

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 23 July 2019

**PRESENT:** Councillors Andy Bainbridge (Chair), Dawn Dale and Ruth Mersereau

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#### **1. APOLOGIES FOR ABSENCE**

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

#### **2. EXCLUSION OF PUBLIC AND PRESS**

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

#### **3. DECLARATIONS OF INTEREST**

- 3.1 There were no declarations of interest.

#### **4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING - STATIC STREET TRADING CONSENT AT BARKER'S POOL, SHEFFIELD CITY CENTRE**

- 4.1 The Chief Licensing Officer submitted a report to consider an application, under the Local Government (Miscellaneous Provisions) Act 1982, for the grant of a Static Street Trading Consent for Barkers Pool, Sheffield City Centre (Ref No. 69/19).
- 4.2 Present at the meeting were Mark McCormick (Applicant), Clive Stephenson (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).
- 4.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.
- 4.4 Clive Stephenson presented the report to the Sub-Committee, reporting that, since the application had been made, the applicants had informed the Licensing Service that they now wished to trade at an alternative site, within the City Centre. Mr Stephenson stated that the application had been referred to the Sub-Committee as the trading unit fell outside the City Centre street trading qualitative criteria due to it being motorised, and that this consideration would still be relevant as the alternative site suggested was still within the City Centre boundary.
- 4.5 Mark McCormick stated that they had traded at Barker's Pool for a

short period, but business had not been very good, therefore they had decided to apply to trade from an alternative site - Leavygreave Road. He stated that the trading vehicle was a vintage Citroen Van, regarding which they had received many compliments from customers. The proposed trading site on Leavygreave Road was approximately 15 metres from the top of Gell Street, and they planned to trade from 08:00 hours to 15:00 hours, resulting in the vehicle being only driven on and off the site.

- 4.6 In response to questions from Members of, and the Solicitor to, the Sub-Committee, Mr McCormick stated that the vehicle's engine would not be running whilst they were trading throughout the day, as it ran on a combination of gel batteries, solar and liquid petroleum gas and consequently, was silent, and did not create any unpleasant fumes. The applicants had spoken to officers in the City Centre Management Team regarding the proposed new trading site, and the Team had not raised any objections. Whilst there would be other outlets selling similar produce within a 800 metres boundary of the trading site, the outlets within the immediate vicinity comprised University buildings, which were generally not open to members of the public.
- 4.7 Clive Stephenson reported on the options available to the Sub-Committee.
- 4.8 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.9 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.10 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.11 RESOLVED: That, following consideration of the information contained in the report now submitted, and the representations now made, the Chief Licensing Officer be granted authority to grant the application for a Static Street Trading Consent for a site on Leavygreave Road (Ref No. 69/19), subject to no objections being received as part of the consultation process.

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