

# **Licensing Sub-Committee**

**Tuesday 21 July 2020 at 2.00 pm**

**To be held as an online video conference**

**The Press and Public are Welcome to Attend**

## **Membership**

**Councillors Andy Bainbridge (Chair), Douglas Johnson and Joe Otten  
Josie Paszek (Reserve)**

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## **PUBLIC ACCESS TO THE MEETING**

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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](http://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](mailto:john.turner@sheffield.gov.uk)

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## **FACILITIES**

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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.

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**LICENSING SUB-COMMITTEE AGENDA  
21 JULY 2020**

**Order of Business**

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- 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. Licensing Act 2003 - Adam's Local Lowedges Ltd, 32 Lowedges Road, Sheffield, S8 7LB**  
Report of the Chief Licensing Officer
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading - City Centre Static Street Trading Consent**  
Report of the Chief Licensing Officer

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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.

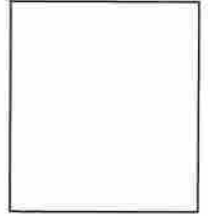
Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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## **SHEFFIELD CITY COUNCIL Licensing Sub Committee Report**



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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 21<sup>st</sup> July 2020 – 2pm via Zoom

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**Subject:** Licensing Act 2003

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**Author of Report:** Jayne Gough

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

**Adam's Local Lowedges Ltd, 32 Lowedges Road, Sheffield, S8 7LB**

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

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**Background Papers:** Attached documents

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**Category of Report:** OPEN

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

**Ref No 53/20**

**Adam's Local Lowedges Ltd, 32 Lowedges Road, Sheffield, S8 7LB**

**1.0 PURPOSE OF REPORT**

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

**2.0 THE APPLICATION**

2.1 The application was submitted by JL Licence and Retail on behalf of the applicant Mr Mohammed Brahim.

2.2 The application was received by the Licensing Service on 28<sup>th</sup> May 2020, and is attached to this report at Appendix 'A'.

**3.0 REASONS FOR REFERRAL**

3.1 This premises was previously licensed as 'Adam's Express'. On the 11<sup>th</sup> October 2019 Trading Standards submitted an application to Review the premises licence due to the selling of illicit and counterfeit cigarettes and tobacco on a historical basis. This application was supported by Sheffield Children's Safeguarding Partnership, South Yorkshire Police, the Department for Public Health and the Licensing Service. The Licensing Sub-Committee determined to revoke the premises licence which subsequently came into effect on the 17<sup>th</sup> December 2019 after no appeal was submitted.

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

- Trading Standards, Sheffield City Council

3.3 It is noted by Trading Standards that Mr Brahim was named in the investigation in relation to the sale of illicit and counterfeit tobacco at the premises leading to the subsequent revocation of the previous premises licence, and that alcohol continued to be sold at the premises after the revocation had taken effect by Mr Brahim over the Christmas period. They therefore have a significant element of concern regarding Mr Brahim's previous involvement at the premises when the counterfeit tobacco sales had taken place in conjunction with recent unauthorised licensable activity at the premises.

3.4 The applicant and objector who made a written representation have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'C'

**4.0 POLICIES TO CONSIDER**

4.1 Sheffield City Council Statement of Licensing Policy. In particular, the crime and disorder policy around the sale of illicit goods and the wider strategies - 'Action Plan to Protect Communities from the Harm associated with Illegal Tobacco and Alcohol 2012-2015' where the aim is to improve the health of the population of Sheffield by reducing the availability and supply of illegal tobacco and alcohol and to reduce health inequalities associated with

this.

## **5.0 FINANCIAL IMPLICATIONS**

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

## **6.0 THE LEGAL POSITION**

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

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

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

## **7.0 HEARINGS REGULATIONS**

7.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

7.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'C'.

7.3 Attached at Appendix 'C' is the following: -

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

## **8.0 APPEALS**

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

## **9.0 RECOMMENDATIONS**

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

## **10.0 OPTIONS OPEN TO THE COMMITTEE**

10.1 To grant the premises licence in the terms requested.

10.2 To grant the premises licence with conditions.

10.3 To reject the whole or part of the application.



Stephen Lonnia  
Chief Licensing Officer  
Head of Licensing

Date: 21<sup>st</sup> July 2020.

# Appendix 'A'

Application



\* required information

### Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Address**

\* Building number or name   
\* Street   
District   
\* City or town   
County or administrative area   
\* Postcode   
\* Country

122a College Rd  
Roxeton  
S60 1JF  
see email  
28/9/20.

**Agent Details**

\* First name   
\* Family name   
\* E-mail   
Main telephone number   
Other telephone number

include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No  
Is your business registered outside the UK?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Business name   
VAT number    
Legal status   
Your position in the business   
Home country

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	77
Street	WOMACK GARDENS
District	
City or town	ST HELENS
County or administrative area	MERSEYSIDE
Postcode	WA9 5UY
Country	United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	ADAMS LOCAL LOW EDGES LTD
Street	32 LOW EDGES ROAD
District	
City or town	SHEFFIELD
County or administrative area	
Postcode	S8 7LB
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	4,550



**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21**

**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes                       No

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	1 VICTORIA MEWS
Street	HIGH STREET
District	LYMINGTON
City or town	SHEFFIELD
County or administrative area	
Postcode	S041 9FT
Country	United Kingdom

122a College Rd  
Rotherham  
S60 1JF  
for email  
25/1/20

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	ijrushy@hotmail.com
Telephone number	07909 511953
Other telephone number	
* Date of birth	21 / 03 / 1978 dd mm yyyy
* Nationality	BRITISH CITIZEN
Right to work share code	

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

### Section 5 of 21

#### OPERATING SCHEDULE

When do you want the premises licence to start? 26 / 06 / 2020  
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  
dd / mm / yyyy

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

THIS IS A SMALL AND WELL-ESTABLISHED GENERAL CONVENIENCE STORE SERVING THE LOCAL COMMUNITY SELLING A RANGE OF GOODS SUCH AS NEWSPAPERS, MAGAZINES, BREAD, DAIRY, SWEETS, CIGARETTES, SOFT DRINKS, ETC.

THE PROPOSED ALCOHOL SALES WOULD JUST BE A PART OF THE OVERALL BUSINESS TO OFFER CUSTOMERS THE COMPLETE ALL-ROUND CONVENIENCE SERVICE.

THE SHOP HAS HELD A LICENCE PREVIOUSLY AND THE APPLICANT IS AWARE OF THE PREVIOUS HISTORY OF THE SHOP.

DISCUSSIONS WITH THE POLICE, TRADING STANDARDS AND THE LICENSING AUTHORITY HAVE BEEN CARRIED OUT PRIOR TO SUBMITTING THE APPLICATION.

THE SHOP (WITH A LICENCE) WOULD BE WELL MANAGED AND A COMPREHENSIVE AND ROBUST OPERATING SCHEDULE IS PROPOSED TO PROMOTE THE LICENSING OBJECTIVES.

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

#### Section 6 of 21

##### PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

#### Section 7 of 21

##### PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Continued from previous page...

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

Continued from previous page...

Name

First name

Family name

Date of birth  /  /   
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

122a (above rd).  
Rotherham  
S60 1JF  
see email  
25/5/2020.

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Continued from previous page...

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.



*Continued from previous page...*

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**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

SEE ATTACHED

b) The prevention of crime and disorder

SEE ATTACHED

c) Public safety

SEE ATTACHED

d) The prevention of public nuisance

SEE ATTACHED

e) The protection of children from harm

SEE ATTACHED

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**



*Continued from previous page...*

Entitlement to **work/immigration** status for **individual** applicants and applications from **partnerships which are not limited liability partnerships**:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is **currently** allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can **currently** stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### **Section 20 of 21**

#### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

### DECLARATION

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name   
\* Capacity   
\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/sheffield/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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Licensing Act 2003

Designated Premises Supervisor – consent form

I, **MOHAMMED BRAHIM**  
(full name of prospective premises supervisor)

Of ~~1-VICTORIA MEWS, HIGH STREET, LYMINGTON, SHEFFIELD S041 9FT~~  
(home address of prospective premises supervisor)

122a College Rd, Rotherham, S60 1JF  
see email  
25/5/2020

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

**NEW PREMISES LICENCE APPLICATION**

by **MOHAMMED BRAHIM** (name of applicant)

Relating to premises licence number **NEW** for

**ADAMS LOCAL LOWESEDGES LTD, 32 LOWEDGES ROAD, SHEFFIELD, S8 7LB**  
(name and address of premises to which this application relates)

And any premises licence to be granted or varied in respect of this application made by

**MOHAMMED BRAHIM** (name of applicant) concerning the supply of alcohol at

**ADAMS LOCAL LOWEDGES LTD, 32 LOWEDGES ROAD, SHEFFIELD, S8 7LB**  
(name and address of premises to which this application relates)

I also confirm that I am entitled to work in the United Kingdom and currently hold a personal licence, details of which I set out below.

**Personal licence number RM3102**

**Issuing Authority ROTHERHAM**  
(name, address and telephone number of the Authority who issued the personal licence, if any)

Signed.  .....

**Name (print) MOHAMMED BRAHIM**

**Date 6/5/2020 Date of birth 21/3/1978**



## Application for a new premises licence

Adams Local Low Edges Ltd, 32 Lowedges Road, Sheffield S8 7LB

### Operating schedule/proposed licence conditions

#### Prevention of crime and disorder

A CCTV camera system capable of providing evidential quality images in all lighting conditions shall be used. The cameras shall cover the interior of the shop including where the sale of alcohol occurs, and the immediate exterior (entrance) of the shop.

Recorded images will be retained for a period of at least 28 days and be made available to the Police and other authorised officers upon request within a reasonable time period.

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder (PLH) and/or another named responsible individual.

An incident log shall be kept at the premises. The log records will be retained for a period of at least 12 months from the date it occurred, and shall be made available on request to the Police or an authorised officer. The log shall record incidents such as any incidents of disorder witnessed by staff, crimes reported to the premises, etc.

Spirits will be kept behind the counter.

The premises shall operate a strict alcohol refusals policy - alcohol will not be sold to;

- (1) Any person recognised or identified as a street drinker (regardless of their level of inebriation at the time);
- (2) Any person found to be drinking alcohol in the street;
- (3) Any person who is drunk or appears to be drunk;
- (4) Any person suspected of trying to buy alcohol for another person who is drunk or appears to be drunk;
- (5) Any person unable to provide valid ID when requested by staff;
- (6) Any person who is verbally or physically aggressive towards staff or customers.

(7) To any person suspected of trying to buy alcohol for another person(s) who may **be** under age.

A notice advising **customers** of the refusals policy shall be on display.

A recruitment procedure will be in place which includes the steps that will be taken by the licence holder to check the immigration status and the eligibility of an individual to work in the UK in accordance with the Home Office Guidance for employers on preventing illegal working in the UK.

'Crimestoppers' promotional material will be on display to promote the initiative.

Receipts/invoices for tobacco products available for sale and /or stored on the premises shall be retained for a minimum period of 6 months, and be made available upon reasonable request by the Police, Customs, or other authorised officers within a reasonable period. .

### **Public safety**

Appropriate fire safety equipment to be available, and the PLH shall comply with other legislative requirements to ensure that the shop is safe for customers and staff.

### **Prevention of public nuisance**

Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of, any litter from the premises.

Prominent, clear and legible signage shall be displayed at the entrance/exit asking customers to leave the premises quietly.

Staff shall monitor the immediate exterior of the premises and use their best endeavours to disperse any persons who appear to be congregating outside the premises.

Deliveries to the premises will be arranged so as not to cause will not lead to any public nuisance.

### **Protection of children from harm**

The premises shall operate a Challenge 25 Policy.

Anyone who appears to be under 25 years old who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID or a **PASS** accredited proof of age cards.

Signage advising customers of the Challenge 25 policy shall be displayed within the shop.

Staff selling alcohol shall be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop available for inspection.

A staff training scheme shall be used for all staff authorised to sell alcohol. The training will be based on the Alcohol Information sheet provided by Sheffield City Council Trading Standards (and/or other training documents as appropriate), and will emphasise the importance of preventing under age sales and complying with licence conditions. Refresher training will be provided every 12 months, records will be kept and be made available to responsible authorities.

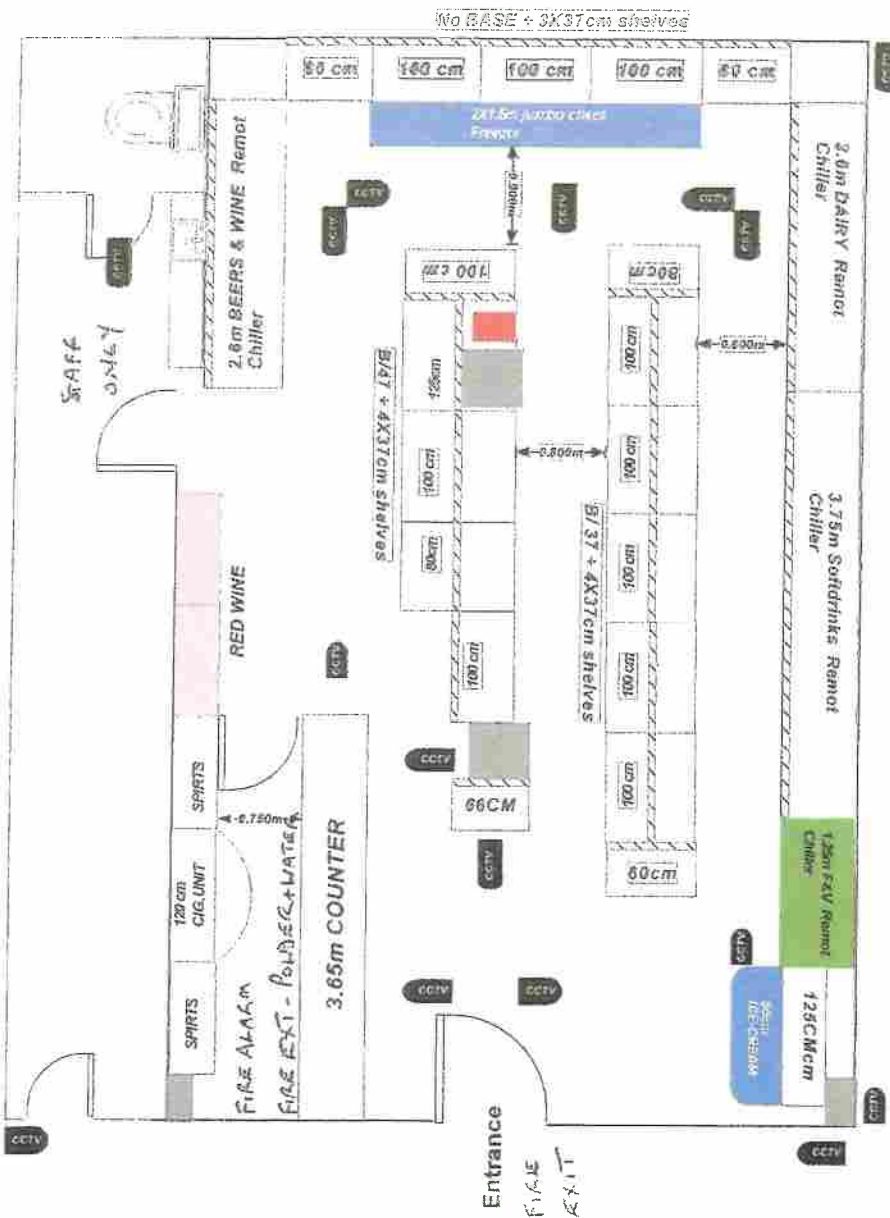
A refusals register will be maintained and be made available for inspection upon reasonable request. Records shall include the date and time of the refusal, the product(s) that the young person attempted to buy or the reason for refusal/ejection, a physical description of the customer and any other significant comments

Notices shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.

A due diligence checklist (aimed at preventing any underage sales) will be kept and be made available for inspection by the Police and other authorised persons.

**NOTE TO RESPONSIBLE AUTHORITIES - IF YOU HAVE ANY QUERIES OR COMMENTS ON THESE PROPOSALS, PLEASE CONTACT IAN RUSHTON ON 07909 511953 OR BY EMAIL [ijrushy@hotmail.com](mailto:ijrushy@hotmail.com) TO DISCUSS FURTHER - PRIOR TO MAKING ANY REPRESENTATIONS.**





"ADAM'S EXPRESS"  
 Client: Mr. ADAM MOHAMMED  
 32 Lowedges Road  
 Sheffield  
 S8 7LB  
 Tel: 07754427575

Project Designer: Jay	
Project Contact: 0142426912 - 07912012777	
Project # #1081087b	WO# 1:50
Date: 10/03/2010	Rev. Date:



# Appendix 'B'

**Objection:**  
Trading Standards, Sheffield City Council

**Trading Standards' Representations in respect of application by Mohammed Brahim for Premises Licence at 32 Lowedges Road Sheffield S8 7LB**

Trading Standards in its capacity as a Responsible Authority under The Licensing Act is in receipt of an application by Mohammed Brahim for a Premises Licence at 32 Lowedges Road Sheffield S87LB.

Trading Standards does have serious concerns about this application which follows its dealings at this premise in relation to the sale of illegal tobacco and Mr Brahim's association with it. Accordingly, it makes its representations under the licensing objective, The Prevention of Crime and Disorder and is concerned offences will continue to be committed if Mr Brahim is granted a Premises Licence for this premise.

**Background**

Sheffield has a considerable problem with the supply of cheap illegal tobacco. A significant number of irresponsible retailers will buy cigarettes and/or hand rolling tobacco from itinerant traders or criminal gangs in the full knowledge they are illegal, be it smuggled, stolen, counterfeit or simply not intended and thus non compliance with UK laws. In doing so, these people have no regard to the ultimate consumer's health, the lost duty or distortion of the market place and the unfair commercial advantage gained over legitimate competitors.

**Adam's Express 32 Lowedges Road**

On 11 October 2019 Trading Standards submitted an application to review the premises licence for this premise. At the time Adam Ali Mohammed was recorded as the Premise Licence Holder and Designated Premises Supervisor. This was because counterfeit and other illegal cigarettes and Hand Rolling Tobacco had been supplied from this premise over a considerable period of time and on inspection had been deliberately concealed to avoid detection.

Mr Mohammed was interviewed under caution on 23 November 2018. He said he had had nothing to do with the running of the business since 2016 when Mr Oliver Horvath took over and added, until being contacted by Trading Standards, he had not realised he was still the Premises Licence Holder and Designated Premises Supervisor. At that interview he was advised he still had responsibilities under The Licensing Act but could relinquish these by either surrendering the Premises Licence to The Council or the Licence could be transferred to someone involved in the running of the premise. He failed to do so but test purchases of illegal tobacco continued into 2019 and another seizure of illegal tobacco was made at the shop six days after the Review papers had been served.

### **Adams Local Lowedges Limited**

Before the Application to submit a review was made Mr Brahim set up a limited company with a company name of Adams Local Lowedges Ltd. This was on 9 July 2019. He became and still is at the time of submitting this representation the sole director. The Registered Office address has always been at the shop, 32 Lowedges Road, Sheffield.

### **Mr Brahim's applications to Sheffield City Council in 2019**

On 4 November 2019 Mr Brahim applied to have the Premises Licence transferred to him. On the application, he sought the transfer to take immediate effect. He gave his then current residential address as 2 Victoria Mews Lymington SO41 9FT. Mr Adam Ali Mohamed gave his consent. There was no application to transfer the DPS.

This application was rejected because no evidence was supplied to show he had permission to work in the UK.

On 2 December 2019 (the Premises Licence having been revoked on 26 November) another application was made by Mr Brahim to transfer the premises licence. He sought the transfer to take immediate effect. He gave his current residential address as 1 Victoria Mews, High St. Lymington SO41 9FT.

At the same time on 2 December he also applied to vary the premises licence to specify himself as the Designated Premises Supervisor. He marked the box on the application indicating he would like this to take immediate effect. At the end of that form the "postal address for correspondence associated with this application" was given as "1 Victoria Mews High St Lymington SO41 9FT". On the form "consent of individual to being specified as premises supervisor" he gave his home address as 1 Victoria Mews high St Lymington SO41 9FT. He identified the premises to which the application relates as "32 LOWEDGES ROAD SHEFFIELD S8 7LB ADAMS LOCAL LOWEDGES LTD". On the section about his Personal Licence the handwritten entry (in a different person's hand) states "RM3102" as the personal licence number and the issuing authority as "ROTHERHAM METROPOLITAN BOROUGH COUNCIL, MALTBY LEISURE AND SERVICE CENTRE, CUSTOMER SERVICE CENTRE, BRAITHWELL ROAD MALTBY, S66 8JE"

These applications were not rejected as all sections had been completed

### **Review for Premises Licence of Adams Express**

The hearing for the Trading Standards' application to review the Premises Licence was heard on 25<sup>th</sup> November 2019. No one from the premise attended. The decision of the Licensing Sub Committee was to revoke the licence. The Premise Licence Holder was notified of their decision and his appeal rights, which stated in the absence of an appeal, the premises would no longer be able to sell alcohol as of 18 December 2019. No appeal was made.



Since Mr Brahim had applied for the Premises Licence to be transferred with immediate effect on 2<sup>nd</sup> December he was able to sell alcohol until the decision to revoke the licence took effect.

#### **Alcohol supplied after 18 December 2019**

It is understood Licensing Enforcement Officers visited the shop on 3<sup>rd</sup> January 2020 where alcohol was still being sold. Mr Brahim was advised there was no Premise Licence in existence and warned not to sell alcohol unless one was granted in the future. A further visit made a week later indicated no alcohol to be for sale.

#### **New application made on 28 May 2020**

A new application was made on Mr Brahim's behalf on 28 May. That application gave Mr Brahim's address as "1 Victoria Mews, High Street Lymington Sheffield SO41 9FT". It also gave his Personal Licence number as RM3102 and the issuing Authority as "Rotherham". It is understood Sheffield licensing as part of its initial checks challenged this address and an address of "122A College Road Rotherham" was given. Rotherham MDC confirmed this as the address they were given by Mr Brahim.

#### **Trading Standards Concerns**

Mr Brahim set up Adams Local Lowedges Ltd on 9<sup>th</sup> July 2019 after which offences relating to tobacco continued to be committed.

The Registered Office address and address for correspondence to Mr Brahim supplied to Companies House has always been at 32 Lowedges Road.

All three applications made by Mr Brahim gave addresses in Lymington in the New Forest Hampshire some 240 miles away from the shop. Yet a Personal Licence was obtained from Rotherham MDC with an address of 122A college Road Rotherham given. Their records show one lady at that address and she has been there since March 2019 to date. Mr Brahim does not appear to have ever lived at this address.

At the time of submitting this representation Trading Standards are awaiting further information from Rotherham MDC about his Personal licence.

Alcohol continued to be sold over the Christmas period after the decision to revoke the Premise Licence had taken effect.

Trading Standards is concerned there is a revolving door of apparently different ownerships of the business at this address, whilst at the same time illegal tobacco continues to be sold, thereby preventing effective enforcement.

## Chronology - Summary of events to assist with Time Lines

- 2 February 2016** - Adams Local Ltd formed – Oliver Horath –sole director
- 22 February 2018** – Trading Standards Test purchase – sale of illegal tobacco
- 10 July 2018** - Trading Standards Test purchase – sale of illegal tobacco
- 26 September 2018** -Trading Standards Test purchase – sale of illegal tobacco
- 15 October 2018** – Trading Standards seizure of illegal tobacco
- 23 November 2018** – PACE interview Adam Ali Mohammed PLH&DPS- claimed no involvement since 2016 but continued as PLH& DPS
- 24 April 2019** - Trading Standards Test purchase – sale of illegal tobacco
- 9 July 2019** – Adams Local Lowedges Ltd formed – Mohammed Brahim sole director. Registered Office & Correspondence address at 32 Lowedges Road
- 4 September 2019** - Trading Standards Test purchase – sale of illegal tobacco
- 11 October 2019** – Trading Standards Review submitted
- 17 October 2019** - Trading Standards & HMRC visit and seize concealed illegal tobacco
- 4 November 2019** – Mohammed Brahim submitted transfer of Premise Licence but not transfer of DPS. Rejected as incomplete. Address given in Lymington Hampshire
- 25 November 2019** – TS review hearing. Licensing Sub-Committee revoked licence
- 2 December 2019** – Mohammed Brahim submitted application to transfer licence and DPS to himself. Address given in Lymington Hampshire
- 18 December 2019** – No appeal against decision to revoke licence so LSC’s decision was effective so no alcohol could now be sold
- 3 January 2020** – alcohol still being sold
- 28 May 2020** – new application for Premises Licence submitted. Address given in Lymington Hampshire but added the word “Sheffield”. Later “clarified” to be 122A College Road In Rotherham.

Submitted By

Bill Masini

Trading Standards Officer, Sheffield City Council

# Appendix 'C'

## Hearing Notices and Regulations



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

Mr Bill Masini  
Trading Standards, Sheffield City Council

Sent via email: [bill.masini@sheffield.gov.uk](mailto:bill.masini@sheffield.gov.uk)

The Sheffield City Council being the licensing authority, on the 28<sup>th</sup> May 2020, received an application in respect of the premises known as;

**Adam's Local Lowedges Ltd, 32 Lowedges Road, Sheffield, S8 7LB**

During the consultation period, the Council received representations from the following authority / interested party:

- **Trading Standards, Sheffield City Council**

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

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held virtually via ZOOM, on the **Tuesday 21st July at 2pm**; following which the Council will issue a notice of determination of the application.

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

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

- 1) The representation you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

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

Dated: 6<sup>th</sup> July 2020

Signed: **Jayne Gough**  
The officer appointed for this purpose  
Licensing Strategy and Policy Officer

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



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

Mr Mohammed Brahim  
c/o Ian Rushton, JL Licence and Retail

Sent via email: [ijrushton@hotmail.com](mailto:ijrushton@hotmail.com)

The Sheffield City Council being the licensing authority, on the 28<sup>th</sup> May 2020, received an application in respect of the premises known as;

**Adam's Local Lowedges Ltd, 32 Lowedges Road, Sheffield, S8 7LB**

During the consultation period, the Council received representations from the following authority / interested party:

- **Trading Standards, Sheffield City Council**

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

The Council now GIVES YOU NOTICE that the review will be considered at a hearing to be held virtually via ZOOM, on the **Tuesday 21st July at 2pm**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 6<sup>th</sup> July 2020

Signed: **Jayne Gough**  
The officer appointed for this purpose  
Licensing Strategy and Policy Officer

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

## NOTES

### Right of attendance, assistance and representation

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

### Representations and supporting information

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

### Failure of parties to attend the hearing

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

### Procedure at hearing

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

**Notice of actions following receipt of notice of hearing**

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

I Mr Mohammed Brahim, c/o Ian Rushton – JL Licence and Retail

hereby confirm that I have received the Notice of Hearing dated 6<sup>th</sup> July 2020 and notify you as follows **(please complete)**:

I intend to attend the virtual hearing via ZOOM on 21<sup>st</sup> July 2020 at 2pm.

I do not intend to attend the hearing.

I intend to be represented at the hearing by: .....

I consider the hearing to be unnecessary because: .....

.....

I request that .....should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: ..... Signed.....

Please see Regulation 8 overleaf

Please complete this form and return it to:  
Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

[licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)



## Regulation 8

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
  - (a) whether he intends to attend or be represented at the hearing;
  - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.

(3) In the case of a hearing under –

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

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

(4) In the case of a hearing under –

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

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

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

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

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

1. The hearing before the Council is Quasi Judicial.
  2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
  3. The Chair will ask the applicants to formally introduce themselves.
  4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
  5. Hearing Procedure:-
    - (a) The Licensing Officer will introduce the report.
    - (b) Questions concerning the report can be asked both by Members and the applicant.
    - (c) The Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
    - (d) Members may ask questions of those parties
    - (e) With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
    - (f) The applicant/licensee (or his/her nominated representative) will then be asked to:-
      - (i) detail the application;
      - (ii) provide clarification on the application and respond to the representations made.
    - (g) The applicant/licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
    - (h) The applicant will then be given the opportunity to sum up the application.
    - (i) The Licensing Officer will then detail the options.
    - (j) There will then be a private session for members to take legal advice and consider the application.
  6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
  - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

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## SHEFFIELD CITY COUNCIL Committee Report

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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 21<sup>st</sup> July 2020 – 3:30pm via Zoom

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**Subject:** Street Trading  
Application for a City Centre Static Street Trading Consent

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**Author of Report:** Jayne Gough

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**Summary:** To consider an application for a City Centre Static Street Trading Consent for an Ice Cream Van at the top of Howard Street

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**Background Papers:** As attached  
[Street Trading Policy](#)

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**Category of Report:** OPEN

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

**REF No: 58/20**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**STREET TRADING – Angela Heath and Peter Devoti – top of Howard Street, City Centre**

**1.0 PURPOSE OF REPORT**

1.1 To consider an application for the grant of a Static Street Trading consent to trade an Ice Cream Van in the City Centre at the top Howard Street (as per map provided within application pack).

**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 29<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 Angela Heath and Peter Devoti. A copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on the 2nd March 2020.

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' at the top of Howard Street in the City Centre.

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

3.5 An objection was received from the City Centre Management Team due to there being an existing street trader already in situ on Howard Street, and that the Ice Cream Van does not meet the City Centre Qualitative Criteria to trade within the 'Gold Route' as a main arrival point into the City Centre. Comments were also received from Parking Services and Highways advising that the proposed site is within a Pedestrianised area, and that there is a 'No Waiting and Permit Holders Only' restriction on vehicles in the surrounding area.

### **4.0 REASONS FOR REFERRAL**

4.1 The application has been referred to the Licensing Sub - Committee for their consideration as it is a City Centre site, and the Licensing Authority received a representation against the application from the following parties:-

- City Centre Management Team

A copy of the representation and supporting comments are attached at Appendix 'B'

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

- Number of Street Trading Consents (section a)
- Appearance of Unit (section a)

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

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

4.6 A copy of the Sheffield City Council's Street Trading Policy is attached at Appendix 'E'.

## **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 on the top of Howard Street.
- 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 and Chief Licensing Officer  
Block C Staniforth Road Depot  
Staniforth Road  
Sheffield  
S9 3HD

21<sup>st</sup> July 2020



# Appendix A

Application and Relevant Documents

# Appendix B

City Centre Management Objection  
Parking Services Comments

# Appendix C

Hearing Notices

# Appendix D

Hearing Procedures

# Appendix E

Sheffield City Council Street Trading Policy

**LOCAL GOVERNMENT (MISCELLANEOUS  
PROVISIONS) ACT 1982**

LICENSING

02 MAR 2020

SERVICES

**STREET TRADING CONSENTS  
CITY CENTRE STREET TRADING**

**APPLICATION FORM AND GUIDANCE**

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

Telephone Number: 0114 2734264

Or visit our website: [www.sheffield.gov.uk/licensing](http://www.sheffield.gov.uk/licensing)  
Or email us at: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

**Opening Times**

**Monday to Friday**

**10am to 4pm**

Local Government (Miscellaneous Provisions) Act 1982

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



**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)	
Q17	Trading address (if different from above) Post Code	
Q18	Site to be occupied	Howard Street
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	Ice cream lollipops Soft drinks
Q20	Please specify preferred days of trade:	Mon to Sun.
Q21	Please specify preferred hours of trade:	10am - 6pm.

**D. THE UNIT**

Q19	Type: eg barrow / cart, etc.	Ice Cream Van.
Q20	Size of unit	Height: 2.5m Width: 2m Length: 5m

### 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 [✓]
<b>Details of previous convictions and/or cautions</b>				
	<b>Date of Conviction</b>	<b>Court of Conviction</b>	<b>Nature of Offence</b>	<b>Sentence</b>
	Applicant 1			
	Applicant 2			

### F. CHECK LIST

The following documents must be attached with this application:

(tick)

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

### WARNING

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

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

I / We,

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

<b>Applicant 1</b>	[REDACTED]
Signature: .....	[REDACTED]
Print name: .....	A. HEATH
Date: .....	25.2.2020
Capacity: .....	[REDACTED]
<b>Applicant 2</b>	[REDACTED]
Signature: .....	[REDACTED]
Print name: .....	PETER DEVOTTI
Date: .....	
Capacity: .....	

Please read these notes before completing the application form.

- If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.
- The Council is under no obligation whatsoever to grant a consent to any person; you will be notified of the result of this application, as soon as possible.

### Privacy Notice – Street Trading

#### How we will use your information

The information provided to us will be used to help us process your application.

Your personal data is processed under a contract to which you are party to through your application for a licence (as per Article 6(1)(b) of the General Data Protection Regulation). In terms of special category data, your information is processed as it is necessary for the performance of a task carried out in the public interest (as per Article 9(2)(g) of the General Data Protection Regulation).

Your application will be processed in line with the following pieces of legislation:

- Local Government (Miscellaneous Provisions) Act 1982

#### Who we will share your information with

We may share your information with the following third parties in order to inform decision making:

- South Yorkshire Police
- South Yorkshire Fire and Rescue
- Sheffield City Council Planning Department
- Sheffield City Council City Centre Management Team
- Sheffield City Council Highways Department
- Sheffield City Council Safety Advisory Group (SAG)
- Sheffield City Council Food Hygiene Department
- Sheffield City Council Health Protection
- Sheffield City Council Park and Countryside Service
- Other Local Authorities relevant to your application
- Other Council Services

#### How long we will keep your information

The information you provide will be kept for the duration of your licence, plus six years, after which time it will be deleted.

The information will be stored either in paper form and/or electronically on a secure council database.

#### What are your rights

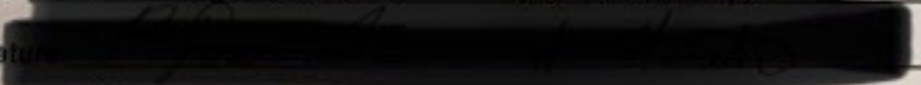
You have rights under Data Protection law. For further details about your rights, the contact details of our Data Protection Officer and your rights to make a complaint please see our Data Protection web page:

<https://www.sheffield.gov.uk/privacy>

If you do not have access to the internet, please contact us and we will be able to provide paper versions of the information you require.

I have read and understood the information provided in this form and understand my personal information will be used in the processing of my application and/or request.

Name: P. DEVOTI A. HEATH

Signature: 

Date: 2.3.20



**Sheffield City Council**  
**CITY CENTRE STREET TRADING**  
**Small Trading Stalls**

**BACKGROUND**

Street activities are an essential ingredient of a vibrant and lively city, and in Sheffield there is a strong demand for legitimate small scale trading pitches. They also offer an opportunity for small businesses to get started with relatively modest outlay.

The widening of footways offers the opportunity to designate more pitches in locations that will add to the attractiveness of the City Centre. In Orchard Square and Meadowhall 'Barrow' style stalls are used extensively, enhancing the colour and vitality of those places.

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

**QUALITATIVE CRITERIA – SMALL TRADING STALLS**

**GENERAL DESIGN**

- There will be no motorised vehicles or stalls etc. permitted as part of this scheme.
- All barrows/handcarts must be capable of being moved on and off site by hand and any vehicles used to bring the barrows/handcarts to the site must be parked, loaded and unloaded off site.
- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailer reputation.
- It is in the best interest of traders to produce a high quality design in their barrows/handcarts. The function of the stall is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness and order in their operation. The barrow/stall contributes to the appearance of the street for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Sign writing and scrollwork must be finished to a standard acceptable to the City Council.
- The unit must be visually acceptable to the City Council (this will include the Head of Licensing, City Centre Manager and Planning Service) and be in keeping with the street/area that it is to be located.
- Advertisements on stalls will not be permitted except by permission of the Council in writing

and subject to further conditions. The Council shall be the sole judge of what is an acceptable advertisement.

- The Council will reserve the right to not renew any consent where it considers the product(s) offered by the operator are not in keeping with the requirements of the site and the promotion of the City Centre.
- Non functional elements attached to barrows / handcarts, are not acceptable.
- The general design of the barrow/handcart must meet the requirements of the Council for that location.
- Flame retardant 'skirts' are to be used if necessary, so as to obscure the frame, gas bottle etc. They should be designed to 'unify' the barrow/handcart.
- All equipment, tools, gas bottles etc. must be self contained within the stall/handcart etc.
- Bright colours and a sense of fun are encouraged.
- Finished in flame retardant paint.
- A colour photograph or scale illustration of the proposed handcart must be submitted to the Licensing Service as part of the application process.
- No barrow/handcart should have a frontage greater than 3.0 metres or a width greater than 2.0metre.
- Roofs should be no more than 2.5m above ground level.
- Pitched and curved roofs are encouraged.
- Canopies should be high quality with a feeling of 'permanence'. These could be manufactured from either stretched canvas, or woven material, opaque or light metal materials. Clear plastic awning and extensions to the canopy will not be acceptable.
- Canopies must be maintained and cleaned to a high standard.
- Food traders must ensure that any stall design satisfies the requirement of food safety legislation. Staff must be adequately trained in good hygiene (Basic Food Hygiene Certificate and regular on going training) and records of training must be made available on request.
- Best practise of food hygiene must be adopted by the operator. This covers:
  - Personal hygiene
  - Hand washing
  - Ill health
  - Prevention of contamination
  - Temperature control
  - Temperature monitoring
  - Cleaning
  - Storage and stock rotation
  - Procedures in the event of freezer breakdown
  - Site cleanliness
  - Waste disposal
  - Pest control
  - Quality control
  - First aid facilities
- Food traders must have a minimum food hygiene rating score of 3.

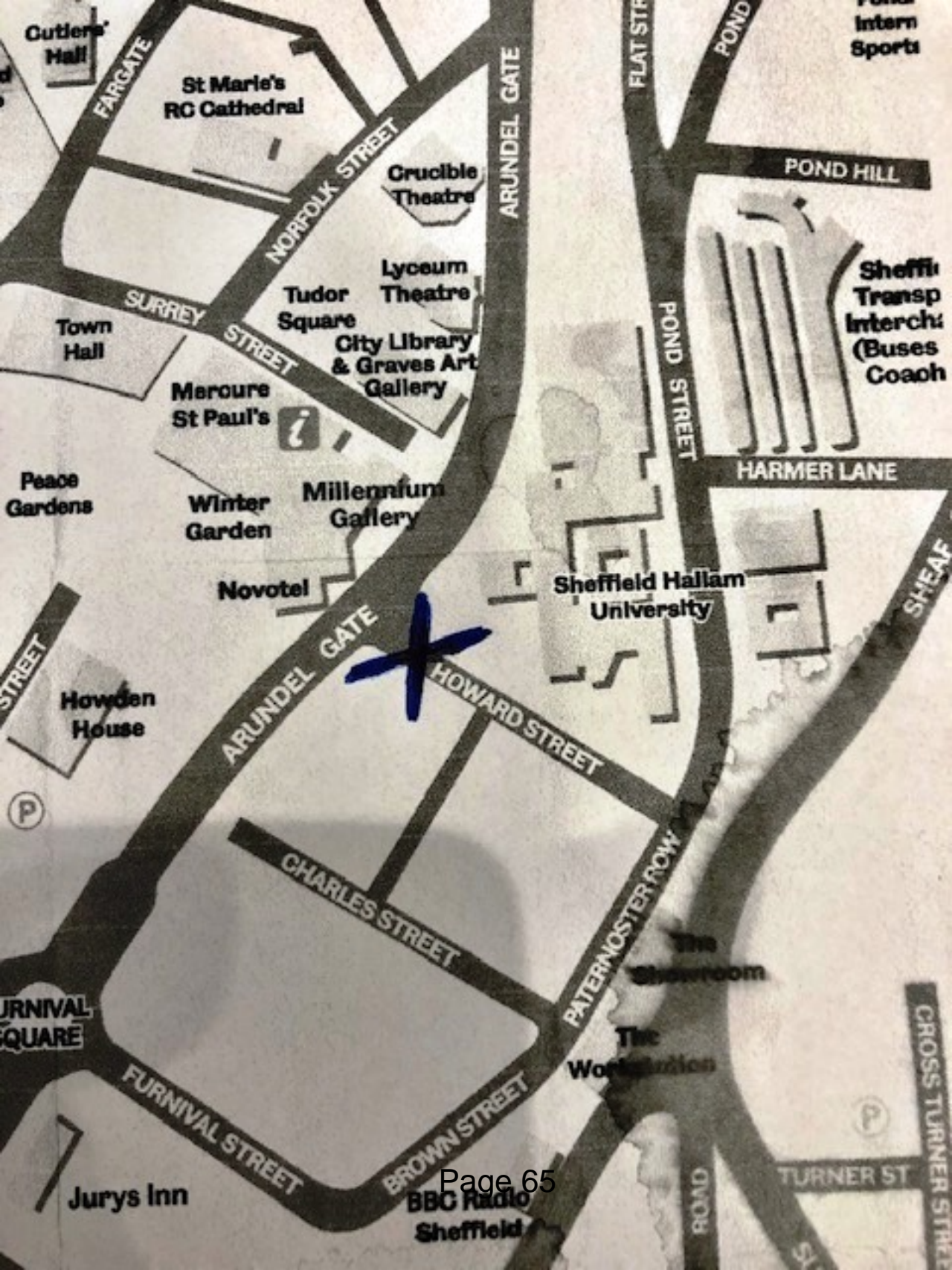




X proposed location

Howard Street  
2-3-2020.





St Marie's  
RC Cathedral

Crucible  
Theatre

Lyceum  
Theatre

Tudor  
Square

City Library  
& Graves Art  
Gallery

Maroure  
St Paul's

Peace  
Gardens

Winter  
Garden

Millennium  
Gallery

Novotel

Sheffield Hallam  
University

Sheffli  
Transp  
Interch:  
(Buses  
Coach

# FOOD HYGIENE RATING

0

1

2

3

**4**

5

GOOD

## Mister Softee

13 Chapel Street, Woodhouse, Sheffield S13 7JL

Date of hygiene rating

12 March 2012

Authorising signature



Contact details

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

Tel: (0114) 2735774

For more information about the Food Hygiene Rating Scheme visit [food.gov.uk/ratings](http://food.gov.uk/ratings)

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

**Sheffield**  
City Council



**Food  
Standards  
Agency**

[food.gov.uk/ratings](http://food.gov.uk/ratings)

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



# Certificate of Motor Insurance



Policy number 50007435

**1. Description of vehicle(s)**

Any motor vehicle the property of, or on hire or loan or lease to the policyholder.

**2. Name of policyholder**

Kathleen, George and Peter Devoti

**3. Effective date and time of the commencement of insurance for the purpose of the relevant law**

21 June 2019 00:01

**4. Date of expiry of insurance**

20 June 2020

**5. Persons or classes of persons entitled to drive**

Any person who is driving on the order or with the permission of the policyholder.

Providing that the person driving has a licence to drive the vehicle or has held and is not disqualified from or prohibited by law from holding or obtaining such a licence.

**6. Limitations as to use**

Use for social, domestic and pleasure purposes and for the business of the policyholder.

Unless specified under section 6 of this certificate of insurance, this policy does not cover: use for hiring, the letting on hire, the carriage of passengers and goods for hire or reward, racing, pacemaking, use in any contest, reliability or speed trial or the use for any purpose in connection with the motor trade.

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

For and on behalf of the Underwriter subscribing ERS, 52-54 Leadenhall Street, London, EC3A 2BJ

Authorised Insurer

A handwritten signature in black ink, appearing to read 'Martin Hall', is written over a horizontal line.

Martin Hall  
Active Underwriter

**Advice to third parties - Nothing contained in this certificate of insurance affects your rights as a third party to make a claim.**

Note: For full details of the insurance cover reference should be made to the policy document, which can be obtained from your broker or via our website at [www.ers.com](http://www.ers.com)

## MOT test certificate

† Vehicle identification number

**WDB9061312N613285**

⇒ Registration number

**DK15TXZ**

⇒ Country of registration

**GB**

Make and model

**MERCEDES-BENZ SPRINTER**

\* Vehicle category

**N1**

\* Mileage

**16,310 miles**

Mileage history

**12,476 miles** 27.03.2018

† **Pass**

### Monitor and repair if necessary (advisories)

\* (o/s/ff driving light inop.)

⇒ Date of the test

**11.04.2019**

\* Expiry date

**16.04.2020**

To preserve the anniversary of the expiry date, the earliest you can present your vehicle for test is 17.03.2020.

⇒ Location of the test

**32-34 CENTURY STREET, ATTERCLIFFE, SHEFFIELD, S9 5DX**

\* Testing organisation and inspector name

**V107845 D S MOTORS**

**C. GRAYSON**

MOT test number

**8429 8183 4632**

Duplicate certificate issued by M. HENNESSEY on 10 September 2019

Check that this document is genuine by visiting [www.gov.uk/check-mot-history](http://www.gov.uk/check-mot-history)

If any of the details are not correct, please contact DVSA by email at [enquiries@dvsa.gov.uk](mailto:enquiries@dvsa.gov.uk) or by telephone on 0300 1239000.

Receive a free annual MOT reminder by subscribing at [www.gov.uk/mot-reminder](http://www.gov.uk/mot-reminder) or by telephone on 0300 1239000.



Driver & Vehicle  
Standards  
Agency

Issuer signature



Liability Complete – Schedule of Insurance  
Arranged by Mobilers Insurance Services  
A trading name of Insurance Factory Limited  
Haden House, 16 Waterfall Lane Trading Estate, Cradley Heath, B64 6PU

Policy Number	ZI/001724
Name and Address of Insured	[REDACTED]
Period of Insurance	06/05/2019 to 07/05/2020
<b>Limits of Indemnity</b>	
Section 1: Employers Liability	£10,000,000 <i>any one occurrence or series of occurrences arising out of one cause</i>
Section 2: Public Liability	£5,000,000* <i>any one accident or series of accidents arising out of one event</i>
Section 3: Products Liability	£5,000,000* <i>in the aggregate and in any one period of insurance</i>
Pollution and Contamination	£5,000,000* <i>in the aggregate any one period of insurance</i>

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

Section 2 and 3 combined

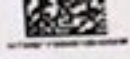
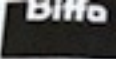
Excess (Section 2/3)	£250.00 each and every property damage claim
Declared Occupation	Mobile Catering / Customers Venue
Declared Employees	0-10
Declared Seating Capacity	1-20
Declared Turnover	£80,000
Premium	£110.00 Inclusive of IPT at the current rate
Arrangement Fee	£25.00
Policy Discount	£5.00
Total Premium	£130.00

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.211783) 846-848 Europort, Gibraltar. QIC 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.

**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.



**PART 1**

Depot / Contract No: 554/1473362\*1\*00203198 Account No: 029943  
 Container Description: 1100L WHEELIE BIN FOR DRY MIXED  
 No of Containers on Site: 1 No of Collections per week: 1

(a) Describe the Waste  
 Inert  Non-Hazardous  Hazardous / Special Waste (Scotland)  Liquid Waste  Excluded Waste

(b) LOW / EWC Code  
 150106

(c) Written description of the waste  
 PAPER, CARDS, PLASTIC, CANS

1. SIC (2007)  
 56.10/3 TAKE-AWAY FOOD SHOPS AND MOBILE FOOD STANDS

2. Date of collection / transfer  
 01/05/2019 TO 30/04/2020

**PART 2 - CURRENT HOLDER OF THE WASTE ('TRANSFEROR')**

Customer Name: [REDACTED] Address: [REDACTED] Post Code: [REDACTED]

Collection Site (place of transfer) Name: [REDACTED] Address: [REDACTED] Post Code: [REDACTED]

(a) Are you the producer of the waste? If yes, ignore questions (c) and (d) Yes  No

(b) Have you imported the waste? Yes  No

(c) Are you the holder of a Licence (WML), Permit or Env. Permit? Yes  No   
 If yes, state reference number and issuer: \_\_\_\_\_

(d) Are you exempt from the requirement to have a Licence (WML) or Permit? Yes  No   
 If yes, give reason: \_\_\_\_\_

(e) If you are a Registered Broker please enter details below:  
 Registration No \_\_\_\_\_ Issuing Authority \_\_\_\_\_ Expiry Date \_\_\_\_\_

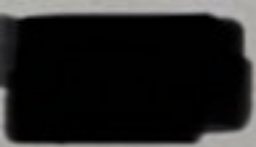
**PART 3 - PRE-TREATMENT DECLARATION**

(a) Do you currently segregate / recycle any of your Waste? Yes  No

**PART 4 - PERSON RECEIVING THE WASTE ('TRANSFeree')**

BIFFA WASTE SERVICES LIMITED (Company Registration 946107 - registered in England) of Coronation Road, Cressex, High Wycombe, Buckinghamshire, HP12 3TZ who is, in relation to collection sites in Northern Ireland, a Registered Waste Carrier, Registration no ROC UT 714, issued by the NIEA and, in relation to all other sites, a Registered Waste Carrier and Broker, Registration CBDU104360 previously CB/WES237GH, issued by the E.A.

I warrant that I have fulfilled my duty to apply the waste hierarchy as required by the revised European Waste Framework Directive



for and on behalf of Biffa waste Services Limited

JEFF ANDERSON  
 Name (please print)

18/3/2019  
 Date





MND11200000111 - 13800

**Web call back service** Let us call you back for free at [www.yorkshirewater.com](http://www.yorkshirewater.com)

**Chat with us live online**

**Twitter/Facebook** tweet or message us your queries

**24 hr automated service** for debit/credit card payments and meter readings: 0345 1 247 247

or call us on 0345 1 24 24 24 Mon - Fri 8am - 8pm, Sat 9am - 5pm

Page 1 of 2

Date:  
29 November 20

Meter Serial No.  
18MA015141

Here's your new Third Quarter 2019/20 bill for the above property.



**Sign up for online billing**

View and manage your water bills online at a time and a place to suit you [yorkshirewater.com/online](http://yorkshirewater.com/online)

## Your water and sewerage bill

Total amount due

⇒ **See over for:**


- your charges explained
- other ways to get in touch with us
- frequently asked questions
- payment slip


MND11200000111 Page 1 of 1




Produced from sustainable forest

### How to pay your bill


 Spread your payments with **Direct Debit - the easiest way to pay your bill**  
Visit [yorkshirewater.com/directdebit](http://yorkshirewater.com/directdebit) or call us to find out more.

 **By debit or credit card**

Visit [yorkshirewater.com/payment](http://yorkshirewater.com/payment) or phone 0345 1 24 24 24 or our automated service on 0345 1 247 247 (24 hrs).

 **By internet or phone banking**


Use sort code 57-49-55 and account number 11111111. Please quote your customer reference number.

 **At a post office**


Pay free of charge (cash or debit card only) at any Post Office.

**PayPoint**

Pay free of charge (cash only) at any PayPoint outlet.

 **At a bank**

Sign and date the attached payment slip and hand in this bill with your payment. Make cheques payable to 'Yorkshire Water'.

 **By post**

Tear off the attached payment slip and send it with your cheque payable to 'Yorkshire Water' to: Yorkshire Water, PO Box 52, Bradford BD3 7YD. Do not send cash.



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CETTE PAGE EST RESERVEE AUX OBSERVATIONS OFFICIELLES (1)

THERE ARE NO OFFICIAL OBSERVATIONS



UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

PASSPORT  
PASSEPORT

Type/Type

P

Country

GBR

Surname/Nom (1)

HEATH

Given names/Prénoms (2)

ANGELA

Nationality/Nationalité (3)

BRITISH CITIZEN

F

SHEFFIELD

Date of issue/Date de délivrance (7)

08 JUN / JUIN 16

Authority/Autorité (8)

HMPO

Date of expiry/Date d'expiration (9)

08 NOV / NOV 26

Holders' signature/Signature du titulaire (10)

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●THERE ARE NO OFFICIAL OBSERVATIONS●

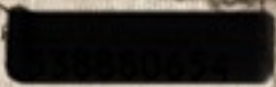


UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

PASSPORT  
PASSEPORT

Type/Type  
**P**

Code/Cod  
**GBR**



Surname/Nom (1)  
**DEVOTI**

Given names/Prénoms (2)  
**EUGENIO JOHN PETER**

Nationality/Nationalité (3)  
**BRITISH CITIZEN**



Sex/Sexe (5) Place of Birth/Lieu de naissance (6)  
**M SHEFFIELD**

Date of issue/Date de délivrance (7) Authority(Autorité) (8)  
**15 SEP / SEPT 16 HMPO**

Date of expiry/Date d'expiration (9) Holder's signature/Signature du titulaire (10)  
**15 SEP / SEPT 26**

Page 74



Category 3 vehicles for which license is valid

CDL	<10 02 76	18 02 25
FKL	<10 02 76	18 02 25
NP	<10 02 76	18 02 25

HEATH MRS  
 ANTELLA JACKET  
 HEATH 352195 A99C 44

CLASSIFICATION	CLASSIFICATION	CLASSIFICATION	CLASSIFICATION	CLASSIFICATION	CLASSIFICATION	CLASSIFICATION	CLASSIFICATION	CLASSIFICATION	CLASSIFICATION	CLASSIFICATION
A1	A	B1	B	C1	C	D1	D	E1	E	E
BE	BE	BE	BE	BE	BE	BE	BE	BE	BE	BE
<10 02 76	<10 02 76	<10 02 76	<10 02 76	<10 02 76	<10 02 76	<10 02 76	<10 02 76	<10 02 76	<10 02 76	<10 02 76
18 02 25	18 02 25	18 02 25	18 02 25	18 02 25	18 02 25	18 02 25	18 02 25	18 02 25	18 02 25	18 02 25
101	101	101	101	101	101	101	101	101	101	101

31151

COUNTYWARD LICENSE

ENDORSEMENTS as required by Connecting Court - See under 8557 for Offense Codes

Class	Class	Class	Class	Class	Class	Class	Class	Class	Class	Class
2773	SP90	09	01	05	FIXED PENALTY	03				

PROVISIONAL ENTITLEMENT

Your license authorizes you to drive, under provisional license conditions as set out in the Motor Vehicle (Driving License) Regulations, 1995.

CDL	Signs	Units	Codes
A	10 02 76	18 02 25	
GH	10 02 76	18 02 25	

PREVIOUS LICENCE HISTORY

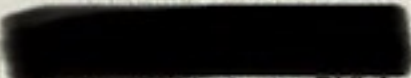
CDL	Signs	Codes



# DRIVING LICENCE



- 1. DEVOTI
- 2. PETER JOHN

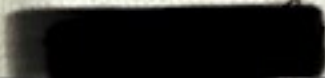


4a. 05.04.2014 4c. DVLA

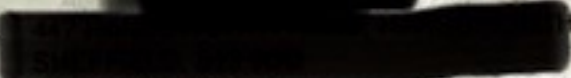
4b. 14.02.2023

5. DEVOT607070PJ9HZ 18

7.



8.



9. AM/A/B1/B/C1/D1/BE/C1E/D1E//k//n/p/q



Mr Whippy

QUALITY  
SOFT  
ICE CREAM

DK15 TXZ









**Crawshaw Michael (CEX)**

---

**From:** Cooper Steve (DEL)  
**Sent:** 10 March 2020 08:14  
**To:** planningdc@sheffield.gov.uk; highways@sheffield.gov.uk; Seneviratne Nalin (CEX); Crawshaw Michael (CEX); Eyre Richard  
**Subject:** FW: City Centre Street Trading  
**Attachments:** scanned-Crawshaw Michael (CEX)-20200303145652.pdf; img\_5806.jpg; img\_5805.jpg; img\_5807.jpg

Hi Michael,

Not sure why but you didn't send this to us at City Centre Management , can you make sure we are copied in for future apps.

Where is this proposed to be sited ? as we already have the coffee trader on the one agreed pitch for Howard Street , we would object to this trading on Howard street as it is not fitting for the Gold route and main arrival point to the City Centre , I would suggest Devonshire Green would be a better location ?

We have set a precedent with Mr Cuneo in the Peace Gardens who we did not allow to have a standard ice cream van such as this.

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

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

**From:** Wagstaff Natasha  
**Sent:** 10 March 2020 08:03  
**To:** Cooper Steve (DEL)  
**Subject:** FW: City Centre Street Trading

Here you go.

Ta  
Tasha

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

**From:** Crawshaw Michael (CEX)  
**Sent:** Friday, March 06, 2020 2:10 PM  
**To:** Police Licensing; SYFRlicensing@syfire.gov.uk; (SYFRlicensing@syfire.gov.uk); planningdc@sheffield.gov.uk; highways@sheffield.gov.uk; Wagstaff Natasha; Seneviratne Nalin (CEX)  
**Subject:** FW: City Centre Street Trading



Subject: Howard Street

Hi Emma

Following on from our earlier conversation about ice-cream vans and Howard Street, I've dug out the shot that shows the current restrictions, which is that it's a pedestrian zone and there's no vehicles all for loading or permit holders. I'm not sure, but I think the permits refer to ones issued by Hallam Uni us.



Kindest regards  
Ben Brailsford  
Parking Services Manager

# SHEFFIELD CITY COUNCIL

## LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre Static Street Trading Application – top of Howard Street

### IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Ms Angela Heath & Peter Devoti

Sent via Email: [REDACTED]

**LEGISLATION:** Local Government (Miscellaneous Provisions) Act 1982

**LICENCE TYPE:** City Centre Street Trading Consent – top of Howard Street

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

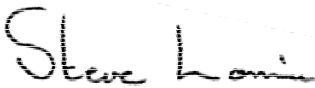
This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details are provided in the report enclosed and to the Committee. The Licensing Committee has the authority to decide what action to take in relation to each application.

**The Committee has indicated that it expects applicants and interested parties and objectors to attend the meeting.**

Due to the ongoing COVID-19 restrictions which are in place, the meeting in respect of the application will take place **via ZOOM on Tuesday 21<sup>st</sup> July 2020, at 3:30pm.** The online link will be sent to you prior to the hearing.

**PLEASE NOTE:**

I would be grateful if you could confirm that you will be attending the meeting by emailing the Licensing Service on [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)



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

Date: 9<sup>th</sup> July 2020

**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 Howard Street

### IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Steve Cooper  
City Centre Management  
Town Hall  
Sheffield

Sent via Email: [steve.cooper@sheffield.gov.uk](mailto:steve.cooper@sheffield.gov.uk)

**LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982**

**LICENCE TYPE: City Centre Street Trading Consent – top of Howard Street**

I refer to the above and the application for the grant of a City Centre static street trading consent which you have formally objected to.

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

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Steve Lonnia  
Chief Licensing Officer  
Head of Licensing

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## STREET TRADING CONSENT APPLICATION

### SUB-COMMITTEE HEARING PROCEDURE

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

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

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





## **SHEFFIELD CITY COUNCIL**

### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

## **STREET TRADING POLICY**

**Licensing Service  
Place Portfolio  
Business Strategy and Regulation  
Block C, Staniforth Road Depot  
Staniforth Road  
Sheffield  
S9 3HD**

**Telephone Number: 0114 2734264  
Fax Number: 0114 2734073**

**Or visit our website: [www.sheffield.gov.uk/licensing](http://www.sheffield.gov.uk/licensing)  
Or email us at: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)**

#### **Opening Times**

**Monday to Friday**

**10am to 4pm**



**SHEFFIELD CITY COUNCIL**  
**LOCAL GOVERNMENT**  
**(MISCELLANEOUS PROVISIONS) ACT 1982**  
**STREET TRADING POLICY**

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## **1.0 PART 1 - INTRODUCTION**

### **1.1 Purpose of the Policy**

- 1.1.1 Street activities are an essential ingredient of a vibrant and lively city and in Sheffield there is a strong demand for legitimate small scale street trading. They offer an opportunity for small businesses to get started with a relatively modest outlay.
- 1.1.2 The street trading scheme is part of Sheffield City Council's campaign to make Sheffield a more attractive and vibrant place and fits in with our Corporate Plan 2011-2014 which sets out Sheffield's strategic directions and priorities. The street trading policy supports the corporate priorities which include; *'Standing up for Sheffield'*, *'Supporting and Protecting Communities'*, *'Focusing on Jobs'* and being *'Business Friendly'*.
- 1.1.3 Sheffield's Street Trading Policy works alongside existing Council strategies (e.g. local crime prevention, planning, tourism, culture strategy and protection of children and vulnerable persons) and the Licensing Authority will ensure continuing co-ordination and integration of these policies.
- 1.1.4 This policy sets out Sheffield City Council's framework for the management of street trading in the city of Sheffield. The scheme also aims to prevent the obstruction of the streets in Sheffield by street traders and ensuring the safety of persons using them. In doing so, it recognises the importance of licensed businesses to the local economy and the character of the area whilst trying to ensure that the activities do not cause nuisance or annoyance to the people in the area.
- 1.1.5 This document will guide the Licensing Authority when it considers applications for Street Trading Consents. It will inform applicants of the parameters in which the Authority will make decisions and how their needs will be addressed.

### **1.2 The Objectives of this Policy**

- 1.2.1 This Policy has been written with a view to securing the following objectives:
- to enhance the city of Sheffield;
  - to protect public health through the control of street trading within the city of Sheffield;
  - to ensure that traders operate within the law and act fairly in their dealings with the public; and
  - to prevent nuisance, unsafe practices and anti social behaviour.
- 1.2.2 Whilst promoting inclusive, vibrant, safe and strong communities and supporting small businesses the Licensing Service will work closely with external partners to support the above objectives.
- 1.2.3 The production of this document and guidance issued with applications will assist us in achieving our service vision of "Doing the right things and doing things right, for our customers and the City, making Sheffield a Great Place to be".

1.2.4 The work we are doing fits with many of our Service objectives of:

- **Effective** – delivering high levels of customer satisfaction.
- **Equitable** – ensuring provision to all without disadvantaging anyone.
- **Empowering** – engaging with customers and involving them in our decisions.
- **Enabling** – working proactively to help make things happen.

1.2.5 It also fits in with our Service design principles of:

- **Collaboration** – working effectively with customers, partners and other stakeholders to provide a streamlined quality service.
- **Responsiveness** – listening and acting in a timely fashion to complaints and queries.
- **Openness** – being transparent and accountable to enforcement issues and decisions made on applications.
- **Flexibility** – by making it easier for customers to make applications, discuss issues, hold meetings and provide information is a convenient and flexible way.
- **Learning** – listening / learning to customers, improving systems and the way we can do things better over time.

1.2.6 The overarching benefits are that the Policy will assist in achieving the Place core strategic outcome of “Making Sheffield a Great Place to Be”.

1.2.7 This will be by supporting the following strategic outcomes:

- **A Strong & Competitive Economy**
  - working with businesses to set up and be a part of the growth of the local economy.
- **A Great Place to Live**
  - **good place management** by involving communities and ensuring traders fit in and contribute to the appearance and enhancing an area ensuring it is safe, attractive and clean by placing conditions and meeting a qualitative criteria.
  - **effective service delivery** by working in collaboration with other agencies, departments and the communities to ensure effective quality service.
- **Vibrant City**
  - by enhancing the **night time economy** by providing customers wants and needs for the city.
  - being **destination of choice** by having variety in the city.
- **Safe & Secure Communities**
  - by working with police, safer neighbourhood officers, etc. to improve communities and tackle problems associated with street trading

- **Successful Young People**
  - **protect and promote the welfare of children** and ensuring the suitability of all applicants.

### **1.3 Consultation**

1.3.1 There is no statutory requirement to consult before determining this licensing policy however to ensure openness and transparency the Council has chosen to consult with the following people and bodies:

- All existing Street Traders
- The Planning Authority (Sheffield City Council)
- The Highways Department (Sheffield City Council)
- City Centre Management Team (Sheffield City Centre)
- South Yorkshire Police
- South Yorkshire Fire and Rescue
- Health Protection Service (Sheffield City Council)
- Environmental Protection Service (Sheffield City Council)
- Community Assemblies
- Local Elected Members
- Shop keepers
- Trade Associations

### **1.4 Review of the Policy**

1.4.1 This policy will be reviewed every three years. At the time of the review, we will again consult all interested parties. As well as the three-yearly reviews, we will continue to evaluate the policy and may update it at any time. Any minor changes can be agreed by the Licensing Committee and/or the Head of Licensing through delegated powers.

### **1.5 Departure from the Policy**

1.5.1 In exercising its discretion in carrying out its regulatory functions, Sheffield City Council will have regard to this Policy document and the principles set out therein.

1.5.2 Notwithstanding the existence of this Policy, each application will be considered on its own merits based on the licensing principles detailed in this Policy.

1.5.3 Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons for doing so will be given.

### **1.6 The Legislation**

1.6.1 The Council (Licensing Authority) have power under the provision of the Local Government (Miscellaneous Provisions) Act 1982 (the 1982 Act) to regulate Street Trading in the City.

1.6.2 Street Trading means, the selling or exposing or offering for sale of any article (including a living thing) in a street.



1.6.3 Street is defined in the Act as any road, footway, beach or other area to which the public have access and a service area as defined in section 329 of the Highways Act 1980, and also includes any part of a street.

1.6.4 The Licensing Committee at its meeting of 29<sup>th</sup> 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 1<sup>st</sup> 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.”*

1.6.5 A Street Trading Consent is therefore required to trade on any street (which includes roads, footways, forecourts, or other areas to which the public have access without payment) within the Sheffield City boundary.

1.6.6 A map of the Sheffield boundary is attached at Appendix 1.

1.6.7 In addition, anyone trading on private land, to which the public obtain access without payment, is required to hold a street trading consent.

1.6.8 There is no appeal procedure against the refusal or revocation of a consent. An applicant may, however apply for judicial review of the Council's decision.

1.6.9 The Children and Young Persons Act 1933, as amended by the Children and Young Persons Act 1963, controls the employment of children in street trading. The Act prohibits the employment of children under 17 years of age for the purposes of street trading.

## **1.7 Exemptions**

1.7.1 For the purpose of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982; the following are not street trading:

- trading by a person acting as a pedlar under the authority of a pedlar's certificate granted under the Pedlar's Act 1871;

- anything done in a market or fair, the right to hold which was acquired by virtue of a grant, or acquired, or established, by virtue of an enactment or order;
- trading in a trunk road picnic area provided by the Secretary of State under section 112 of the Highways Act 1980;
- trading as a news vendor within the required specification as defined by the 1982 Act trading which:
  - (i) is carried on at premises used as a petrol filling station;
  - (ii) is carried on at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop;
- selling things, or offering or exposing them for sale, as a rounds man;
- the use of trading under Part VIIA of the Highways Act 1980 of an object or structure placed on, in or over a highway;
- the operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980; or
- the doing of anything authorised by regulations made under section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916

## **1.8 Street Trading for which consent is not required**

1.8.1 The following Street Trading activities have been deemed by Sheffield City Council as to not require the consent of the Council.

- Charitable, Local Authority organised and community type events (where an admission charge is not made for entry) (i.e. outdoor school fayres, carnivals, fund raisers, car boot sales). Any commercial vendor attending such events will be required to hold a current consent issued by the Council.
- Any market approved by the Council.

## **2.0 PART 2 – APPLICATIONS AND DETERMINATION**

### **2.1 Types of Street Trading Consents**

2.1.1 There are various types of Street Trading Consents in Sheffield which are listed below. The Policy will explain each one in more detail:

- City Centre Street Trading Consent
- Static Street Trading Consent
- Mobile Street Trading Consents for Ice Cream
- Mobile Street Trading Consents for Fruit and vegetable traders
- School Street Trading Consent
- Football Street Trading Consent
- Short term Street Trading Consents
  - 1 month consent
  - 1 week consent
  - 1 day consent

### **2.2 Fees**

2.2.1 Fees will be set and reviewed annually on a full cost recovery basis. The level of fees applicable takes into account the location, the duration of the consent, trading hours, articles to be sold and the enforcement of the terms and conditions of any individual consent. Where trading ceases during the term of a consent, refunds will not be given for any outstanding period of less than 3 months.

2.2.2 For a list of current fees, please contact the Licensing Service on 0114 2734264 or view our web page at [www.sheffield.gov.uk/licensing](http://www.sheffield.gov.uk/licensing). Fees for static consents are determined at the grant of application.

2.2.3 Applications for annual consents should be accompanied by a non-refundable fee of £100. If the application is approved, the balance of the fee will be due before the consent is issued. If the application is not successful the fee will be retained to cover the cost incurred in processing the application.

### **2.3 Conditions**

2.3.1 When granting or renewing a street trading consent the Authority may attach such conditions as are considered necessary. A standard set of conditions have been produced for all consents and the addition of specific conditions for some of the types of consents may be necessary.

2.3.2 A copy of the conditions are attached:

- Standard conditions - Appendix 2
- Additional mobile ice cream conditions - Appendix 3
- Additional mobile fruit and vegetable traders conditions - Appendix 4
- Additional static conditions - Appendix 5

- 2.3.3 These conditions are subject to an annual review and can be added to or amended for each individual consent granted.
- 2.3.4 Applicants will be required to sign a declaration confirming that they understand and will fully comply with the conditions prior to issuing a consent.
- 2.3.5 The Authority retains the right to vary the conditions of a street trading consent at any time. The conditions may specify the exact location trading may take place from and the times of trading.

## **2.4 Qualitative Criteria**

- 2.4.1 To ensure we promote the objectives of this Policy and make Sheffield a more attractive and vibrant place, applicants must meet the minimum requirements of quality.
- 2.4.2 The Licensing Authority has produced two separate criterion:
- City Centre Qualitative Criteria - Appendix 6  
(city centre applications only)
  - City Wide Qualitative Criteria - Appendix 7  
(all applications outside the city centre)
- 2.4.3 The criteria sets out the minimum standards required by the Authority and applicants must ensure they meet these standards prior to making an application.
- 2.4.4 All vehicles / units will be inspected prior to the issuing of a consent to ensure they meet the qualitative criteria.

## **2.5 Applications**

- 2.5.1 An application for a Street Trading Consent is not one that can be given tacit approval, as it is in the public interest, safety and policy that the Authority must undertake checks before any application can be granted. We aim to process all applications within 28 days where possible.
- 2.5.2 Applicants must submit the following to the Licensing Authority:
- A completed and signed relevant Street Trading Consent application form.
  - Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.
  - The appropriate application fee and/or non refundable fee of £100.
  - Where the proposed street activity is from a fixed position, a copy of an ordnance survey based map of at least 1:1250 scale (a google map will not be sufficient). An additional map to scale clearly identifying the precise trading position and its proximity to other similar retail outlets (shops etc) within an 800 metre radius.



- Proof of identity documentation: passport, driver licence, current utility bill/bank statement and right to work documentation (if applicable).
- 3 colour photographs of any stall, van, barrow, cart etc that will be used for the street trading activity showing the front, rear and side of the unit and dimensions of that unit.
- Written permission from the landowner if the street trading activity is to be carried out on land in private ownership.
- If trading in food, details of any food hygiene qualifications and confirmation that their business has a food hygiene score rating of 3 or above.
- Confirmation that they meet the relevant qualitative criteria.

2.5.3 The following documentation must be forwarded to the Licensing Authority before the grant of a consent:

- An original certificate of insurance that covers the street trading activity for third party and public liability risks up to a minimum of £2,000,000.
- A certificate of insurance in respect of the vehicle and/or the tow vehicle you propose to use.
- An appropriate vehicle test certificate.
- Declare that you have registered as a food business (where appropriate).
- Written confirmation that the vehicle/unit meets the Council's food safety standards.
- Any permissions or consents already granted with regard to the proposed operation, e.g. planning consent, late night refreshment premises licence, waste disposal agreement.

2.5.4 If any of the required documentation expires during the term of the applicants consent, the consent will cease to have effect until the applicant has produced current valid documentation to the Licensing Authority.

2.5.5 Please note: all vehicles / units will be inspected prior to issuing a consent to ensure they meet the qualitative criteria. If the vehicle / unit fails to meet the criteria in the opinion of the Licensing Officer, the matter will be placed before the Licensing Committee for determination.

PLEASE NOTE: Applicants are advised not to purchase the unit until the application has been determined.

## **2.6 Consultation**

2.6.1 Before a consent is granted by the Council for the purposes of street trading we will, where reasonably practicable, seek comments from:

- South Yorkshire Police
- Highways Department (Sheffield City Council)
- Planning Department (Sheffield City Council)
- South Yorkshire Fire and Rescue
- Where applicable local residents, shop owners and any other person which may be affected

2.6.2 Once we receive an application, twenty eight days will be given for comments to be received. If no representations are received the Council may grant the application in the terms applied for, and standard conditions will be attached to the Consent (subject to all other requirements in this policy).

2.6.3 Where objections are received and not resolved relating to the grant or renewal of a consent the application will be referred to the Licensing Committee for determination.

## **2.7 Consideration of applications by the Licensing Committee**

2.7.1 The Licensing Committee has been established to consider applications and hear objections in relation to licensing matters. The Licensing Committee consists of elected members of Sheffield City Council. These meetings are normally held in public unless there are matters to be considered that are of a confidential nature.

2.7.2 A list of the delegation of functions is attached at Appendix 8.

2.7.3 On receipt of relevant written objections and/or if the applicant has not met the qualitative criteria, arrangements will be made for the application to be heard by the Licensing Committee and the applicant and all parties making objections, will be notified in writing of the date, time and place where the application will be heard.

2.7.4 The person or body making an objection will be expected to attend the hearing and be allowed the opportunity to address the Licensing Committee and ask questions relating to the application. The applicant can be represented by a solicitor, or supported by a friend or colleague.

2.7.5 Letters of objection that have been received by the Council will be circulated to members of the Committee in advance. Where appropriate, the letters of objection will also be sent to the applicant but without any information that would identify the person submitting the objection.

2.7.6 The Licensing Committee will always determine applications by:

- Considering each case on its merits.
- Using this Policy to assess applications.
- Dealing with the hearing in a balanced and impartial manner.
- Ensuring that the rules of natural justice are applied in any hearings held.
- Giving all parties sufficient opportunity to present their case, ask questions and present information for consideration in support of their application or objection.

## **2.8 Grant / Renewal or Revocation of Street Trading Consents**

2.8.1 Each application will be considered in accordance with paragraph 2.7.6 above.

2.8.2 In considering applications for the grant or renewal of a Street Trading Consent or revoking a current consent the following factors may be considered:

- **Public Safety / Highway**

- (a) Whether the street trading activity represents or is likely to represent a substantial risk to the public from the point of view of obstruction, fire hazard, unhygienic conditions or danger that may occur when a trader is accessing the site;
- (b) Whether there is sufficient space in the street for the applicant to engage in the trade in which he/she is proposing without causing undue interference or inconvenience to other persons using the street;
- (c) Whether the street trading activity may damage the structure or surface of the street;
- (d) Whether the location and operating times will be such that the highway can be maintained and that there are no dangers to those who have a right to use the highway and no obstruction for emergency services.

- **Public Order**

- (a) Whether the street trading activity represents, or is likely to represent a substantial risk to public order.

- **Avoidance of Public Nuisance**

- (a) Whether the street trading activity represents, or is likely to represent a substantial risk of nuisance or misbehaviour, particularly in residential areas.
- (b) Whether the granting of the application is likely to give rise to nuisances or loss of amenity caused by noise, odour, litter, disturbance or anti social behaviour;
- (c) in respect of an application in an area which is residential and where trading would not normally take place.

- **Appearance of the unit**

- (a) Whether the unit is of a smart appearance and meet the specific qualitative criteria.
- (b) Whether the appearance of the trading unit or structure is compatible with the character of the area in which it is proposed to be situated.

- **Environmental credentials**

- (a) Whether there is a negative impact of the proposed operation on the local environment including street surfaces and materials, power supply, carbon footprint, supply chain, packaging, waste minimisation, waste disposal and waste created by customers. Mitigating measures to minimise the environmental impact of the proposed operation will be taken into account.

- **Traders**

- (a) Whether the traders in hot or cold food hold a current Level 2 Food Hygiene Certificate;
- (b) Whether the granting of a consent for the sale of goods would conflict with those provided by nearby shops or cafes providing similar services;
- (c) Whether the trading in a particular location will conflict with concessions granted to other existing street traders;
- (d) Whether the quality of the goods to be sold and the hours and days for which it is intended to trade are suitable.
- (e) If trading in food, whether the food business has not achieved their food hygiene rating score of 3 or more

- **Suitability of Applicant**

When determining an application for the grant or renewal of a street trading consent or consideration of revoking a Consent, the Council will consider all relevant information relating to the suitability of the applicant to hold such a permission including:

- (a) where the applicant is unsuitable to hold a consent because of having been convicted of an offence that the Council consider makes them unsuitable to hold such consent, or for any other reason (guidance relating to the relevance of convictions is attached at Appendix 9);
- (b) where the applicant has at any time been granted a street trading consent by the Council, and has persistently refused or neglected to pay fees;
- (c) where the applicant or operator of the stall is under the age of 17 years;
- (d) where a trader has failed to comply with the conditions attached to the consent.
- (e) whether any earlier Consent to the applicant(s) has been surrendered, refused or revoked (whether it be in this Authority or other);
- (f) levels of complaints received about the applicant(s) and whether and how such matters were resolved;

(g) the decision may take into account the attitude of the applicant and/or their staff etc in dealing with concerns and queries raised by the Council Officers.

- **Number of Street Trading Consents**

(a) Consents may not be issued where Sheffield City Council considers that sufficient traders already exist in that locality and that additional traders may cause risks to public safety or nuisance to the occupants of neighbouring properties.

- **Objections**

(a) Take into account any objections made about the application or Consent holder from interested parties.

2.8.3 The above is not an exhaustive list and each application will be judged on its own individual merits. Any effective measures offered by the applicant to support the objectives will be taken into account.

2.8.4 The Council may at any time revoke a consent or vary the conditions of an existing consent where there are reasonable grounds for so doing.

## **2.9 Approval of Applications**

2.9.1 The Licensing Committee, or Officers on a delegated basis may approve applications meeting the criteria contained within this Policy.

2.9.2 On approving the application the Council will issue a Street Trading Consent to which conditions will be attached, including specific terms such as days and hours when street trading is permitted, and goods that may be sold. The consent will also be subject to the Council's standard conditions, which are attached to all Street Trading Consents.

2.9.3 The conditions attached to the Consent form part of the approval to carry out street trading in Sheffield and **MUST** be complied with at all times. Failure to do so could constitute an offence and be subject to prosecution, and/or the Consent could be revoked or not renewed.

2.9.4 The applicant will be issued with a Consent and a Certificate along with the conditions.

2.9.5 The consent holder shall at all times have a copy of the consent available for inspection on request to any Police Officer or duly Authorised Officer of the Council.

2.9.6 The certificate must be clearly displayed on the vehicle or stall and must be visible to the public and customers.

2.9.7 The issuing of a Consent does not:  
1. Permit trading outside the terms of the Consent.  
2. Indicate that planning permission is not required.



- (a) That the requirement to obtain planning permission applies to all streets, whether they have been designated Consent Streets or not.
  - (b) That the grant of one or more street trading consents does not give the trader immunity from planning control
  - (c) The Council has discretion whether or not to enforce planning laws in relation to street trading.
3. Indicate that the unit is exempt from business rates
  4. Over ride parking restrictions or any other traffic regulations
  5. Imply approval from the highway authority or any other person or authority

### **3.0 PART 3 – STREET TRADING CONSENTS**

#### **3.1 City Centre Street Trading**

- 3.1.1 This scheme is part of the City Council's campaign to make Sheffield City Centre a more attractive and vibrant place and offer to create a continental feel to the city.
- 3.1.2 The city centre area in relation to Street trading is attached at Appendix 10, if you wish to trade within this area applicants must apply appropriately as below.
- 3.1.3 The applicant must meet the city centre qualitative criteria (Appendix 6) which forms the basis on which to test applications for the grant of designated Street Trading Consent sites within the city centre.
- 3.1.4 Motorised vehicles or stalls etc. are not permitted as part of the city centre scheme and we encourage barrows/handcarts to be used.
- 3.1.5 All barrows/handcarts must be capable of being moved on and off site by hand and any vehicles used to bring the barrows/handcarts to the site must be parked, loaded and unloaded off site.
- 3.1.6 Specific areas have been allocated for the city centre and applicants are advised to contact the Licensing Service for an up to date list.
- 3.1.7 The fees for city centre sites that are part of this scheme have been set at £498.50 per quarter (£1,994 per annum) to trade seven days a week between 7am and 7pm (fees are reviewed annually).
- 3.1.8 All city centre consents expire on the 30<sup>th</sup> November each year.
- 3.1.9 All applications will be dealt with under their own individual merits, however, when determining an application the proximity of existing nearby shops, café's and other traders that primarily trade in the same articles will be taken into account.
- 3.1.10 Applicants would be required to submit the appropriate application form with an example of the proposed type and design of trading unit with a non-refundable fee of £100 to process the application. If granted the £100 will be deducted from the next quarterly payment.
- 3.1.11 Applicants are advised not to purchase any trading unit prior to an application being approved.
- 3.1.12 A twenty eight day consultation period will commence from the day we receive the applications and follow the consultation process detailed in section 2.6 above.
- 3.1.13 All applications will then be placed before our Licensing Committee for determination and applicants are advised to provide as much information as possible regarding their proposal which can include photographs of the proposed

barrow/cart, designs, lettering, colours, uniforms etc as part of the application and presentation to the Committee.

### **3.2 Static Street Traders**

- 3.2.1 Static street trading is trading in one site for **more** than 20 minutes. If a trader wishes to move around various parts of the city they are required to apply for the appropriate mobile street trading consent.
- 3.2.2 Static street trading is where a pitch is identified and a consent holder trades only from that pitch within the terms and conditions of the consent issued.
- 3.2.3 These pitches are usually very specific and traders are given consent based on the **detailed** plan submitted on application.
- 3.2.4 It would be up to the trader to locate a pitch and make an appropriate application with the Authority.
- 3.2.5 Applicants must contact the Highways and Planning services prior to submitting an application to discuss any issues they may have and whether any other permissions are required.
- 3.2.6 It is not possible for traders to move pitch, even just a short distance, without the prior consent of the Licensing Service.
- 3.2.7 All static street trading consents expire on the 30<sup>th</sup> November.
- 3.2.8 All applications will be dealt with under their own individual merits, however, when determining an application the proximity of existing nearby shops, café's and other traders that primarily trade in the same articles will be taken into account.
- 3.2.9 Applicants must follow the application procedure as detailed in section 2.5 of this policy.
- 3.2.10 For new static applications, the application will be advertised detailing the proposed activities in the vicinity, by posting a notice at or close to the proposed site stating:
- the name of the applicant,
  - type of vehicle or stall to be used and the goods to be sold,
  - the times and days of operation,
  - the exact location of the proposed site,
  - how to make representations and the final date by which representations can be made.
- 3.2.11 Written comments from consultees, individuals and occupiers of properties that may be affected by the proposed site will be taken into consideration when determining an application.
- 3.2.12 Any representations will be considered and placed before the Licensing Committee for determination.

3.2.13 Please note: all stalls/units will be inspected prior to issuing a consent to ensure it complies with the qualitative criteria.

3.2.14 Static street trading consents may require planning consent to be obtained. It is essential that you contact the planning section to check whether a planning consent is required **before** you begin operating under any street trading consent.

### **3.3 Mobile Street Trading for Fruit and vegetable traders (This section does not include ice cream traders).**

3.3.1 Mobile consents are issued to traders who want to trade from numerous locations for a short period of time.

3.3.2 Mobile traders who sell fruit and vegetables only will move from site to site and will only remain stationary for no longer than 20 minutes for sales to be made and must not return to that site within the same week (site refers to a 500 metre radius).

3.3.3 Any consent issued under this section for a mobile street trader does not permit the holder to trade within an 800 metre radius of the Sheffield Arena, Don Valley Stadium, Sheffield Wednesday and Sheffield United Stadiums on any event / match day for four hours previous, during and one hour after any event. See Appendix 11, 12, 13 and 14.

3.3.4 Mobile traders for fruit and vegetable traders are only permitted to trade within the hours of 9am to 7pm inclusive seven days a week.

3.3.5 Mobile traders fruit and vegetable traders cannot stop within 800 metres of any school from an hour before the start of the school day until an hour after the end of the school day.

3.3.6 Mobile consent holders for fruit and vegetables are not permitted to trade within a 500 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.

3.3.7 In order to regulate and control mobile street trading in Sheffield, the trader will only be permitted to trade in a maximum of 5 areas in the City for each consent. The Licensing Committee may at any time wish to restrict the number of traders in a particular area.

3.3.8 Mobile trading vans in this section are required to have a side hatch to serve customers to avoid obstruction and are required to ensure that any foods that require refrigeration are installed with adequate units to meet food safety requirements.

3.3.9 Applicants must follow the application procedure as detailed in section 2.5 of this policy and ensure they meet the qualitative criteria.

3.3.10 Once received the Licensing Authority will consult as stated in section 2.6 above for a period of 28 days.

- 3.3.11 Any representations will be considered and placed before the Licensing Committee for determination.
- 3.3.12 All mobile street trading consents expire on the 31<sup>st</sup> March.
- 3.3.13 Please note: all vehicles will be inspected prior to issuing a consent to ensure it complies with the qualitative criteria.

#### **3.4 Mobile Street Trading (ice cream traders only)**

- 3.4.1 Ice cream mobile consents are issued to those who want to trade from numerous locations for a short period of time around the city excluding the city centre and areas listed below.
- 3.4.2 Ice cream mobile traders will move from site to site and will only remain stationary for no longer than **20** minutes for sales to be made and must not return to that site within the same day (site refers to a 400 metre radius)
- 3.4.3 Any consent issued for an ice cream mobile street trader does not permit the holder to trade within an 800 metre radius of the Sheffield Arena, Don Valley Stadium, Sheffield Wednesday and Sheffield United Stadiums on any event / match day for four hours previous, during and one hour after any event. See Appendix 11, 12, 13 and 14.
- 3.4.4 Ice cream mobile traders are only permitted to trade within the hours of 9am to 7pm inclusive unless with prior written consent of the Licensing Authority.
- 3.4.5 Ice cream mobile traders cannot stop within 800 metres of any school from an hour before the start of the school day until an hour after the end of the school day unless you have applied for a school street trading consent as referred to below in section 3.5.
- 3.4.6 Applicants must follow the application procedure as detailed in section 2.5 of this policy.
- 3.4.7 Once received the Licensing Authority will consult as stated in section 2.6 above for a period of 28 days.
- 3.4.8 Any representations will be considered and placed before the Licensing Committee for determination.
- 3.4.9 All mobile street trading consents expire on the 31<sup>st</sup> March.
- 3.4.10 Please note: all vehicles will be inspected prior to issuing a consent to ensure it complies with the qualitative criteria.

#### **3.5 School Street Trading**



- 3.5.1 School street trading is where a trader parks outside or near a school from Monday to Friday during school term times from 12.00 noon until 2.00 pm and 3.00 pm until 4.30 pm.
- 3.5.2 To be eligible to apply for a school street trading consent, you must hold an ice cream mobile street trading consent as listed in section 3.4 above.
- 3.5.3 Applicants are required to obtain written confirmation from the head teacher of the school they wish to trade outside from. This written confirmation must be on school headed paper and will not be accepted in any other form.
- 3.5.4 Applicants must follow the application procedure as detailed in section 2.5 of this policy.
- 3.5.5 The application will be consulted upon in the normal way within the 28 day period. Applicants are advised to contact the Highways and Planning service prior to submitting their application to discuss any issues and whether any other permissions are required.
- 3.5.5 Any representations will be considered and placed before the Licensing Committee for determination.
- 3.5.6 For information: Sounding of Chimes (Based on the National Code of Practice)

Chimes and other audible signals should not be sounded:

- For longer than 4 seconds at a time – an automatic cut out should be used.
- When the vehicle is stationary.
- Except on approach to a selling point.
- When in sight of another mobile trader.
- Louder than 80 dB(A) at 7.5m.
- Before 12:00 or after 19:00 hours

### **3.6 Football Street Trading**

- 3.6.1 Street trading is restricted around Sheffield's football grounds and any trader wishing to trade within an 800 metre radius of either ground on match days will be required to apply for a football street trading consent.
- 3.6.2 A plan indicating the radius of Sheffield Wednesday Football Club is attached at Appendix 11.
- 3.6.3 A plan indicating the radius of Sheffield United Football Club is attached at Appendix 12.
- 3.6.4 Granted football consents will be permitted to trade at all 1st Team Home Fixtures, Friendly's & Internationals for four hours prior, during and up to one hour after each fixture for that particular ground.

- 3.6.5 Restrictions have been placed on the number of consents that are issued at each stadium in order to avoid over-crowding, congestion and conflict between traders.
- 3.6.6 The following indicate the maximum consents permitted around both grounds:
- Sheffield Wednesday Football Ground - 19 consents
  - Sheffield United Football Ground - 15 consents
- 3.6.7 Any applications for new consents beyond the restricted numbers referred to above shall be placed before the Licensing Committee for determination.
- 3.6.8 Additional consents are only likely to be granted by the Licensing Committee if the applicant can demonstrate to the Committee that the unit will be a minimum of 25 metres away from any other current consent holder and that the consent site applied for does not cause any obstruction, to footpaths or exit routes from the stadia.
- 3.6.9 Consents may be restricted to trading prior to fixture on advice of the Police.
- 3.6.10 Applicants must follow the application procedure as detailed in section 2.5 of this policy.
- 3.6.11 The application will be consulted upon in the normal way within the 28 day period. Applicants are advised to contact the Highways and Planning service prior to submitting their application to discuss any issues and whether any other permissions are required.
- 3.6.12 Any representations will be considered and placed before the Licensing Committee for determination.

### **3.7 Short term Street Trading Consents**

- 3.7.1 Short term consents for static street trading can be applied for the following periods:
- 1 month
  - 1 week
  - 1 day
- 3.7.2 The application period for these short term consents are no different to a static application (section 3.2), so applicants are reminded to ensure their applications are made in good time.
- 3.7.3 For 1 day consents, we will endeavour to determine your application within 28 days.

### **3.8 Applicants and Assistants**

- 3.8.1 In order to control persons working at a consent site, the Licensing Authority will issue an identity badge to the person applying for the consent and will require the applicant to identify any person that is to work under his permission.

- 3.8.2 Consent holders must ensure that any person who is working on a street trading consent site has obtained the relevant authorisation in the form of an identification badge from the Licensing Service.
- 3.8.3 Application forms are available from the Licensing Service and the completed form needs to be submitted with two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness, the required fee and any other documentation requested on the application.
- 3.8.4 Applications for an identification badge need to be made by the consent holder and all other persons who wish to work at the consent site (assistants).
- 3.8.5 The identification badges must be worn at all times by the person(s) working at the consent site.
- 3.8.6 No person(s) may work at the consent site until they have been issued an identification badge by the Licensing Service.
- 3.8.7 No person(s) under the age of 17 are permitted to work at a street trading consent site as under the Children and Young Persons Act 1933, as amended by the Children and Young Persons Act 1963.

### **3.9 Renewals**

- 3.9.1 Street Trading Consents are generally issued for a period of up to one year.
- 3.9.2 Applicants must then re-submit their application if they wish to continue to trade at least two months before the expiry of their current consent. At this renewal time, the Council may consult further to determine if the street trader is a cause for concern or has been the subject of complaints.
- 3.9.3 If a renewal is not made before the expiry of the current licence, a new application will have to be made, complete with consultation. (A trader will not be permitted to trade until the new consent is issued.)
- 3.9.4 Where a renewal application has been made and there have been no justifiable complaints, no enforcement issues and all fees have been paid on time, the consent will be renewed.
- 3.9.5 Where a renewal application has been made and there have been complaints or enforcement issues or fees have not been paid on time, then the application will be referred to the Licensing Committee.

### **3.10 Annual Static Consents with Quarterly Payments**

- 3.10.1 The Council acknowledge that the cost of an annual consent can sometimes prove prohibitive to new and small street trading businesses, particularly food and drink vendors. To assist such commercial activity the Licensing Authority will offer the grant of a twelve month Static Street Trading Consent, subject to quarterly fee payments in advance.

- 3.10.2 All static consents expire on the 30<sup>th</sup> November each year and quarterly payments will be required in advance of each quarter. Reminders will be issued, however it would be up to applicant to ensure payment is made at the required time. Payments are normally due in November, February, May and August.
- 3.10.3 If payments are not made, the consent will automatically cease to have effect, save for exceptional circumstances at the Council's discretion, and no further trading in connection with that consent will be permitted until payment has been made.
- 3.10.4 The Council may remove the entitlement of quarterly payments at any time if payments are not received promptly.

### **3.11 Transfers**

- 3.11.1 A Street Trading Consent cannot be transferred or sold to another person (Consent may be transferred to a member of the Consent Holder's immediate family in the event of the Consent Holder's death).
- 3.11.1 The sub letting of a pitch is prohibited.

### **3.12 Variations**

- 3.12.1 Variations of a Street trading consent can be made for the following purposes:
- Change of vehicle / unit.
  - Change of hours (only on static applications).
  - Days of trading.
  - Change of items to be sold.
- 3.12.2 The application must be made on the Council's prescribed application form along with the fee and any necessary supporting documentation.
- 3.12.3 A change of minor details can be made in writing with supporting documentation with a nominal fee for example:
- Change of existing consent holders name (not a transfer).
  - Removal of an existing consent holder on a joint application.
- 3.12.4 Variations for the following will **not** be permitted and will require a new application:
- Change of Consent holder.
  - Adding a new Consent holder.
  - Change of site(s).

## 4.0 PART 4 – CONDITIONS AND ENFORCEMENT

### 4.1 Conditions and Enforcement

- 4.1.1 Standard conditions will be attached to each street trading consent detailing the holder's responsibilities to maintain public safety, avoid nuisance and generally preserve the amenity of the locality.
- 4.1.2 Applicants will be required to sign a declaration confirming that they understand and agree to fully comply with the conditions prior to the granting of a consent.
- 4.1.3 The Council is committed to enforcing the provisions contained within the relevant legislation and to work in partnership with all enforcement agencies, to provide consistent enforcement on licensing issues.
- 4.1.4 Where licensable activities are conducted without the benefit of a consent or where conditions are breached, the Council will look to gather evidence and take enforcement action as appropriate.
- 4.1.5 Any enforcement action will be
- **Proportionate** in applying law and seeking compliance.
  - **Consistent** in approach.
  - **Targeted** towards applicants not complying with their consent or conditions or unlawful activity.
  - **Transparent** in helping applicants and consent holders to understand what is expected of them.
- 4.1.6 If the Council feels that there is an issue of public order or threat to public safety in any particular instance, it will call for assistance from South Yorkshire Police.
- 4.1.7 The Council may also call for assistance from the CCTV control room when dealing with such issues.
- 4.1.8 Should a street trader fail to comply with instructions received from an Authorised Officer or Police Officer, the consent will be referred to the Licensing Committee.



## **5.0 PART 5 – OTHER LEGISLATION**

### **5.1 Planning Permission**

5.1.1 If a street trading consent is applied for, the onus is on the applicant to obtain both planning permission and permission to trade from the landowner when necessary, prior to making an application for street trading consent. It is not the responsibility of the Council to investigate and obtain this information.

### **5.2 Licensing Act 2003**

5.2.1 In addition to the requirement of having a street trading consent, applicants who sell hot food or hot drinks between 23.00 hours and 05.00 hours the following day will require a premises licence under the Licensing Act 2003. The Licensing Service is able to provide advice as to the application process.

5.2.2 For traders that seek to trade only between the hours of 23.00 hours and 05.00 hours, a street trading consent will still be required in addition to the Licensing Act premises licence. A consent will not be granted without a premises licence being applied for.

5.2.3 Full details on how to apply for a premises licence can be collected from the Licensing Service or on our website at [www.sheffield.gov.uk/licensing](http://www.sheffield.gov.uk/licensing).

### **5.3 Traffic Regulation Orders**

5.3.1 Applicants need to be aware of any parking restrictions (yellow lines) and other traffic restrictions on the highway when deciding where to site their vehicle.

5.3.2 If an applicant thinks there is a traffic regulation order that might affect their consent, they must contact the traffic regulations section on (0114) 273 6178 or email [Traffic\\_Regs@sheffield.gov.uk](mailto:Traffic_Regs@sheffield.gov.uk) before an application is submitted.

### **5.4 Food Establishments**

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

5.4.2 It is a criminal offence to operate a food business without being registered.

5.4.3 There is no charge for registration.

### **5.5 Trade Waste Disposal**

5.5.1 Applicants have a legal responsibility under the Environmental Protection Act 1990 and other related legislation to safely contain and legally dispose of any waste produced from your business.

5.5.2 Applicants may be prosecuted should they not comply with the above requirements.

5.5.3 For further information on this, please contact Environmental Protection on 0114 2037411 or visit [www.netregs.gov.uk](http://www.netregs.gov.uk).

## 6.0 PART 6 – USEFUL INFORMATION AND CONTACT DETAILS

### 6.1 Authorities

- **The Licensing Authority**

Licensing Service  
Sheffield City Council  
Business Strategy & Regulation  
Block C, Staniforth Road Depot  
Sheffield, S9 3HD

Tel: 0114 2734264  
Fax: 0114 2734073  
Email: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk/licensing](http://www.sheffield.gov.uk/licensing)

You can also visit our reception service at Staniforth Road Depot where you can discuss your query with one of our Licensing Officers. The Licensing Service is open Monday to Friday 9:00am to 5:00pm.

- **The Planning Authority**

Tel: 0114 2039183  
Email: [planning@sheffield.gov.uk](mailto:planning@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk/planning](http://www.sheffield.gov.uk/planning)

- **The Highways Department**

Tel: (0114) 2736677  
Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk](http://www.sheffield.gov.uk)

- **City Centre Management Team**

Tel: (0114) 2736895  
Email: [citycentre.management@sheffield.gov.uk](mailto:citycentre.management@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk](http://www.sheffield.gov.uk)

- **South Yorkshire Police**

You will need to contact the station in the area you wish to trade

Tel: (0114) 220 2020  
Website: [www.southyorks.police.uk](http://www.southyorks.police.uk)

- **South Yorkshire Fire and Rescue**

Tel: (0114) 272 7202  
Website: [www.syfire.gov.uk](http://www.syfire.gov.uk)

- **Food Hygiene**

Tel: (0114) 273 5774 / 273 4415

Email: [healthprotection@sheffield.gov.uk](mailto:healthprotection@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk](http://www.sheffield.gov.uk)

- **Food Registration**

Tel: (0114) 273 5774 / 273 4415  
Email: [healthprotection@sheffield.gov.uk](mailto:healthprotection@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk](http://www.sheffield.gov.uk)

## 6.2 **First Point for Business**

Town Hall  
Pinstone Street  
Sheffield, S1 2HH

Tel: (0114) 224 5000  
Email: [firstpointforbusiness@sheffield.gov.uk](mailto:firstpointforbusiness@sheffield.gov.uk)  
Website: [www.sheffield.gov.uk](http://www.sheffield.gov.uk)

Information is available for anyone considering setting up a new business or would like help or advice regarding an existing business.

If you are starting up a new business or are an established business needing advice, you can access help from the Council's First Point for Business.

Anyone can use First Point for Business – from companies to social enterprise to self-employed people.

First Point for Business is your one point of contact with the Council for all your business needs. If you are setting up a new business, for example, you may need to speak to Licensing, Planning, Highways and a number of other Council services.

The First Point for Business team is on hand to help you access Council services and specialist advice, so you get all the support you need. If you need practical business support such as start up advice, business planning, marketing or workforce training and skills they will put you in touch with the right people.

First Point for Business work on your behalf. You will deal with a Key Account Advisor who will identify your needs and help you get the right information and advice.

If they cannot give you all the answers straight away, then they will do the leg work and get back to you.

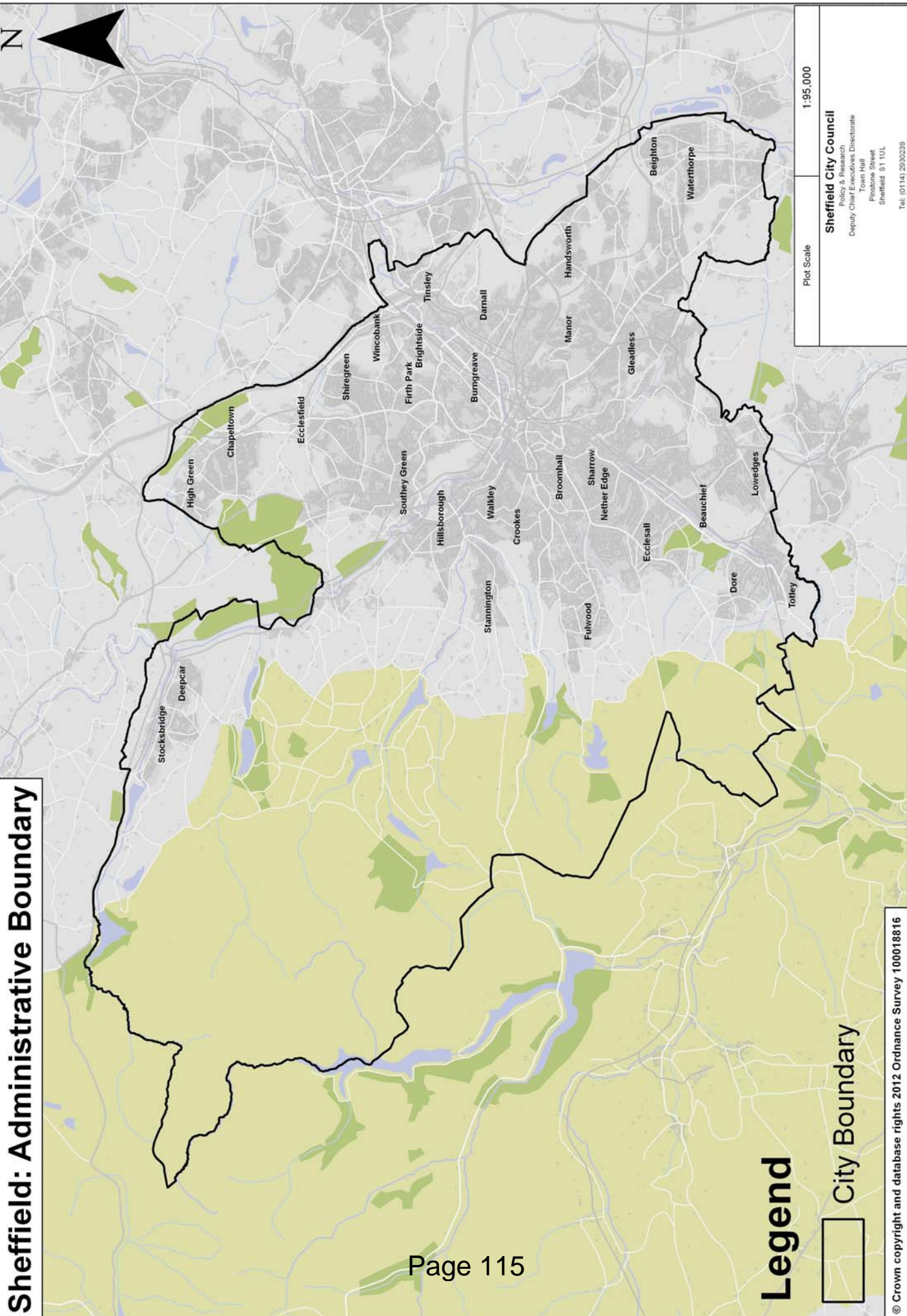
The Key Account Advisors will also help you to find out about the advice and support you could receive from outside the Council.

You are welcome to visit in person at the First Point for Business office in the Town Hall, just contact them for an appointment or simply drop in.

There is also wireless broadband in the First Point for Business office, so you can use your own laptop if needed.

**APPENDIX 1 - SHEFFIELD BOUNDARY MAP**

# Sheffield: Administrative Boundary



Plot Scale 1:95,000

**Sheffield City Council**  
Policy & Research  
Deputy Chief Executive's Directorate  
Town Hall  
Pinstone Street  
Sheffield S1 1UL  
Tel: (0114) 2930239

 City Boundary



## SHEFFIELD CITY COUNCIL

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

#### Standard Street Trading Consent Conditions

##### AUTHORISATION

1. The consent is only valid for the person named and is not transferable.
2. This consent enables the holder to trade in Sheffield from the area designated and between those times detailed in this consent only (if any).
3. The consent holder shall at all times have a copy of this consent available for inspection on request to any Police Officer or duly Authorised Officer of the Council.
4. A certificate will be issued along with the consent which must be clearly displayed on the vehicle or stall in a position that is clearly visible to customers and members of the public.
5. The consent holder shall only trade from the size and type of vehicle / stall / trailer specified in this consent.
6. The consent holder shall not use or permit anyone to use this consent to trade from anywhere other than the site detailed within this consent.
7. The consent holder shall ensure that a current price list of articles being sold is always prominently displayed on the vehicle or stall.
8. There shall be no alteration in the design / construction / appearance of the vehicle or stall without the written permission of the Council having been obtained.
9. There shall be no change in the range of articles sold without the written permission of the Council having been obtained.
10. The consent holder shall at all times have available for inspection an up to date and valid Certificate of Insurance (Vehicle and Public Liability) – the level of Public Liability Cover shall be a minimum of £2,000,000.
11. The Council reserve the right, should the need arise from time to time, to direct that the consent holder shall not trade:
  - from the whole or any part of the site;
  - during certain times from the site;
  - and move to an alternative site for a small length of time;and the consent holder shall comply with that instruction.
12. In the event that the Council give a direction to cease trading from the whole of the site, the City Council shall deduct from the next fee instalment due, a sum

proportional to the trading time lost. For the purposes of this calculation it shall be deemed that trading takes place on 7 days a week.

13. This consent will expire on the date given on the face of this consent, and the Council are under no obligation to renew such consent.
14. Consent holders shall notify the Council in writing of any permanent change of address as soon as it occurs. You must provide proof of your new address with your notification (i.e. utility bill, bank statement, etc.)
15. Consent holders shall ensure that disabled people and wheelchair users can be adequately served.

### **CONDUCT**

16. Consent holders and any assistants employed by them shall ensure the public and Council officers are treated fairly and with courtesy. Traders shall ensure that their staff are competent, courteous and helpful.
17. Consent holders will not obstruct Authorised Officers of the Council or Police Officers at any time and will always be polite and courteous.

### **AREA**

18. Any consent issued by the Licensing Service does not permit the holder to trade within "The City Centre Boundary" unless specifically stated.
19. Any consent issued for a street trader does not permit the holder to trade within 800 meter radius of any school in the Sheffield boundary unless authorised to do so.
20. Any consent issued for a mobile street trader does not permit the holder to trade within an 800 metre radius of the Sheffield Arena, Don Valley Stadium, Sheffield Wednesday and Sheffield United Stadiums on any event / match day (see plan for radius) for four hours previous, during and one hour after any event.

### **ASSISTANTS**

21. The consent holder will only employ persons that are suitably qualified in food hygiene to assist him (unless trading in non food articles / goods).
22. The consent holder shall not permit any person under the age of 17 to engage in Street Trading.
23. The consent holder shall ensure that any person who is working on the vehicle, stall or designated area has obtained the relevant authorisation and is wearing the identity badge issued to them by the Council (this includes the consent holder and any other person who is assisting the consent holder in trading).
24. The consent holder shall ensure that any person who is working on the vehicle has a right to work in the UK and has made appropriate checks.

25. The consent holder shall ensure that the Council (Licensing Service) are informed immediately of any new assistants that are employed to work at the vehicle, stall or unit.
26. The consent holder shall supply a copy of these street trading conditions to every assistant employed by him and ensure they are fully aware of their responsibilities.

### **FOOD HYGIENE**

27. The consent holder shall at all times observe proper food safety and hygiene standards and shall make appropriate use of any equipment provided for this purpose.
28. The applicant shall comply with all statutory requirements regarding food hygiene. The applicable legislation is:

#### **FOOD HYGIENE (ENGLAND) REGULATIONS 2006 FOOD REGULATIONS (EC) 852/ 2004.**

29. In accordance with the food hygiene legislation the applicant must provide proof to the Council that the business/mobile food unit is currently registered with the food authority in which the stall, handcart, barrow or mobile food unit is currently stored.
30. The applicant together with all other persons employed in food handling activities are required to attend a food hygiene course commensurate with the food handling activities.
31. Food traders must meet a minimum of 3 in their food hygiene rating score.
32. The applicant must display their food hygiene rating score visibly to customers.

### **LEGAL PROVISIONS**

33. Nothing contained in these conditions shall relieve or excuse the consent holder or their employees or agents from any legal duty or liability and at all times the consent holder shall comply with the relevant legislation in force.

### **GENERAL**

34. The consent holder shall take all reasonable steps to ensure public safety; in particular, any vehicle or trailer used to assist in street trading shall be maintained in a safe condition and be tested / serviced annually.
35. The consent holder shall ensure that no waste liquids (including grease) of any description are deposited on to the site, highway or into rainwater gullies / drains serving the site. All liquids must be removed from the site and disposed of in a proper manner.
36. The consent holder shall take all reasonable steps to;
  - Prevent accumulation of litter dirt, and / or grease in or close to the site;
  - Remove and properly dispose of any such litter, etc which does accumulate.

See [www.netregs.gov.uk](http://www.netregs.gov.uk) or contact Environmental Protection on 0114 2037411 for more information on Trade Waste Disposal.

37. No freestanding advertisements such as 'A' boards or signs attached to street furniture will be permitted.
38. The consent holder shall comply with any reasonable request and / or instruction given to him / her by a Police Officer or duly Authorised Officer of the Council.
39. The consent holder shall not use or permit to be used any electrical or electronic equipment (for example, televisions or radio receivers) in such a manner as to cause a disturbance and or nuisance.
40. The consent holder shall not obstruct the highway / footpath in which the site is situated or cause danger to persons using the highway / footpath.
41. The consent holder shall not cause nuisance or annoyance whether to persons using the street or otherwise.
42. The consent holder shall be responsible for and reimburse the Council in respect of any damage he / she causes to the highway / footpath or any fittings or fixtures on it.
43. The consent holder shall at all times obey all road traffic regulations in force in the consent area.
44. The consent holder and/or assistant must notify the Council immediately of any convictions or proceedings arising out of the use or enjoyment of the Consent, or from any other offence committed.

PLEASE NOTE, for the purposes of these conditions the "Council" shall be defined as the Licensing Service.

I confirm I have read and understood the conditions attached to my consent and will undertake to comply with all conditions:

Signed:.....

Print name:.....Dated:.....

**SHEFFIELD CITY COUNCIL**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**Ice Cream Mobile Street Trading Consent Conditions**

1. Mobile consent holders are not permitted to remain static for more than 20 minutes, and cannot return to the same site within the same day (site refers to a 400 metre radius).
2. Mobile consent holders are not permitted to trade within a 400 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.
3. Any consent issued for a mobile street trader does not permit the holder to trade within an 800 metre radius of the Sheffield Arena, Don Valley Stadium, Sheffield Wednesday and Sheffield United Stadiums on any event / match day for four hours previous, during and one hour after any event.
4. Mobile traders can only trade between the hours as specified on the face of individual consents.
5. Mobile traders are only permitted to trade in the areas listed on their consents.
6. Mobile traders must ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway, and does not present any dangers to other road users or pedestrians.
7. Mobile traders must not stop within 800 metres of any school from an hour before the start of the school day until an hour after the end of the school day unless granted a school consent for that site.

PLEASE NOTE, for the purposes of these conditions the "Council" shall be defined as the Licensing Service.

I confirm I have read and understood the conditions attached to my consent and will undertake to comply with all conditions:

Signed:.....

Print name:.....Dated:.....



**SHEFFIELD CITY COUNCIL**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**Mobile Street Trading Consent Conditions  
Fruit and vegetable traders**

1. Mobile consent holders are not permitted to remain static for more than 20 minutes, and cannot return to the same site within the week (site refers to a 500 metre radius).
2. Mobile consent holders are not permitted to trade within a 500 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.
3. Any consent issued for a mobile street trader does not permit the holder to trade within an 800 metre radius of the Sheffield Arena, Don Valley Stadium, Sheffield Wednesday and Sheffield United Stadiums on any event / match day (see attached plan) for four hours previous, during and one hour after any event.
4. Mobile traders must not in any circumstance unload items for sale off the unit for display on the footpath, highway or any other area.
5. Mobile traders can only trade between the hours of 9am to 7pm seven days a week.
6. Mobile traders are only permitted to trade in the areas listed on their consents.
7. Mobile traders must ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway, and does not present any dangers to other road users or pedestrians.
8. Mobile traders must not stop within 800 metres of any school from an hour before the start of the school day until an hour after the end of the school day.

PLEASE NOTE, for the purposes of these conditions the "Council" shall be defined as the Licensing Service.

I confirm I have read and understood the conditions attached to my consent and will undertake to comply with all conditions:

Signed:.....

Print name:.....Dated:.....

**SHEFFIELD CITY COUNCIL**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**Static Street Trading Consent Conditions**

1. The consent holder shall only trade from the site specified in this consent.
2. Consent fees where previously agreed are payable quarterly in advance of the period to which they relate.
3. The trader shall collect and properly dispose of all wrappings and litter within a 100 metre radius of the site (and beyond where it is the result of the trader's activities from the site) at the end of each trading day and as often as may be necessary during each trading day so as to keep and leave the street in a clean and tidy condition.
4. The consent holder shall comply with all the conditions attached to their consent.

PLEASE NOTE, for the purposes of these conditions the "Council" shall be defined as the Licensing Service.

I confirm I have read and understood the conditions attached to my consent and will undertake to comply with all conditions:

Signed:.....

Print name:.....Dated:.....

**CITY CENTRE STREET TRADING  
Small Trading Stalls**

**BACKGROUND**

Street activities are an essential ingredient of a vibrant and lively city, and in Sheffield there is a strong demand for legitimate small scale trading pitches. They also offer an opportunity for small businesses to get started with relatively modest outlay.

The widening of footways offers the opportunity to designate more pitches in locations that will add to the attractiveness of the City Centre. In Orchard Square and Meadowhall 'Barrow' style stalls are used extensively, enhancing the colour and vitality of those places.

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

**QUALITATIVE CRITERIA – SMALL TRADING STALLS**

**GENERAL DESIGN**

- There will be no motorised vehicles or stalls etc. permitted as part of this scheme.
- All barrows/handcarts must be capable of being moved on and off site by hand and any vehicles used to bring the barrows/handcarts to the site must be parked, loaded and unloaded off site.
- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailer reputation.
- It is in the best interest of traders to produce a high quality design in their barrows/handcarts. The function of the stall is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness and order in their operation. The barrow/stall contributes to the appearance of the street for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Sign writing and scrollwork must be finished to a standard acceptable to the City Council.
- The unit must be visually acceptable to the City Council (this will include the Head of Licensing, City Centre Manager and Planning Service) and be in keeping with the street/area that it is to be located.
- Advertisements on stalls will not be permitted except by permission of the Council in writing and subject to further conditions. The Council shall be the sole judge of what is an acceptable advertisement.
- The Council will reserve the right to not renew any consent where it considers the

product(s) offered by the operator are not in keeping with the requirements of the site and the promotion of the City Centre.

- Non functional elements attached to barrows / handcarts, are not acceptable.
- The general design of the barrow/handcart must meet the requirements of the Council for that location.
- Flame retardant 'skirts' are to be used if necessary, so as to obscure the frame, gas bottle etc. They should be designed to 'unify' the barrow/handcart.
- All equipment, tools, gas bottles etc. must be self contained within the stall/handcart etc.
- Bright colours and a sense of fun are encouraged.
- Finished in flame retardant paint.
- A colour photograph or scale illustration of the proposed handcart must be submitted to the Licensing Service as part of the application process.
- No barrow/handcart should have a frontage greater than 3.0 metres or a width greater than 2.0metre.
- Roofs should be no more than 2.5m above ground level.
- Pitched and curved roofs are encouraged.
- Canopies should be high quality with a feeling of 'permanence'. These could be manufactured from either stretched canvas, or woven material, opaque or light metal materials. Clear plastic awning and extensions to the canopy will not be acceptable.
- Canopies must be maintained and cleaned to a high standard.
- Food traders must ensure that any stall design satisfies the requirement of food safely legislation. Staff must be adequately trained in good hygiene (Basic Food Hygiene Certificate and regular on going training) and records of training must be made available on request.
- Best practise of food hygiene must be adopted by the operator. This covers:
  - Personal hygiene
  - Hand washing
  - Ill health
  - Prevention of contamination
  - Temperature control
  - Temperature monitoring
  - Cleaning
  - Storage and stock rotation
  - Procedures in the event of freezer breakdown
  - Site cleanliness
  - Waste disposal
  - Pest control
  - Quality control
  - First aid facilities
- Food traders must have a minimum food hygiene rating score of 3.

**CITY WIDE STREET TRADING  
QUALITY SPECIFICATION**

**(This specification does not include the city centre)**

**UNIT DESIGN**

- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailers' reputation.
- It is in the best interest of traders to produce a high quality design both internally and externally in their unit.
- The function of the unit is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness in their operation. The unit must contribute to the appearance of the area for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Stalls must enhance the visual appearance of the street rather than detract from it and be constructed in a suitable style and of appropriate materials.

Examples of acceptable designs include:

- Modern, simple, functional stalls with umbrellas, canopies or striped awnings.
- Traditional or 'period' type handcarts, barrows or tricycles.
- The stall design should be fully accessible for all customers.
- The outside of the unit will be limited to the name of the stall, the type of product sold and a simple price list. Ad hoc pictures and advertiser's slogans should be avoided, as should untidy handwritten signs.
- Advertisements on stalls will not be permitted except by permission of the Council in writing and subject to further conditions. The Council shall be the sole judge of what is an acceptable advertisement.
- Sign writing and scrollwork must be finished to a standard acceptable to the City Council.
- The unit must be visually acceptable to the City Council.
- The general design of the unit must meet the requirements of the Council for the location and proposed hours or days of trading. A photograph of the actual unit or proposed model must be submitted on application.
- Bright colours and a sense of fun are encouraged.
- Pitched and curved roofs are encouraged.
- Canopies must be maintained and cleaned.



- No expenditure on units or equipment should be made until the Council has granted consent and the unit design has been approved.
- The internal layout of the unit must be clean and to a high standard.
- Non-motorised vehicles (ie carts/barrows) are encouraged in pedestrian areas. For example shopping areas like Woodseats, Hillsborough, etc.
- Mobile trading vans must have a side hatch to serve customers.
- The unit / vehicle must be clearly identifiable as a trader.

**Environmental Health considerations of the unit design:**

**For Enclosed Food units:**

- The internal arrangements must be such that:
  - There is suitable and sufficient hand washing facilities with hot water;
  - The work surfaces are impervious to water and readily cleansable;
  - There is sufficient compliant temperature controlled food storage facilities appropriate to the business;
  - The gas and electrical installations are certificated and deemed to be safe by a competent and suitably qualified engineer; any gas store cupboard should be outside of the food area;
- The external arrangements must be that the mobile is sufficiently weather and pest proof so as to not risk the contamination of the food.

**For Market-Stall or Street-Barrow type food units:**

- The stall must be covered to prevent the risk of matter falling on to the food;
- The work surfaces likely to be in contact with the food must be impervious to water and readily cleansable;
- Any intrinsic storage food area must be able to be secured against the intrusion by pests;
- If temperature controlled food is to be stored on the mobile, the storage facility shall be capable of maintaining the food in a legally compliant manner;
- That there are adequate hand washing facilities.

**Food Hygiene record (for all food stalls) - all food regulations have been adhered to:**

- The applicant will need to demonstrate that:
  - they have registered with their home Local Authority;
  - all food handlers have received adequate food safety training appropriate to their job role;
  - the food business has a legally compliant Food Safety Management System (e.g. Safer Food, Better Business);
  - if there is a history of non-compliance, it has been addressed and accepted by the Food Safety Enforcing Officer, or that the food business is in the process of addressing the issues and the Food Safety Officer does not consider the defect too severe so as to prohibit the food business from trading; and
  - their business has a food hygiene rating score of at least 3.

## **DRESS**

- Trader and their assistants must be identifiable (i.e wear a uniform).
- The style of dress worn by stall operators should be chosen to complement the style and period of the unit.
- Over clothing must always be smart and clean. Operators of food stalls should ensure that sufficient changes of clothes are provided so as to enable personnel to always wear over clothing, which is clean.
- Personal cleanliness is also important and persons employed at food stalls are required to have good personal hygiene.

## **GENERAL**

- Vehicles used to tow trailers must be parked legally at all times.
- The Council will reserve the right to not renew any consent where it considers the product/s offered by the operator are not in keeping with the requirements of the site.
- The goods complement and do not conflict with the goods sold by other retailers within their proposed area(s).

**The criteria above are intended to guide applicants for street trading consents as to the type of stall and dress, which the Council is looking to promote as a means of regulating the street trading.**

**It is not intended to exclude any design that does not fall within the examples given.**

**APPENDIX 8 - DELEGATION OF FUNCTIONS**

**Street Trading Consent**

**Local Government (Miscellaneous Provisions) Act 1982**

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub - Committee</b>	<b>Officers</b>
Review of Policy and conditions	In all other cases		Minor changes to policy with agreement of Head of Licensing
Fee setting (where appropriate)	In all other cases		Static Consents
Grant or renewal of a Street Trading Consent		If a representation is made	If no representation made
Variation of a Street Trading Consent		If a representation is made	If no representation made.
Application for an Assistants badge		If a representation is made	If no representation made
Refusal of Consent		In cases where the set conditions or criteria are not met/breached	
Revocation		In all cases	

## APPENDIX 9 - GUIDELINES RELATING TO THE RELEVANCE OF CONVICTIONS

**Guidelines relating to the relevance of convictions for:**

- **applicants for the grant or renewal of a street trading consent;**
- **persons who wish to be registered as an assistant to a holder of a street trading consent or to renew such registration; and**
- **the holders of street trading consents and persons registered as an assistant to the holder of a street trading consent.**

### **General policy**

**Each case will be decided on its own merits**

1. The Council will assess whether:

- (a) an applicant for the grant or renewal of a street trading consent is a suitable person to hold or to continue to hold a street trading consent,
- (b) a person who wishes to be registered as an assistant to a street trading consent holder or to continue to be registered as an assistant to a street trading consent holder is a suitable person to be registered as an assistant to a street trading consent holder.

In making that assessment, the Council consider the previous convictions of such persons.

2. In considering the previous convictions of those persons mentioned in paragraph 1 above the Council will consider the following:

- (a) whether the conviction is relevant;
- (b) the seriousness of the offence;
- (c) the length of time since the offence occurred;
- (d) whether there is a pattern of offending behaviour;
- (e) whether that person's circumstances have changed since the offence occurred; and
- (f) the circumstances surrounding the offence and the explanation offered by that person.

3. The following is a description of the Council's general approach to certain categories of offences.

#### **a) Dishonesty**

The holders of a street trading consent and their assistants have to be persons who can be trusted. It is easy for a dishonest trader or assistant to take advantage of the public.

Members of the public using a street trading outlet expect the holder and his assistant to be honest and trustworthy.

For these reasons a serious view will be taken of any conviction involving dishonesty. In general, an applicant for the grant or renewal of a street trading consent is unlikely be granted a street trading consent where the application is made within 3 to 5 years of a conviction or the date of release from prison.

Similarly a person wishing to be registered as an assistant to a street trading consent holder is unlikely be to be registered where registration is sought within 3 to 5 years from the date of conviction or the date of release from prison.

#### **b) Violence**

As street traders and their assistants have close contact with the public, a firm line will be taken with applicants who have convictions for violence. In cases where the commission of an offence involves loss of life, a street trading consent or registration as an assistant to the holder of a street trading consent will normally be refused.

In other cases, a period of 3 to 10 years free of conviction from the date of conviction or the date of release from prison where a custodial sentence has been imposed, depending upon the nature and seriousness of the offence(s), will generally be required before an application is likely to be considered favourably.

#### **c) Drugs**

Where an applicant has a conviction for an offence that relates to the supply or importation of drugs and the date of the conviction or the release from prison, where a custodial sentence has been imposed, is less than 5 to 10 years before the date of the application, an application will normally be refused. After 5 years from a conviction or the date of release from prison, where a custodial sentence has been imposed, the circumstances of the offence and any evidence which shows that a person is now a fit and proper person to hold a street trading consent or to be registered as an assistant to the holder of a street trading consent will be taken into consideration.

An application will normally be refused where the applicant has a conviction for an offence relating to the possession of drugs and the date of the conviction or the release from prison, where a custodial sentence for such an offence has been imposed, is within 3 to 5 years of the date of the application. After a period of three years from conviction or the date of release from prison where a custodial sentence has been imposed, consideration will be given to the circumstances of the offence and any evidence to show that an applicant is a suitable person to hold a street trading consent or to act as an assistant to the holder of a street trading consent.

An application will normally be refused where an applicant has more than one conviction for offences related to the possession of drugs and the last conviction or the date of release from prison, where a custodial sentence has been imposed, is less than 5 years before the date of the application.

#### **d) Sexual and indecency offences**

As the holders of street trading consents and their assistants, and in particular

those who sell ice cream, have access to children, applicants who have convictions for rape, indecent assault, any sexual offence involving children and any conviction for an offence under the Sexual Offences Act 2003 will normally be refused a street trading consent or registration as an assistant to the holder of a street trading consent.

Where an applicant has a conviction for a sexual offence such as indecent exposure they will normally be refused a street trading consent or registration as an assistant to the holder of a street trading consent until they can show a substantial period usually between 5 and 10 years free of any such convictions from the date of conviction or the date of release from prison where a custodial sentence has been imposed.

After a period of 5 years from conviction or the date of release from prison, where a custodial sentence has been imposed, consideration will be given to the circumstances of the offence and any evidence to show that an applicant is a suitable person to hold a street trading consent or to be registered as an assistant to the holder of a street trading consent.

When considering applications, the Council may take into account any information of a sexual nature which does not amount to a criminal offence that is brought to its attention where that information may indicate that an applicant may not be a suitable person to hold a street trading consent or to be registered as an assistant to the holder of a street trading consent. In cases where the Council considers that information shows an applicant is not a suitable person, it will normally require a period of not less than 5 years free of such incidents from the date on which the incident occurred or, if more than one from the date of the last incident.

#### **e) Motoring convictions**

In most cases, motoring offences are unlikely to be relevant when deciding if an applicant for a street trading consent or to be registered as an assistant to the holder of a street trading consent is a suitable person.

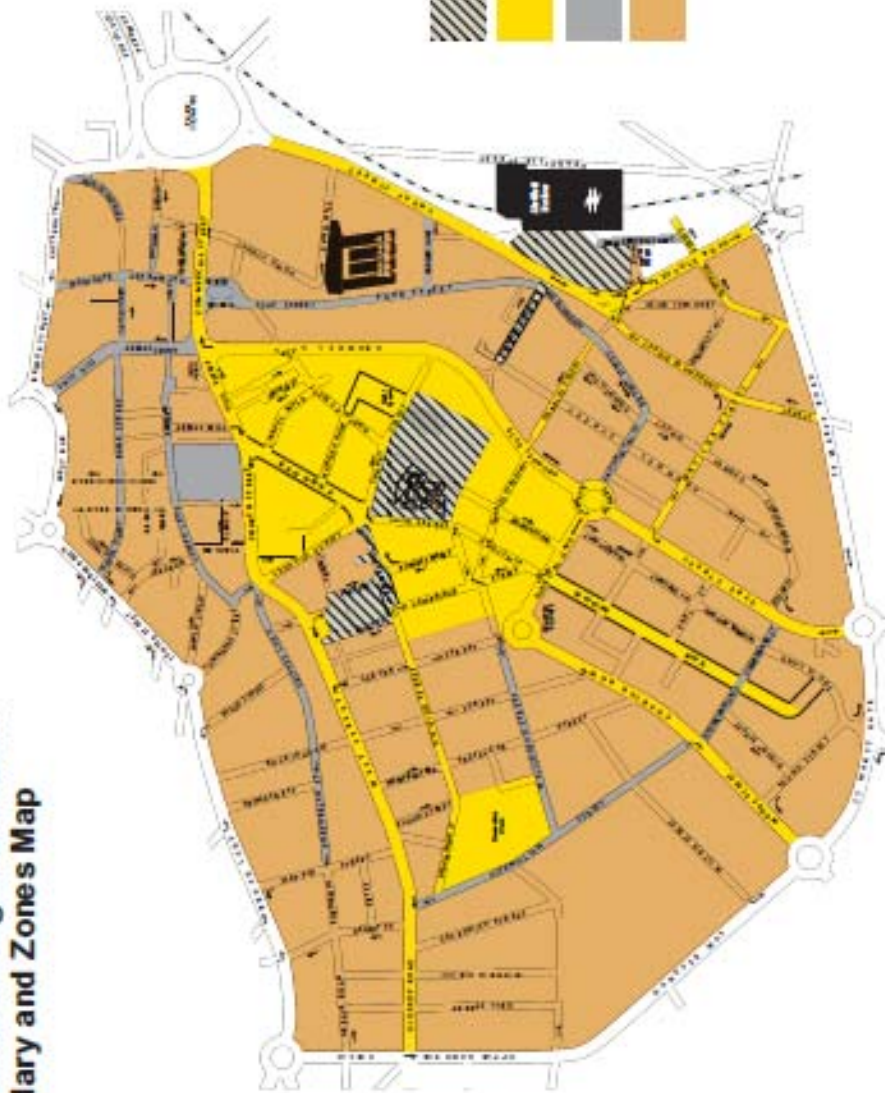
However, there may be instances where the offences are of a very serious nature. In those cases, an applicant for a street trading consent or to be registered as an assistant to the holder of a street trading consent would be expected to show a period usually between 3 and 5 years free of any such convictions from the date of conviction or the date of release from prison, where a custodial sentence has been imposed.

#### **f) Formal cautions and fixed penalty notices**

For the purposes of these guidelines, the Council will treat Formal Cautions issued in accordance with Home Office guidance and fixed penalty notices as though they were a conviction before the courts



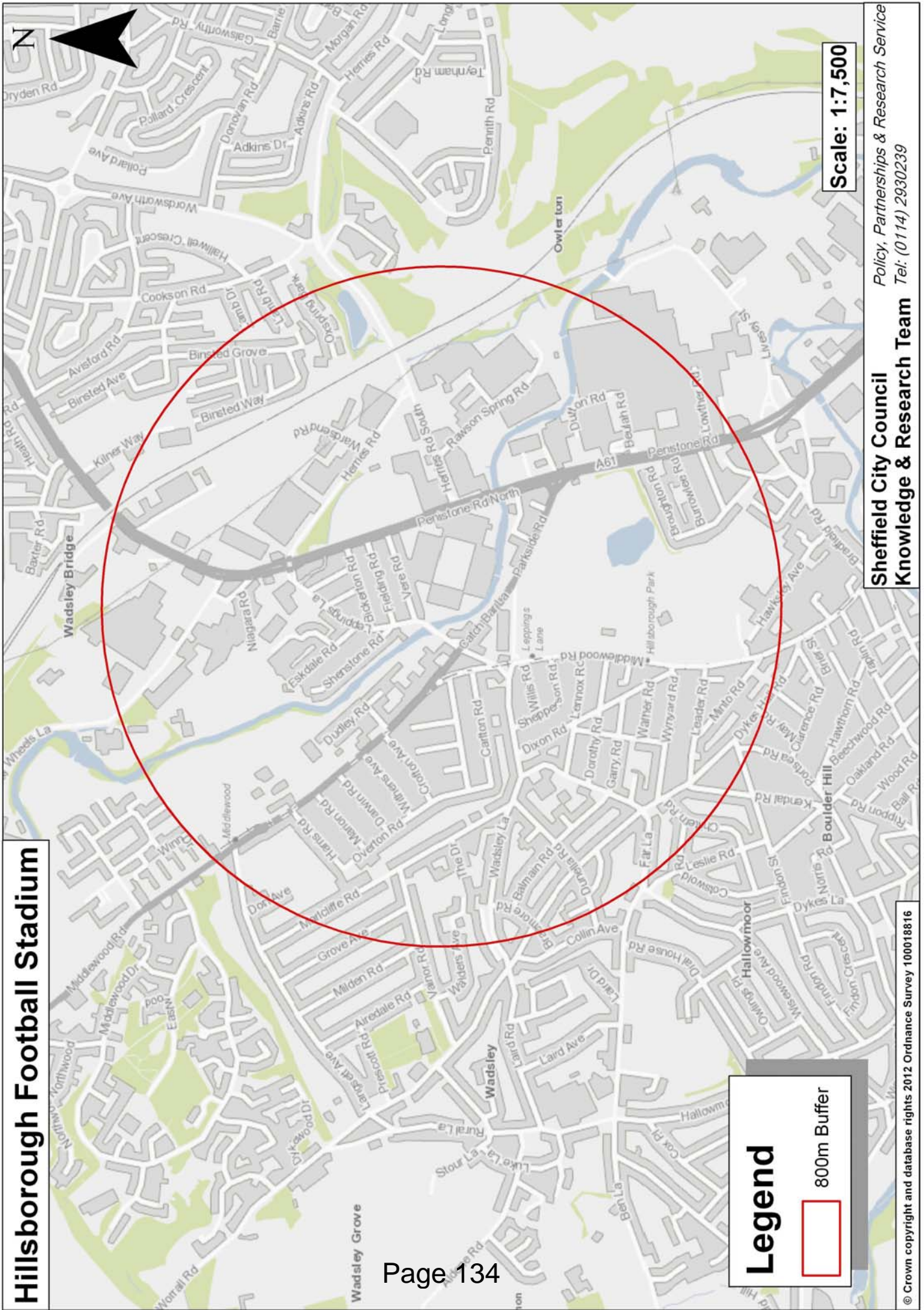
**City Centre Management Team  
Boundary and Zones Map**



CDM-081



# Hillsborough Football Stadium



Scale: 1:7,500

**Legend**

800m Buffer

**Sheffield City Council**  
**Knowledge & Research Team**

*Policy, Partnerships & Research Service*  
*Tel: (0114) 2930239*

**APPENDIX 12**

**- PLAN AND RADIUS OF SHEFFIELD UNITED  
FOOTBALL CLUB**



# Bramall Lane Football Stadium



Scale: 1:7,500

**Legend**

800m Buffer

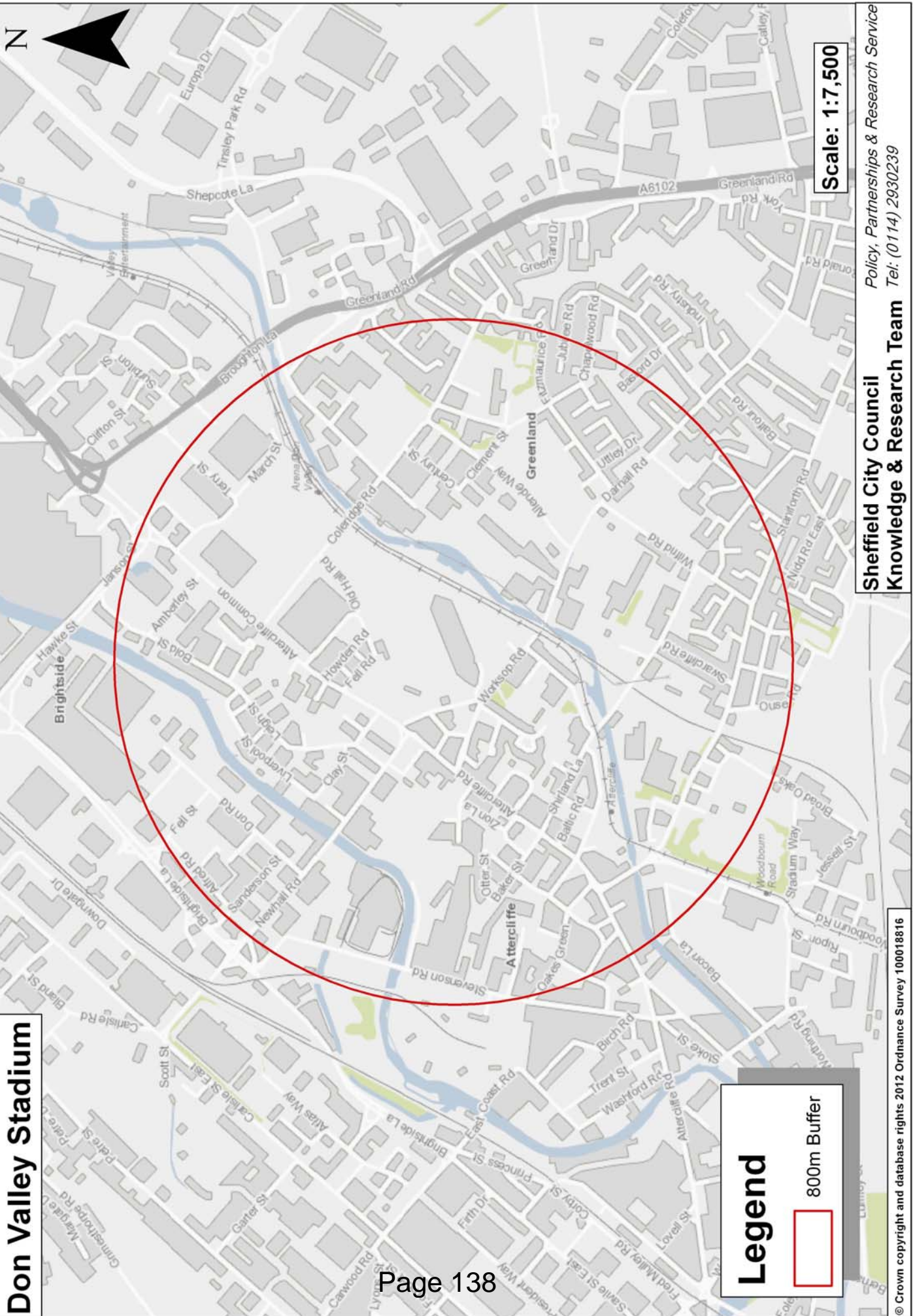
Sheffield City Council  
Knowledge & Research Team

Policy, Partnerships & Research Service  
Tel: (0114) 2930239





# Don Valley Stadium



Scale: 1:7,500

**Legend**

800m Buffer

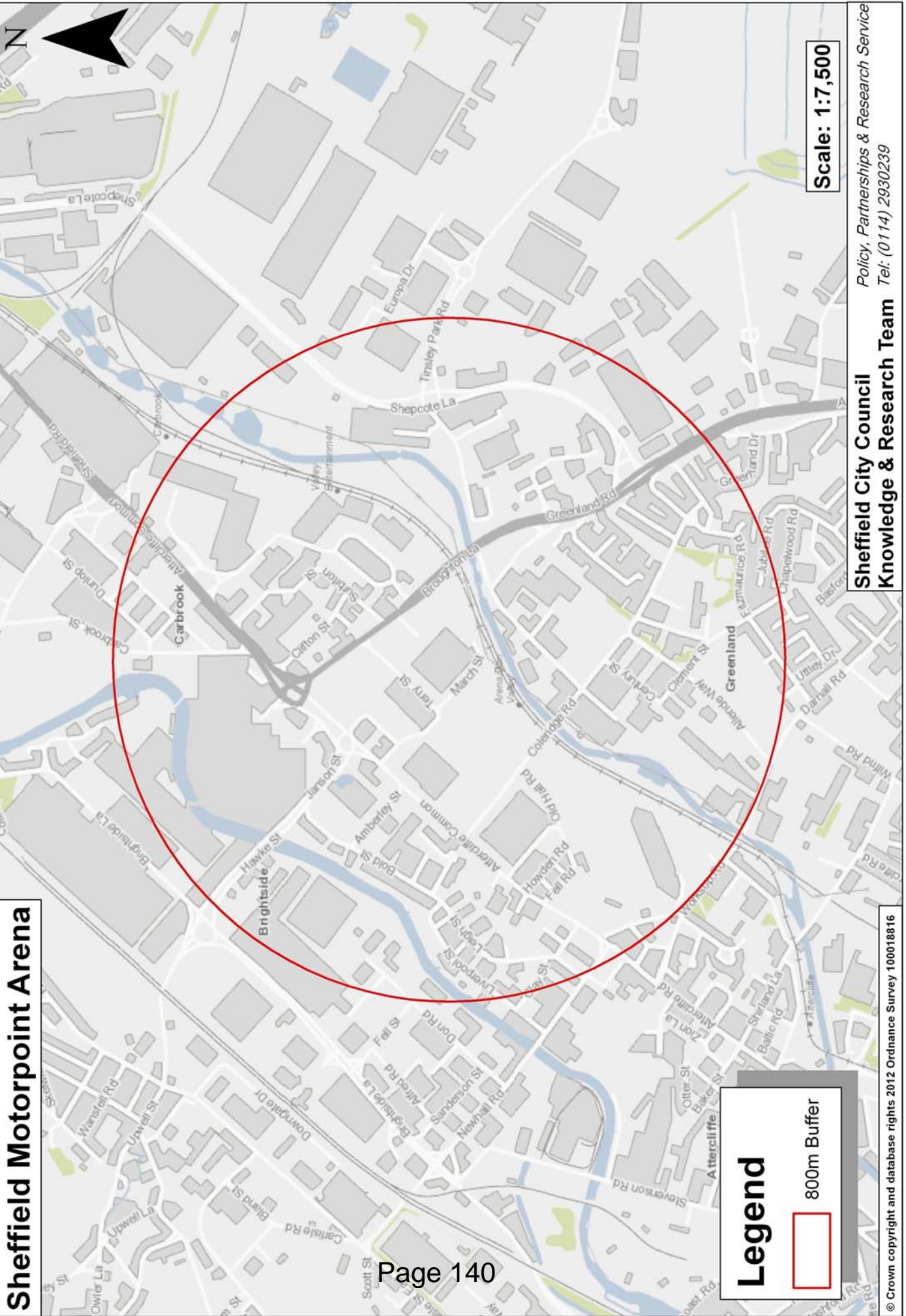
Sheffield City Council  
Knowledge & Research Team

Policy, Partnerships & Research Service  
Tel: (0114) 2930239





# Sheffield Motorpoint Arena



Scale: 1:7,500

**Legend**

-  800m Buffer

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