



**SHEFFIELD CITY COUNCIL
Committee Report**

Report of: Chief Licensing Officer, Head of Licensing

Date: 31st August 2017

Subject: Street Trading
Application to vary a Static Street Trading Consent

Author of Report: Clive Stephenson

Summary: To consider an application for a street trading consent
Fargate

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: 102/17

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Pancakes Fargate

1.0 PURPOSE OF REPORT

1.1 To consider an application for the variation of a Static Street Trading consent to trade at Peace Gardens Sheffield.

2.0 INTRODUCTION

- 2.1 The Council as a Licensing Authority have power under the provision of the 1982 Act to regulate Street Trading in the City.
- 2.2 A Street Trading Consent is required to trade on any Street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.
- 2.3 The Licensing Committee at it's meeting of 29th January 2002 passed the following resolution:
1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
 - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
 - (b) such street trading designation shall take effect as from the 1st April 2002; and
 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.
 2. The effect of this resolution is that from 1st April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.
- 2.4 A Local Authority may attach conditions to a Street Trading Consent. The conditions may include conditions to prevent obstruction of the street and danger to persons using the street or nuisance or annoyance.
- 2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.
- 2.6 There is no appeal procedure against the refusal or revocation of any consent. An applicant may, however apply for judicial review of the Council's decision.

3.0 THE APPLICATION

- 3.1 The applicant is Mr Michael Desmond a copy of the application is attached at Appendix 'A'.
- 3.2 The Application was deferred from a hearing of the 22nd August Mr Desmond was unable to attend the hearing.
- 3.3 The application was submitted on 20th June 2017.
- 3.4 The application is vary the current sale of flowers to hot food (pancakes).
- 3.5 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.
- 3.6 No objections have been received.

4.0 REASONS FOR REFERRAL

- 4.1 Members should consider all the information provided by the applicant both in their written application and in person at the hearing.
- 4.2 The applicant has been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'B'.
- 4.3 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 to vary the Static Street Trading Consent at location applied for.
- 7.2 To grant the application with amendments.
- 7.3 To defer the matter for further consideration.
- 7.4 To refuse to vary the Static Street Trading Consent.

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

31st August 2017

Appendix A

Application & Relevant
Documents

Application to VARY a 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 to VARY a street trading consent (*delete as appropriate).

A. THE APPLICANT(S)

		1st Applicant (Mr/Mrs/Miss/other)	2nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	Michael Desmond	
Q2	Applicant(s) permanent private address	[REDACTED] Sheffield	
Q3	Date of birth	[REDACTED]	
Q4	Nationality and place of birth	British STH JUKS	
Q5	Telephone No	[REDACTED]	
Q6	Email address	[REDACTED]@hotmail.com	

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

Q7	Name	
Q8	Registered address	
Q9	Registered number	
Q10	Telephone number	
Q11	Email address	

C. CURRENT CONSENT DETAILS

Q12	Consent number	ST/CC-0007
Q13	Type of consent issued	STATIC / MOBILE / CITY CENTRE SMALL UNIT / SCHOOL / OTHER (please list)
Q14	Current site details (if applicable)	Fargate outside M+S,
Q15	Expiry date of consent	30- November 2017

D. DETAILS OF VARIATION

Q16 Please note:

- you cannot change sites on a variation, a new application must be submitted.
- Consents are non transferrable, so you cannot add new consent holders on an existing consent.

Tick details of variation, this can be more than one:

Change days of trading	
Change hours of trading	
Change items to be sold	✓
Change of vehicle / unit	✓
Other (if other, please specify below)	

Details:

Q17	Current details to change	Proposed details of change and reason for that change
	Flowers, to pancakes	I have a well known mobile catering unit (Bubble Nutch Pancakes). I wish to change for health reasons. Sun exposure has given me skin cancer. I have attached details

A3

E. CONVICTIONS / CAUTIONS

Q18	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?	Applicant 1 Yes [] No [✓]		
	If the answer is Yes please give full details below:	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)

Fee on variation application	✓
3 Photographs of the vehicle / unit if a change of unit showing front, back and side	✓
If a change of unit, confirm it meets the qualitative 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 application:

(tick if enclosed with this application)

Certificate of insurance in respect of the vehicle / unit (if applicable)	
Appropriate vehicle test (if applicable)	
Written confirmation that the vehicle meets the Council's food safety standards	

G. DECLARATION

WARNING

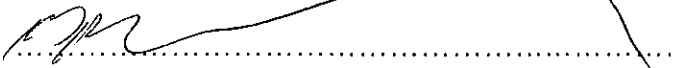
A4

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: Michael Desrosiers
	Date: 20.6.2017
	Capacity: Applicant / Proprietor
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.

The Licensing Committee

Since 2015 I have been operating Monet's garden a successful flower cycle on Fargate. much as I love selling my flowers I'm afraid it is no longer feasible as working in direct sunlight on Fargate has led to me getting skin cancers on my forehead and face, my GP and surgeon have told me I should no longer do this. Since stopping my flower sales I have been engaged in very heavy work but have been advised to stop this due to more Heart related health issues. My GP agrees that working on my pancake unit will cause me no health issues.

For many years I have owned and operated a much loved local, mobile catering unit (Double Dutch Pancakes) and would like to apply for a static pitch on Fargate as I only do a few events a year. My pancake unit is bespoke, individual and very pleasing on the eye; it is like no other in the country. I have attached photos. We sell a wide range of sweet and savoury pancakes and all our ingredients are cooked fresh to order and sourced locally and one of our pancakes can be bought for as little as two pounds fifty. No one else is selling pancakes in the vicinity and I am no threat to anyone else's livelihood. Chinese People in particular flock to my pancake unit as the sight and smell of my classic pancakes reminds them of home and fills them with Joy, in light of the Chinese community growing so fast in our city and the Chinese student numbers growing massively by the year they are now a very important part of our city's economy and will continue to receive a warm welcome and top quality food at my pancake unit which will light up Fargate , bring culinary joy and a great international feel to our vibrant city centre

I hope the committee can look favourably on my on this application, I am sixty four next and it will be difficult finding alternative work or retraining.

Yours sincerely

Michael Desmond



My pancake unit has been inspected and falls within all mobile catering safety and fire legislation also the committee will see by my photos that my unit is very small which means in the case of an emergency it can be moved off Fargate in a matter of seconds. My public liability ran out last week but I will of course be renewing it if this application is successful. I have enclosed my gas safety certificate and fire risk assessment.

Finally at the expense of sounding vain I am one of South Yorkshire's best Street Traders. I have a gregarious personality and my customer service skills are second to none. I am well aware of equal opportunities legislation; people visiting my Pancake unit are made to feel welcome regardless of age, race, religion, mental/ physical ability or sexual orientation

Michael Desmond

Anyone working for me
will receive at least the
national living wage **A7**

AS

VIRTUAL
COLLEGE

City & Guilds
Accredited

This certificate is presented to

michael desmond

who has successfully completed the
training course and assessment in

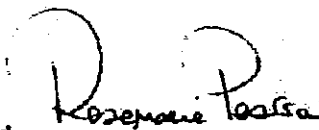
**Level 2 - Food Safety and Hygiene
for Retail**

This course covers:

- An Introduction to Food Safety & Hygiene
- Impact of Food-Borne Illness
- Understanding Food Law
- Food Safety Hazards & Contamination
- Food Preservation, Storage & Temperature Control
- Personal Hygiene
- Hygienic Premises & Equipment
- HACCP & Summary

Date: 28-Apr-2013

Certificate No: 1147682

Signed: 
Dr Rosemarie Pearson (Food Specialist)

Signed: 
Director (Virtual College)



Authorisation Seal



To verify, telephone 01943 605976

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

Virtual College Ltd | Marsh House | Stephenson Way | Witley | LS29 8DO | Tel: 01943 605976 | Fax: 01943 605922
Company Reg 3052439 | www.virtual-college.co.uk | elearning@virtual-college.co.uk

FOOD HYGIENE RATING

AG



GOOD

Double Dutch Pancake Bar

Date of hygiene rating

27 March 2014

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

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.



DOUBLE DUTCH PANCAKE BAR FIRE RISK ASSESMENT

A10

1. All flammable materials are kept clear of the hotplate cooking area
2. Propane gas bottles are kept upright and secure
3. All equipment has been checked and certified by a registered professional and we have a current valid gas safety inspection certificate.
4. A suitable fire extinguisher is kept to hand at all times

Serial No
AA020224

SERVICE/MAINTENANCE RECORD

This record can be used to document the outcomes of the checks and tests required by The Gas Safety (Installation and Use) Regulations. Some of the outcomes are as a result of visual inspection only and are recorded where appropriate. Unless specifically recorded no detailed inspection of the flue lining, construction or integrity has been performed. Registered Engineer details can be checked at www.gassafetyregister.co.uk or by calling 0800 408 5500.



TICK BOXES AS APPROPRIATE

Gas safe is a registered trade mark of HSE and is used under licence.

Details of Registered Business

Gas Safe Register No 576204

Registered Engineer's Name A. LEWIS

Gas Safe Register Licence Number 3722132

Business GRAS - TELECTRIC LIMITED

Address 4 OSBORNE AVENUE
ASTON SAREGERS

Postcode S26 2BY

Contact No 07874360010

Details of Site

Name (Mr/Ms/Miss/Ms) MICHAEL SIMONS

Address BOURNHAM SAREGERS

Postcode [REDACTED]

Contact No [REDACTED]

Details of Landlord or Agent (where appropriate)

Name (Mr/Mrs/Miss/Ms) _____

Address _____

Postcode _____

Contact No _____

Number of Appliances tested _____

Is the appliance safe to use? Yes No

If the answer to above is No complete a Warning/Advisory Record and attach an appropriate Warning label to the appliance/installation.

Remedial work required - _____

Appliance Details		Installation Details	
Type	<u>PANVAPE 3302 (VRC)</u>	Is the accommodation rented? (Yes or No)	<u>N/A</u> Yes <input type="checkbox"/> No <input type="checkbox"/>
Manufacturer	<u>BOURNE NORTH</u>	Type of work carried out - Service or Maintenance	<u>SERVICE</u>
Model	<u>BOURNE NORTH</u>	Has a gas tightness test been carried out? (Yes or No)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Location		If yes to the above was this a Pass or Fail?	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/>
Flue type		Is electrical bonding (where required) satisfactory?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Electronic combustion gas analyser (ECGA) readings - where required

Has a full strip and clean service been carried out Yes No

Safety - General	Initial ECGA reading	Final ECGA reading	Defect(s) - Remedial Action Taken/Required*
Ventilation correct (Yes or No)	Yes <input type="checkbox"/> No <input type="checkbox"/>		
Satisfactory flue flow check	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>		
Satisfactory spillage test	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>		<u>SOURCE & SAFETY INSPECTION CALLED OUT.</u>
Chimney & termination correct	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>		
Safety device(s) correct	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>		
Operating pressure (mbar) or heat input (kW)			

Appliance - Satisfactory	Defect(s) - Remedial Action Taken/Required*
Burner(s)/injector(s)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Ignition and flame picture	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Heat exchanger	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Electrical connection	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Appliance/system controls	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Fan(s)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Seals (appliance case etc.)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Fireplace catchment space	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Closure plate	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Location and stability	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Return air/plenum	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

* Refer to separate Warning/Advisory Record

Record issued by: Signature _____

Print Name A. LEWIS

Received by: Signature _____

Date appliance(s)/flue(s) checked 07-06-2016

ATTENTION

Next safety check due by: 07-06-2017

DEVONSHIRE GREEN MEDICAL CENTRE

AD

Dr E Allsopp • Dr H Briddon • Dr A O'Rourke • Dr H Burke • Dr K Brown

126 Devonshire Street, Sheffield, S3 7SF

Tel: 0114 272 0255
Fax 0114 272 8637

03-May-2017

TO WHOM IT MAY CONCERN

Re: Michael Desmond DoB: [REDACTED]

NHS No: 458 228 4949 Tel No: [REDACTED]

I am writing in support of this patient of ours who has been advised he can no longer do his work with his flower cycle due to the time he has to spend in the sun on Fargate.

He has had a skin cancer lesion removed from his forehead. He has been told that sun exposure has caused this and that he may be at risk of further lesions. He is in full sunlight with no shade with his flower cycle.

He is now going to apply to put his pancake unit on Fargate. I would appreciate any help the Council can give him in these difficult times with his health in support of this business application.

Please let me know if you require any further information.

Yours faithfully,



Dr Elizabeth Allsopp

DEVONSHIRE GREEN MEDICAL CENTRE

Dr E Allsopp • Dr H Briddon • Dr A O'Rourke • Dr H Burke • Dr K Brown

126 Devonshire Street, Sheffield, S3 7SF

Tel: 0114 272 025
Fax: 0114 272 8637

AB

AO/TM

28 March 2017

To Whom It May Continue

Michael Desmond DOB: [REDACTED]
[REDACTED] Sheffield, [REDACTED]

I recently reviewed Mr Desmond in Surgery and he has requested that I provide you with some medical information regarding his current medical problems.

Currently Mr Desmond works 16hours a week. He is extremely keen to continue working but unfortunately his current work involves quite a lot of manual labour, including lifting. He had a previous fracture of his clavicle in September 2006 and unfortunately this did not heal. As a result he continues to experience pain in his clavicle and also in his left arm.

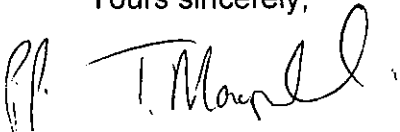
He also known to have cerebrovascular disease and had a stroke affecting his left side in March 1999.

I am currently investigating him for breathlessness and he is awaiting a review with cardiology.

In view of his current medical problems I would be extremely grateful for any support you can offer in terms of assisting him to find alternative work that is more suited to his current needs.

If you require any further information please do not hesitate to contact me.

Yours sincerely,



DR ALICIA O'ROURKE

Northern General Hospital
Herries Road
Sheffield
S5 7AU

A14

0114 271 4315

MR MICHAEL DESMOND
15A VICTORIA ROAD
SHEFFIELD
S10 2DJ

25 May 2017

Dear MR MICHAEL DESMOND

Hospital No: **WJ3117**
NHS No: **4582284949**

The following appointment has been made for you to attend the Diagnostic Cardiology Unit

Hospital: **Northern General Hospital**
Investigation: **24 Hour ECG**
Appointment: **Thursday 15 June 2017 at 9:20 AM**

Please attend the Diagnostic Cardiology Unit which is located in the Chesterman Wing on B floor. Please enter the hospital grounds via the Barnsley Road entrance and turn right onto the main hospital drive. The Chesterman Wing is located at the top of the hill on the left hand side.

You will be expected to return the monitor, as detailed overleaf, to the department on the date specified below, at or before the time stated.

Return appointment date: **Friday 16 June 2017 at 8:45 AM**

Please bring this letter with you.

If you are unable to attend for any reason or would like further information please contact the Diagnostic Cardiology Unit on 0114 2714315 between 8am-6pm Monday-Friday.

If you fail to inform the department that you are unable to attend, no further appointment may be offered.

Yours sincerely,

Diagnostic Cardiology Unit Administrator

Dr A J G McDonagh
Consultant Dermatologist
Sharon Medley:

Secretary to Dr McDonagh 0114 271 3796

Appointments: 0114 271 2442

Department Fax Number 0114 271 3763

Our ref: CH/DEH/WJ3117

NHS No: 458-228-4949

Clinic Date: 26 April 2017 - Minor Ops Clinic

Date Typed: 10 May 2017



NHS Foundation Trust

AK

Royal Hallamshire Hospital
Glossop Road
Sheffield S10 2JF

Tel: 0114 271 1900

Mr Michael Desmond
15a Victoria Road
Sheffield
S10 2DJ

Dear Mr Desmond

I am pleased to let you know that the basal cell carcinoma on your right forehead has been fully removed with clear margins.

I hope the scar settled satisfactorily.

We will see you as planned to biopsy the little bumps on your right upper lip and right chin in case these are further basal cell carcinomas rather than just spots.

Yours sincerely

Dr Catherine Holden
Associate Specialist in Dermatology

cc Dr ES Allsopp
Devonshire Green Med.ctr.
126 Devonshire Street
Sheffield
South Yorkshire
S3 7SF

£60
31/04/17 66
100

170
135
85
2140

50



In hospital and in the community
proud to make a difference

Chairman: Tony Pedder OBE Chief Executive: Sir Andrew Cash OBE



AG

Hire The Pancake Bar

Healthy fast food, made with fresh ingredients. Dutch pancakes are perfect for special events

Go Dutch! Next time you have a special event such as a birthday party, (especially if it's for kids), give everyone an unusual and tasty treat - courtesy of a Double Dutch Pancake Bar which will be wheeled to your premises complete with expert pancake maker.

Your guests will be able to choose all kinds of fillings: ham and cheese, all kinds of fillings: ham and cheese, ham and tomato, cheese and tomato and onion, bacon, cheese, tomato and onion, banana and chocolate, banana and cinnamon.

The bars are part of a business owned by Marlene Venvel.

She is from Holland and uses her grandmother's traditional (secret) pancake recipe to create healthy food on the go.

After studying food marketing in

Double Dutch Pancake Bar

England Marlene began experimenting with her first pancake bar. She soon realised that people here liked the Dutch pancake bar very much. She wanted to bring this traditional recipe to the UK. She decided to start a business with a Double Dutch Pancake Bar. The bars combine traditional Dutch pancakes and ingredients of Dutch pancakes (which are thicker than those used to) with the high quality of cheese and tomato and onion, bacon, cheese and tomato and onion, banana and chocolate, banana and cinnamon.



Double Dutch
pancake bar



Contact Michael Desmond
0114 266 0829 / 07920 223 518

A17



A18



A19



Appendix B

Invitation to attend

SHEFFIELD CITY COUNCIL

BI

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading application - Fargate.

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Michael Desmond

[REDACTED]
Sheffield
[REDACTED]

Email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Fargate

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 31st 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: 31st 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

4

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.