

Licensing Sub-Committee

Tuesday 23 July 2013 at 10.00 am

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

**Councillors John Robson (Chair), Clive Skelton and Stuart Wattam
Philip Wood (Reserve)**

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552.

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 Harry Clarke on 0114 273 6183 or email harry.clarke@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING SUB-COMMITTEE AGENDA
23 JULY 2013**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Local Government (Miscellaneous Provisions) Act 1982 - Mobile Street Trading Consent**
Report of the Chief Licensing Officer
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Static Street Trading Consent**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

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.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

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.

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 DPs 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, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

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.

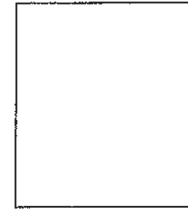
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

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SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 23rd July 2013

Subject: Local Government (Miscellaneous Provisions) Act 1982

Author of Report: Andy Ruston - 2037752

Summary: To consider an existing mobile street trading consent following breaches of the street trading consent conditions.

Recommendations: See attached report.

Background Papers:

Category of Report: Open

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

Ref: 46/13

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
STREET TRADING - MOBILE**

Raja Rafaqat Khan – MOBILE STREET TRADING CONSENT.

1.0 PURPOSE OF REPORT

- 1.1 To consider a Mobile Street Trading Consent following several breaches of the conditions by the consent holder, Raja Rafaqat Khan.

2.0 INTRODUCTION

- 2.1 The Council 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.

3.0 THE CONSENT

- 3.1 Raja Razaqat Khan is the holder of a Mobile Street Trading Consent, to trade city wide.
- 3.2 A copy of the consent and Mobile Street Trading conditions are attached at Appendix 'A'.

4.0 REASONS FOR REFERRAL

- 4.1 Raja Razaqat Khan has on three separate occasions been observed breaching the conditions of his mobile street trading consent, by both officers from the Licensing Service and by a local Councillor.
- 4.2 Raja Razaqat Khan has received warnings from the Licensing Service regarding the breaches of conditions.
- 4.3 Licensing Officers have been required to spend a considerable amount of time investigating the complaints and seeking evidence to support the complaints.

5.0 BACKGROUND

- 5.1 Members should note that the Sheffield City Council Street Trading Policy has been amended following a full consultation and there are now additional conditions, which have been added to the Street Trading Policy in relation to Mobile Street Trading Consent holders for fruit/vegetables and other traders and which are now in force. Condition 2 of The Mobile Street Trading Consent Conditions Fruit / vegetables and other traders states that;
 - 2. Mobile consent holders are not permitted to trade within an 800 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.
- 5.2 A copy of the Council's Street Trading Policy is available via the following link; <https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/retail/street-trading.html>. Members should note that the age restriction of 5 years for motorised vehicles is under review and is not presently being enforced.
- 5.3 Officers from the Licensing Service observed Raja Razaqat Khan street trading from his vehicle on South View Crescent on 10th April 2013, within an 800m radius of shops selling similar articles to him such as fruit and vegetables. Officers from the Licensing Service spoke with Raja Razaqat Khan, whilst he was trading on South View Crescent and also wrote to him of which a copy of the letter is attached at Appendix 'B'.
- 5.4 The Licensing Service received a report from Councillor Nikki Bond on 1st May 2013, detailing that Councillor Nikki Bond had observed Raja Razaqat Khan street trading on Glover Road on 1st May 2013 at 4.45pm, within an 800m radius of shops selling similar articles to him such as fruit and vegetables. The Licensing Service wrote to Raja Razaqat Khan on 7th May 2013, informing him of the report made by Councillor Nikki Bond and to also invite him into the Licensing Service to discuss the matter further. A copy of the letter sent to Raja Razaqat Khan and the report received from Councillor Nikki Bond are attached at Appendix 'C'.

- 5.5 Raja Razaqat Khan attended the Licensing Service on 14th May 2013 to discuss the above further and during which Raja Razaqat Khan agreed to sign a caution, which would be placed on his file. A copy of the caution is attached to the report at Appendix 'D'. Officers explained to Raja Razaqat Khan at the meeting on 14th May 2013, that should he be observed again breaching any of the conditions relating to his Mobile Street Trading Consent, then his Mobile Street Trading Consent would be placed before the Licensing Committee of the Council for the members of the committee to consider the breaches of the conditions and whether to take any action with regards to the future of the consent.
- 5.6 Officers from the Licensing Service observed Raja Razaqat Khan street trading on Ferras Road on 17th June 2013, within an 800m radius of shops selling similar articles to him such as fruit and vegetables, during which officers again spoke with him, and following which a further letter was sent to Raja Razaqat Khan on 19th June 2013. A copy of the letter is attached at Appendix 'E'
- 5.7 Raja Razaqat Khan and Councillor Bond, have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'F'.

6.0 APPEALS

- 6.1 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.

7.0 FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications for the Council arising from this report.

8.0 RECOMMENDATIONS

- 8.1 That members consider all the relevant information.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To revoke the Street Trading Consent.
- 9.2 To defer the matter for further consideration.
- 9.3 To issue a further warning to Raja Razaqat Khan.

Steve Lonnia
Sheffield City Council
Block C, Staniforth Road Depot
Sheffield
S9 3HD

15th July 2013

APPENDIX A

Licensing Service,
Sheffield City Council,
Block C Staniforth Road Depot
Staniforth Road,
Sheffield, S9 3HD.
Tel:0114 2037752 Fax:0114 2734073
E-mail: general.licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk
Date: 18 March 2013

Mr Raja Razaqat Khan
46 Raisen Hall Road
Sheffield
S5 7NB

Reference: LIC/243/streettrading

Dear Sir/Madam

**Local Government (Miscellaneous Provisions) Act 1982
Street Trading – Mobile – Fruit/Vegetables & others**

I refer to the above and your application for a mobile (fruit/vegetables and others) street trading consent which was received by the Licensing Service on the 19 February 2013.

Please find enclosed your Consent, and your Consent Certificate number **MFV 010**

You must at all times have a copy of this Consent available for inspection on request by any Police Officer or duly Authorised Officer of the Council.

The Certificate must be clearly displayed on the vehicle in a position that is clearly visible to customers and members of the public.

Please ensure you comply with all conditions, any breaches or unauthorised trading will be dealt with by placing your Consent before the Licensing Committee for determination and/ or a prosecution made against you.

Please note, your Consent expires on the **31 March 2014**.

If you have any queries, or would like to discuss any of the above, please do not hesitate to contact the Licensing Service.

Yours faithfully

Linda Darwent
Licensing Officer
Licensing Service

Enquiries to: **Licensing Service on 0114 2037752**

Enc.

SHEFFIELD CITY COUNCIL
MOBILE FRUIT/VEGETABLES & OTHERS
STREET TRADING - CERTIFICATE

Local Government (Miscellaneous Provisions) Act 1982

Consent No: MFV 010 Expires: 31 March 2014

Name: Mr Raja Rafaqat Khan

Goods Sold: Fruit & Veg, Soft Drinks, Gram Flour, Eggs, Toilet Rolls, etc

Permitted Days: Monday to Friday inclusive Permitted Hours: 09:00 to 19:00 hours

- Consent Areas:
1. Tinsley
 2. Firth Park
 3. Darnall
 4. Firvale
 5. Abbeydale

Signed *Steve Lomina* Vehicle Registration Number: X805 PJW
Dated: 18 March 2013

Steve Lomina
Chief Licensing Officer, Head of Licensing



**PLEASE NOTE, This consent does not permit the holder to trade in any of the areas detailed in
Standard Consent Conditions 18, 19 and 20 and;
Mobile Fruit / Vegetable Consent Conditions 2 and 3**

SHEFFIELD CITY COUNCIL

MOBILE FRUIT/VEGETABLES & OTHERS STREET TRADING CONSENT

Local Government (Miscellaneous Provisions) Act 1982

The Sheffield City Council HEREBY GRANT CONSENT to:

Consent No: MFV 010

Consent Holder: Mr Raja Rafaqat Khan

Areas permitted to trade under this Consent:

- Area 1: Tinsley
- Area 2: Firth Park
- Area 3: Darnall
- Area 4: Firvale
- Area 5: Abbeydale

Vehicle registration number: X805 PJW

Permitted days: Monday to Friday inclusive

Permitted hours: 09:00 to 19:00 hours

Goods sold: Fruit & Veg, Soft Drinks, Gram Flour, Eggs, Toilet Rolls, etc

Issue date: 18 March 2013

Valid from: 1 April 2013

Expiry date: 31 March 2014

THIS CONSENT is granted subject to the conditions set out in the attached document and shall continue in force until the above expiry date unless previously revoked or surrendered.

Signed: Steve Lonnia
Steve Lonnia
Chief Licensing Officer
Head of Licensing



SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Mobile Street Trading Consent Conditions Fruit / vegetables and other traders

1. Mobile consent holders are not permitted to remain static for more than 15 minutes, and cannot return to the same site within the week (site refers to an 800 metre radius).
2. Mobile consent holders are not permitted to trade within a 800 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 Monday to Friday inclusive.
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.

APPENDIX B

Licensing Services

Block C, Staniforth Road Depot,
Staniforth Road, SHEFFIELD S9 3HD
Tel: 0114 203 7752 Fax: 0114 273 5410
E-mail: general.licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk
Date: 10th April 2013

Sheffield
City Council



Raja Rafaqat Khan
46 Raisen Hall Road
Sheffield
S5 7NB.

Dear Sir,

**Local Government (Miscellaneous Provisions) Act 1982
Mobile Street Trading Consent No 99.**

I refer to the above and your Mobile Street Trading consent.

During a routine enforcement exercise on 10th April 2013, my colleague and I observed your vehicle registration X 805 PJW parked on South View Crescent at 10.40am, from which you were street trading.

My colleague and I spoke with you following our observations to explain to you that the Sheffield City Council Street Trading Policy has been amended following a full consultation and there are now additional conditions, which have been added to the Street Trading Policy in relation to Mobile Street Trading Consent holders for fruit/vegetables and other traders and which are now in force. We explained to you that Condition 2 of The Mobile Street Trading Consent Conditions Fruit / vegetables and other traders states that;

2. Mobile consent holders are not permitted to trade within an 800 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.

We also explained to you that there are a number of shops located in the immediate area in which you were trading, which sell similar goods to yourself, such as fruit and vegetables and these shops are located within an 800 metre radius of the location where you were trading from. Therefore I must inform you that should you continue to trade at any location in Sheffield, which is within an 800 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles, then you will be in breach of the Mobile Street Trading Consent Conditions.

I must inform you that due to the number of complaints that we receive with regards to mobile street traders flouting the Street Trading Consent Conditions, officers from the Licensing Service will carry out proactive enforcement duties to seek out street traders who fail to comply with the Street Trading Consent Conditions relevant to them. If officers observe you again trading in breach of any of the Street Trading Consent Conditions, you will be invited into the Licensing Service for a formal warning, which will be placed on your file. Should you continue to breach any of the Street Trading Consent Conditions, following a formal caution, then evidence of such breaches will be placed before the Licensing Committee of the Council with a view to the possible revocation of your mobile street trading consent and/or a possible prosecution against you.

I attach to this letter a copy of the Sheffield City Council Street Trading Policy for your information and ask that if there is anything you do not understand or if you require any further assistance regarding this matter, please do not hesitate to contact me either via email or on the telephone number shown above.

Yours faithfully



Andy Ruston
Senior Licensing Officer

APPENDIX C

Licensing Services
Block C, Staniforth Road Depot,
Staniforth Road, SHEFFIELD S9 3HD
Tel: 0114 203 7752 Fax: 0114 273 5410
Email: andy.ruston@sheffield.gov.uk



Date: 7th May 2013

Raja Rafaqat Khan
46 Raisen Hall Road
Sheffield
S5 7NB.

Dear Sir,

**Local Government (Miscellaneous Provisions) Act 1982
Mobile Street Trading.**

I refer to the above and my previous letter to you of 10th April 2013, and a report that I have received from a local councillor on 1st May 2013, detailing that you were street trading within an 800m radius of shops selling similar articles to you such as fruit and vegetables, which is a breach of the Street Trading Consent Conditions.

After giving further consideration to your recent breaches of the Street Trading Consent Conditions, it will be necessary for you to attend the Licensing Service at Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, to meet with my colleague and myself, to discuss this matter further. I would be grateful if you could attend the Licensing Service at the aforementioned address on 14th May 2013 at 2pm. You can if you so wish, bring someone with you to the meeting.

If you are unable to attend the above meeting, please can you contact me either via email at the above email address or by telephone on the above number.

If you require any further assistance regarding this matter, please do not hesitate to contact me either via email or on the telephone number shown above.

Yours faithfully

Andy Ruston
Senior Licensing Officer

Ruston Andy (CEX)

From: Ruston Andy (CEX)
Sent: 02 May 2013 09:59
To: Bond Nikki (LAB CLLR)
Subject: RE: IMG00026-20130501-1709.jpg

Cllr Bond.

Thanks

Andy.

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

From: Bond Nikki (LAB CLLR)
Sent: 02 May 2013 09:34
To: Ruston Andy (CEX)
Subject: Re: IMG00026-20130501-1709.jpg

It was 4.45pm yesterday

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

From: Ruston Andy (CEX)
Sent: Thursday, May 02, 2013 09:11 AM
To: Bond Nikki (LAB CLLR)
Cc: Rani Shimla (CEX)
Subject: RE: IMG00026-20130501-1709.jpg

Dear Cllr Bond,

Thank you for the attached photo and information. The consent holder will be invited into the Licensing Service to receive a formal warning and if he is caught again his consent will be put before the Licensing Committee for consideration. Can you remember what time you saw the trader.

Regards

Andy Ruston

Senior Licensing Officer

Business Strategy and Regulation

Place Portfolio

Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9.

Telephone: 0114 2037752 Fax: 0114 20 37750 Email: Andy.Ruston@sheffield.gov.uk

www.sheffield.gov.uk

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

From: Rani Shimla (CEX)
Sent: 01 May 2013 17:11
To: Bond Nikki (LAB CLLR)
Cc: Ruston Andy (CEX)
Subject: FW: IMG00026-20130501-1709.jpg

Dear Cllr Bond

Thank you for the information. The Licensing Service will look into this and will contact you with any updates.

Kind regards

Shimla

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

From: Bond Nikki (LAB CLLR)

Sent: 01 May 2013 17:09

To: Rani Shimla (CEX)

Subject: IMG00026-20130501-1709.jpg

This van was trading on Glover Road in Central ward round the corner from a fruit and veg shop. I asked to see his license and advised I would report this to yourselves for action.

APPENDIX D



Licensing Services
Block C, Staniforth Road Depot,
Staniforth Road, SHEFFIELD S9 3HD
Tel: 0114 203 7752 Fax: 0114 273 5410
E-mail: general.licensing@sheffield.gov.uk
Tel: 0114 2037751 Fax: 01142 735410
Email: andy.ruston@sheffield.gov.uk

Date: 14th May 2013

Raja Razaqat Khan
46 Raisen Hall Road
Sheffield
S5 7NB.

Dear Sir,

Local Government (Miscellaneous Provisions) Act 1982

Offences: Breach of Street Trading Consent Conditions:

2. Mobile consent holders are not permitted to trade within an 800 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.

During a routine enforcement exercise on 10th April 2013, your vehicle registration X805 PJW was observed parked on South View Crescent at 10.40am, from which you were street trading within an 800m radius of shops selling similar articles to you such as fruit and vegetables .

On 1st May 2013 you were observed on Glover Road at 4.45pm, street trading within an 800m radius of shops selling similar articles to you such as fruit and vegetables.

The offence is admitted and I give my consent to the caution. I have been informed that a record of the caution will be kept by the Council and any further offences of breaches of street trading consent conditions will lead to the street trading consent being referred to the Licensing Committee of the Council for consideration.

Previous caution(s) may influence the decision of the Council if the above named should offend again. If the above should appear before court on some future date, this caution may be cited.

Signed... R: KHAN

Time... 2-40 Date... 14-5-13

Signature of officer administering the caution.

Signed... A. S. [Signature]

Time... 2-40pm Date... 14/5/13

APPENDIX E

Licensing Services
Block C, Staniforth Road Depot,
Staniforth Road, SHEFFIELD S9 3HD
Tel: 0114 203 7752 Fax: 0114 273 5410
Email: andy.ruston@sheffield.gov.uk

Date: 19th June 2013

Raja Rafaqat Khan
46 Raisen Hall Road
Sheffield
S5 7NB.

Dear Sir,

**Local Government (Miscellaneous Provisions) Act 1982
Mobile Street Trading.**

I refer to the above and my previous correspondence and meetings with you.

On 17th June 2013, My colleague and I observed you street trading from your vehicle registration X 805 PJW at 2pm on Ferras Road, which is within an 800 metre radius of shops selling similar articles to you such as fruit and vegetables. As you are aware, this is the third occasion that you have been observed street trading within an 800 metre radius of shops selling similar articles such as fruit and vegetables. Therefore as previously explained to you at the meeting that you attended with my colleague and I on 14th May 2013, it will now be necessary for your mobile consent to be placed before the Licensing Committee of the Council to allow the members of the Licensing Committee to give consideration to your breaches of the Street Trading Consent Conditions.

I will contact you in due course with a date and time at which your consent will be placed before the Licensing Committee of the Council for consideration.

If you require any further assistance regarding this matter, please do not hesitate to contact me either via email or on the telephone number shown above.

Yours faithfully

Andy Ruston
Senior Licensing Officer

APPENDIX F



SHEFFIELD CITY COUNCIL

**LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982
Street Trading – Mobile Street Trading Consent – Raja Rafaqat Khan
IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING**

To: Raja Rafaqat Khan
46 Raisen Hall Road
Sheffield
S5 7NB.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Mobile.

I refer to the above and consideration that will be given to the consent following three instances of the consent holder breaching the Mobile Street Trading Consent Conditions, Fruit Vegetables and Other traders.

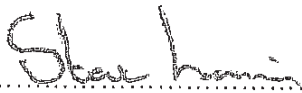
This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to this matter.

The Committee has indicated that it expects persons that are invited to attend the meeting.

The hearing in respect of this matter will take place on 23rd July 2013 in a Committee Room of the Town Hall, Sheffield (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 2037752.


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

Date: 10th July 2013

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 2037752

The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982
Street Trading – Mobile Street Trading Consent – Raja Razaqat Khan
IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Cllr Nikki Bond.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Mobile.

I refer to the above and consideration that will be given to the consent following three instances of the consent holder breaching the Mobile Street Trading Consent Conditions, Fruit Vegetables and Other traders.


This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to this matter.

The Committee has indicated that it expects persons that are invited to attend the meeting.

The hearing in respect of this matter will take place on 23rd July 2013 in a Committee Room of the Town Hall, Sheffield (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 2037752.


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

Date: 10th July 2013

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

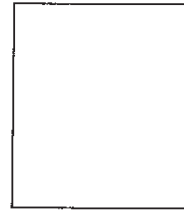
Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD
Telephone 0114 2037752

The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday

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SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 23rd July 2013

Subject: Local Government (Miscellaneous Provisions) Act 1982

Author of Report: Andy Ruston - 2037752

Summary: To consider an application for the grant of a static street trading consent.

Recommendations: See attached report.

Background Papers:

Category of Report: Open



Address **Emily Rd**
Sheffield, South Yorkshire S7, UK



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

REF No: 45/13

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**STREET TRADING – STATIC STREET TRADING CONSENT – EMILY
ROAD, SHEFFIELD.**

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a Static Street Trading consent.

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 a consent. An applicant may, however apply for judicial review of the Council's decision.

3.0 THE APPLICATION

3.1 The applicant is Raja Rafaqat Khan and a copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 31st May 2013.

3.3 The application is to sell Fruit, Vegetables, Toilet Paper, Eggs and Spices.

4.0 REASONS FOR REFERRAL

4.1 Objection to the application has been received from Councillor Nikki Bond and local businesses.

5.0 BACKGROUND

5.1 Raja Rafaqat Khan submitted an application for a Static Street Trading consent on 31st May 2013. Raja Rafaqat Khan currently holds a City Wide Mobile Consent, which expires on 31st March 2014.

5.2 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning on 3rd June 2013. Notices were erected by Licensing Officers on Emily Road on 4th June 2013 advertising the application and notice was also given to shops within the immediate location, which sell similar items to the applicant.

5.3 Objections have been received from Councillor Nikki Bond and local businesses which are attached to the report at Appendix 'B'. Members should note that comment has been received from Paul Turner Highways and Sue Barker, Planning, which are attached at Appendix 'C'.

5.4 Members should note that the Council Street Trading Policy states at page 18, paragraph 3.2.8, that "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". Also the Council Street Trading Policy states at page 18 paragraph 3.2.11 that "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". A copy of the Council's Street Trading Policy is available via the following link; <https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/retail/street-trading.html>. Members should note that the age restriction of 5 years for motorised vehicles is under review and is not presently being enforced.

5.5 The applicant, Councillor Nikki Bond and local shopkeepers have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'D'.

5.6 A copy of the hearing procedure is attached at Appendix 'E'.

6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications for the Council arising from this report.

7.0 RECOMMENDATIONS

7.1 That Members consider all the relevant information available and any representations that may be made.

8.0 OPTIONS OPEN TO THE COMMITTEE

8.1 To grant the Street Trading Consent.

8.2 To defer the matter for further consideration.

8.3 To refuse the grant of the Street Trading Consent.

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

15th July 2013

APPENDIX A

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING CONSENTS

STATIC STREET TRADING

APPLICATION FORM AND GUIDANCE

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

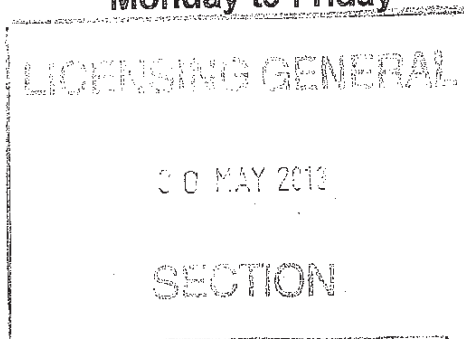
Telephone Number: 0114 203 7752
Fax Number: 0114 273 4073

Or visit our website: www.sheffield.gov.uk/licensing
Or email us at: general.licensing@sheffield.gov.uk

Cash £100
rec no - 27936
Monday to Friday

Opening Times

09:00 to 17:00



Local Government (Miscellaneous Provisions) Act 1982

Application for a STATIC Street Trading Consent

Notes to Applicant

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

*I / ~~WE~~ **HEREBY APPLY** to the Sheffield City Council for the grant of a static street trading consent (*delete as appropriate).

A. THE APPLICANT(S)

		1 st Applicant (Mr/Mrs/Miss/other)	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	MR RAJA RAFAQAT KHAN	
Q2	Applicant(s) permanent private address	46 RAISEN HALL ROAD, SHEFFIELD SS 7NB	
Q3	Date of birth	01/01/1982	
Q4	Nationality and place of birth	PAKISTANI - PAKISTAN	
Q5	National Insurance No.	[REDACTED]	
Q6	Do you have the legal right to work and live in the UK?	(YES) NO Details:	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	(YES) NO Details: APPLIED FOR STATIC ON OWLER LANE CUL-DE-SAC	YES / NO Details:
Q8	Telephone No	[REDACTED]	
Q9	Email address	[REDACTED]	

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. THE UNIT / VEHICLE

Q16	Description of unit / vehicle to be used	LUTON VAN
Q17	Registration number (if applicable)	X805 PJW
Q18	Date of first registration (if applicable)	18.10.2000
Q19	Last MOT and service (if applicable)	6th MARCH 2013
Q20	Size of vehicle	Height: 90" Width: 80" Length: 252"
Q21	Does the vehicle meet the qualitative criteria? Your vehicle will be inspected prior to granting a consent.	YES

D. TRADING DETAILS

Q22	Details of site to be occupied	EMILY ROAD, SHEFFIELD, ST
Q23	Location of pitch: (include site plan to scale)	PLAN MORE SPECIFIC ANYWHERE ON ROAD NOT BLOCKING DRIVEWAYS OR GARAGES

Q24	Is this private land?	NO
Q25	If private, who owns the land and have you obtained consent from them to use the land to trade?	
Q26	Items to be sold	FRUIT FRUIT, VEG, TOILET PAPER, EGGS, SPICES.
Q27	Specify days of trade	WEDNESDAY 11am to 4pm FRUIT, VEG, EGGS
Q28	Specify times of trade (use 24 hours clock e.g. 10:00 to 16:00 hours)	
Q29	Highways comments attached?	YES
Q30	Planning comments attached?	YES

E. CONVICTIONS / CAUTIONS

Q31	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?	Applicant 1 Yes [] No [<input checked="" type="checkbox"/>]	
	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		

1/2013

- 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: ..R.KHAN..... Print name: ..RAJA RAFAQAT KHAN..... Date: ..24th MAY 2013..... Capacity: ..OWNER.....
Applicant 2 Signature: Print name: Date: Capacity:

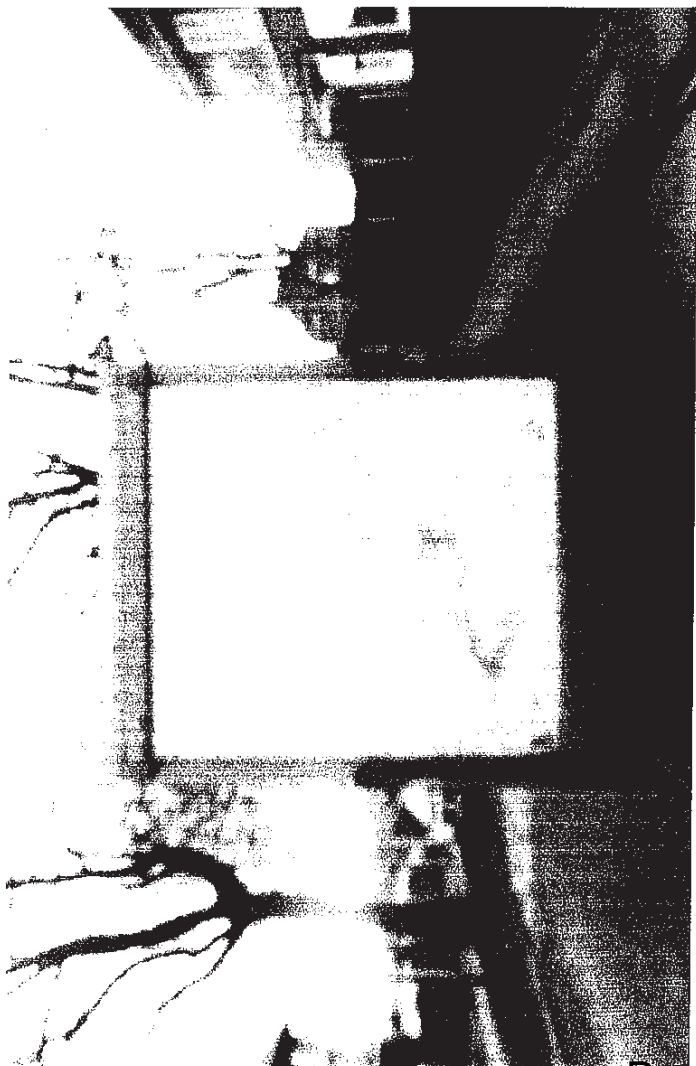
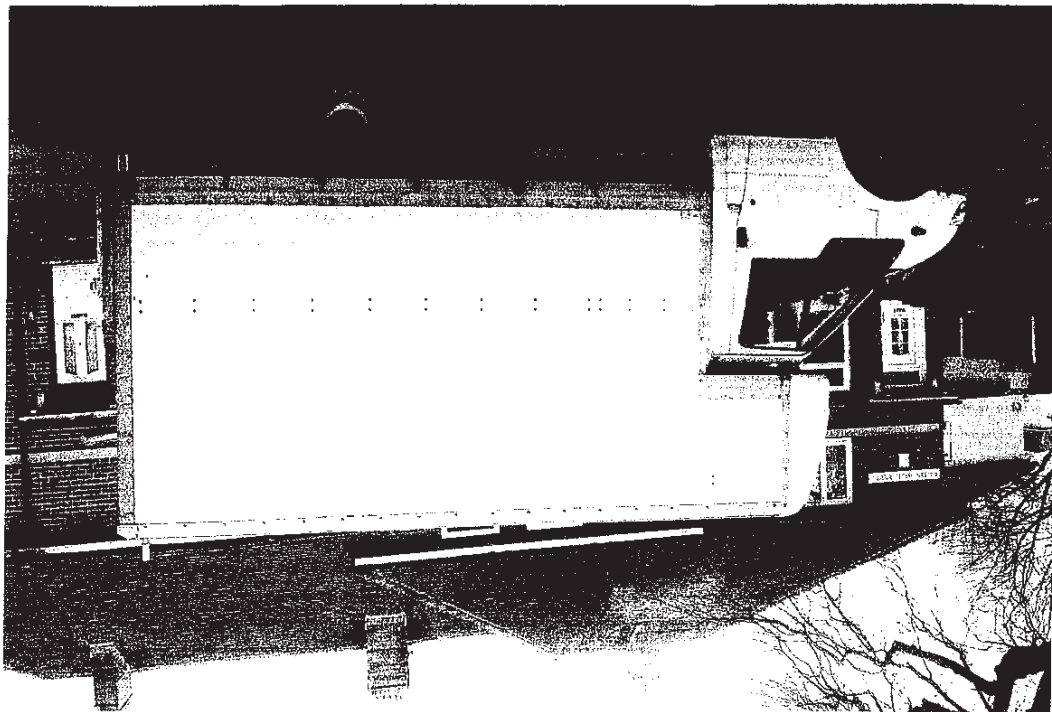
Please read these notes before completing the application form.

- 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.

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 9am to 5pm, Monday to Friday. Telephone (0114) 203 7752.



F. CHECK LIST

The following documents must be attached with this application:

(tick)

✓	Appropriate fee (if short term) or 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 type="checkbox"/>
✓	Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	<input checked="" type="checkbox"/>
N/A	If trading from private land, written confirmation from the landowner	<input type="checkbox"/>
✓	Ordnance survey map of at least 1:1250 scale clearly identify the proposed trading position. An additional map to scale showing its proximity to other similar retail outlets within an 800 metre radius.	<input checked="" type="checkbox"/>
✓	Photographs of the vehicle / unit showing front, side and rear.	<input checked="" type="checkbox"/>
✓	Confirmation in writing that you have consulted with the Highways Department	<input checked="" type="checkbox"/>
✓	Confirmation in writing that you have consulted with the Planning Department	<input checked="" type="checkbox"/>
✓	Details of any food hygiene qualifications (unless trading in non food items)	<input checked="" type="checkbox"/>
N/A	If trading in food, confirmation that the business has a food hygiene score rating of 3 or more. N/A	<input checked="" type="checkbox"/>
✓	Confirmation that your vehicle meets the quality criteria	<input checked="" type="checkbox"/>
✓	Any further information you may wish to submit in support of your application	<input 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.		
	Certificate of insurance in respect of the vehicle / unit	12-02-2014	<input checked="" type="checkbox"/>
	Appropriate vehicle test	4 Oct 2013	<input checked="" type="checkbox"/>
	Public liability insurance (minimum of £2,000,000)	15/Sep 2013	<input checked="" type="checkbox"/>
	Written confirmation that the vehicle meets the Council's food safety standards		<input type="checkbox"/>
✓	Waste management contract		<input checked="" type="checkbox"/>
✓	Declare that you have registered as a food business		<input 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."

Raja Rafaqat Khan
46 Raisen Hall Road
Sheffield
S5 7NB
Date 19.5.13

Dear Sir/Madam,

I am writing this letter as I am applying for a static street trading consent. I have asked the public that live on this ~~road~~ ^{Area} and here are the signatures of those who agree to the consent being granted.

Name	Address	Signature
Jabeen Akhtar	Southview Rd	on letter
TASSAGAT Hussain	Southview Rd	on letter
mrs Akram	Albany Rd	on letter
mrs Rafique	Albany Rd	on letter
	crescent Rd	on letter
mrs f. khalil	chipping House Rd.	on letter

I hope this helps you in your enquiries.

Yours Faithfully

R.KHAN

Raja Rafaqat Khan

To

Sheffield city council.

Hi

My name is Mrs Rafique.

and I buy fruit and vegetables
from Van man every wk.

Because he gives lots cheaper

than other shops everything is

fresh a we can get from

our street. All shops are

very expensive we can't afford

it got little kids so hard

to go to shop. Plz my

request to you allow
this person to come to
our street every wk and
giv us all stuff we
need every wk.

we will be thankful
to you.

~~to~~ Mrs Rafique

Albany

Road.

Sheffield

Jamun

To,

Sheffield City
Council.

Hi,

My name is Mrs
Akram. I buy fruit &
veg from van man.

It sells very cheap
from other shops. big
difference between ~~shop~~ price

veg & very fresh and give
us at home. he give us

veg n fruit at £1.00
which shop sells more than
£8.00. So I would love
to buy from him.



Albany Rd

15/10/11
Chloe

Jabeen AKHTAR

Southview Road

Sheffield - S71DE

I am in favour of the fruit and veg man Rafiqat coming and trading in our area. The local shops should put their prices down if they are not happy that the vans are taking their business. They should try going and buying fresh daily so us customers are happy. The Council should do what is best for the public and not the shops who take advantage by selling expensive products.

J. Akhtar

■ crescent road
Sheffield S71HN

Dear Sir/madam,

I am confirming that
I am in favour of the fruit and veg van
trading in our area.

Thank you.

Moghad

TASSADAO, HUSSAIN

██████████ SOUTH VIEW ROAD, SHEFFIELD S7AD

Dear City Council,

I am writing this letter to show that I am in favour of the fruit and veg van X80S PJW coming and trading in our area. The prices of the van are a lot cheaper than the local shops and the produce is fresher. He is also very polite and if we buy in bulk he delivers it to our door.

T. Hussain

MRS. F. Khalil
Chipping House R
Sheffield
S71 0Q

Dear Council,

I have been hearing that there is a problem with us customers buying fruit & veg from the Van People.

I am happy to say, that buying from the fruit & veg van is better as its cheaper from the local shops. And it is better as I myself doesn't need to go to the local shop to buy the fruit and veg, as I suffer from leg pain

I kindly request you not to stop the Van people coming to our area.

Thank you

F. Khalil

22-05-13.



Certificate of Achievement



This is to certify that

Raja Rafaqat Khan

**Has successfully completed the
Basic Food Hygiene Course**

Awarded

31st January 2009

— GRS —

Signed



**Mohammed Mansha MRIPHH
Chief Executive Officer**

Fastrain Associates

Accredited by The Chartered Institute of Environmental Health,
The Royal Institute for the Promotion of Health and
The Royal Society for the Promotion of Health



Expires 01/2012



Detail 100% Aerial 0%
Map style Colour
Site info

- + Print
- + Draw & measure
- + Export data
- + Reports
- + Historical maps



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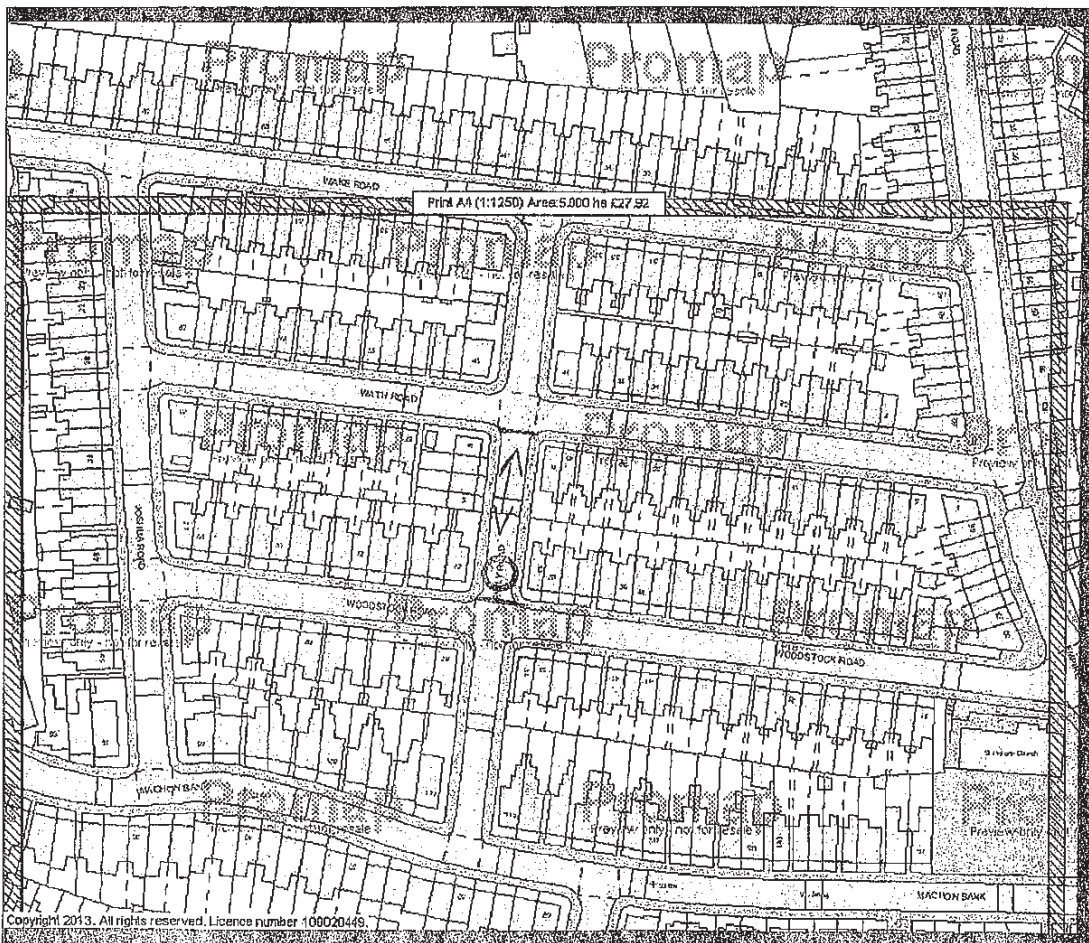
STREET TRADING

Notice is hereby given that:

An application has been submitted to Sheffield City Council for a static street trading consent:

By: **Mr Raja Rafaqat Khan**
To trade: **Fruit, Veg, Toilet Paper, Eggs and Spices.**
On: **Wednesday 11:00 to 16:00.**

Unit details: **Luton Van**
The location: **Emily Road, Nether Edge, Sheffield.**



Interested parties may make representations about this application, in writing, to: Licensing Services, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD by

For full details and to view a copy of the application please contact the Licensing Service on 0114 2037752.



**Local Government (Miscellaneous Provisions) Act 1982
Street Trading – Emily Road**

An application has been submitted to Sheffield City Council for a static street trading consent at the above named site:

By: Mr Raja Rafaqat Khan.
To trade: Fruit, Veg, Toilet Paper, Eggs and Spices.
On: Wednesday 11:00 to 16:00.

As a local business/person that could potentially be affected by the siting of this vendor, we would like to consult with you to gain your opinion.

Please refer to the attached information - you will note the proposed location of the consent and details of the proposed vehicle.

I would be grateful if you would take a couple of minutes to write any comments below.

If it is more convenient for you, you are welcome to submit your comments by email to general.licensing@sheffield.gov.uk. Please ensure all your details and all the traders' details are included in your message.

Any comments you have regarding this application must be received by the Licensing Service by **1st July 2013**

If you have any queries, please contact The Licensing Service on 0114 2037752.

Company/name and address:

Form completed by (please print):

a) I have no comments to make about this application []

b) I have the following comments to make about this application
(please detail below)

Comments:

.....

.....

.....

Signed: Date:

Position in company:

Applicant: Mr Raja R Khan
Proposed Location: Emily Road.

APPENDIX B

Ruston Andy (CEX)

From: Bond Nikki (LAB CLLR)
Sent: 25 June 2013 16:50
To: Ruston Andy (CEX)
Subject: RE: Send data from MFP-07052602 11/06/2013 12:05

Hi Andy

Hope I am not too late for this.

My objection to this static street trading application is in respect of 3.2.8 of the Street Trading Licensing Policy that states:

"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."

Having spent a lot of time with local businesses listening to their concerns about the impact of mobile street trading on their business, I cannot allow this application to go ahead without objection because the 5-hour proposed time would actually have a worse impact than the mobile vans in the sense that it would deter local residents away from existing businesses who sell similar produce.

I understand that this application has already been rejected on Owlter Lane, which is a cul-de-sac. Emily Road is within a network of small, busy roads with a lot of traffic and families walking about. If the previous application was rejected for a cul-de-sac, which is presumably more quiet than Emily Road, then I add an additional objection to this application on the basis of it posing a potential safety risk.

Furthermore it concerns me that the applicant has written N/A next to the food hygiene rating criteria, and they have also failed to provide evidence (at the time of writing their application) that the vehicle meet's the Council's food safety standards.

I'd be grateful if you would accept this email as evidence of my objection and hope to attend the Licensing Sub-Committee meeting when this case is scheduled.

Kind regards

Cllr Nikki Bond for Nether Edge ward

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

From: Ruston Andy (CEX)
Sent: 11 June 2013 15:46
To: Bond Nikki (LAB CLLR)
Subject: RE: Send data from MFP-07052602 11/06/2013 12:05

Dear Councillor Bond,

You can send your objection to me. I have attached a copy of the photos of the van, the registration is X805 PJW.



Local Government (Miscellaneous Provisions) Act 1982
Street Trading – Emily Road

An application has been submitted to Sheffield City Council for a static street trading consent at the above named site:

By: Mr Raja Rāfaqat Khan.
To trade: Fruit, Veg, Toilet Paper, Eggs and Spices.
On: Wednesday 11:00 to 16:00.

As a local business/person that could potentially be affected by the siting of this vendor, we would like to consult with you to gain your opinion.

Please refer to the attached information - you will note the proposed location of the consent and details of the proposed vehicle.

I would be grateful if you would take a couple of minutes to write any comments below.

If it is more convenient for you, you are welcome to submit your comments by email to general.licensing@sheffield.gov.uk. Please ensure all your details and all the traders' details are included in your message.

Any comments you have regarding this application must be received by the Licensing Service by 1st July 2013

If you have any queries, please contact The Licensing Service on 0114 2037752.

Company/name and address: A. REHMAN & SONS LTD

Form completed by (please print): BASHARAT

a) I have no comments to make about this application []

b) I have the following comments to make about this application
(please detail below)

Comments: ON CONDITION OF 800 METERS AWAY FROM ANY SHOP SELLING SAME OR SIMILAR FOOD TYPES OR PRODUCTS. WE HAVE ^{HAD} THIS ISSUE WITH THE MOBIL VANS AND NOW I SUPPOSE WE WILL HAVE IT WITH STATIC VANS (THEM WERE ALREADY STATIC)

Signed: BASHARAT Date: 6.5.13

Position in company: MANAGER

Applicant: Mr Raja R Khan
Proposed Location: Emily Road

~~A~~ THE MOBIL VANS USED TO COME AND PARK FOR SEVERAL HOURS SO NOW THEY ARE TRYING TO GET AROUND THIS ISSUE BY APPLYING FOR A STATIC LICENSES. AS LONG AS YOU APPLY THE SAME CONDITIONS AS WITH ~~THE~~ MOBIL STREET TRADING THEN THERE SHOULDN'T BE ANY ISSUES.

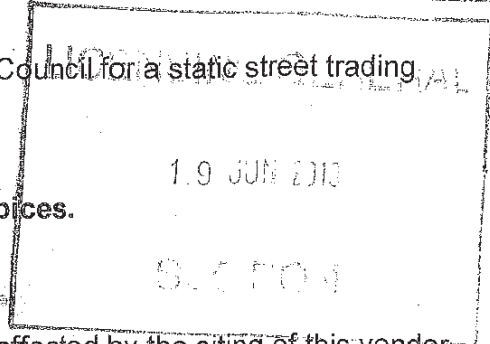
SAME



Local Government (Miscellaneous Provisions) Act 1982
Street Trading – Emily Road

An application has been submitted to Sheffield City Council for a static street trading consent at the above named site:

By: Mr Raja Rafaqat Khan.
To trade: Fruit, Veg, Toilet Paper, Eggs and Spices.
On: Wednesday 11:00 to 16:00.



As a local business/person that could potentially be affected by the siting of this vendor, we would like to consult with you to gain your opinion.

Please refer to the attached information - you will note the proposed location of the consent and details of the proposed vehicle.

I would be grateful if you would take a couple of minutes to write any comments below.

If it is more convenient for you, you are welcome to submit your comments by email to general.licensing@sheffield.gov.uk. Please ensure all your details and all the traders' details are included in your message.

Any comments you have regarding this application must be received by the Licensing Service by 1st July 2013

If you have any queries, please contact The Licensing Service on 0114 2037752.

Company/name and address: EMIRE NEWS GROCERY & VEGETABLE ^{FRUIT}
Form completed by (please print): A F. KASSIM & FADHL USAD

- a) I have no comments to make about this application
- b) I have the following comments to make about this application (please detail below)

Comments: I STRONGLY REJECT THE TRADE OF FRUIT, VEG, TOILET PAPER, EGGS AND SPICES ON STREET BECAUSE THESE ARE THE MAIN SOURCES OF MY BUSINESS. I BELIEVE THAT THE SALE OF FRUITS & VEG ON STREETS IS ALREADY ON AND IT DOES EFFECT

Signed: [Signature] Date: _____

Position in company: owner

Applicant: Mr Raja R Khan
Proposed Location: Emily Road.



APPENDIX C

New Reply | Delete Archive Junk | Sweep Move to

Search emails

RE: Static street trading application

Folders

Inbox 1330

Junk 8

Drafts 8

Sent

Deleted 3

New folder

Quick vie...

Documents

Flagged 2

Photos 6

New category



Navigator

What you ca

Retype t



Turner Paul (DEL-H/Way Regs) (Paul.Turner@sh...)
To: Rozina Raftar

Dear Rozina

Thank you for your e-mail.

I can confirm that from a Highway Authority view there are no objections to your application to trade at Emily Road as indicated on your plan provided that the trading vehicle does not :

- i) contravene any Traffic Regulation Order (yellow lines) or the Highway Code
- ii) present an obstruction to pedestrians or vehicles
- iii) present safety or visibility issues at any location

I trust that this information is of use and will enable you to pursue your application with the General Licensing Team at Staniforth Road.

Regards

Paul Turner

Highway Licences

2-10 Carbrook Hall Road

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24/05/2013

Street trading



Barker Sue (DEL) (Sue.Barker@sheffield.gov.uk)

Cc: dscan@sheffield.gov.uk

Rozina

Thank you for your enquiry about street trading in Emily Road.

I would confirm that planning permission will be required if you intend to trade from a single location on more than 28 days in any calendar year. In considering any application for planning permission, the impact on the amenities of local residents and traffic safety will need to be assessed. Planning permission will not be required to trade for less than 28 days per year.

The fee for the planning application will be £385.00 and the process will take up to 8 weeks.

I hope the above clarifies the planning position.

Regards

Sue Barker

Principal Planning Officer, Development Management

Telephone: (0114) 273 4239

Email: sue.barker@sheffield.gov.uk

We offer an integrated planning and building control service

Websites: www.sheffield.gov.uk/planning or

www.sheffield.gov.uk/buildingregulations

Locations: Planning Service, Howden House, 1 Union Street, S1 2SH

Building Control Service, Carbrook Hall Road, S9 2DB

Apply for planning permission online at:

www.planningportal.gov.uk/apply

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APPENDIX D

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 Street Trading – Static Street Trading Consent – Emily Road IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Raja Rafaqat Khan
46 Raisen Hall Road
Sheffield
S5 7NB.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Emily Road.

I refer to the above and an 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 will be provided in the report to the Committee which will be sent to you in due course. 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 objectors to attend the meeting.

The hearing in respect of the application will take place on 23rd July 2013 in a Committee Room of the Town Hall, Sheffield (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 2037752.



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

Date: 10th July 2013

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 2037752

The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 Street Trading – Static Street Trading Consent – Emily Road IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Councillor Nikki Bond.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Emily Road.

I refer to the above and an 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 will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

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Steve Lonnia
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Telephone 0114 2037752

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SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982
Street Trading – Static Street Trading Consent – Emily Road
IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: The Objector.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Emily Road.

I refer to the above and an 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 will be provided in the report to the Committee which will be sent to you in due course. 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 objectors to attend the meeting.

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PLEASE NOTE:

I would be grateful if you could confirm that you will be attending the meeting by telephoning the Licensing Office on 0114 2037752.


.....

Date: 10th July 2013

Steve Lonnia
Chief Licensing Officer
Head of Licensing

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

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APPENDIX E

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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