed to [REDACTED]

The Sheffield City Council being the licensing authority, on the 23rd February 2017 received an application in respect of the premises known as;

Ramos 6 Church Street, Ecclesfield Sheffield S35 9WE

During the consultation period, the Council received representations from the following authorities / interested parties:

- **Public**
- **Councillor**

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

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Dated: 5th April 2017

Signed: **Clive Stephenson**

The officer appointed for this purpose
Licensing Enforcement and Technical Officer

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot Staniforth Road Sheffield S9 3HD. licensing@sheffield.gov.uk

Appendix D

Notices and Regulations

Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority

Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

Regulation 8

D2

(1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –

- (a) whether he intends to attend or be represented at the hearing;
- (b) whether he considers a hearing to be unnecessary

(2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.

(3) In the case of a hearing under –

- (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
- (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.

(4) In the case of a hearing under –

- (a) section 167(5)(a) (review of premises licence following closure order),
- (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
- (c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

(5) In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

Licensing Act 2003 – Hearing Procedure – Regulation 7 (1)

D3

This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
 2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 3. The Chair will ask the applicants to formally introduce themselves.
 4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
 5. 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 Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
 - (d) Members may ask questions of those parties
 - (e) With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
 - (f) The applicant/licensee (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.
 - (g) The applicant/licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (h) The applicant will then be given the opportunity to sum up the application.
 - (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.
 6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.
- 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.



SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 18th April 2017

Subject: Street Trading
Application for a Static Street Trading Consent

Author of Report: Clive Stephenson

Summary: To consider an application for a street trading consent City Centre (Fargate)

Background Papers: As attached
Street Trading Policy

Category of Report: OPEN

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

REF No: 47/17

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Hot food & Drink - Fargate

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a Static Street Trading consent to trade at Fargate Sheffield.

2.0 INTRODUCTION

2.1 The Council as a Licensing Authority 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 any consent. An applicant may, however apply for judicial review of the Council's decision.

3.0 THE APPLICATION

3.1 The applicants are Mr Hristo Hristov & Zima Simeonova a copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 20th February 2017.

3.3 The application is to serve Traditional Balkan Food, hot & cold, Monday to Sunday between 09.00 and 19.00.

3.4 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning, and City Centre Management. 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.

3.5 Objections have been received by an interested party, a business nearby.

3.6

4.0 REASONS FOR REFERRAL

4.1 The application has been referred to the Sub-Licensing Committee for their consideration as the Licensing Authority has received objections to the application from the following parties:-

- The Manager Lynne's Pantry, Surrey Street.

Copies of the representations are attached at Appendix 'B'

4.2 The objections refer to issues contained in section 2.8 of our street trading policy when determining the application, and Members are referred to in particular section 2.8.2:

- Traders

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

4.4 The applicant and objectors have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'C'.

4.5 A copy of the hearing procedure is attached at Appendix 'D'.

5.0 FINANCIAL IMPLICATIONS

5.1 The Street Trading Policy states that fees will be set and reviewed annually on a full cost recovery basis. The level of fee takes into account the location, duration of consent, the trading hours and articles to be sold as well as the enforcement of terms and conditions.

5.2 Fees for static consents are determined at the grant of the application therefore there are no financial implications arising from this report.

6.0 RECOMMENDATIONS

6.1 That Members consider all the relevant information available, any representations that may be made and our policy.

7.0 OPTIONS OPEN TO THE COMMITTEE

7.1 To grant the application for a Static Street Trading Consent at location applied for.

7.2 To grant the application with amendments.

7.3 To defer the matter for further consideration.

7.4 To refuse the grant of the Static Street Trading Consent .

Steve Lonnia
Head of Licensing
Block C Staniforth Road
Staniforth Road
Sheffield
S9 3HD

18th April 2017.

Appendix A

Application

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 / *WE 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/Mrs/Miss/other)	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	Hristo Petrov Hristov	Zina Fidanova Simeonova
Q2	Applicant(s) permanent private address	[REDACTED]	[REDACTED]
Q3	Date of birth	10.05.1969.	25.10.1978
Q4	Nationality and place of birth	Bulgarian Varna	Bulgarian Varna
Q5	National Insurance No.	[REDACTED]	[REDACTED]
Q6	Do you have the legal right to work and live in the UK?	<input checked="" type="radio"/> YES / <input type="radio"/> NO EU Details: Permanent Residence	<input checked="" type="radio"/> YES / <input type="radio"/> NO EU Details: Permanent Residence
Q7	Have you ever been refused a street trading consent in this or any other area?	YES <input checked="" type="radio"/> NO Details:	YES <input checked="" type="radio"/> NO Details:
Q8	Telephone No	[REDACTED]	
Q9	Email address	[REDACTED]	[REDACTED]

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

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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. TRADING DETAILS

Q16	Trading Name (if applicable)	Hristo Hristov / Zina Simeonova
Q17	Trading address (if different from above) Post Code	
Q18	Site to be occupied	Fargate
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	Food - Hot and Cold Food - salads, various sausages, koftas, chips, Hot and Cold drinks.
Q20	Please specify preferred days of trade:	Monday - Sunday
Q21	Please specify preferred hours of trade:	9am - 7pm

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	food trailer / cart
Q20	Size of unit	Height: 2.5 Width: 2.00 Length: 3.00

E. CONVICTIONS / CAUTIONS

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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 [<input checked="" type="checkbox"/>]	
		Applicant 2 Yes [] No [<input checked="" type="checkbox"/>]	
Details of previous convictions and/or cautions			
	Date of Conviction	Court of Conviction	Nature of Offence
	Applicant 1		
	Applicant 2		

F. CHECK LIST

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

Non refundable fee of £100	<input checked="" type="checkbox"/>
Your current passport	<input checked="" type="checkbox"/>
Your current drivers licence	<input checked="" type="checkbox"/>
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	<input checked="" type="checkbox"/>
Right to work documentation (if applicable)	<input checked="" type="checkbox"/>
Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	<input checked="" type="checkbox"/>
Photographs of the vehicle / unit, front back and rear.	<input checked="" type="checkbox"/>
Details of any food hygiene qualifications (unless trading in non food items)	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
Any further information you may wish to submit in support of your application	<input checked="" type="checkbox"/>

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.	<input checked="" type="checkbox"/>
Certificate of insurance in respect of the vehicle / unit	<input checked="" type="checkbox"/>
Public liability insurance (minimum of £2,000,000)	<input checked="" type="checkbox"/>
Written confirmation that the vehicle meets the Council's food safety standards	
Waste management contract	<input checked="" type="checkbox"/>
Declare that you have registered as a food business	<input checked="" type="checkbox"/>

G. DECLARATION

WARNING



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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 / 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>Hristo Hristov</u>
Date: <u>13.02.2017</u>
Capacity: <u>Applicant / trader</u>
Applicant 2
Signature: 
Print name: <u>Zina Simeonova</u>
Date: <u>13.02.2017</u>
Capacity: <u>Applicant / trader</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:

AS

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

The Service is open from 10am to 4pm, Monday to Friday. Telephone (0114) 2734264

**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.

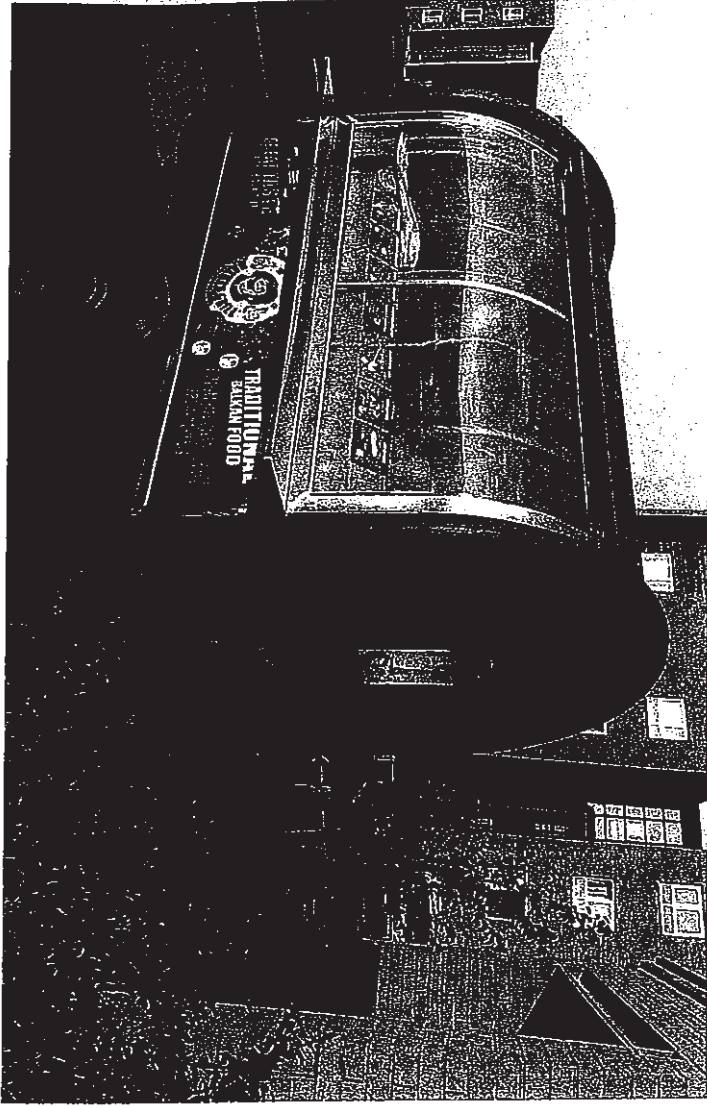
This scheme is part of the City Council's campaign to make Sheffield City Centre a more attractive and vibrant place. Set out below is the qualitative criteria which forms the basis on which to test applications for the grant of designated small trading stall Street Trading Consent sites within the City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

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STREET TRADING

Notice is hereby given that:

An application has been submitted to Sheffield City Council for a static street trading consent:

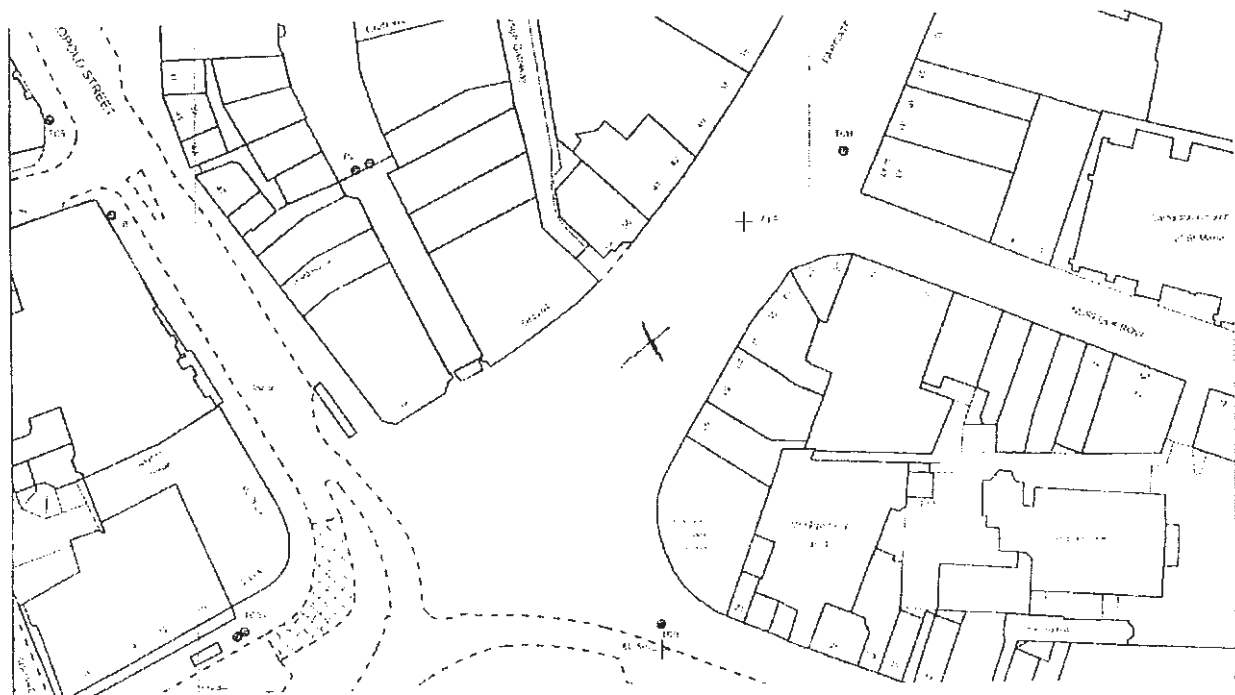
By: **Hristo Hristov & Zina Simeonova**

To trade: **Hot and Cold Food and Drink**

On: **Monday to Sunday
09:00 to 19:00**

Unit details: **Food Trailer/Cart**

The location: **Fargate (See attached plan)**



Interested parties may make representations about this application, in writing, to: Licensing Services, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD by **23rd March 2017**

For full details and to view a copy of the application please contact the Licensing Service on 0114 273 4264

COMPLETE IF CONSULTING WITH NEARBY SHOPS ETC

Name and Address of Business / Residential Property address	Nature of Business		
	Sandwich Shop/Café/ Takeaway	Off-Licence selling sandwiches, confectionary etc.	Other (please specify)
Marmadukes	✓		
Nero - fargate	✓		
Starbucks - fargate	✓		
Munchies Chap Walk	✓		
Creggs - fargate	✓		
feast Chapel Walk	✓		
Lynns Pantry	✓		
Stanfords Chapel Walk.	✓		

Appendix B

Objections. No.1

Local Government (Miscellaneous Provisions) Act 1982
Street Trading – Fargate

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

By: **Hristo Hristov & Zina Simeonova**
To trade: **Hot and Cold Food and Drink**
On: **Monday – Sunday : 09:00 - 19:00**

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 licensing@sheffield.gov.uk or in writing to Licensing Service, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD. 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 **23rd March 2017**

If you have any queries, please contact The Licensing Service on 0114 273 4264

Company/name and address: Lynne's Pantry, 39 Surreys meer, S1 2LG

Form completed by (please print): Matthew Frolish

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: Our business has been in the City Centre since 1979, employing 16 staff. I feel over the course of time this area has been saturated with food outlets. Over the last year our costs have significantly increased, its now a struggle to survive. This application would only add to this struggle.

Signed: [Signature] Date: 20/3/17

Position in company: Manager

Applicant: **Mr Michael Richard Hall**
Proposed Location: **Meadowhall Park and Ride Officer dealing: AMA**

Appendix C

Invitation to attend

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SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading application - Fargate.

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Hristo Hristov
[Redacted]
Sheffield [Redacted]

Email: [Redacted]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Fargate

I refer to the above and the application for the grant of a static street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details are provided in the report enclosed and to the Committee. 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 and objectors to attend the meeting.

The meeting in respect of the application will take place on **Tuesday 18th April 2017** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **11:45 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 2734264.

Steve Lonnia

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

Date: 5th April 2017

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 2734264

The Licensing Service Reception is open from 10.00am to 4.00pm, Monday to Friday. Telephone calls can be taken from 09:00am to 5:00pm.

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SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – School Street Trading Application – Norborough Road IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mathew Frolish
Manager
[Redacted]
[Redacted]
Sheffield
[Redacted]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Fargate

I refer to the above and the application for the grant of a static street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details are provided in the report enclosed and to the Committee. The Licensing Committee has the authority to decide what action to take in relation to each application.

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Steve Lonnia
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Steve Lonnia
Chief Licensing Officer
Head of Licensing

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Telephone 0114 2734264

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Appendix D

Hearing Procedure

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

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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.

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