

Licensing Sub-Committee

Tuesday 16 April 2019 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), Mike Levery and George Lindars-Hammond
Andy Bainbridge (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 John Turner on 0114 273 4122 or email john.turner@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
16 APRIL 2019**

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) 1982 - Street Trading - Static Street Trading Consent - Dixon Lane, Sheffield City Centre**
Report of the Chief Licensing Officer
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading - Static Street Trading Consent - Tudor Square, Sheffield City Centre**
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: 16th April 2019

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
Dixon Lane 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: 37/19

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Jawaid Imanzai

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a Static Street Trading consent to trade at Dixon Lane 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 Jawaid Imanzai copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 19th February 2019.

3.3 The application is to sell Mobile Phone Equipment including chargers and phone covers from a static table Monday to Sunday 09.00 to 17.00

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

3.5 An Objection has been received from the Markets Dept. A copy of the objection is attached at Appendix B.

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

4.4 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 Dixon Lane.
- 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

16th April 2019.

Appendix A

Application and relevant documents

AI

6 Lucas Street,
Sheffield
S4 7FG

Dear Sir/Madam

I am writing to obtain a License as a street trader in Sheffield at Dixon Lane. Dixon Lane is located at City Centre, S1 2AL, near the Haymarket Bus Stop.

My trading position would be next to Wilko Shop, on the left of my trading position is Wilko, on the right is Fulton's food.

I am currently doing a degree in Human Biology BSc (Hons) at Derby University and would like to proceed to medical school by 2021. Unfortunately, I cannot borrow from student finance for medical school and the main reason for applying for street trade is to earn enough money to support myself through medical school. I do apologise on my driving licence the address is different to my current address because I recently moved from 29 Queen Mary Road, S2 1HP to 6 Lucas Street.

I would really appreciate if I get permission to trade on street.

Kind regards
Jawaid Manzai

**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	JAWAID IMANZAI	
Q2	Applicant(s) permanent private address	[REDACTED] SHEFFIELD, [REDACTED]	
Q3	Date of birth	01/01/1994	
Q4	Nationality and place of birth	AFGHAN AFGHANISTAN, PARIWAN PROVINCE	
Q5	National Insurance No.	[REDACTED]	
Q6	Do you have the legal right to work and live in the UK?	YES / NO Details: YES	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	YES / NO Details: NO	YES / NO Details:
Q8	Telephone No	[REDACTED]	
Q9	Email address	[REDACTED]	

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

Q10	Name	MARKET MARKET TRADER
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)	MARKET TRADER
Q17	Trading address (if different from above)	DIXON LANE, SAGFABLD,
	Post Code	SL 2AL
Q18	Site to be occupied	
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	ELECTRONIC SUCH AS PHONE CHARGERS, SHIRTS, MUGS ETC
Q20	Please specify preferred days of trade:	FROM MONDAY-TO SATURDAY.
Q21	Please specify preferred hours of trade:	9 AM TO 5 PM

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	TABLE WITH ADJUSTABLE LEGS
Q20	Size of unit	Height: 0.83cm Width: 1.20cm Length: 3cm

A4

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)	NIS
If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	NIS
Confirmation your vehicle meets the quality criteria	
Any further information you may wish to submit in support of your application	

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

(tick if enclosed with this application)

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

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.”

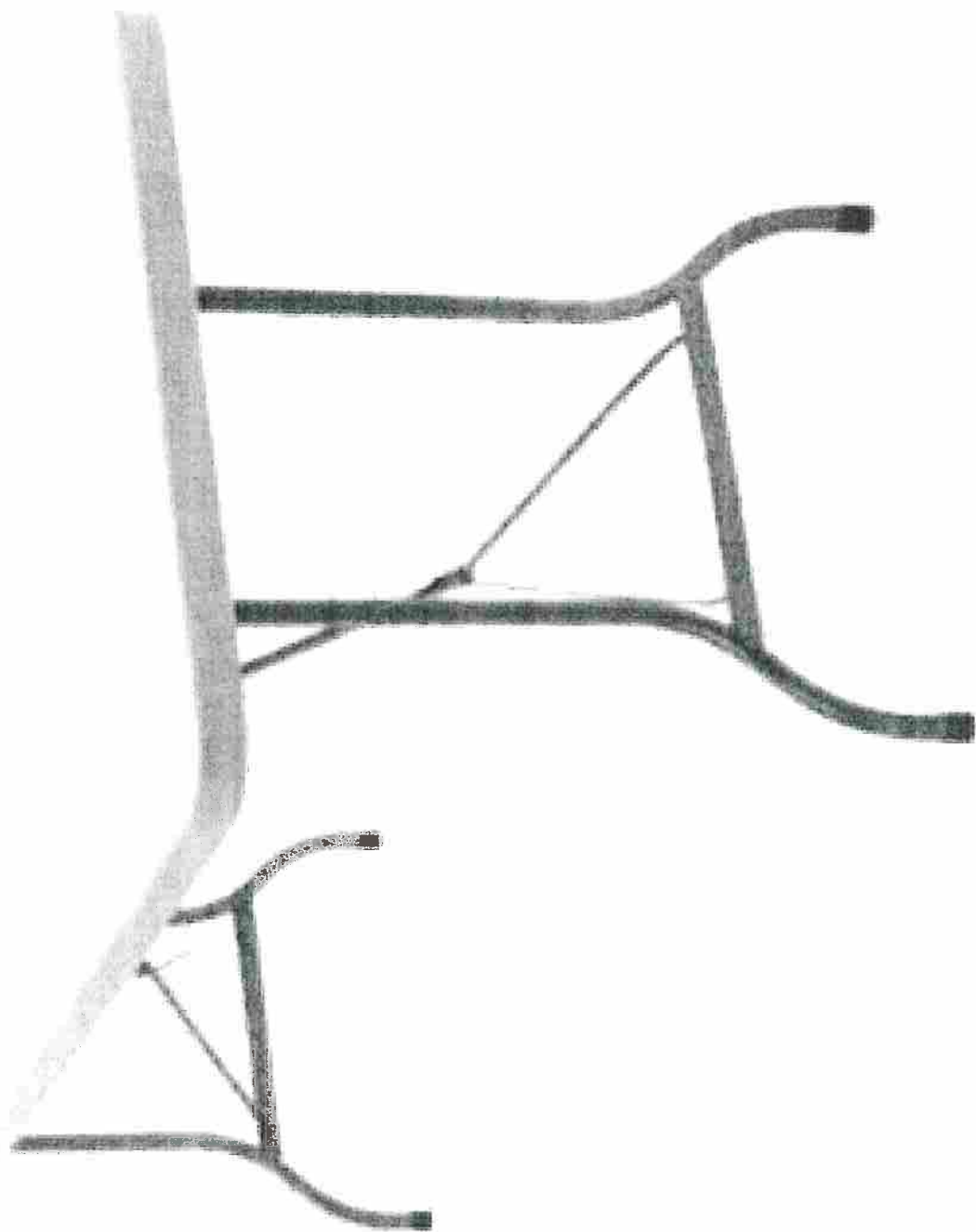
I / We,

- 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><i>[Signature]</i></u></p> <p>Print name: <u>JAWAID IMANZAI</u></p> <p>Date: <u>18/02/2019</u></p> <p>Capacity: <u>OWNER</u></p>
	<p>Applicant 2</p> <p>Signature:</p> <p>Print name:</p> <p>Date:</p> <p>Capacity:</p>

Please read these notes before completing the application form.

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

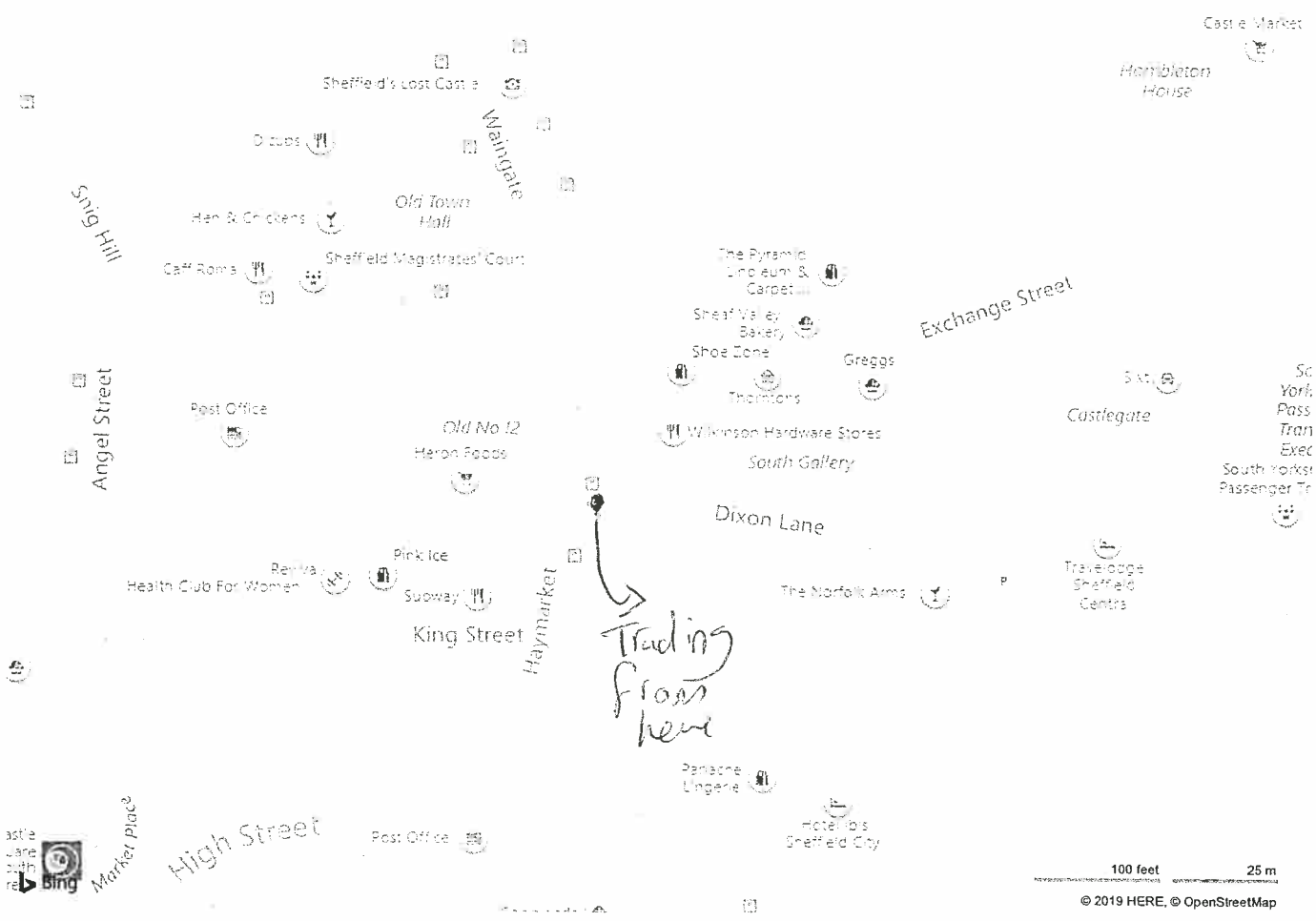
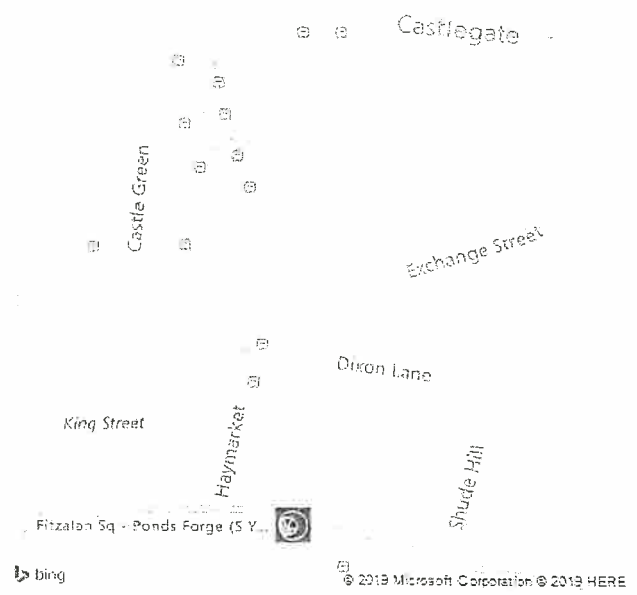
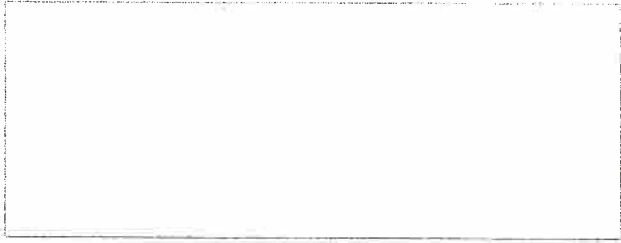


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Notes



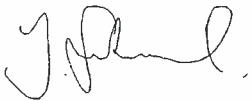
Trading from here

Issue date: 02 January 2019

Simply Business certifies that the information for Jawaid Imanzai shown here is correct, as of the issue date above.

For full policy terms and conditions, please refer to the policy wording document.

Company name	Jawaid Imanzai
Policy number	MABI1950537XB
Trade/Business	Market trader
Public liability	up to £2,000,000
Policy start date	01 February 2019
Policy end date	31 January 2020



Jason Stockwood

Chief Executive Officer, Simply Business

Appendix B

Objection

Crawshaw Michael (CEX)

BI

From: marketsinfo@sheffield.gov.uk
Sent: 14 March 2019 14:09
To: Crawshaw Michael (CEX)
Subject: RE: City Centre - Haymarket

Importance: High

Hi Mick

Markets object to this person having a Street Trading Pitch in this area as we have market pitches at the top of Dixon Lane.

Kind regards

Jean Warwick
Admin. Assistant
Sheffield City Council
Markets Dept.

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

From: Crawshaw Michael (CEX)
Sent: 11 March 2019 10:27
To: marketsinfo@sheffield.gov.uk
Subject: FW: City Centre - Haymarket

Good Morning

we have received a Street Trading Application for Haymarket

Last date for comment 21 March 2019

Mick

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

From: Crawshaw Michael (CEX)
Sent: 26 February 2019 12:27
To: Police Licensing; SYFRlicensing@syfire.gov.uk (SYFRlicensing@syfire.gov.uk); highways@sheffield.gov.uk; planningdc@sheffield.gov.uk; City Centre Management Team
Subject: FW: City Centre - Haymarket

Good Afternoon

Please find the Street Trading City Centre Haymarket outside Wilkinson Jawaid Imanzai

Last date for comment 21 March 2019

Mick

Appendix C

Invites to hearing

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

CI

Street Trading – Static Street Trading Application – Tudor Square

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Jawaid Imanzai

[REDACTED]
Sheffield
[REDACTED]

Email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Dixon Lane

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 16th April 2018** 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

Date: 1st April 2019

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

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

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

C2

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading Application – Tudor Square IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Jean Warwick
Markets Dept
Sheffield City Council

Email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Tudor Square

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.

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Date: 1st April 2019

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Chief Licensing Officer
Head of Licensing

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Telephone 0114 2734264

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Appendix D

Hearing procedures

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

D1

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

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

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

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



SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 16th April 2019

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 Tudor Square 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: 38/19

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Daniel Teng

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a Static Street Trading consent to trade at Tudor Square 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 Daniel Teng copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 13th February 2019.

3.3 The application is to Hot Food and Drinks from a mobile unit

Monday to Friday 11.00 to 19.00

Saturday 10.00 to 19.00

Sunday (spring, summer & Autumn) 10.00 to 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.

3.5 No Objections have been received, but comments have been raised by City Centre Management, re the exact location and trading days. A copy of the comments are attached at Appendix B.

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 and CCM Team has been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'C'.

4.4 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 Tudor Square.
- 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

16th April 2019

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)

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

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

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

C. TRADING DETAILS

Q16	Trading Name (if applicable)	Maydan Chinese Street food
Q17	Trading address (if different from above) Post Code	HOT CHILLI, 62 UPPER ALLEN STREET, SHEFFIELD, S3 7GL
Q18	Site to be occupied	TUDOR SQUARE
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	ASIAN WRAPS/ CREPE AND DESSERTS /
Q20	Please specify preferred days of trade:	MONDAY – FRIDAY SATURDAYS
Q21	Please specify preferred hours of trade:	MONDAY TO FRIDAY – 11AM TO 7PM SATURDAY – 10AM TO 7PM SUNDAY (SPRING, SUMMER, AUTUNM) 10AM TO 7PM

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	FOOD TRAILER
Q20	Size of unit	Height: 2300 Width: 1650 Length: 2800

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 [X]		
		Applicant 2 Yes [] No [X]		
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	

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	

G. DECLARATION


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

A4

“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: DANIEL TENG Date: 13/2/19 Capacity:
Applicant 2 Signature: Print name: Date: Capacity:

Please read these notes before completing the application form.

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



AG



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

Certificate of Compliance



No. 0B170802.SSIDQ78

Certificate's Holder: Shanghai SiLang Industrial Co., Ltd.
 No. 38 Chen Ge Road, Maogang Town, Songjiang District, Shanghai

Certification ECM Mark:



Product: Food Trailer
 Model(s): SL-1, SL-6, SL-6Z, SL-6Y, SL-6T, SL-6X, SL-6Q, SL-6C, SL-6H, SL-9

Verification to: Standard:
 EN ISO 12100:2010,
 EN 60204-1:2006+A1:2009+AC:2010,
 EN 349:1993+A1:2008, EN ISO 14120:2015,
 EN ISO 13857:2008

related to CE Directive(s):
 2006/42/EC (Machinery)

Remark: The product(s) has been verified on a voluntary basis. The product(s) satisfies the requirements of the Certification Mark of ECM, in reference to the above listed Standard(s). The above Compliance Mark can be affixed on the product(s) accordingly to the ECM regulation about its release and its use. The regulation can be found at www.entecerma.it. This Certificate of Compliance can be checked for validity at www.entecerma.it

This verification doesn't imply assessment of the production of the product(s).

Additional information, clarification about the CE Marking:



We attest that a TCF for the CE Marking process is in place. Whereas the Manufacturer is Responsible to start the CE Marking Certification Procedure and to perform all the necessary activities, as required by the Directive before placing the CE Mark on the product(s).

Date of issue 02 August 2017

Expiry date 01 August 2022

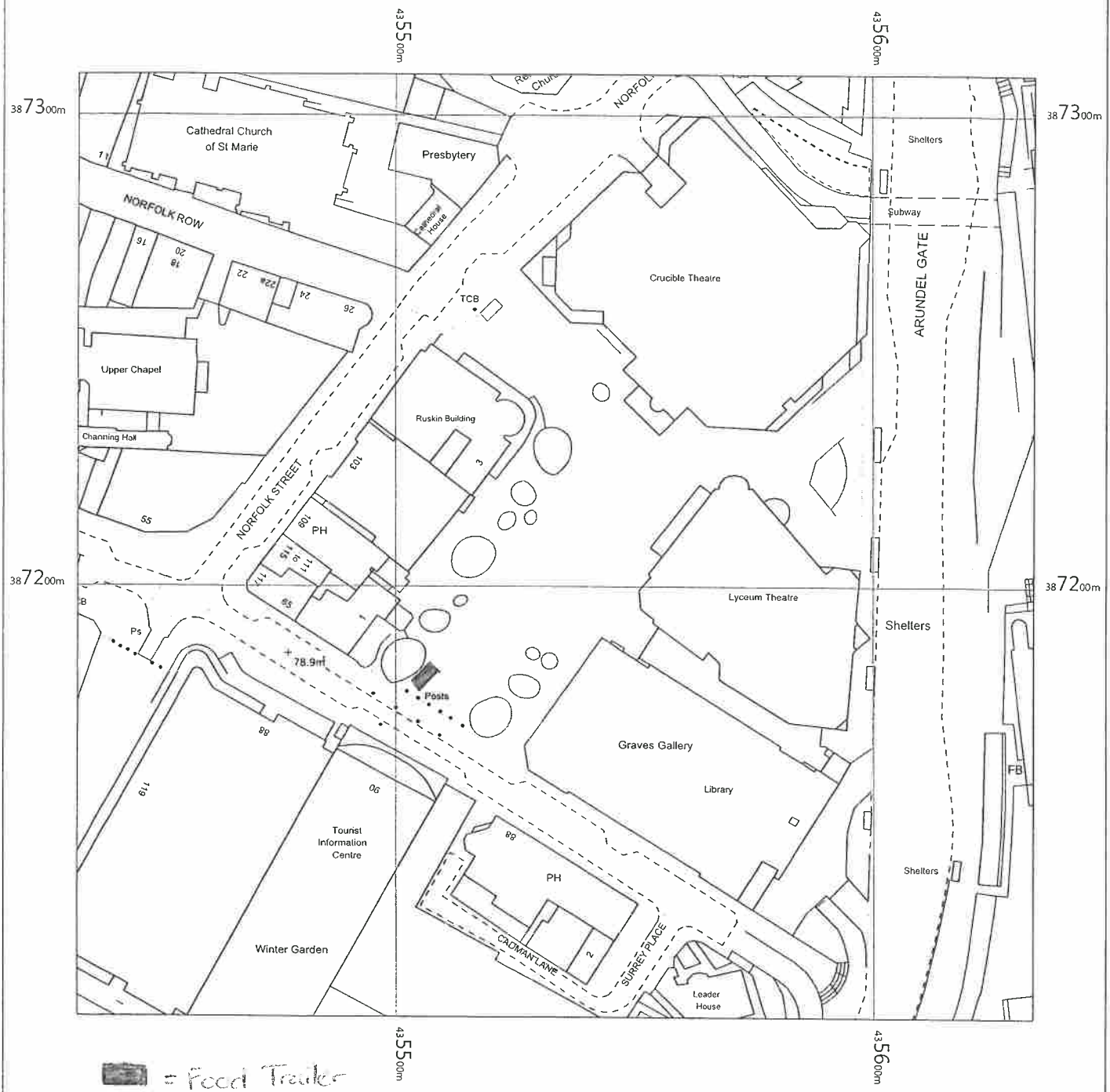
Chief Manager
 Marco Morino




Deputy Manager
 Amanda Payne



Plan (A)



 = Food Trailer Location



Tudor Square
Sheffield
S1 2LA

OS MasterMap 1250/2500/10000 scale
Thursday, February 7, 2019, ID: BW1-00776075
www.blackwellmapping.co.uk

1:1250 scale print at A4, Centre: 435533 E, 387209 N

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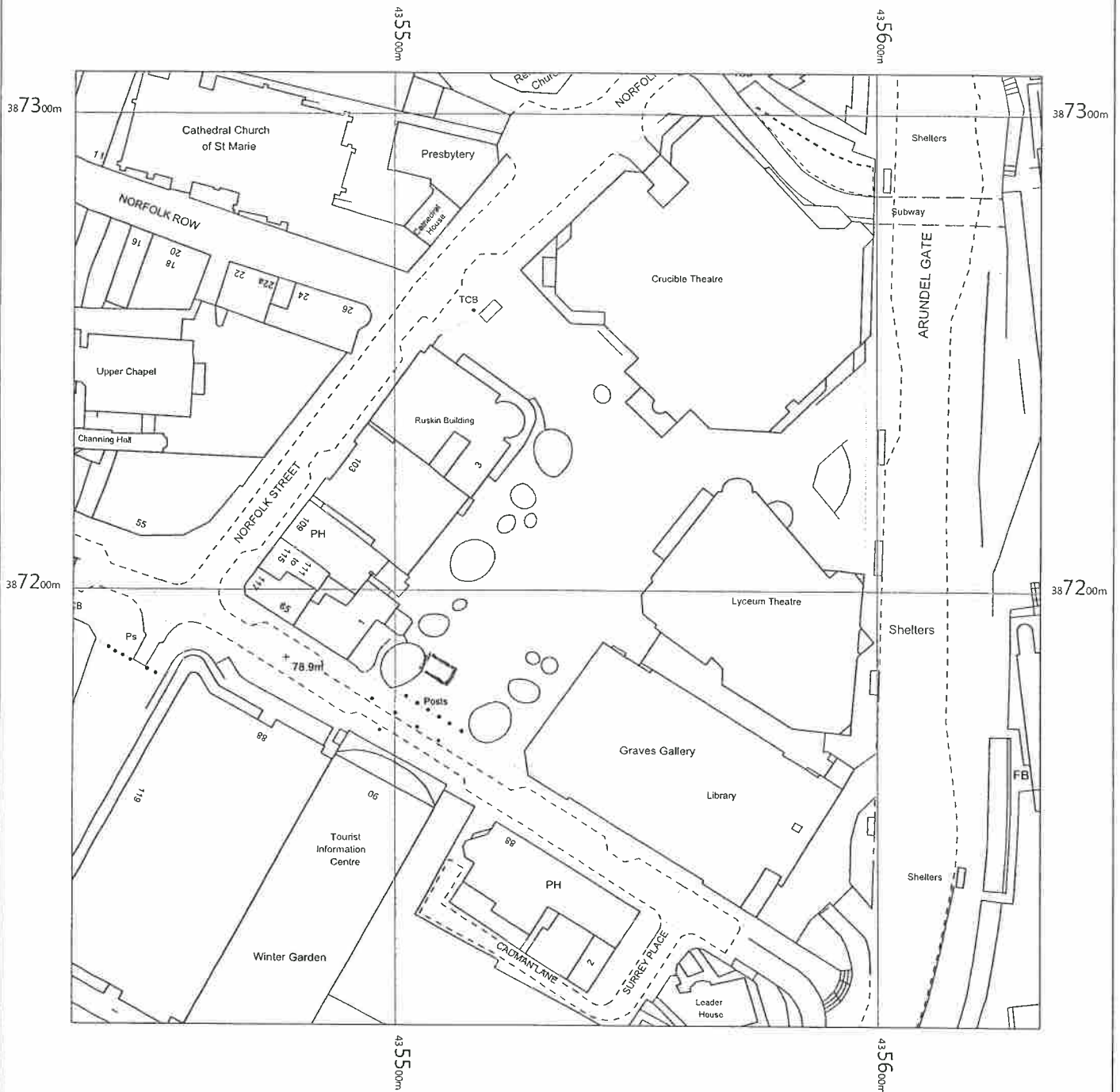


BLACKWELL'S
www.blackwellmapping.co.uk

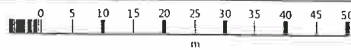
TEL: 0114 268 7658
maps.sheffield@blackwell.co.uk

Plan B

A9



☐ = Food Trailer



Tudor Square
Sheffield
S1 2LA

OS MasterMap 1250/2500/10000 scale
Thursday, February 7, 2019, ID: BW1-00776075
www.blackwellmapping.co.uk

1:1250 scale print at A4, Centre: 435533 E, 387209 N

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BLACKWELL'S
www.blackwellmapping.co.uk

TEL: 0114 268 7658
maps.sheffield@blackwell.co.uk

Appendix B

City Centre
Management comments

BI

Crawshaw Michael (CEX)

From: Wagstaff Natasha
Sent: 26 February 2019 15:56
To: Crawshaw Michael (CEX)
Cc: Gower Angela
Subject: RE: Street Trading City Centre

Hi Mick

As discussed by phone please can you ensure that if/when this consent is granted there is a condition included that they cannot trade for the six week period of the World Snooker Championship. The dates vary slightly each year but would essentially be from early April to mid-May each year. It is part of the city's contract with World Snooker Ltd that the square is given over to their use for the Championships.

Our preference for ease with theatre deliveries and other events that use the square like DocFest and Out Of This World, Half Marathon, etc... would be that the pitch is the existing pitch by the brick planter at the Norfolk St end of the square. This has better footfall at lunchtimes when the busiest trade would be as footfall is much higher on Norfolk St than on Tudor Sq itself.

Hope this all makes sense. Please give me a call if not.

Thanks and best wishes
Natasha

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

From: Crawshaw Michael (CEX)
Sent: 20 February 2019 15:23
To: City Centre Management Team
Subject: FW: Street Trading City Centre

Good Afternoon

Please find Street Trading City Centre for Daniel Teng

Last Date for Comment 13 March 2019

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

B2

Crawshaw Michael (CEX)

From: Gower Angela
Sent: 26 February 2019 16:17
To: Crawshaw Michael (CEX)
Subject: FW: Street Trading City Centre
Attachments: scanned-Crawshaw Michael (CEX)-20190215123455.pdf; Tudor Square - Demarcation line.pdf

Importance: High

Hi Michael

Please note that the space at the top of Tudor Square is a Commercial Consent site (see attached) and we have several bookings for it this year including DocFest who also have their own food stalls and tend have a road closure in place for a couple of weeks.

We would prefer if the trading pitch was sited around the corner, near to Norfolk Street as previous.

Kind regards

Angela

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

From: Crawshaw Michael (CEX)
Sent: 20 February 2019 15:23
To: City Centre Management Team
Subject: FW: Street Trading City Centre

Good Afternoon

Please find Street Trading City Centre for Daniel Teng

Last Date for Comment 13 March 2019

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 C

Invites to hearing

SHEFFIELD CITY COUNCIL

CI

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading Application – Tudor Square

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Daniel Teng
Hot Chilli
62 Upper Allen Street
Sheffield
S3 7GL

Email: 

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Tudor Square

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 16th April 2019** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **11:15 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: 1st April 2019

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

C2

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading Application – Tudor Square IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Natasha Wagstaff
City Centre Management
Town Hall
Sheffield

Email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Tudor Square

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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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

Date: 1st April 2019

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

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

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD
Telephone 0114 2734264

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Appendix D

Hearing procedures

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

DI

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.