

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 14 March 2017

PRESENT: Councillors Alan Law (Chair), Kieran Harpham and George Lindars-Hammond

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of two cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 36/17 did not attend the hearing, and the Sub-Committee considered the case in his absence.

4.3 The applicant in Case No. 37/17 attended the hearing and addressed the Sub-Committee.

4.4 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
36/17	Application to renew a Hackney Carriage and Private Hire Driver's Licence	Refuse to renew the licence on the grounds that, in the light of the offence and conviction now reported, the Sub-Committee does not consider the applicant to be a fit and proper person.
37/17	Application for a first Hackney Carriage and Private Hire Driver's Licence	Grant a licence for the shorter term of 12 months in the light of the offences and convictions now reported.

(At this stage in the proceedings, the meeting was re-opened to the public and press.)

5. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING - STATIC STREET TRADING CONSENT - BARKER'S POOL, SHEFFIELD CITY CENTRE

- 5.1 The Chief Licensing Officer submitted a report to consider an application, under the Local Government (Miscellaneous Provisions) Act 1982, for the grant of a Static Street Trading Consent for Barker's Pool, Sheffield City Centre (Case No. 48/17).
- 5.2 Present at the meeting were Sally Ford and Michelle Horne (Applicants), Paul Turner (Highway Licences and Regulation, Objector), Clive Stephenson (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).
- 5.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.
- 5.4 Clive Stephenson presented the report, and it was noted that objections to the application had been received from the Council's Highways Service, and two interested parties (Sandwich Division, Division Street and John Lewis, Barker's Pool), and were attached at Appendix 'B' to the report. The owners of Sandwich Division and a representative from John Lewis had been invited to the meeting, but were not present.
- 5.5 Paul Turner stressed that, although the Council wanted to encourage small businesses to operate in the City Centre, the specific location requested was not suitable from a practical point of view. It was very close to the barrel and stock delivery area in respect of Lloyd's Bar, and very close to a Bike Hire Docking Station, which had recently been installed at this location, under licence, by the University of Sheffield. Mr Turner stated that, in addition to this, there was a considerable amount of existing street furniture in the immediate vicinity and the area was used by the City Centre Management Team, for special events held in the City Centre, including funfairs.
- 5.6 In response to questions from Members of, and the Solicitor to, the Sub-Committee, Mr Turner stated that he had not yet had the opportunity to speak personally to the applicants in terms of looking at an alternative location, and indicated that it was possible that the mobile unit could be sited elsewhere in Barker's Pool. He confirmed that the University of Sheffield had recently installed a Bike Hire Docking Station in this area and, with this being a commercial venture, it would be deemed unreasonable if there were issues in terms of access. Mr Turner understood that the University was not aware of this application, and stated that colleagues in the Council's Transport Planning Team had advised him that the Docking Station would generate a considerable amount of activity within the immediate area.

- 5.7 Sally Ford circulated a number of photographs showing the proposed location for the mobile unit. She stated that the applicants wanted to provide something different for the City Centre, in that they planned to sell fresh coffee using a lever pull machine. In order to minimise the environmental impact of the business, they would be using 'vegware' compostable cups and lids, both of which were made from lower environmental impact methods, using less carbon in their production, and made from materials that were fully recyclable. Mrs Ford stated that they had chosen this specific location on the grounds that there was a high footfall, there were plenty of places to sit down and there were plenty of waste bins in the immediate area. They would also have their own waste bin, and would ensure that everything was cleared away at the end of trading. They planned to sell Italian/Mediterranean style sandwiches, which were not currently being sold by the two companies who had raised objections. In terms of the location, Mrs Ford stated that, in the light of the existing obstructions and street furniture in the area, she did not believe that the mobile unit would make it any more difficult for deliveries to be made to Lloyd's Bar. She also stressed that, at the time of making the application, they were not aware of the Bike Hire Docking Station, however they believed that there would still be sufficient room for access to the Station, and would give consideration to changing the angle of the unit, or moving it a short distance away, to make access easier.
- 5.8 In response to questions from Members of the Sub-Committee, Mrs Ford stated that it would take her around 12 minutes to pack up and move the mobile unit off the site, and possibly less time if she and Ms. Horne were both present. Mrs Ford stated that they had not spoken to officers in the City Centre Management Team and, in terms of the location, they had considered this the most suitable due to the potentially high levels of disposable income of those people shopping in this particular area who they believed, as well as wanting to buy a drink and something to eat, would be interested to engage in conversation about how the coffee was made. Following further comments from Paul Turner, Mrs Ford stated that they would be happy, if necessary, to consider moving a short distance off Barker's Pool up Holly Street.
- 5.9 RESOLVED: That following consideration of the information contained in the report now submitted, together with the information now reported, the meeting be adjourned pending a site visit, to allow Members to view the mobile unit in the context of its surroundings.

RECONVENED MEETING ON 23RD MARCH 2017

PRESENT: Councillors Alan Law (Chair), Kieran Harpham and George Lindars-Hammond

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1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. **EXCLUSION OF PUBLIC AND PRESS**

No items were identified where resolutions may be moved to exclude the public and press.

3. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 – STREET TRADING – STATIC STREET TRADING CONSENT – BARKER’S POOL, SHEFFIELD CITY CENTRE**

4.1 The Chief Licensing Officer submitted a report to consider an application, under the Local Government (Miscellaneous Provisions) Act 1982, for the grant of a Static Street Trading Consent for Barker’s Pool, Sheffield City Centre (Case No. 48/17).

4.2 The Chief Licensing Officer reported that the meeting of the Sub-Committee on 14th March 2017, had been adjourned to allow Members to undertake a site visit, to allow them to view the mobile unit in the context of its surroundings.

4.3 Present at the meeting were Sally Ford and Michelle Horne (Applicants), Clive Stephenson (Licensing Strategy and Policy Officer) and Samantha Bond (Legal Advisor to the Sub-Committee).

4.4 **RESOLVED:** That, following the site visit now made, approval be given for the grant of a Static Street Trading Consent for Barker’s Pool, Sheffield City Centre (Case No. 48/17), for a period of 12 months, excluding any events on Barker’s Pool, and subject to the mobile unit being positioned at the precise location now agreed.