



SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 24th August 2017

Subject: Street Trading
Application for a Static Street Trading Consent

Author of Report: Clive Stephenson

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

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

Category of Report: OPEN

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

REF No: 103/17

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Edward Bishop

1.0 PURPOSE OF REPORT

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

2.0 INTRODUCTION

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

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

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

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 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.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

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

2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.

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

3.0 THE APPLICATION

3.1 The applicant is a Mr Edward Bishop copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 18th July 2017.

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

3.4 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning, and City Centre Management. Notices were erected by Licensing Officers at the site advertising the application and notice was also given to shops and anyone that might be affected by the applications within the immediate vicinity.

3.5 No Objections have been received by.

4.0 REASONS FOR REFERRAL

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

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

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

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

5.0 FINANCIAL IMPLICATIONS

5.1 The Street Trading Policy states that fees will be set and reviewed annually on a full cost recovery basis. The level of fee takes into account the location, duration of consent, the trading hours and articles to be sold as well as the enforcement of terms and conditions.

5.2 Fees for static consents are determined at the grant of the application therefore there are no financial implications arising from this report.

6.0 RECOMMENDATIONS

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

7.0 OPTIONS OPEN TO THE COMMITTEE

- 7.1 To grant the application for a Static Street Trading Consent at Barkers Pool.
- 7.2 To grant the application with amendments.
- 7.3 To defer the matter for further consideration.
- 7.4 To refuse the grant of the Static Street Trading Consent .

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

24th August 2017.

Appendix A

Application and relevant documents

Local Government (Miscellaneous Provisions) Act 1982

AI

Application for a
(City Centre – small unit) Street Trading Consent

Notes to Applicant:

All questions must be answered unless otherwise stated.
If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

*I / *WE HEREBY APPLY to the Sheffield City Council for the grant of a (city centre – small unit) street trading consent.

A. THE APPLICANT(S)

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

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

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

C. TRADING DETAILS

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

D. THE UNIT

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

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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 [<input checked="" type="checkbox"/>]		
		Applicant 2 Yes [] No []		
Details of previous convictions and/or cautions				
	Date of Conviction	Court of Conviction	Nature of Offence	Sentence
	Applicant 1			
	Applicant 2			

F. CHECK LIST

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

Non refundable fee of £100	
Your current passport	<input checked="" type="checkbox"/>
Your current drivers licence	<input checked="" type="checkbox"/>
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	<input checked="" type="checkbox"/>
Right to work documentation (if applicable)	<input checked="" type="checkbox"/>
Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	<input checked="" type="checkbox"/>
Photographs of the vehicle / unit, front back and rear.	<input checked="" type="checkbox"/>
Details of any food hygiene qualifications (unless trading in non food items)	<input checked="" type="checkbox"/>
If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	<input checked="" type="checkbox"/>
Confirmation your vehicle meets the quality criteria	<input checked="" type="checkbox"/>
Any further information you may wish to submit in support of your application	~ / A

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

(tick if enclosed with this application)

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

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G. DECLARATION

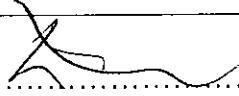
WARNING

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

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

I / We,

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

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

Please read these notes before completing the application form.

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

1. Eligibility Criteria

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

2. Fee

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

3. Application

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

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

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

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

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

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4. Objections

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

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

5. Grant of a Licence

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

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

6. Offences

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

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

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

7. Other Legislation to be Aware of

Food Establishments

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

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

There is no charge for registration.

Trade Waste Disposal

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

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

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

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

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

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

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

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

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

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

Applications must be submitted to:

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

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



SHEFFIELD CITY COUNCIL
Licensing Service

PLEASE NOTE:

DISCLAIMER

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

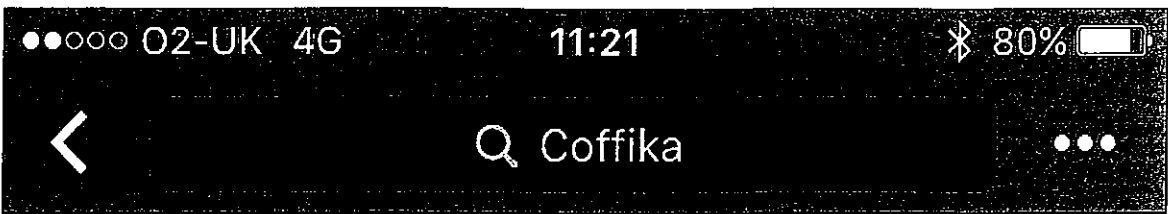
Sheffield City Council can take no responsibility or liability for the completion of your application form.

We will however endeavour to offer basic information / guidance.

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

Stephen Lonnia
Head of Licensing
Sheffield City Council

A9



Home Posts Videos Photos About Com

Fetco UK, Forge Coffee Roasters, La Marzocco



You, Justyna Bishop and 20 others

Love


Comment

Share

A16

●●○○○ 02-UK 4G

11:22

✳ 80% 




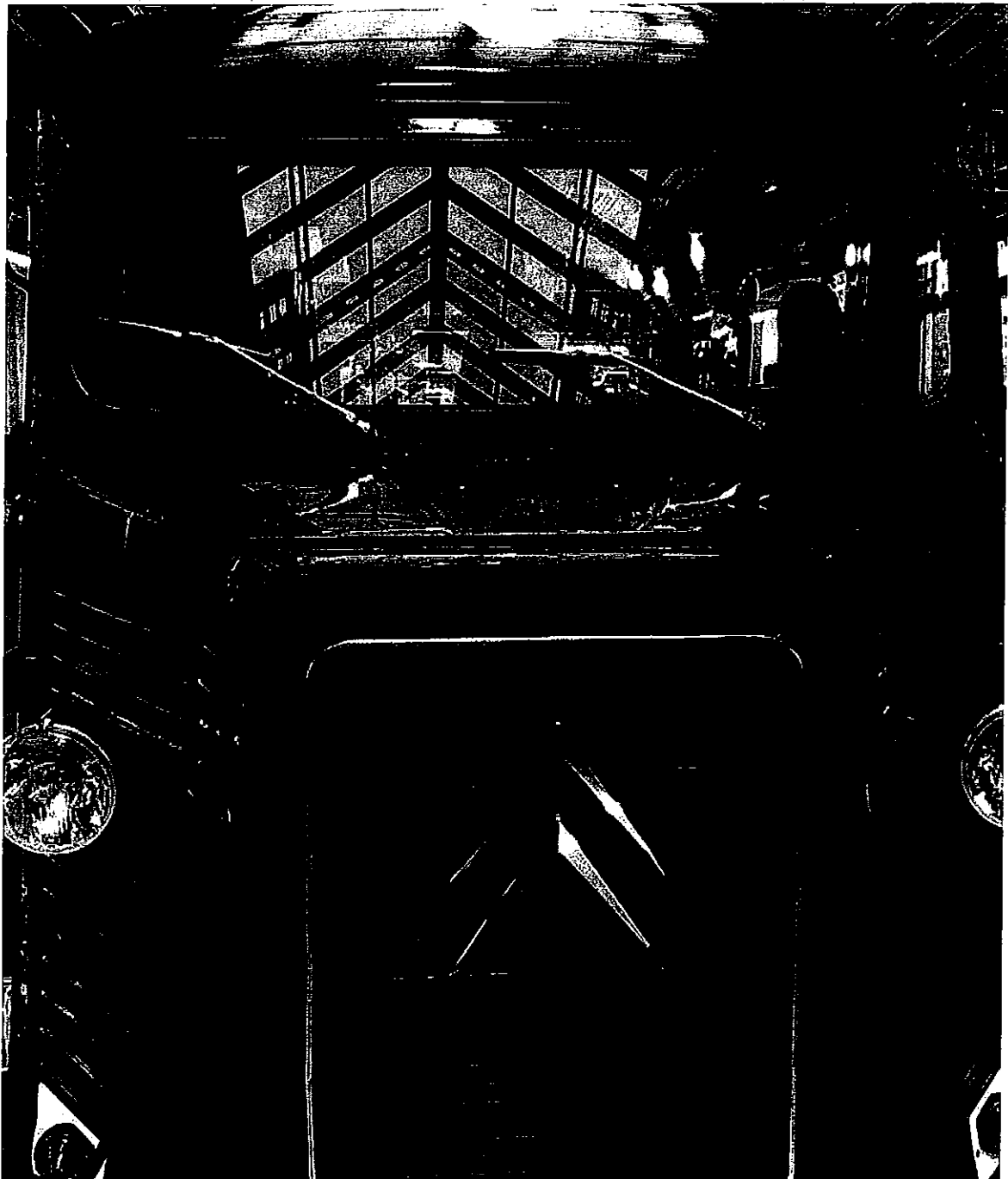
Coffika's post



 Like

 Comment

 Share



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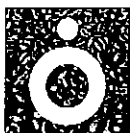
39

8 comments 11 shares

Like

Comment

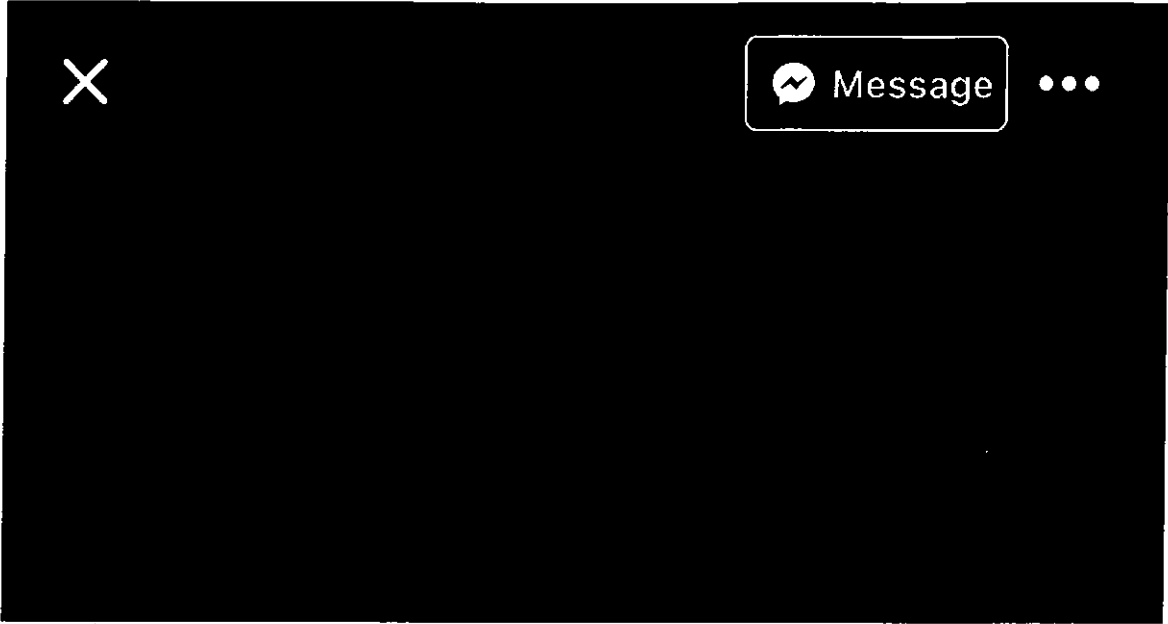
Share



Coffika

28 June at 08:25 · Page 20

A12



Coffika Van serving coffee and prosecco in Cutthorpe, Chesterfield today! Thanks to... See more

 You, Mikey Hulmes and 12 others

POLICY SCHEDULE


Retail & Leisure

This **Schedule** should be read in conjunction with the Quotation & Statement of Fact and the Thistle Underwriting General Liability Policy Version 1.0.

Policy Schedule

Insurance is provided by this **Policy** during the **Period of Insurance** stated below only in respect of those sections where a limit of indemnity/liability is shown. Where there is no insurance the words 'Not insured' are shown.

Reason for Issue: New Business
Policy Number: 01021361477
Period: from 26/06/2017 to 25/06/2018
Broker: Bell & Co

Insured Details

Insured: Fat Pepper Limited Trading As Coffika
Address: 38 The Arcade, Meadowhall Centre, Sheffield, South Yorkshire, S9 1EH
Business: Mobile Coffee Shop and Prosecco Bar

Cover Details

Standard Cover

Item	Limit of Indemnity	Premium (ex IPT)
Section 1 Employers Liability	£10,000,000 any one Occurrence	£150.00
Section 2 Public Liability	£5,000,000 any one Occurrence	£150.00
Section 3 Products Liability	£5,000,000 in the aggregate in any one Period of Insurance	

Please refer Endorsements for details of **Excesses**

The following **Premises** have been declared and are insured under the **Policy** in respect of the **Business** of the **Insured**:

	Address	Postcode
Premises 1	208 West Street, Sheffield, South Yorkshire	S1 4EU

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Endorsements

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

Endorsements Applicable to Mobile Coffee Shop and Prosecco Bar

i. Third Party Property Damage Excess

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

Policy Endorsements

None

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Sheet One of _____

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

Business Name		Name of Operator	
Coffika		Edward Bishop	
Address 38 The Arcade Meadonhall Centre, Meadowhall Way, Sheffield S9 1EH		Registered Head Office AS Previous	
Inspecting Officer Details			
Name	Position	Person Seen	Date
EDWARD BISHOP	REGISTERED HEAD OFFICE	EDWARD BISHOP	20th May 2017
Telephone 0114 526 0267			
Email See Over			
Time Start 17:00		Time Finish 17:45	
Food Hygiene Rating Score 0 1 2 3 4 5		Type of Business Cafe	
Samples Taken (specify)			

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

L/R	CIM	PH/S	Timescale

See previous page. Best practice observed.
 No obvious problems observed.

A16

MOT Test Number

418115804943

Vehicle Registration Mark

PGF158K

Vehicle Identification Number

5246075

Make

CITROEN

Model

H VAN

Colour

Grey

Issuer's Name

A. J. STUBBS

Test Class

4

Country of Registration

Great Britain

Expiry Date

4 May 2018 (EIGHTEEN)

Issued

5 May 2017

Test Station

2208BY

Odometer Reading and History

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

Inspection Authority

HOCKERING MOTOR SERVICES
THE STREET
HOCKERING
DEREHAM
NR20 3HJ
01603880408

Additional Information

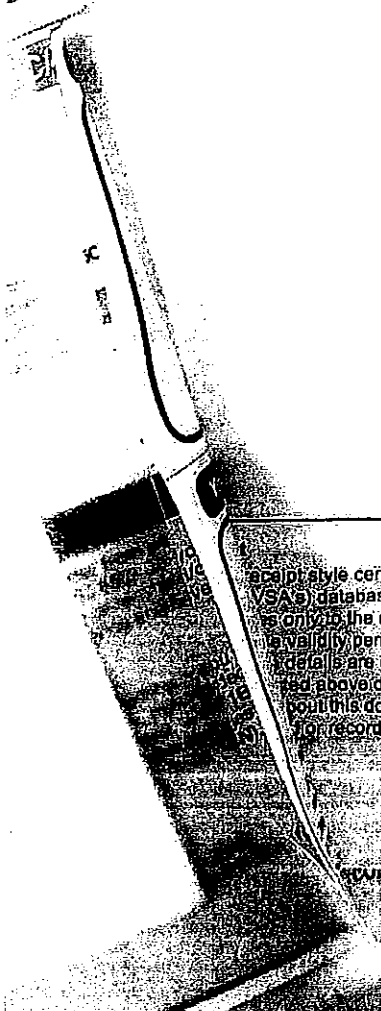
To preserve the anniversary of the expiry date,
the earliest you can present your vehicle for
test is 5 April 2018.

Signature of Issuer

Advisory Information

31 (slight play in both track rod ends)

0300 9300 9300



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

Appendix B

Invitation to attend

SHEFFIELD CITY COUNCIL

BI

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

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

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

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

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Devonshire Green.

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

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

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

The meeting in respect of the application will take place on **Thursday 24th August 2017** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **10:00 am**.

PLEASE NOTE:

I would be grateful if you could confirm that you will be attending the meeting by telephoning the Licensing Office on 0114 2734264.

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

Date: 14th August 2017

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

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

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.

Appendix C

Hearing Procedure

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE



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

1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
2. The Chair will ask the applicants and interested parties to formally introduce themselves.
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.

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