



**SHEFFIELD CITY COUNCIL
Committee Report**

Report of: Chief Licensing Officer, Head of Licensing

Date: 4th September 2018

Subject: Street Trading
Application City Centre Street Trading Consent

Author of Report: Clive Stephenson

Summary: To consider an application for a City Centre Street Trading Consent (night time) Barkers Pool.

Background Papers: As attached

Category of Report: OPEN

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

REF No: 88/18

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

CITY CENTRE STREET TRADING – Clare Essam & James Homer

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a City Centre Street Trading Consent. Barkers Pool 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 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.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 applicants are a Miss Clare Essam and Mr James Homer a copy of the application is attached at Appendix 'A'.
- 3.2 The application was submitted on 12th July 2018
- 3.3 The application is to replace a current street trading consent issued for many years. The current trader has given notice of the intention not to trade any longer, and this application will replace an existing pitch and times.
- 3.4 The application was circulated, in the usual manner, to all appropriate services including City Centre Management. There have been no objections raised from any third parties.

4.0 REASONS FOR REFERRAL

- 4.1 The application has been referred to the Sub-Licensing Committee for their consideration as the Licensing Authority because current policy for City Centre Applications states;

Sections 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

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.

6.0 RECOMMENDATIONS

- 6.1 That Members are recommended to grant this consent.

7.0 OPTIONS OPEN TO THE COMMITTEE

- 7.1 To grant the application for a City Centre Street Trading Consent at the location applied for.
- 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 Street Trading Consent.

Steve Lonnia
Head of Licensing
4th September 2018

Appendix A

The Application

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 st Applicant (Mr/Mrs/Miss/other)	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	Miss Clare Helen Essam	Mr James Gracie Homer
Q2	Applicant(s) permanent private address	4 Eastern Crescent Arbanshorne Sheffield S226F	258 Sicity Avenue Swiregreen Sheffield S52RQ
Q3	Date of birth	09/07/1984	08/08/1990
Q4	Nationality and place of birth	British	British
Q5	National Insurance No.	JM 15 28 59 D	JM 48 11 65 B
Q6	Do you have the legal right to work and live in the UK?	<input checked="" type="radio"/> YES / <input type="radio"/> NO Details:	<input checked="" type="radio"/> YES / <input type="radio"/> NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	YES <input checked="" type="radio"/> NO Details:	YES <input checked="" type="radio"/> NO Details:
Q8	Telephone No	0750 424 1703	07950 3141 10
Q9	Email address	clare.essam@gmail.com	jameshomer@hotmail.com -02-uk

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

Q10	Name	Hungry Homer Street Food Ltd
Q11	Registered address	c/o WGN 4 Park Place, Leeds, LS1 2RU
Q12	Registered number	1144 1869
Q13	Telephone number	07504241703
Q14	Email address	clare.essam@gmail.com
Q15	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	Clare Essam 09/07/1984 14 Eastern Crescent S2 2GF James Homer 08/08/1990 258 Sicey Avenue S5 2RQ

C. TRADING DETAILS

Q16	Trading Name (if applicable)	Hungry Homer Street Food
Q17	Trading address (if different from above)	See above
	Post Code	
Q18	Site to be occupied	BARTERS ROAD Sheffield
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	BURGERS - HOT DOGS, Chicken Burgers, chips, Doner - Hot - cold DRINKS.
Q20	Please specify preferred days of trade:	7 DAYS *Bank Holiday. Tues Friday Saturday Sunday
Q21	Please specify preferred hours of trade:	19-00 - 6am

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	TRAILER
Q20	Size of unit	Height: 11 feet Width: 8 feet Length: 21 feet

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 [<input checked="" type="checkbox"/>]
Details of previous convictions and/or cautions			
	Date of Conviction	Court of Conviction	Nature of Offence
	Applicant 1		
	Applicant 2		

F. CHECK LIST

The following documents must be attached with this application:

(tick)

Non refundable fee of £100	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>

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.	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
Waste management contract	<input checked="" type="checkbox"/>
Declare that you have registered as a food business	<input checked="" type="checkbox"/>

G. DECLARATION


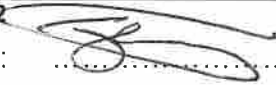
WARNING

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:

<p>Applicant 1</p> <p>Signature: </p> <p>Print name: C. ESSAM</p> <p>Date: 10/07/2018</p> <p>Capacity: Director</p>
<p>Applicant 2</p> <p>Signature: </p> <p>Print name: James Homes</p> <p>Date: 8/8/2018</p> <p>Capacity: Director</p>

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.

Hungry Homer Street Food Ltd
14 Eastern Crescent
Sheffield
S2 2GF

Client Reference: 0/CESS02LC01
Date Issued: 09/07/2018

Dear Miss Essam

Liability Insurance

Thank you for arranging your Liability Insurance with us, effective from 09/07/2018; please find enclosed your documentation for safekeeping.

Please take time to familiarise yourself with the documentation to ensure cover meets your requirements. It is important you pay particular attention to any specific conditions, warranties and/or endorsements which apply to this policy; failure to comply with these may invalidate a claim or void the policy.

Please check all of the enclosed information carefully and advise us immediately if anything is incorrect. It is important that you review the enclosed Declaration Form to ensure all information is true and accurate; please contact us immediately if any information is incorrect as a separate proposal form may be required.

This policy is based on your demands and needs which are: -

- ✓ **Employers Liability - £10,000,000**
- ✓ **Public Liability - £5,000,000***
- ✓ **Products Liability - £5,000,000***

*increasing to £10 million where required by contract or regulation

Reminder – Important Information

It is important to note that this policy cannot be transferred, and in the event of cancellation there is no refund of premium due to premiums being minimum and retained.

We can arrange cover for many other insurance products which may be of interest; please contact the office for more details.

Should you have any queries please do not hesitate to contact us.

Yours sincerely

Mobilers Insurance Services

Mobilers Insurance Services
A trading name of Insurance Factory Limited

Mr & Mrs Stone
459 Halifax Road
Grenoside
Sheffield
S358PB

Licensing Services
Block C, Staniforth Road
Sheffield
S93HD

RE : Stoneys Catering (Mr Roger Stone, Mrs Linda Stone, Mr Roger William Stone, Mr Adam Stone)

To whom it may concern,

We have worked in the city center of Sheffield for over 40 years and have been licensed by Sheffield City Council since 1982. We have good relations with Sheffield City Management, which include Richard Eyre, Julie Wilson and Licensing Night Time Trading.

It has taken us many years to build our reputation and business.

We want to place Mr James Homer and Miss Clare Essam on our street trading consent; the same catering unit will be used, with the same quality food. If Mr James Homer and Miss Clare Essam are placed onto the trading consent; we will then surrender our names on the Barkers Pool night time trading consent.

Mr James Homer is a qualified chef who has worked in many restaurants in Sheffield. Miss Clare Essam has experience managing The Cabin Café – located on the Moor. Both individuals have obtained food and hygiene qualifications.

We hope you would give this application consideration.

Regards,

The image shows four handwritten signatures in black ink. From left to right: the first signature is 'Stone' written in a cursive style; the second is a stylized signature; the third is a more complex, cursive signature; and the fourth is a signature that appears to be 'Homer'.

Mr Stone, Mrs Stone, Mr Roger William Stone & Mr Adam Stone

Mr & Mrs Stone
459 Halifax Road
Grenoside
Sheffield
S358PB

Licensing Services
Block C, Staniforth Road
Sheffield
S93HD

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Mr Stone, Mrs Stone, Mr Roger William Stone & Mr Adam Stone

Dear Sheffield City Council,

Thank you so much for considering our application for the Barkers Pool pitch. Having worked with Roger and Linda over several years, we have the utmost respect for the business they have created and the high standards they maintain and we look forward to continuing in their footsteps and taking the business into the future.

James and I are from Sheffield and we are deeply proud to be so. We want to be a part of what this beautiful city has to offer and to reflect the quality's that we love about Sheffield:

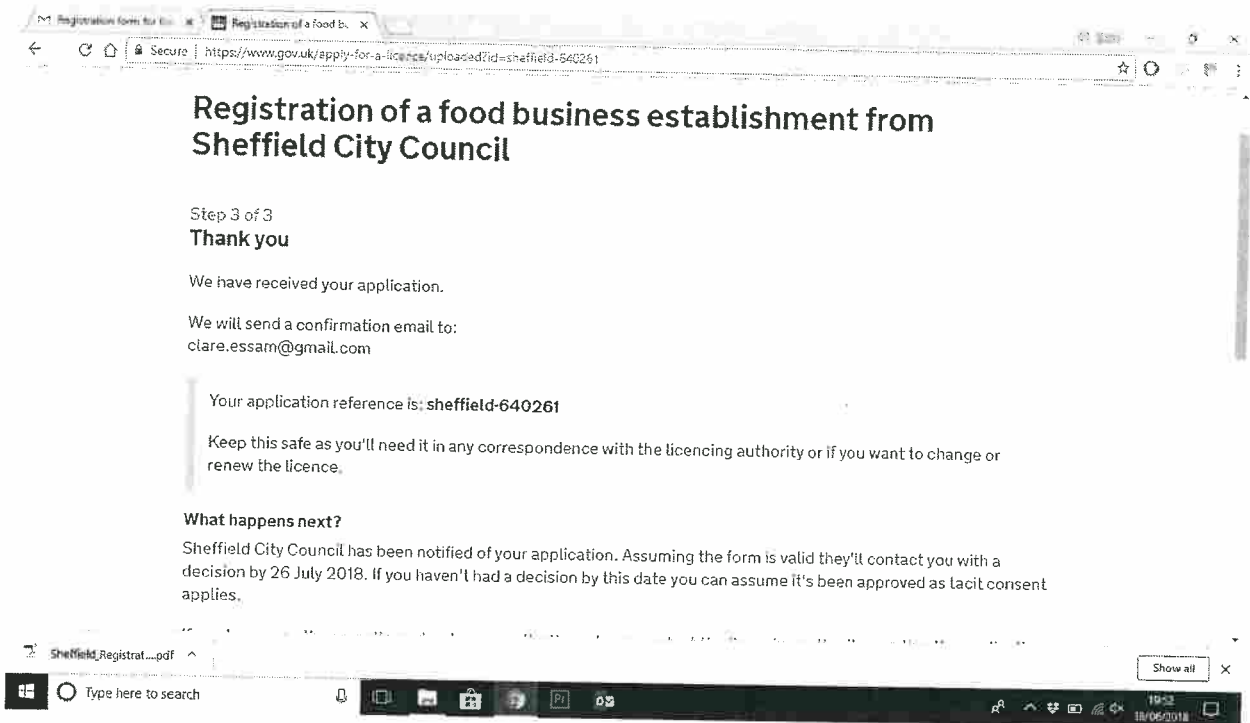
- Offering some **diversity** in our menu - fundamentally we want to offer the same as Stoneys, but with a couple of extras like gluten and dairy free options. We have many friends with dietary requirements and empathise with how difficult it is for them to eat out and we want to be part of the improving an inclusive experience for them as we see more and more places providing thoughtful options.
- We intend to be at the same festivals and events as Stoneys, celebrating some of the attractions and parties that we are famous for and being a part of what makes us such a **friendly and welcoming** city. We plan to bring something a bit special to our menu on occasions like this.
- We want to be a part of all the exciting **development** and change that we are blessed to have in our city centre, Alive After Five, the ever-evolving night life and the variety of cultural experience. Stoneys has become a name that Sheffielders know, love and associate with Barkers Pool, we have had nothing but positive feedback as we ask customers for their thoughts about the possibility of us continuing the van in the heart of the city.
- James's years as a chef in the Milestone, Mudcrab, Ego and Whirlow Hall Farm (to name but a few places) and my years of catering experience and kitchen work, latest of which was The Cabin where I set up and ran the kitchen in their first 6 months of opening to help them get established, speak of our passion for providing excellent food and service. We take great pride in providing **hospitality**, food is a key ingredient to people feeling welcomed and relaxed and able to share time with each other in this busy and demanding life.

We are so honoured for Roger and Linda to trust us with their business and we hope that this application gives you every assurance that we will continue to be a name that our customers know and trust, that we will continue to be an asset to the city that means so much to us.

Kind regards



Clare Essam and James Homer



— **Safer Food Handler** —
www.thesaferfoodgroup.com
Award **LV2**

This is to certify that

JAMES HOMER

has been awarded

Level 2 Award in Food Safety for Catering

Awarded: **09/07/2018**

Grade: **Pass**

Centre: **EGB03032011**

Course reference: **SFHC**

Learner reference: **C492DAE8**



Jason Goodyear
Chief Executive
Qualifi Ltd

— Safer Food Handler —

www.thesaferfoodgroup.com

Award

This is to certify that

Clare Essam

has been awarded

Level 2 Award in Food Safety for Catering

Awarded: **09/07/2018**

Grade: **Pass**

Centre: **EGB03032011**

Course reference: **SFHC**

Learner reference: **AE66EE78**



Jason Goodyear
Chief Executive
Qualifi Ltd

FOOD HYGIENE RATING

0

1

2

3

4

5

VERY GOOD

Stoneys Catering
459 Halifax Road
Grenoside
Sheffield
S35 3PB

Date of hygiene rating

25.7.13

Authorising signature

A. Gentry

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

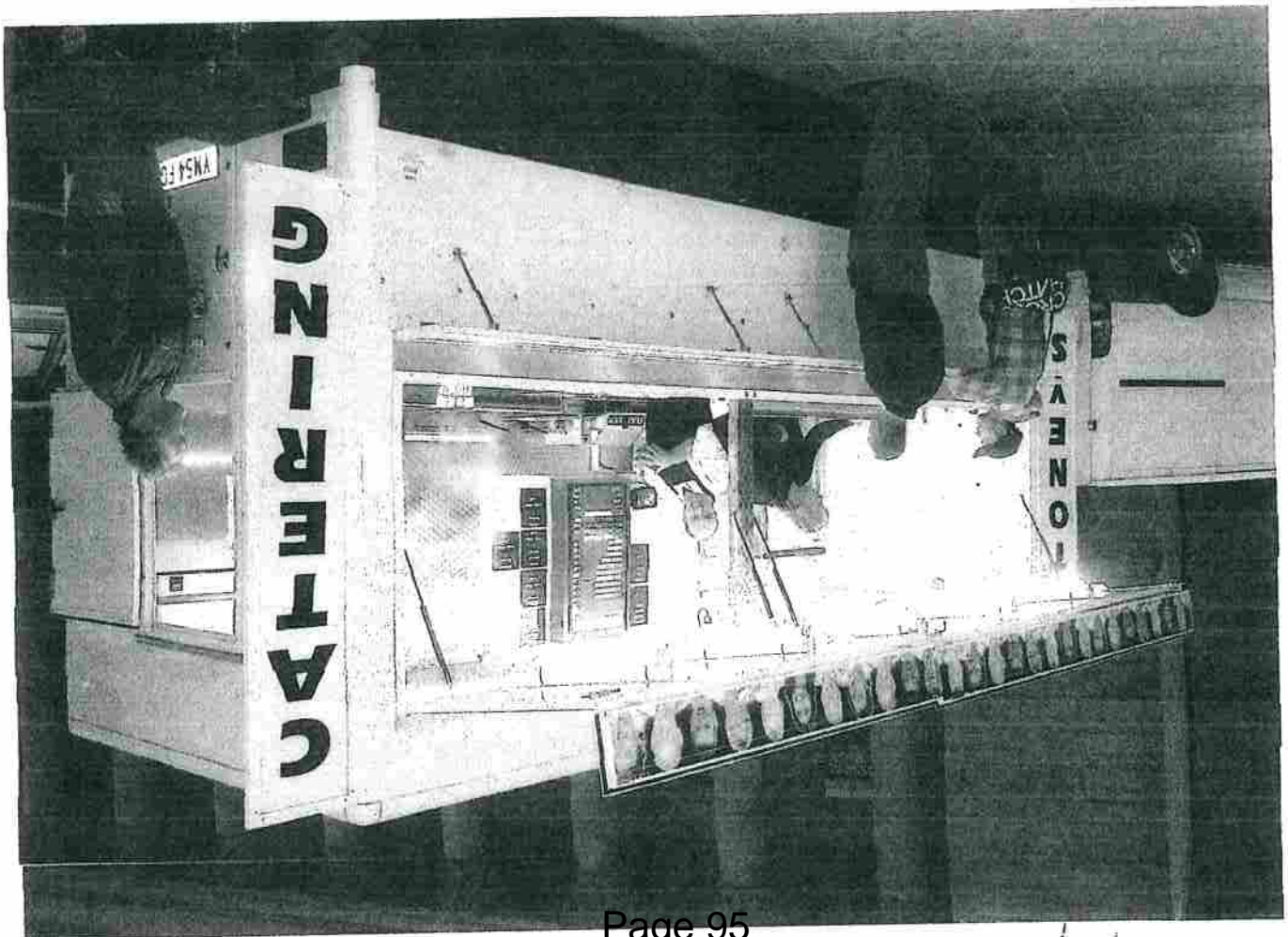
The food hygiene rating shown above reflects the standards found on the date of inspection or visit by the local authority. Ratings are given on a scale from 0 (urgent improvement necessary) up to 5 (very good). The rating is not a guide to food quality.

Sheffield
City Council



Food
Standards
Agency

food.gov.uk/ratings



Please return the fully completed form and all attachments to:

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

The Service is open from 10am to 4pm, Monday to Friday. Telephone (0114) 2734264

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

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