

Licensing Sub-Committee

Thursday 24 August 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 Josie Paszek (Chair), Andy Bainbridge and Kieran Harpham
Andy Nash (Reserve)

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
24 AUGUST 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 - Application for a Static Street Trading Consent (Devonshire Green)**
Report of the Chief Licensing Officer
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading - Application for a Static Street Trading Consent (Peace Gardens)**
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: 24th August 2017

Subject: Street Trading
Application for a Static Street Trading Consent

Author of Report: Clive Stephenson

Summary: To consider an application for a Static Street Trading Consent at Barkers Pool Sheffield City Centre

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: 103/17

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Edward Bishop

1.0 PURPOSE OF REPORT

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

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 Edward Bishop copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 18th July 2017.

3.3 The application is to Hot Food and Drinks from a mobile unit Monday to Sunday (no times have been indicated on the application).

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 No Objections have been received by.

4.0 REASONS FOR REFERRAL

4.1 The application has been referred to the Sub-Licensing Committee as the application is for a City Centre site.

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

4.3 The applicant has been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'B'.

4.4 A copy of the hearing procedure is attached at Appendix 'C'.

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 Barkers Pool.
- 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

24th August 2017.

Appendix A

Application and relevant documents

Local Government (Miscellaneous Provisions) Act 1982

AI

**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)

		1st Applicant (Mr/Mrs/Miss/other)	2nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	EDWARD BISHOP	
Q2	Applicant(s) permanent private address	[REDACTED] 58 FAH	
Q3	Date of birth	[REDACTED]	
Q4	Nationality and place of birth	BRITISH SHEFFIELD	
Q5	National Insurance No.	J6 83 99 46 C	
Q6	Do you have the legal right to work and live in the UK?	<input checked="" type="radio"/> YES / NO Details: PATIENT	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	<input checked="" type="radio"/> YES / NO Details:	YES / NO Details:
Q8	Telephone No	[REDACTED]	
Q9	Email address	[REDACTED]	

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

A2

Q10	Name	FAT PEPPER LTD T/A COFFKA
Q11	Registered address	THE ARCADE, MEADOWHALL SHEFFIELD
Q12	Registered number	10151384
Q13	Telephone number	[REDACTED]
Q14	Email address	[REDACTED]
Q15	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	KULI HALLAIT 28 CROFTDOWN RD BIRMINGHAM B17 8RQ

C. TRADING DETAILS

Q16	Trading Name (if applicable)	COFFKA
Q17	Trading address (if different from above)	AS ABOVE
	Post Code	
Q18	Site to be occupied	SEVENSHIRE GREEN
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	COFFEE, CAKE, TEA, MILKSHAKE (F&S)
Q20	Please specify preferred days of trade:	MON - SUN
Q21	Please specify preferred hours of trade:	

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	VAN
Q20	Size of unit	Height: 2300 MILLIMETERS Width: 1820 Length: 4250

A3

E. CONVICTIONS / CAUTIONS

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

F. CHECK LIST

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

Non refundable fee of £100	
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 (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	✓
Photographs of the vehicle / unit, front back and rear.	✓
Details of any food hygiene qualifications (unless trading in non food items)	✓
If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	✓
Confirmation your vehicle meets the quality criteria	✓
Any further information you may wish to submit in support of your application	~ / A

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

(tick if enclosed with this application)

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

A4

G. DECLARATION

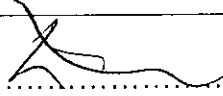
WARNING

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

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

I / We,

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

Applicant 1	Signature: 
	Print name: E. BISHOP
	Date: 18.7.17
	Capacity: OPERATIONS MANAGER
Applicant 2	Signature:
	Print name:
	Date:
	Capacity:

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.

1. Eligibility Criteria

- The applicant must be at least 17 years old;
- The units must meet the city centre qualitative criteria attached at the back of this application.

2. Fee

- The fee is £1,994.00 per annum but you must submit with your application a £100 non refundable fee to cover the costs of processing your application (if granted this will be deducted from the £1,994);
- If granted payments can be made quarterly if agreed with the Authority.

3. Application

All questions on the application form must be answered unless otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the applicant. Application forms are available from www.sheffield.gov.uk

To apply for the grant of a Street Trading Consent (City Centre) an applicant must produce to the Council:-

- a) A completed application form;
- b) The non refundable fee of £100;
- c) 3 photographs of the unit to be used showing front, back and side;
- d) Details of the proposed site, including an ordnance survey based map of at least 1:1250 scale (a google map will not be sufficient) clearly identify the proposed trading position and its proximity to other similar retail outlets (shops, café's, etc) within an 800 metre radius.
- e) Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.
- f) Current passport;
- g) Current driver licence;
- h) One other proof of identity, showing applicant's name and current address (recent utility bill, bank statement etc);
- i) Right to work documentation (if applicable);
- j) Details of any food hygiene qualifications (unless trading in non-food items);
- k) If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.
- l) Any further information you may wish to submit in support of your application.

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

- a) A certificate of public liability insurance (the level of cover shall be a minimum of £2,000,000);
- b) Written confirmation that the vehicle meets the Council's food safety standards
- c) Waste management contract;
- d) Declare that you have registered as a food business (if applicable); and
- e) The remaining quarterly fee if agreed to pay in quarterly instalments.

4. Objections

Any person objecting to an application for a consent shall give notice of their objection in writing not later than 28 days after the date of the application.

Any application for street trading in the city centre will be referred to the Licensing Committee for their consideration. The applicant and any objectors will be notified of the hearing and will be invited to attend.

5. Grant of a Licence

The Council may grant to any applicant a consent to trade in the terms and conditions as specified by the Council.

A consent will remain in force for one year, or such shorter period specified in the consent, unless previously cancelled or revoked.

6. Offences

It is an offence for any person to engage in street trading in a consent street without being authorised to do so except under and in accordance with the terms and conditions of a licence granted by the appropriate authority.

The maximum penalty on summary conviction is £1000 for each offence (each individual sale would constitute a separate offence).

Any person who, in connection with an application for the grant or renewal of a licence, 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.

7. Other Legislation to be Aware of

Food Establishments

Food establishments must be registered with Environmental Health (contact (0114) 273 5774 / 273 4415 or email: healthprotection@sheffield.gov.uk).

It is a criminal offence to operate a food business without registering.

There is no charge for registration.

Trade Waste Disposal

You have a legal responsibility under the Environmental Protection Act 1990 and other related legislation to safely contain and legally dispose of any waste produced from your business. If you don't, you may be prosecuted.

For further information on this, please contact Environmental Protection on 0114 2037411 or visit www.netregs.gov.uk.

Consent holders must ensure that any person who is working on the site has obtained the relevant authorisation in the form of an identification badge from the Licensing Service.

A7

Application forms for assistant identification badges can be collected from the Licensing Service.

Along with the form, the consent holder and any assistants must submit two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness. These will be used to issue an identification badge.

Assistant badges will be at a cost of £30 each.

Lost or replacement badges will be at a cost of £20 for consent holders and assistants.

The identification badge must be worn by the person/s working at all times.

Consent holders must ensure that the Licensing Service are immediately informed of any new assistants that are employed to work. Assistants may not commence work until being issued with the appropriate identification badge.

The consent holder must not allow anybody under the age of 17 to work on the pitch.

Applications must be submitted to:

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

The Service is open from 9am to 5pm, Monday to Friday. Telephone (0114) 2734264



SHEFFIELD CITY COUNCIL
Licensing Service

PLEASE NOTE:

DISCLAIMER

The information / guidance supplied in this pack by Sheffield City Council, Licensing Service, is offered purely as a basic guide for your assistance.

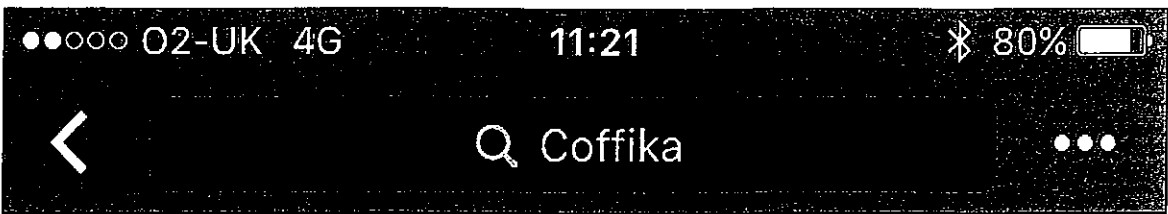
Sheffield City Council can take no responsibility or liability for the completion of your application form.

We will however endeavour to offer basic information / guidance.

Should you require any legal assistance you must seek your own legal advice.

Stephen Lonnia
Head of Licensing
Sheffield City Council

A9



Home Posts Videos Photos About Com

Fetco UK, Forge Coffee Roasters, La Marzocco



You, Justyna Bishop and 20 others

Love


Comment

Share

A16

●●○○○ 02-UK 4G

11:22

✱ 80% 




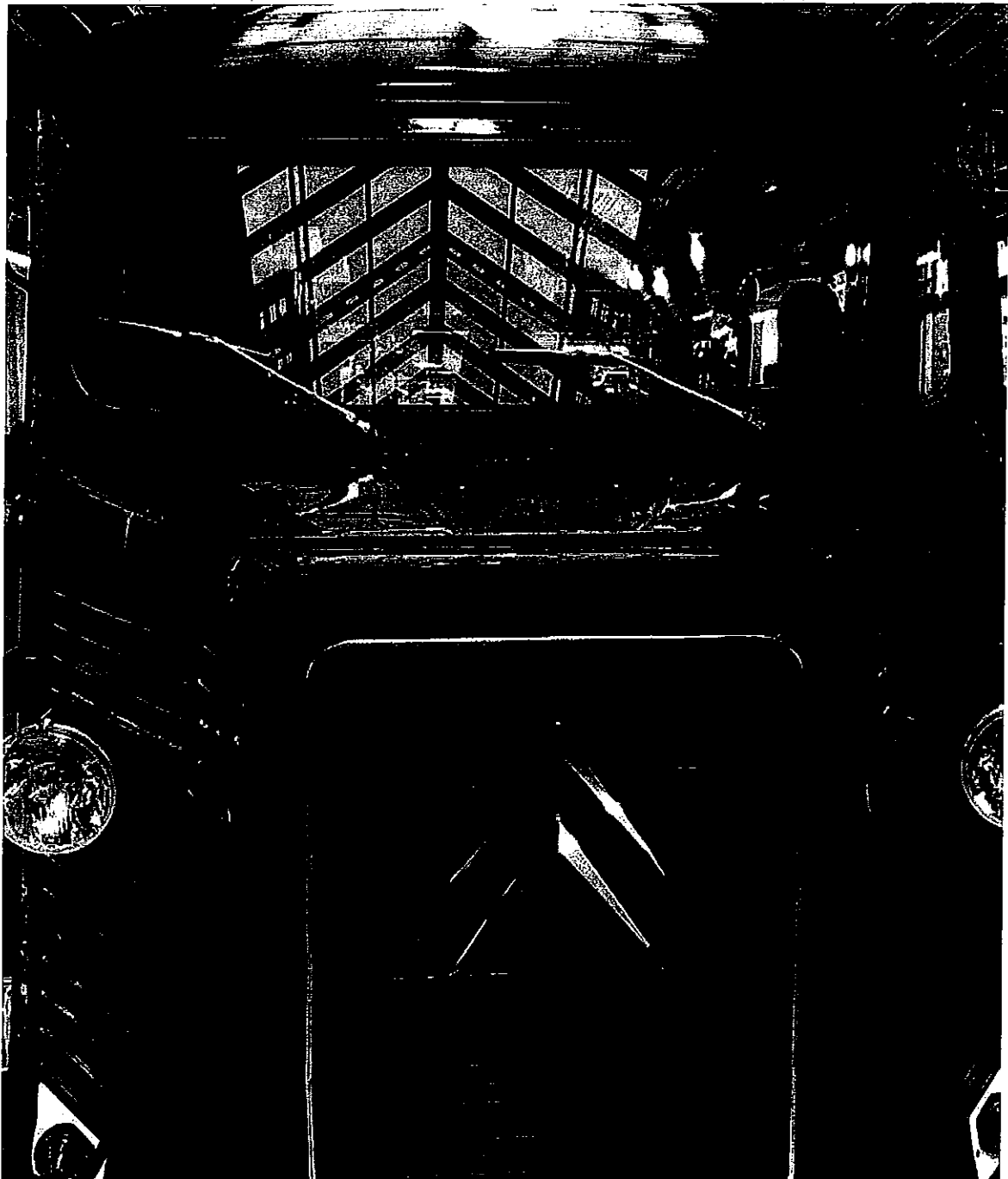
Coffika's post



 Like

 Comment

 Share



AK

Home Posts Videos Photos About Com



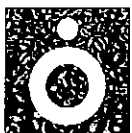
39

8 comments 11 shares

Like

Comment

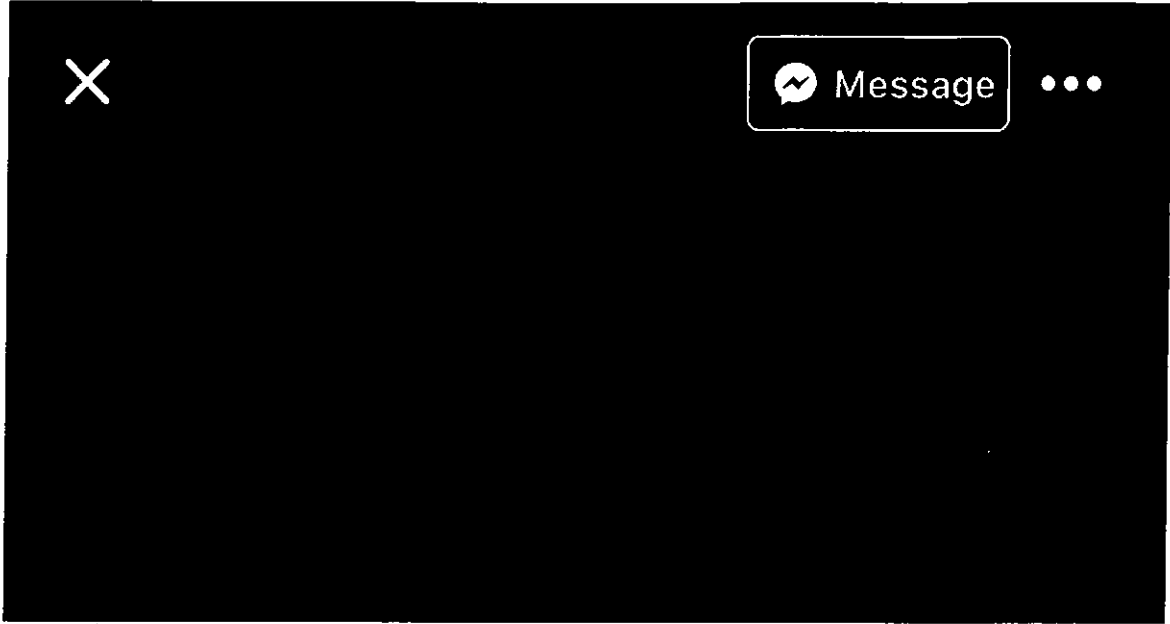
Share



Coffika

28 June at 08:25 · Page 20

A12



Coffika Van serving coffee and prosecco in Cutthorpe, Chesterfield today! Thanks to... [See more](#)

 You, Mikey Hulmes and 12 others

AIG

Endorsements

The following list of Endorsements form part of the Terms and Conditions of this **Policy**. Where the **Business** has declared more than one activity then the Endorsements applicable to each activity are clearly identified.

Endorsements Applicable to Mobile Coffee Shop and Prosecco Bar

i. Third Party Property Damage Excess

The **Insured** shall be responsible for the first £250 of each and every claim against the **Insured** for **Damage** to property.

Policy Endorsements

None

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Sheet One of _____

Legislation covered by inspection: Food Safety & Hygiene (England) Regulations 2013 Food Safety Act 1990 (as amended) Health & Safety at Work etc. Act 1974 Other legislation.....
 Reason for Visit: Inspection/Audit Topic/Partial Advisory Sampling Revisit Complaint

Business Name		Name of Operator	
Coffika		Edward Bishop	
Address 38 The Arcade Meadonshall Centre, Headbushall Way, Sheffield S9 1EH		Registered Head Office AS Previous	
Inspecting Officer Details			
Name	Position	Person Seen	Details of Visit
EDWARD BISHOP	REGISTERED HEAD OFFICE	EDWARD BISHOP	17th Nov 2017
Telephone 0114 586 0969	Email	Address Inspected	Records Inspected
	edward.bishop@sheffield.gov.uk	17th Nov 2017	17th Nov 2017
Time Start 17:00	Time Finish 17:45	Type of Business	CAFE
Food Hygiene Rating Score	0 1 2 3 4 5	Samples Taken (specify)	

Comments: Matters Arising (L = Legal Requirement + Timescale, and R = Recommendation)
 (CIM=Confidence in Management, PH=Food Hygiene & Safety Practices, S=Structure)

L/R	CIM	PH/S	Timescale

A16

MOT Test Number

418115804943

Vehicle Registration Mark

PGF158K

Vehicle Identification Number

5246075

Make

CITROEN

Model

H VAN

Colour

Grey

Issuer's Name

A. J. STUBBS

Test Class

4

Country of Registration

Great Britain

Expiry Date

4 May 2018 (EIGHTEEN)

Issued

5 May 2017

Test Station

2208BY

Odometer Reading and History

9 5 2017: 22912 mi
21 7 2016: 22787 mi
12 5 2015: 22439 mi
31 7 2012: 22015 mi

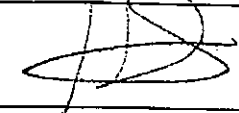
Inspection Authority

HOCKERING MOTOR SERVICES
THE STREET
HOCKERING
DEREHAM
NR20 3HJ
01603880408

Additional Information

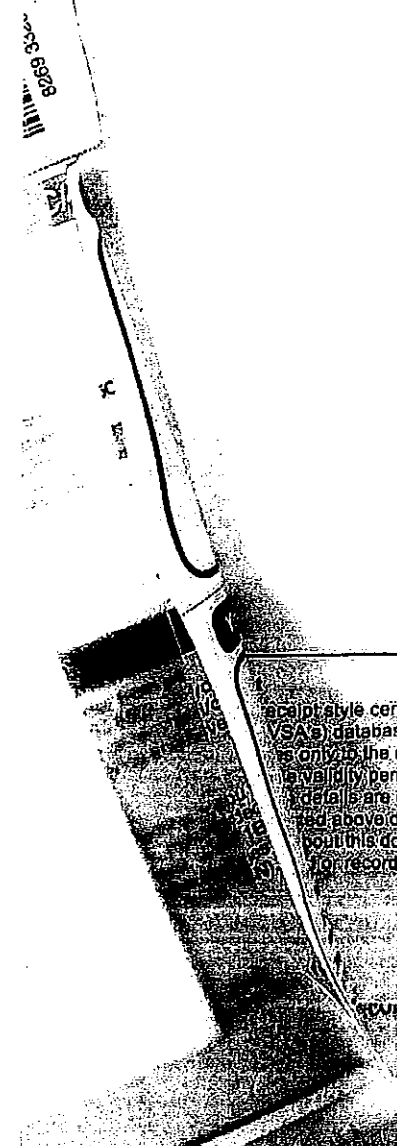
To preserve the anniversary of the expiry date, the earliest you can present your vehicle for test is 5 April 2018.

Signature of Issuer



Advisory Information

31 (slight play in both track rod ends)



This is a receipt style certificate telling you that an MOT Test pass result has been recorded in the Driver & Vehicle Standards Agency's database of MOT Test results; this can be verified at www.gov.uk/check-mot-status. It only shows the condition of the components examined at the time of test. It does not confirm the vehicle will remain in a satisfactory condition for the full validity period of the certificate. Details are correct. The above do not constitute MOT failure items, they are drawn to your attention for advice. For further information about this document, please visit www.gov.uk/getting-an-mot or contact DVSA on 0300 123 9000*. This information is not recorded for lawful purposes.

Appendix B

Invitation to attend

SHEFFIELD CITY COUNCIL

BI

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading Application – Barkers Pool, (Adjacent to Division Street)

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Edward Bishop
[REDACTED]
Sheffield
[REDACTED]
Email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Devonshire 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 **Thursday 24th August 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
.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 14th August 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

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Appendix C

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.
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4. Hearing Procedure:-

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- (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.
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- (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.
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- (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 Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 24th August 217

Subject: Street Trading
Application to vary a Static Street Trading Consent

Author of Report: Clive Stephenson

Summary: To consider an application for a street trading consent
Peace Gardens Sheffield

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: 104/17

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Ice Cream Products - Peace Gardens

1.0 PURPOSE OF REPORT

1.1 To consider an application for the variation of a Static Street Trading consent to trade at Peace Gardens 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 Mr Andrew Cuneo and Ms Inglanga Saqladi a copy of the application is attached at Appendix 'A'.
- 3.2 The application was submitted on 11th July 2017.
- 3.3 The application is vary the current purpose built trailer to an Ice Cream van for a period of 8 weeks. (From the date of application).
- 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.

4.0 REASONS FOR REFERRAL

- 4.1 The application falls within the City Centre.
- 4.2 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 has been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'B'.
- 4.5 A copy of the hearing procedure is attached at Appendix 'C'.

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 to vary the 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 to vary the Static Street Trading Consent.

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

24th August 2017.

Appendix A

Application



MRC

Rec 71579
CARA

AI

Local Government (Miscellaneous Provisions) Act 1982

Application to VARY a 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 to VARY a street trading consent (*delete as appropriate).

A. THE APPLICANT(S)

		1st Applicant (Mr/Mrs/Miss/other)	2nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	Andrew Curved	Inglanga Sadadi
Q2	Applicant(s) permanent private address	[Redacted] Walkley S6 2XF	[Redacted] Walkley S6 2XF
Q3	Date of birth	05/02/196	03/04/1965
Q4	Nationality and place of birth	UK Sheffield	UK Sheffield
Q5	Telephone No	[Redacted]	[Redacted]
Q6	Email address	[Redacted]	[Redacted]

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

Q7	Name	
Q8	Registered address	
Q9	Registered number	
Q10	Telephone number	
Q11	Email address	

A2

Please return the fully completed form and all attachments to:

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

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

A3

C. CURRENT CONSENT DETAILS

Q12	Consent number	510001
Q13	Type of consent issued	STATIC / MOBILE / CITY CENTRE SMALL UNIT / SCHOOL / OTHER (please list)
Q14	Current site details (if applicable)	Peace Gardens
Q15	Expiry date of consent	30th November 2017.

D. DETAILS OF VARIATION

Q16	Please note: <ul style="list-style-type: none"> • you cannot change sites on a variation, a new application must be submitted. • Consents are non transferrable, so you cannot add new consent holders on an existing consent. Tick details of variation, this can be more than one:	
	Change days of trading	
	Change hours of trading	
	Change items to be sold	
	Change of vehicle / unit	<input checked="" type="checkbox"/>
	Other (if other, please specify below)	
	Details:	

Q17	Current details to change	Proposed details of change and reason for that change
	Purpose Built trailer to ice cream van currently in use, Reg FJ17 UVT.	ill Health. Mr Cuneo has suffered with a blood clot and pneumonia he has been advised he will be on blood thinners for ever, and also taking the trailer and sitting everyday has also given him a bad back from the sheer weight of having to manoeuvre the trailer in to position

A4

E. CONVICTIONS / CAUTIONS

Q18	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?	Applicant 1 Yes [] <input checked="" type="radio"/> No []		
	If the answer is Yes please give full details below:	Applicant 2 Yes [] <input checked="" type="radio"/> No []		
Details of previous convictions and/or cautions				
	Date of Conviction	Court of Conviction	Nature of Offence	Sentence
	Applicant 1			
	Applicant 2			

F. CHECK LIST

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

Fee on variation application	
3 Photographs of the vehicle / unit if a change of unit showing front, back and side	
If a change of unit, confirm it meets the qualitative criteria	
Any further information you may wish to submit in support of your application	

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

(tick if enclosed with this application)

Certificate of insurance in respect of the vehicle / unit (if applicable)	
Appropriate vehicle test (if applicable)	
Written confirmation that the vehicle meets the Council's food safety standards	

AS

G. DECLARATION

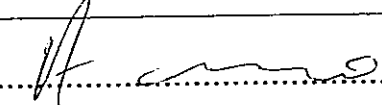
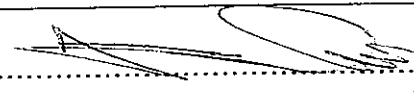
WARNING

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

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

I / We,

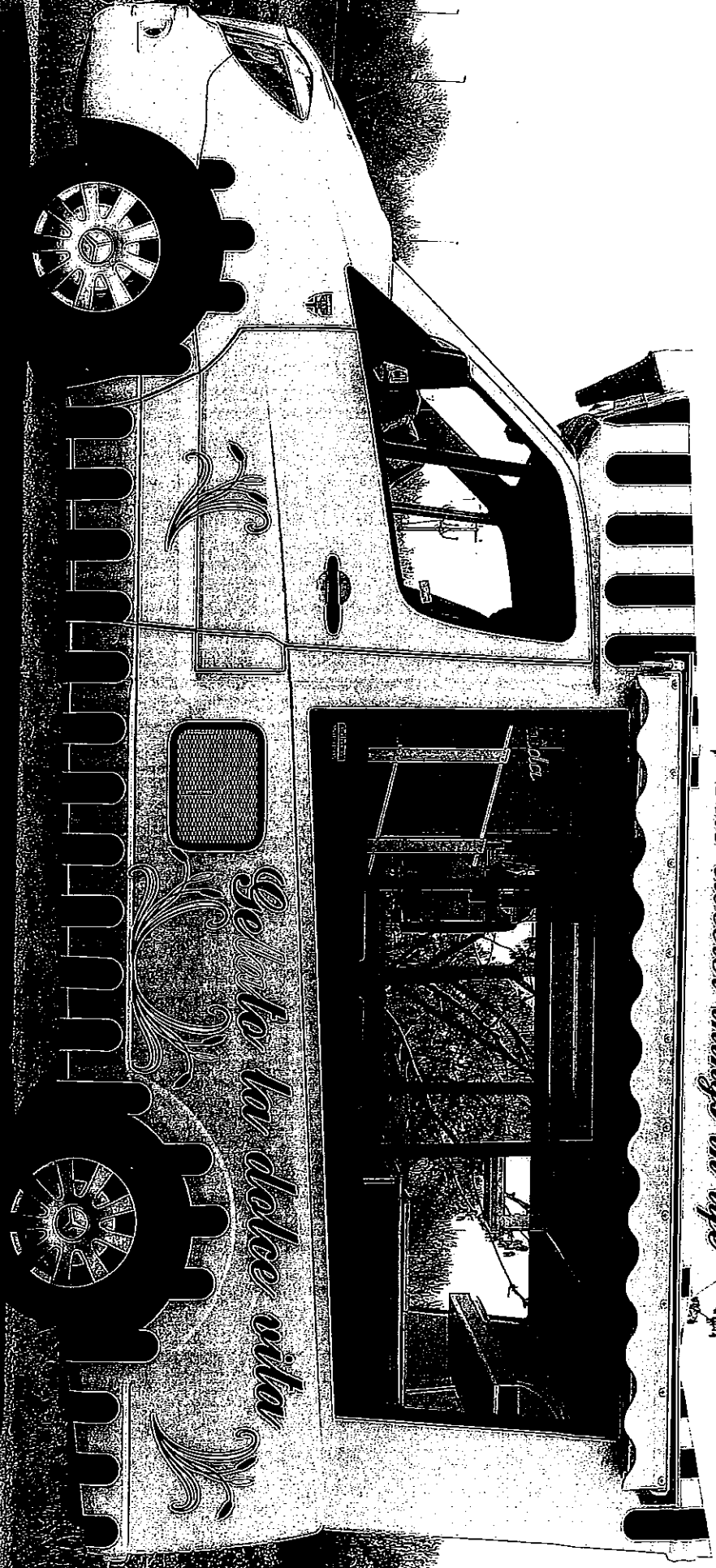
- declare that all the information I have given in this application is complete and correct;
- declare that I am over 17 years of age (in cases of individual applicants)
- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield 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:

	<p>Applicant 1</p> <p>Signature: <u></u></p> <p>Print name: <u>A. CINEO</u></p> <p>Date: <u>10/07/17</u></p> <p>Capacity: <u>Partner</u></p>
	<p>Applicant 2</p> <p>Signature: <u></u></p> <p>Print name: <u>I SAQULAOI</u></p> <p>Date: <u>10-07-17</u></p> <p>Capacity: <u>Partner</u></p>

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.

A6



Rhodes Emma (CEX)

A7

From: Eyre Richard
Sent: 26 June 2017 14:39
To: saqladi uglona
Cc: Cooper Steve (DEL); Stephenson Clive (CEX)
Subject: RE: FW: paint options for van

Hi,

As long as the required changes to the van proposed are made as set out below we are happy to agree for the existing van to be used over the summer and the new van from September onwards.

Kind Regards

Richard

Richard Eyre
Head Of City Centre, CCTV, Markets & Events

Tel: 0114 2734704

Post: Sheffield City Council, Moor Market Office Suite, 77 The Moor, Sheffield S1 4PF



@richardseyre



Richard Eyre



We Support
Alive After Five
#sheffafter5

From: saqladi uglona [mailto:inglana@blueyonder.co.uk]
Sent: 22 June 2017 16:13
To: Eyre Richard
Subject: Re: FW: paint options for van

Hi Richard Eyre

thanks for getting back to me, we agree 100 per cent to the changes that you have suggested , as you can appreciate we cant get this van in till sept / october and are asking in the mean time if you will allow for the remaining 10/ 12 weeks of season the vehicle as it is as i am not back in hospital till end next month , also do you want the sign writing the same as the picture provided . We are also willing to include yourself everystep of the way on the changes to the vehicle , running past you before changes are made to make sure they are acceptable. Again many thanks

Andrew Cuneo



From: Turner Paul (DEL-H/Way Regs)
Sent: 12 July 2017 10:04
To: Crawshaw Michael (CEX); Police Licensing; SYFRlicensing@syfire.gov.uk (SYFRlicensing@syfire.gov.uk); planningdc@sheffield.gov.uk; highways@sheffield.gov.uk
Cc: City Centre Management Team
Subject: RE: Street Trading Variation

Mick,

Provided that the ice cream vehicle accesses or leaves the Peace Gardens via the rear (via Charles Street / Norfolk Street) and not the Pinstone Street footway then there are no Highway objections to the variation.

Regards, Paul

Paul Turner
Highway Licences
Room G34, Town Hall
Pinstone Street
Sheffield
S1 2HH

Tel 0114 2736137
Fax 0114 2736210

-----Original Message-----

From: Crawshaw Michael (CEX)
Sent: 12 July 2017 09:44
To: Police Licensing; SYFRlicensing@syfire.gov.uk (SYFRlicensing@syfire.gov.uk); planningdc@sheffield.gov.uk; highways@sheffield.gov.uk
Cc: City Centre Management Team
Subject: Street Trading Variation

Good Morning

Please find Vary of Street Trading Consent for Cuneo's Peace Gardens

Please can we have comments as soon as possible

Mick

Michael Crawshaw
Licensing Analyst & Processing Officer
Licensing Service, Business Strategy & Regulation Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.
Telephone 0114 2734264 Fax 01142734073 Email michael.crawshaw@sheffield.gov.uk or licensing@sheffield.gov.uk www.sheffield.gov.uk

Appendix B

Invitation to attend

SHEFFIELD CITY COUNCIL

31

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Vary a Static Street Trading Consent– Peace Gardens

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Andrew Cuneo

[REDACTED]
Sheffield
S6 2XF

Email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Peace Gardens.

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 **Thursday 24th August** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **10:30 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: 16th August 2017

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

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