

Licensing Sub-Committee

**Tuesday 10 September 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 Andy Bainbridge (Chair), Douglas Johnson and Joe Otten
Josie Paszek (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
10 SEPTEMBER 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) Act 1982 - Street Trading - City Centre Street Trading Consent**
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: 10th September 2019

Subject: City Centre Static Street Trading

Author of Report: Jayne Gough

Summary: To consider an application to move an existing City Centre Static Street Trading pitch within Peace Gardens – Mr Cuneo and Ms Saqladi

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: 87/19

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Andrew Cuneo & Inqlana Saqladi – to move existing site to the top of Chenny Row outside the Town Hall.

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the grant of a City Centre Static Street Trading consent to trade from an Ice Cream Van at the top of Chenny Row outside the Town Hall, instead of the current location within the Peace Gardens.

2.0 INTRODUCTION

- 2.1 The Council as a Licensing Authority have power under the provision of the 1982 Act to regulate Street Trading in the City.

- 2.2 A Street Trading Consent is required to trade on any Street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.

- 2.3 The Licensing Committee at it's meeting of 29th January 2002 passed the following resolution:

1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
 - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
 - (b) such street trading designation shall take effect as from the 1st April 2002; and
 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.
2. The effect of this resolution is that from 1st April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.

- 2.4 A Local Authority may attach conditions to a Street Trading Consent. The conditions may include conditions to prevent obstruction of the street and danger to persons using the street or nuisance or annoyance.

- 2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.
- 2.6 There is no appeal procedure against the refusal or revocation of any consent. An applicant may, however apply for judicial review of the Council's decision.

3.0 THE APPLICATION

- 3.1 The applicants are Andrew Cuneo and Inglana Saqladi. A copy of the application is attached at Appendix 'A'.
- 3.2 The application was submitted on the 22nd July 2019.
- 3.3 The application is to sell Ice Cream from a traditional style Ice Cream Van as detailed within the application pack in Appendix 'A', in an alternative location to the consent which has already been granted within the Peace Gardens for Mr Cuneo and Ms Saqladi.
- 3.4 The application was circulated, in the usual manner to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways & Planning and the City Centre Management Team.

4.0 REASONS FOR REFERRAL

- 4.1 The application has been referred to the Licensing Sub-Committee as it is for a City Centre site. The Licensing Service have also received representations from the following interested parties:
- Highways
 - City Centre Management

A copy of the representations are attached at Appendix 'B'

- 4.2 The objections refer to issues contained within section 2.8 of our street trading policy. When determining the application, Members are referred to the particular section 2.8.2:
- Public Safety / Highway
 - Avoidance of Public Nuisance
 - Environmental credentials
- 4.3 Members should consider all the information provided by the applicant both in their written application and in person at the hearing.
- 4.4 The applicant and the objectors have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'C'.
- 4.5 A copy of the hearing procedure is attached at Appendix 'D'.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The Street Trading Policy states that fees will be set and reviewed annually on a full cost recovery basis. The level of fee takes into account the location, duration of consent, the trading hours and articles to be sold as well as the enforcement of terms and conditions.
- 5.2 Fees for static consents are determined at the grant of the application therefore there are no financial implications arising from this report.

6.0 RECOMMENDATIONS

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

7.0 OPTIONS OPEN TO THE COMMITTEE

- 7.1 To grant the application for a City Centre Static Street Trading Consent at the top of Chenny Row.
- 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 City Centre Static Street Trading Consent.

Steve Lonnia

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

10th September 2019

Appendix A

Application and relevant documents

22/7/19

A1

Local Government (Miscellaneous Provisions) Act 1982

Application for a STATIC 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 static street trading consent (*delete as appropriate).

A. THE APPLICANT(S)

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

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. THE UNIT / VEHICLE

Q16	Description of unit / vehicle to be used	Whitby Built Soft ice cream van.
Q17	Registration number (if applicable)	DG18 AAF
Q18	Date of first registration (if applicable)	May 2018
Q19	Last MOT and service (if applicable)	
Q20	Size of vehicle	Height: Width: Length:
Q21	Does the vehicle meet the qualitative criteria? Your vehicle will be inspected prior to granting a consent.	Yes.

D. TRADING DETAILS

Q22	Details of site to be occupied	Top of Cherry Row Peace Gardens
Q23	Location of pitch: (include site plan to scale)	

Q25	If private, who owns the land and have you obtained consent from them to use the land to trade?	
Q26	Items to be sold	Ice - Cream & Slush
Q27	Specify days of trade	7 days a week 11am - 7pm
Q28	Specify times of trade (use 24 hours clock e.g. 10:00 to 16:00 hours)	11am - 7pm
Q29	Highways comments attached?	
Q30	Planning comments attached?	

E. CONVICTIONS / CAUTIONS

Q31	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? If the answer is Yes please give full details below:	Applicant 1 Yes [] No [<input checked="" type="checkbox"/>]		
		Applicant 2 Yes [] No [<input checked="" type="checkbox"/>]		
Details of previous convictions and/or cautions				
	Date of Conviction	Court of Conviction	Nature of Offence	Sentence
	Applicant 1			
	Applicant 2			

- 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: [Redacted]</p> <p>Print name: Andrew Cuneo</p> <p>Date: 19/7/19</p> <p>Capacity: Partner</p>
<p>Applicant 2</p> <p>Signature: [Redacted]</p> <p>Print name: Ingiana Saemao</p> <p>Date: 19/7/19</p> <p>Capacity: Partner</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.

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

AS

Crawshaw Michael (CEX)

From: inglana saqladi [REDACTED]
Sent: 19 July 2019 11:47
To: Crawshaw Michael (CEX); highways@sheffield.gov.uk; planningdc@sheffield.gov.uk
Subject: moving van from present site to top of chenny row

to whom it may concern we are applying to the licensing committee to move our ice cream van from our present site at the peace gardens to top of chenny row outside the old toilets . the reason for this it makes access to and form the site a lot safer than having to pass browns bar whom have now decided to place tables and chairs outside on the walk way making it very difficult to access and leave our site . I await your responses . Many thanks Andrew Cuneo





THIS DOCUMENT IS NOT PROOF OF OWNERSHIP.
It shows who is responsible for registering and taxing the vehicle.



Driver & Vehicle
Licensing
Agency

UNITED KINGDOM UK REGISTRATION CERTIFICATE

European Community

СВИДЕТЕЛЬСТВО ЗА РЕГИСТРАЦИЮ
Permiso de circulación
Osvědčení o registraci
Registreringsattest
Zulassungsbescheinigung
Registreerimistunnistus

Άδεια κυκλοφορίας /
Παταροποιητικό Εγγράφη
Certificat d'immatriculation
Teastas Cláraithe
Carta di circolazione
Reģistrācijas apliecība

Registrācijas liudijimas
Forgalmi engedély
Certifikat ta' Registrazzjoni
Kentekenbewijs
Dowód Rejestracyjny
Certificado de matricula

Certificat de immatriculare
Osvedčenie o evidencii
Prometno dovoljenje
Rekisteröintodistus
Registreringsbeviset
Prometna dozvola

1. Registered keeper



You must make sure that the name and address printed here is correct. If it is not, see section 12.

Document reference number



Thinking of buying this vehicle?
Buyer beware...
Do you know how to avoid being tricked into buying a stolen vehicle?
For tips and advice go to www.gov.uk/checks-when-buying-a-used-car



2. The previous registered keeper

[Z.1] NONE;

[Z.2]

[Z]

3. Special notes (these notes cannot be removed)

1. DECLARED NEW AT FIRST REGISTRATION.



This certificate is presented to

Inglana Saqladi

who has successfully completed the training course and assessment in

Food Safety and Hygiene Level 2 (Catering)

This course is designed to meet the national occupational standards and covers:
The Importance of Food Safety and Hygiene • Impact of Food-Borne Illness
• Understanding Food Law • Food Safety Hazards and Contamination
• Food Preservation, Storage and Temperature Control • Personal Hygiene
• Hygienic Premises and Equipment • Hazard Analysis and Critical Control Point System (HACCP)

Date: 22 July 2009

Certificate No: 25850

Signed: *Rosemarie Pearson* Designation: Dr. R.J. Pearson
Dialog Course Director



Authorisation Seal



To verify, telephone 01943 605976



The content of this course has been independently certified as conforming to universally accepted Continuous Professional Development (CPD) guidelines



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www.virtual-college.co.uk | elearning@virtual-college.co.uk

A9



This certificate is presented to

Inglana Saqladi

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• Food Preservation, Storage and Temperature Control • Personal Hygiene
• Hygienic Premises and Equipment • Hazard Analysis and Critical Control Point System (HACCP)

Date: 22 July 2009

Certificate No: 25850

Signed: *Rosemarie Pearson* Designation: Dr. R.J.Pearson
Dialog Course Director



Authorisation Seal



To verify, telephone 01943 605976



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CERTIFICATE OF MOTOR INSURANCE

CERTIFICATE NUMBER 100687295CMI

1 DESCRIPTION OF VEHICLES

Any Private Car belonging to The Policyholder or hired, leased or lent to The Policyholder, EXCLUDING any motor vehicle (1) belonging to or hired, leased or lent to an employee of The Policyholder (2) which is hired or leased to a customer of The Policyholder.

Any Private Car or Goods-carrying Vehicle loaned to The Policyholder by a supplier nominated by the insurer following a claim under the policy. Any other motor vehicle not belonging to The Policyholder nor hired, leased or lent to The Policyholder which is causing an obstruction or otherwise preventing the operation of The Policyholder's business and which is being moved to facilitate the passage of a vehicle.

2 NAME OF POLICYHOLDER

A Cuneo

3 EFFECTIVE DATE OF THE COMMENCEMENT OF INSURANCE FOR THE PURPOSE OF THE RELEVANT LAW

26 June 2019

4 DATE OF EXPIRY OF INSURANCE

25 June 2020

5 PERSONS OR CLASSES OF PERSONS ENTITLED TO DRIVE

The Policyholder or any person driving on The Policyholder's order or with The Policyholder's permission.

Provided that the person driving holds a licence to drive the vehicle or has held and is not disqualified from holding or obtaining such a licence.

6 LIMITATIONS AS TO USE

- (a) Use for social, domestic and pleasure purposes.
- (b) Use for The Policyholder's business.

EXCLUSIONS

The policy does not cover use

- for the carriage of passengers for hire or reward.
- in any competition, trial, performance test, race or trial of speed, including off-roads events, whether between motor vehicles or otherwise, and irrespective of whether this takes place on any circuit or track, formed or otherwise, and regardless of any statutory authorisation of any such events
- whilst drawing a greater number of trailers than is permitted by law
- to secure the release of any motor vehicle which has been seized by or on behalf of any government or public authority which was not the property of The Policyholder or in his custody or control at the time of seizure.

I hereby certify that the policy to which this Certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland, the Isle of Man, the Island of Guernsey, the Island of Jersey and the Island of Alderney.

Signed on behalf of:
Aviva Insurance Limited
(Authorised Insurer)



(Authorised Signatory)
Andy Briggs
Chief Executive Officer, UK Insurance

Note: For full details of the insurance cover reference should be made to the policy.
Advice to Third Parties: Nothing contained in this Certificate affects your right as a Third Party to make a claim.
This Certificate is not transferable.

Aviva Insurance Limited, Registered in Scotland, No. 2116. Registered Office: Pitheavlis, Perth PH2 0NH.
Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.

AN

CERTIFICATE OF EMPLOYERS' LIABILITY INSURANCE

Where required by Regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998 (the Regulations), one or more copies of this certificate must be displayed at each place of business at which the Insured employs persons covered by the policy. In addition, in accordance with Regulation 4 of the Regulations the Insured must, on expiry, keep this certificate, or a copy thereof, for a period of 40 years from the commencement date of this certificate. (ii)

Policy No: ZI/000322

Name of Insured (i): A Cuneo & I Saqladi T/As Cuneos Ices

Date of Commencement of Insurance: 10/03/2019

Date of Expiry of Insurance: 09/03/2020

We hereby certify that subject to paragraph 2:

1. the policy to which this certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland or to offshore installations in any waters outside the United Kingdom to which Employers' Liability (Compulsory Insurance) Act 1969 or any amending primary legislation applies.
2. the minimum amount of cover provided by this certificate is no less than £10,000,000



Signed on behalf of the Insurers
Gary Humphreys
For Authorised Insurers

- (i) Where the employer is a company to which regulation 3(2) of the Regulations applies, the certificate shall state in a prominent place, either that the policy covers the holding company and all its subsidiaries, or that the policy covers the holding company and all its subsidiaries except any specifically excluded by name, or that the policy covers the holding company and only named subsidiaries
- (ii) Although Regulation 4(4) has now been repealed, businesses should, as a matter of best practice, continue to retain certificates for 40 years after the commencement of cover.

Zenith Insurance Plc. is regulated by the Gibraltar Financial Services Commission and subject to a limited regulation by the Financial Conduct Authority and the Prudential Regulation Authority in respect of underwriting business in the UK (No.211787) 846-848 Europort, Gibraltar. QJC Europe Limited is authorised and regulated by the Malta Financial Services Authority (MFSA) to carry on general insurance business in terms of the Malta Insurance Business Act 1998 and subject to limited regulation by the UK Financial Conduct Authority and the Prudential Regulation Authority in respect of underwriting business in the UK (No.659521) No.7 4th Floor, Block C, Skyway Offices, 179 Marina Street, Pieta, PTA 9042, Malta.

AMZ

Liability Complete – Schedule of insurance
Arranged by Mobilisers Insurance Services
A trading name of Insurance Factory Limited
Haden House, 19 Waterfall Lane Trading Estate, Cradley Heath, B64 6PU

Policy Number ZI/000322
Name and Address of Insured A Cuneo & I Saqladi T/As Cuneos Ices
Cuneos Ices
[Redacted]
Period of Insurance 10/03/2019 to 09/03/2020

Limits of indemnity

Section 1: Employers Liability £10,000,000
any one occurrence or series of occurrences arising out of one cause
Section 2: Public Liability £5,000,000*
any one accident or series of accidents arising out of one event
Section 3: Products Liability £5,000,000*
in the aggregate and in any one period of insurance
Pollution and Contamination £5,000,000*
in the aggregate any one period of insurance

* increasing to £10,000,000 where stipulated under contract or regulatory requirement

Section 2 and 3 combined

Excess (Section 2/3) £250.00 each and every property damage claim
Declared Occupation Ice Cream Sales / Specialist Vehicle
Declared Employees 0-10
Declared Seating Capacity 1-20
Declared Turnover £200,000

Premium £270.00 inclusive of IPT at the current rate
Arrangement Fee £25.00

Total Premium £295.00

Underwritten by Zenith Insurance Plc. and/or its co-insurers whose names and addresses are available on request.

Zenith Insurance Plc. is regulated by the Gibraltar Financial Services Commission and subject to a limited regulation by the Financial Conduct Authority and the Prudential Regulation Authority in respect of underwriting business in the UK (No.211787) 846-848 Europort, Gibraltar. CFC Europe Limited is authorised and regulated by the Malta Financial Services Authority (MFSA) to carry on general insurance business in terms of the Malta Insurance Business Act, 1998 and subject to limited regulation by the UK Financial Conduct Authority and the Prudential Regulation Authority in respect of underwriting business in the UK (No.659521) No.7, 4th Floor, Block C, Skyway Offices, 179 Marina Street, Pleta, PTA 9042, Malta.

Several Liabilities Notice

The obligations of Zenith Insurance Plc. and its co-insurers under contracts of insurance to which they subscribe are several and not joint and are limited solely to the extent of each insurers individual subscription. If one of the insurer does not for any reason satisfy all or part of its obligations the other insurers will not be responsible for the defaulting insurer's obligations.

Appendix B

**Interested Party Representations:
Highways
City Centre Management**



Crawshaw Michael (CEX)

From: Turner Paul (DEL-H/Way Regs)
Sent: 19 July 2019 12:38
To: 'inglana saqladi'
Cc: Crawshaw Michael (CEX); highways@sheffield.gov.uk; planningdc@sheffield.gov.uk; City Centre Management Team
Subject: RE: moving van from present site to top of chenny row
Attachments: Cheney Row.bmp; Cheney Row - Highway Plan.bmp

Dear Mr Cuneo,

Further to your e-mail below I attach for clarity a copy of the Highway Record plan and a Street View of the area at the top of Cheney Row that you refer to.

As can be seen, the extent of Public Highway is to the drainage channel shown on the street image. For legal and pedestrian safety reasons no vehicle should be parked on the Highway footway.

The Highway Record plan also shows the extent of Public Highway which are the yellow areas. The uncoloured areas are not part of the Highway and in the case of the area at the top of Cheney Row falls under the control of the City Centre Management Team.

They may have concerns if you were parked on the Peace Gardens land, near to the top of the steps or closer to the old toilets because of the amount of pedestrians who frequent the Peace Gardens.

In addition to this we (the Highway Authority) would have concerns since in order to access the area that you are applying to use, your vehicle would have to mount the Highway footway and at some stage would have to drive across and/or along it which is illegal.

Again for legal and pedestrian safety reasons we could not authorise this.

Regards

Paul Turner
 Highway Licences
 Strategic Transport and Infrastructure
 City Growth Department
 Sheffield City Council
 Room G36, Town Hall
 Sheffield
 S1 2HH

Tel 0114 2736137
paul.turner@sheffield.gov.uk
www.sheffield.gov.uk

From: inglana saqladi [REDACTED]
Sent: 19 July 2019 11:47
To: Crawshaw Michael (CEX); highways@sheffield.gov.uk; planningdc@sheffield.gov.uk
Subject: moving van from present site to top of chenny row

to whom it may concern we are applying to the licensing committee to move our ice cream van from our present site at the peace gardens to top of chenny row, outside the old toilets . the reason for this it makes

access to and from the site a lot safer than having to pass Browns bar whom have now decided to place tables and chairs outside on the walk way making it very difficult to access and leave our site . I await your responses . Many thanks Andrew Cuneo

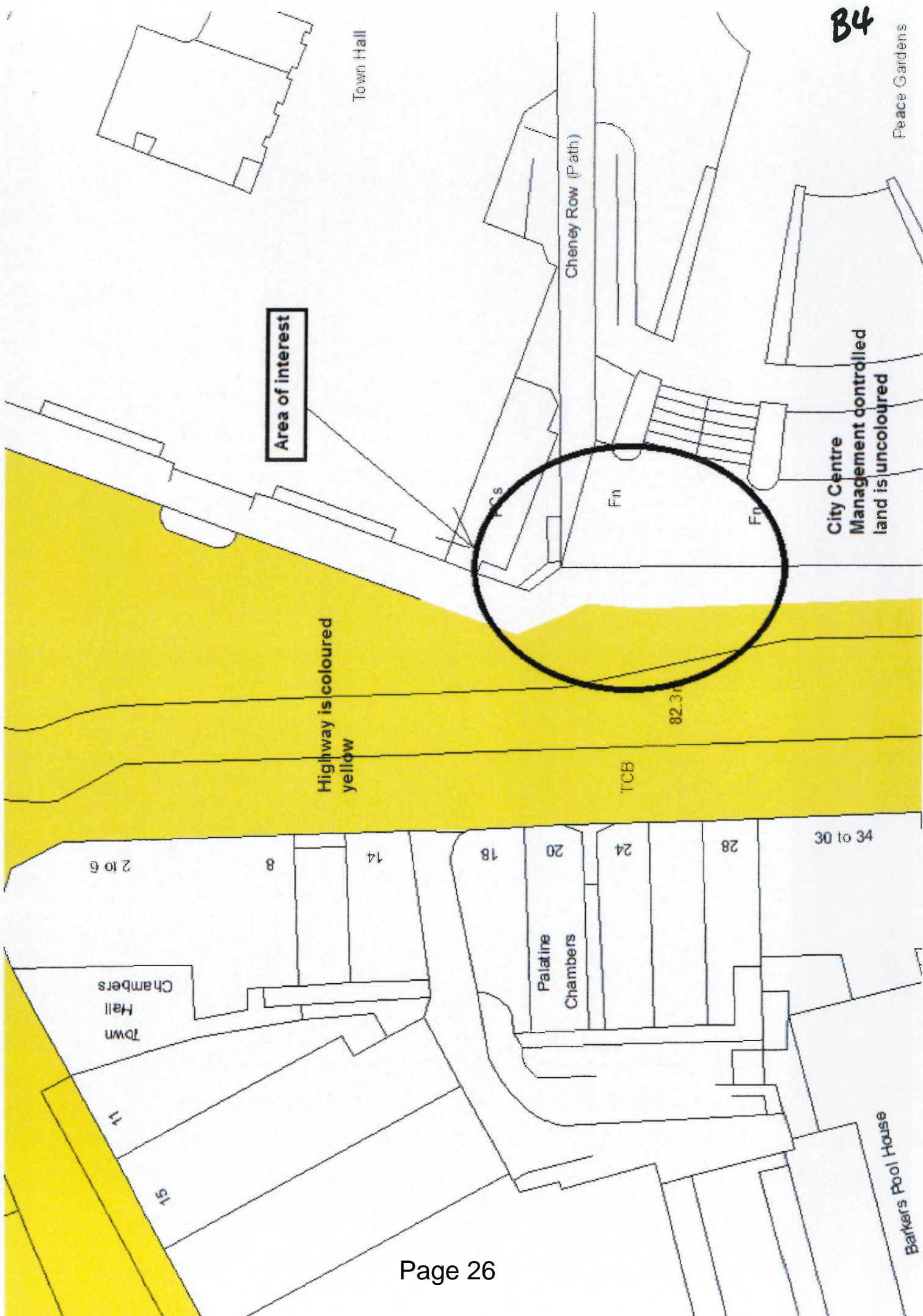
The metal drainage channel is the extent of the Public Highway

Public Highway carriageway

Public Highway footway

Pinstone St





Area of interest

Highway is coloured yellow

82.31

TCB

City Centre Management controlled land is uncoloured

Peace Gardens

Crawshaw Michael (CEX)

From: Turner Paul (DEL-H/Way Regs)
Sent: 25 July 2019 09:25
To: Crawshaw Michael (CEX)
Cc: highways@sheffield.gov.uk; Police (Sheffield.Liquor-Licensing@southyorks.pnn.police.uk); SYFRlicensing@syfire.gov.uk (SYFRlicensing@syfire.gov.uk) (SYFRlicensing@syfire.gov.uk); planningdc@sheffield.gov.uk; Seneviratne Nalin (CEX); City Centre Management Team
Subject: RE: Street Trading - City Centre

Mick,

Copy of information already sent to Mr Cuneo following my consultations with other Council Teams :-

Dear Mr Cuneo,

- As can be seen, the extent of Public Highway is to the drainage channel shown on the street image. For legal and pedestrian safety reasons no vehicle should be parked on the Highway footway.
- The Highway Record plan also shows the extent of Public Highway which are the yellow areas. The uncoloured areas are not part of the Highway and in the case of the area at the top of Cheney Row falls under the control of the City Centre Management Team.
- They may have concerns if you were parked on the Peace Gardens land, near to the top of the steps or closer to the old toilets because of the amount of pedestrians who frequent the Peace Gardens.
- In addition to this we (the Highway Authority) would have concerns since in order to access the area that you are applying to use, your vehicle would have to mount the Highway footway and at some stage would have to drive across and/or along it which is illegal.
- Again for legal and pedestrian safety reasons we could not authorise this.
- The issue regarding access is with Brown's keeping to their agreed Licensed seating area which does not include the pedestrian walkway of St Paul's Parade. Mr Cuneo would then easily pass without issue as he has been doing for the past 12 years. This is being pursued by the General Licensing Service who issue and regulate Street Café Licence areas.
- Access to Mr Cuneo's current spot is not an ongoing problem and any issues are isolated, we would not want to see the van at the corner of the Town Hall for all the reasons stated, we have previously allowed Mr Cuneo to change to an Ice Cream Van from the agreed unit to ease access. From our perspective it would adversely affect space used for events and markets such as the upcoming Beach event and Christmas markets which will have units in that space, it would also have a serious impact on weddings which exit the Town Hall in that area to utilise the Peace Gardens, the back drop of the Town Hall is not an appropriate location for an ice cream van.
- Public Safety measures are shortly to be undertaken in the area.

I trust that the above additional information further explains why permission cannot be granted for you to trade from the end of Cheney Row

Regards

Paul Turner
Highway Licences
Strategic Transport and Infrastructure
City Growth Department
Sheffield City Council
Room G36, Town Hall
Sheffield
S1 2HH

Tel 0114 2736137
paul.turner@sheffield.gov.uk
www.sheffield.gov.uk

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

From: Crawshaw Michael (CEX)
Sent: 23 July 2019 15:57
To: Police Licensing; SYFRlicensing@syfire.gov.uk (SYFRlicensing@syfire.gov.uk); highways@sheffield.gov.uk; planningdc@sheffield.gov.uk; Seneviratne Nalin (CEX); City Centre Management Team
Subject: FW: Street Trading - City Centre

Good Afternoon

Please find Street Trading Application for City Centre

Andre Cuneo & Ingiana saqladi - To move sites to Top of Chenny Row Peace Gardens

Last Date for Comment 19 August 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

Crawshaw Michael (CEX)

From: Cooper Steve (DEL)
Sent: 22 July 2019 08:14
To: Turner Paul (DEL-H/Way Regs)
Cc: Clayton Robert; licensingservice; Gower Angela; Wagstaff Natasha
Subject: RE: moving van from present site to top of chenny row

All,

Access to his current spot is not an ongoing problem and any issues are isolated ,we would not want to see the van at the corner of the Town Hall for all the reasons stated previously by Paul and Rob, we have previously allowed Mr Cuneo to change to an Ice Cream Van from the agreed unit to ease access.

From our perspective it would adversely affect space used for events and markets such as the upcoming Beach event and Christmas markets which will have units in that space , it would also have a serious impact on weddings which exit the Town Hall in that area to utilise the Peace Gardens , the back drop of the Town Hall is not an appropriate location for an ice cream van.

Regards

Steve

Steve Cooper
City Centre Resources Manager
City Centre Management Team
Sheffield City Council
Moor Market Management suite
77 The Moor
Sheffield
S1 4PF
01142736832
07971750722

From: Turner Paul (DEL-H/Way Regs)
Sent: 22 July 2019 07:52
To: Gower Angela
Cc: Cooper Steve (DEL); Clayton Robert; licensingservice
Subject: RE: moving van from present site to top of chenny row

Morning Angela,

Thanks for the information.

Looks like one for Licensing Service (copied in) to sort out with Browns for the breach of conditions of their Café Licence.

Having said that, no vehicles should be driving up the Highway footway of St Paul's Parade.

Apart from the pedestrian and traffic safety issues that we have with Mr Cuneo's proposal to trade at the end of Cheney Row we have the eventual installation of anti-terrorism measures in the area (dates not yet known).

Best Regards, Paul

Paul Turner
Highway Licences
Strategic Transport and Infrastructure
City Growth Department
Sheffield City Council
Room G36, Town Hall
Sheffield
S1 2HH

Tel 0114 2736137
paul.turner@sheffield.gov.uk
www.sheffield.gov.uk

From: Gower Angela
Sent: 19 July 2019 15:32
To: Turner Paul (DEL-H/Way Regs)
Cc: Cooper Steve (DEL)
Subject: RE: moving van from present site to top of chenny row

Hi Paul

Steve will probably respond on Monday, as he's not in this afternoon. I think this is more of an issue with Brown's keeping to their agreed Licensed area which does not include the pedestrian walkway. Mr Cuneo would then easily pass without issue as he has been doing for the past 12 years.

Kind regards

Angela

From: Cassim Kath **On Behalf Of** City Centre Management Team
Sent: 19 July 2019 15:19
To: Gower Angela; Cooper Steve (DEL)
Subject: FW: moving van from present site to top of chenny row

From: Turner Paul (DEL-H/Way Regs)
Sent: 19 July 2019 14:55
To: City Centre Management Team
Cc: licensingservice; Clayton Robert; highways@sheffield.gov.uk
Subject: FW: moving van from present site to top of chenny row

Dear City Centre Management,

I copied you in to my earlier e-mail with attachments in response to Mr Cuneo applying to trade with his Ice Cream van near to the old Town Hall toilets on Pinstone Street.

With regard to Mr Cuneo's response below can you let me have your comments please bearing in mind the location and presence of pedestrians.

The only dropped kerb on Pinstone Street near to the end of Cheney Row is a Tactile pedestrian access. This may be ok for controlled events but on a regular day to day trading licence I have clear concerns of an van crossing this pavement.

Regards

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 Sheffield City Council
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 S1 2HH

Tel 0114 2736137
 paul.turner@sheffield.gov.uk
 www.sheffield.gov.uk

From: inglana saqladi [REDACTED]
Sent: 19 July 2019 14:40
To: Turner Paul (DEL-H/Way Regs)
Subject: Re: moving van from present site to top of chenny row

Paul Turner, good afternoon we already trade in the peace gardens with a van and have done for the past twelve years . There is already drop kerbs for vehicle access which they use all the time day as we see them every day when we park our van in the peace gardens , As do the fairground , traders and council workers and delivery vehicles . So I can't understand why there is a objection , why are we any different infact we will be parked in this place over the weekend for the tramlines event . We were also parked there for the past 3 weeks for different events and have done for the past ten years for events . Many thanks Andrew Cuneo

From: Turner Paul (DEL-H/Way Regs) <Paul.Turner@sheffield.gov.uk>
Sent: 19 July 2019 12:37:43
To: 'inglana saqladi'
Cc: Crawshaw Michael (CEX); highways@sheffield.gov.uk; planningdc@sheffield.gov.uk; City Centre Management Team
Subject: RE: moving van from present site to top of chenny row

Dear Mr Cuneo,

Further to your e-mail below I attach for clarity a copy of the Highway Record plan and a Street View of the area at the top of Cheney Row that you refer to.

As can be seen, the extent of Public Highway is to the drainage channel shown on the street image. For legal and pedestrian safety reasons no vehicle should be parked on the Highway footway.

The Highway Record plan also shows the extent of Public Highway which are the yellow areas. The uncoloured areas are not part of the Highway and in the case of the area at the top of Cheney Row falls under the control of the City Centre Management Team.

They may have concerns if you were parked on the Peace Gardens land, near to the top of the steps or closer to the old toilets because of the amount of pedestrians who frequent the Peace Gardens.

In addition to this we (the Highway Authority) would have concerns since in order to access the area that you are applying to use, your vehicle would have to mount the Highway footway and at some stage would have to drive across and/or along it which is illegal.

Again for legal and pedestrian safety reasons we could not authorise this.

Regards

Paul Turner
Highway Licences
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City Growth Department
Sheffield City Council
Room G36, Town Hall
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S1 2HH

Tel 0114 2736137
paul.turner@sheffield.gov.uk
www.sheffield.gov.uk

From: inglana saqladi [mailto: [REDACTED]]
Sent: 19 July 2019 11:47
To: Crawshaw Michael (CEX); highways@sheffield.gov.uk; planningdc@sheffield.gov.uk
Subject: moving van from present site to top of chenny row

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Appendix C

Hearing invitations

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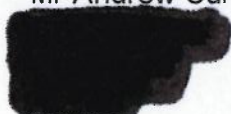
SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre Static Street Trading Application – top of Chenny Row

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Andrew Cuneo & Ms Inqlana Saqladi



Sent via email



LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: City Centre Street Trading Consent – top of Chenny Row

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 10th September 2019** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **10am**.

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.

Date: 23rd August 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

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre Static Street Trading Application – top of Chenny Row

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Steve Cooper
City Centre Resources Manager
City Centre Management Team
Sheffield City Council

Sent via email: steve.cooper@sheffield.gov.uk

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: City Centre Street Trading Consent – top of Chenny Row

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

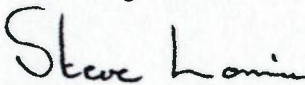
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SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre Static Street Trading Application – top of Chenny Row

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Paul Turner
Highways Licences
Strategic Transport and Infrastructure
Sheffield City Council

Sent via email: paul.turner@sheffield.gov.uk

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: City Centre Street Trading Consent – top of Chenny Row

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

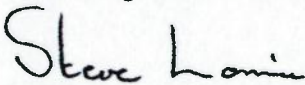
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Date: 23rd August 2019

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Steve Lonnia
Chief Licensing Officer
Head of Licensing

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Telephone 0114 2734264

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Appendix D

Hearing procedures

SUB-COMMITTEE HEARING PROCEDURE

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

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

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