

Licensing Sub-Committee

Tuesday 26 March 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 Clive Skelton (Deputy Chair), David Barker and Ian Saunders
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
26 MARCH 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 - Street Trading Consent Site - Livesey Street**
Report of the Chief Licensing Officer
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Street Trading Consent Site - Portobello**
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.

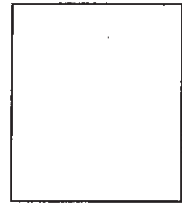
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's 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: 26th March 2013

Subject: Local Government (Miscellaneous Provisions Act) 1982

Author of Report: Andy Ruston - 2037751

Summary: Application for a static street trading consent

Recommendations: That members note the content of the report and any further information supplied.

Background Papers: Attached to this report

Category of Report: Open

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING

CONSENT SITE – Livesey Street

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a consent to street trade.

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 councils decision.

3.0 THE APPLICATION

- 3.1 The applicants are Shelley and Andrew Roberts and a copy of the application is attached at Appendix 'A'.
- 3.2 The application is to sell hot and cold sandwiches, hot and cold drinks, confectionary.
- 3.3 The application is to trade from a site on Livesey Street. A copy of the location of the site is attached at Appendix 'B'.
- 3.4 A copy of the Council's City Wide Street Trading Quality Specification is attached at Appendix 'C'.

4.0 REASONS FOR REFERRAL

- 4.1 Objections to the application have been received from a local business.

5.0 BACKGROUND

- 5.1 Shelley and Andrew Roberts submitted an application for a static street trading consent on 1st February 2013.
- 5.2 The application and plan were circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Planning and Highways on 1st February 2013.
- 5.3 From the consultations carried out, objection has been received and is attached to the report at Appendix 'D':
- 5.4 The applicant and objectors have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'E'.
- 5.5 A copy of the hearing procedure is attached at Appendix 'F'.

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 application for a Street Trading Consent.
- 8.2 To defer the matter for further consideration.
- 8.3 To refuse to grant the application for a Street Trading Consent.

Steve Lonnia
Chief Licensing Officer, Head of Licensing
Staniforth Road Depot
Sheffield S9 3HD
18th March 2013

APPENDIX A

Rec no 23693.

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	SHELLEY ROBERTS	ANDREW ROBERTS
Q2	Applicant(s) permanent private address	[REDACTED] SHEFFIELD S5 6LA	[REDACTED] SHEFFIELD S5 6LA
Q3	Date of birth	27/3/79	13/12/75
Q4	Nationality and place of birth	British UK	British UK
Q5	National Insurance No.	[REDACTED]	[REDACTED]
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?	<input type="radio"/> YES / <input checked="" type="radio"/> NO Details:	<input type="radio"/> YES / <input checked="" type="radio"/> NO Details:
Q8	Telephone No	[REDACTED]	[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	Catering trailer
Q17	Registration number (if applicable)	
Q18	Date of first registration (if applicable)	
Q19	Last MOT and service (if applicable)	
Q20	Size of vehicle	Height: 7' 6" Width: 5' 4" Length: 15' with tow bar
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	Caldesac Livesey Street Hillsborough
Q23	Location of pitch: (include site plan to scale)	Caldesac on Livesey Street

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	Hot and cold sandwiches Hot and cold drinks, confectionery
Q27	Specify days of trade	Mon - Friday
Q28	Specify times of trade (use 24 hours clock e.g. 10:00 to 16:00 hours)	8am - 2pm 08.00 - 14.30
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 <input checked="" type="checkbox"/> No []	
Details of previous convictions and/or cautions			
	Date of Conviction	Court of Conviction	Nature of Offence
	Sentence		
Applicant 1			
Applicant 2			
			

F. CHECK LIST

The following documents must be attached with this application:

(tick)

<input checked="" type="checkbox"/>	Appropriate fee (if short term) or non refundable fee of £100	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Your current passport	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Your current drivers licence	<input checked="" type="checkbox"/>
<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 colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	<input checked="" type="checkbox"/>
	If trading from private land, written confirmation from the landowner	
<input checked="" type="checkbox"/>	Ordnance survey map of at least 1:1250 scale clearly identify the proposed trading position and its proximity to other similar retail outlets within an 800 metre radius.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Photographs of the vehicle / unit showing front, side and rear.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Confirmation in writing that you have consulted with the Highways Department	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Confirmation in writing that you have consulted with the Planning Department	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Details of any food hygiene qualifications (unless trading in non food items)	<input checked="" type="checkbox"/>
<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 that your vehicle meets the quality criteria	<input checked="" type="checkbox"/>
	Any further information you may wish to submit in support of your application	

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

(tick if enclosed with this application)

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

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."

**CITY WIDE STREET TRADING
QUALITY SPECIFICATION
(This specification does not include the city centre)**

UNIT DESIGN

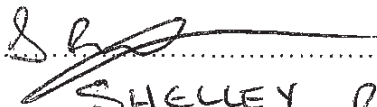
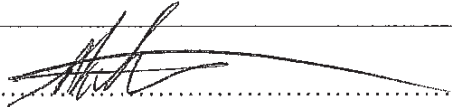
- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailers' reputation.
- It is in the best interest of traders to produce a high quality design both internally and externally in their unit.
- The function of the unit is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness in their operation. The unit must contribute to the appearance of the area for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Stalls must enhance the visual appearance of the street rather than detract from it and be constructed in a suitable style and of appropriate materials.

Examples of acceptable designs include:

- Modern, simple, functional stalls with umbrellas, canopies or striped awnings.
- Traditional or 'period' type handcarts, barrows or tricycles.
- The stall design should be fully accessible for all customers.
- The outside of the unit will be limited to the name of the stall, the type of product sold and a simple price list. Ad hoc pictures and advertiser's slogans should be avoided, as should untidy handwritten signs.
- 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.
- 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.
- The general design of the unit must meet the requirements of the Council for the location and proposed hours or days of trading. A photograph of the actual unit or proposed model must be submitted on application.
- Bright colours and a sense of fun are encouraged.
- Pitched and curved roofs are encouraged.
- Canopies must be maintained and cleaned.
- No expenditure on units or equipment should be made until the Council has granted consent and the unit design has been approved.
- The internal layout of the unit must be clean and to a high standard.

I/We,

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

Applicant 1
Signature: 
Print name: SHELLEY ROBERTS
Date: 30-1-13
Capacity: Owner
Applicant 2
Signature: 
Print name: ANDREW ROBERTS
Date: 30-1-13
Capacity: Owner

Please read these notes before completing the application form.

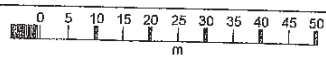
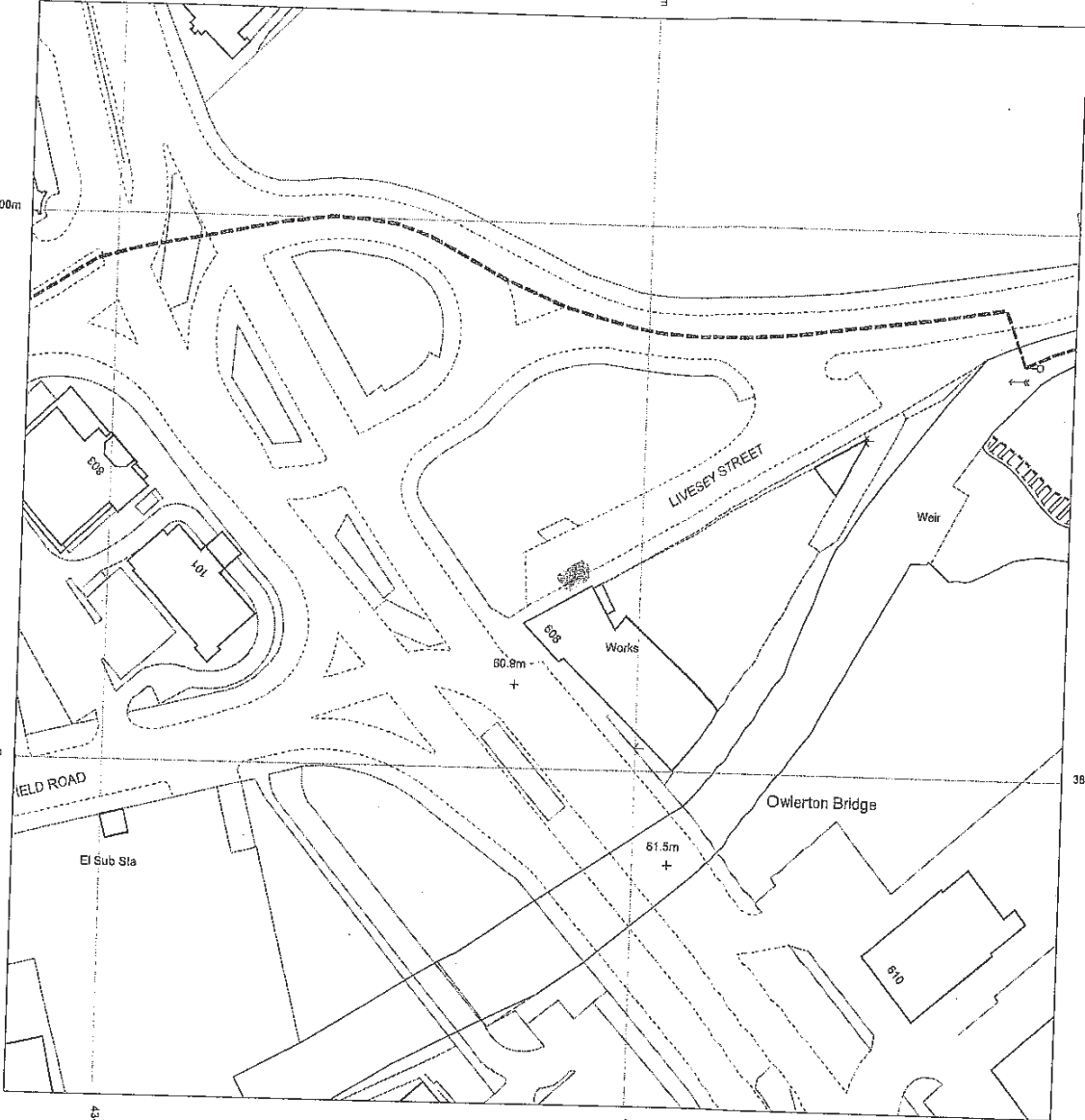
- If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- None of the information which you supply on (or with) this form will be treated as 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.

Sheffield
Water



LIVESEY ST SHEFFIELD

OS Mastermap
15 January 2013, ID: BW1-00201114
www.blackwellmapping.co.uk

1:1250 scale print at A4, Centre: 433684 E, 389838 N

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BLACKWELL'S
www.blackwellmapping.co.uk
TEL: 0114 268 7658
maps.sheffield@blackwell.co.uk



Highfield Awarding Body for Compliance

Certifies that

Shelley Lynette Roberts

has successfully passed an assessment in

**HABC Level 2 Award in Food Safety
in Catering (QCF)**

Date of assessment 27 November 2012

Date of award 06 December 2012

Certificate number 0902235

Course Director

Sheffield City Council Environmental Health

Training Organisation



Jason Sprenger - Chief Executive
Highfield Awarding Body for Compliance

Regulated by

Ofqual

For more information see <http://register.ofqual.gov.uk>



Llywodraeth Cymru
Welsh Government

Qualification number 500/5485/5



Place
Business Strategy and Regulation

Director of Business Strategy & Regulation: Mick Crofts
Health Protection Service
2-10 Carbrook Hall Road • Sheffield • S9 2DB
Fax No. (0114) 273 6464

Tel: 0114 273 5774 (ask for the 'duty officer')
Ref: AAL/Registration Receipt/sah/shellskitchen

Date: 6 November 2012

Mrs Shelley Roberts

[REDACTED]
Firth Park
Sheffield
S5 6LA

Dear Mrs Roberts,

Regulation (EC) 852/2004 Article 6(2)
Shell's Kitchen. [REDACTED] Firth Park, Sheffield. S5 6LA

I am writing to acknowledge receipt of your registration form for the above premises, the details of which have been entered on the register. I take this opportunity to remind you that you must notify this Department of any subsequent changes to the business or if you cease trading.

High risk food businesses (such as caterers, cafes, restaurants, takeaways etc.) will be inspected on a regular basis. Low risk businesses (such as corner shops) may be visited less frequently or be required to complete a self-assessment form instead of being visited. Inspections are normally carried out on a 'spot check' basis.

You will need to make sure the business complies with the food hygiene Regulations. These include the requirement to keep the premises clean, maintain them in good repair, provide adequate facilities, make sure staff are adequately instructed or trained in food hygiene matters and produce a written food safety management system. One example is 'Safer Food Better Business' and a free pack can be ordered by calling 0845 606 0667.

If you require any further information then please visit the Environmental Health section of our website at www.sheffield.gov.uk. Information is also available on the Food Standards Agency website at www.food.gov.uk.

Alternatively, do not hesitate to contact my department on the number shown.

Yours sincerely

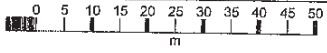
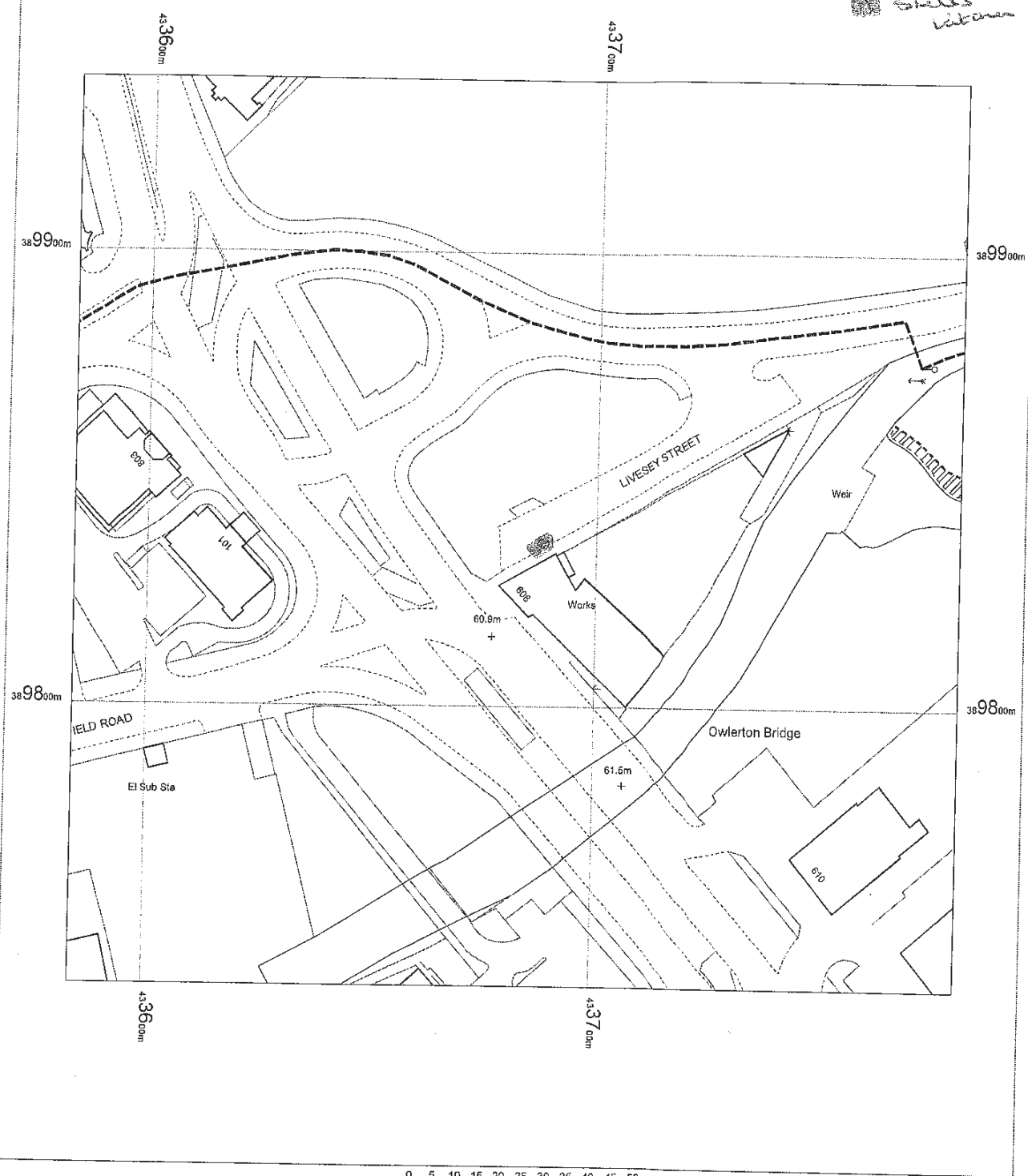
S Hunt
Information Officer

Large print versions of this letter are available by
telephoning (0114) 273 4415/273 5774

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APPENDIX B

Shells
Water



LIVESEY ST SHEFFIELD

OS Mastermap
15 January 2013, ID: BW1-00201114
www.blackwellmapping.co.uk

1:1250 scale print at A4, Centre: 433684 E, 389838 N

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TEL: 0114 268 7658
maps.sheffield@blackwell.co.uk

APPENDIX C

CITY WIDE STREET TRADING QUALITY SPECIFICATION

(This specification does not include the city centre)

UNIT DESIGN

- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailers' reputation.
- It is in the best interest of traders to produce a high quality design both internally and externally in their unit.
- The function of the unit is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness in their operation. The unit must contribute to the appearance of the area for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Stalls must enhance the visual appearance of the street rather than detract from it and be constructed in a suitable style and of appropriate materials.

Examples of acceptable designs include:

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- Traditional or 'period' type handcarts, barrows or tricycles.
- The stall design should be fully accessible for all customers.
- The outside of the unit will be limited to the name of the stall, the type of product sold and a simple price list. Ad hoc pictures and advertiser's slogans should be avoided, as should untidy handwritten signs.
- 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.
- 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.
- The general design of the unit must meet the requirements of the Council for the location and proposed hours or days of trading. A photograph of the actual unit or proposed model must be submitted on application.
- Bright colours and a sense of fun are encouraged.
- Pitched and curved roofs are encouraged.
- Canopies must be maintained and cleaned.
- No expenditure on units or equipment should be made until the Council has granted consent and the unit design has been approved.

- The internal layout of the unit must be clean and to a high standard.
- Non-motorised vehicles (ie carts/barrows) are encouraged in pedestrian areas. For example shopping areas like Woodseats, Hillsborough, etc.
- Motorised vehicles should not be of an age of 5 years or over.
- Mobile trading vans must have a side hatch to serve customers.
- The unit / vehicle must be clearly identifiable as a trader.

Environmental Health considerations of the unit design:

For Enclosed Food units:

- The internal arrangements must be such that:
 - There is suitable and sufficient hand washing facilities with hot water;
 - The work surfaces are impervious to water and readily cleansable;
 - There is sufficient compliant temperature controlled food storage facilities appropriate to the business;
 - The gas and electrical installations are certificated and deemed to be safe by a competent and suitably qualified engineer; any gas store cupboard should be outside of the food area;
- The external arrangements must be that the mobile is sufficiently weather and pest proof so as to not risk the contamination of the food.

For Market-Stall or Street-Barrow type food units:

- The stall must be covered to prevent the risk of matter falling on to the food;
- The work surfaces likely to be in contact with the food must be impervious to water and readily cleansable;
- Any intrinsic storage food area must be able to be secured against the intrusion by pests;
- If temperature controlled food is to be stored on the mobile, the storage facility shall be capable of maintaining the food in a legally compliant manner;
- That there are adequate hand washing facilities.

Food Hygiene record (for all food stalls) - all food regulations have been adhered to:

- The applicant will need to demonstrate that:

- they have registered with their home Local Authority;
- all food handlers have received adequate food safety training appropriate to their job role;
- the food business has a legally compliant Food Safety Management System (e.g. Safer Food, Better Business);
- if there is a history of non-compliance, it has been addressed and accepted by the Food Safety Enforcing Officer, or that the food business is in the process of addressing the issues and the Food Safety Officer does not consider the defect too severe so as to prohibit the food business from trading; and
- their business has a food hygiene rating score of at least 3.

DRESS

- Trader and their assistants must be identifiable (i.e wear a uniform).
- The style of dress worn by stall operators should be chosen to complement the style and period of the unit.
- Over clothing must always be smart and clean. Operators of food stalls should ensure that sufficient changes of clothes are provided so as to enable personnel to always wear over clothing, which is clean.
- Personal cleanliness is also important and persons employed at food stalls are required to have good personal hygiene.

GENERAL

- Vehicles used to tow trailers must be parked legally at all times.
- 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.
- The goods complement and do not conflict with the goods sold by other retailers within their proposed area(s).

The criteria above are intended to guide applicants for street trading consents as to the type of stall and dress, which the Council is looking to promote as a means of regulating the street trading.

It is not intended to exclude any design that does not fall within the examples given.

APPENDIX D

Darwent Linda

From: Russell Price [REDACTED]
Sent: 22 February 2013 19:07
To: Darwent Linda
Subject: RE: Objection against new planning request on Livesy Street

Linda, please find below the reasons for my objection for the proposed siting of an additional catering trailer at the above site:

1. Location too close to my existing business (200-400 metres)
2. I am a newly established business in the area, and in the early stages of building up my customer base, the approval of any further licenses of this type would have a serious impact on my business
3. I dont fully think there would be enough customers to support 2 like minded businesses in such a small geographical area
4. There are already numerous fast food outlets in this area, for example, Mc Donalds, KFC, Pizza Hut.

If you could ensure the above points are raised as part of my objection to the proposed planning application.

Kind regards,
Russell Price

[REDACTED]

APPENDIX E

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 Street Trading – Livesey Street

IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Shelley Roberts
[REDACTED]
Sheffield
S5 6LA

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent

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

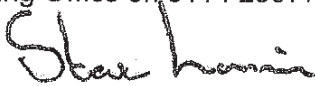
This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

The committee has indicated that it expects applicants to attend the meeting.

The meeting will take place on 26th March 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.



Date: 7th March 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.

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 – Livesey Street

IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Russell Price



LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent

I refer to the above and an application for the grant of a 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 all parties to attend the meeting.

The meeting will take place on 26th March 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 Service on 0114 2037752.

A handwritten signature in black ink that reads "Steve Lonnia".

Date: 7th March 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.

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

APPENDIX F

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.

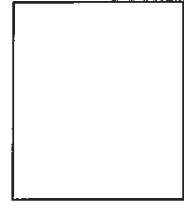
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee 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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SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 26th March 2013

Subject: Local Government (Miscellaneous Provisions Act) 1982

Author of Report: Andy Ruston - 2037751

Summary: Application for a static street trading consent

Recommendations: That members note the content of the report and any further information supplied.

Background Papers: Attached to this report

Category of Report: Open

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING

CONSENT SITE – Portobello

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a consent to street trade.

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 councils decision.

3.0 THE APPLICATION

- 3.1 The applicant is Mrs Shasha Wu and a copy of the application is attached at Appendix 'A'.
- 3.2 The application is to sell hot food and soft drinks.
- 3.3 The application is to trade from a site on Portobello. A copy of the location of the site is attached at Appendix 'B'.
- 3.4 A copy of the Council's City Wide Street Trading Quality Specification is attached at Appendix 'C'.

4.0 REASONS FOR REFERRAL

- 4.1 Objections to the application have been received from Mr Paul Turner, Highways and Chris Garlick, University of Sheffield. Comment has also been received from Lucy Bond, Development Services.

5.0 BACKGROUND

- 5.1 Shasha Wu submitted an application for a static street trading consent on 1st February 2013.
- 5.2 The application and plan were circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Planning and Highways on 1st February 2013.
- 5.3 In addition, Licensing Officers erected notices at the site of the proposal. Copies of the notices are attached at Appendix 'D'.
- 5.4 From the consultations carried out above, objections and comment has been received and are attached to the report at Appendix 'E':
- 5.5 The applicant and objectors have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'F'.
- 5.6 A copy of the hearing procedure is attached at Appendix 'G'.

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 application for a Street Trading Consent.
- 8.2 To defer the matter for further consideration.
- 8.3 To refuse to grant the application for a Street Trading Consent.

Steve Lonnia
Chief Licensing Officer, Head of Licensing
Staniforth Road Depot
Sheffield S9 3HD
18th March 2013

APPENDIX A





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	Mrs SHASHA WU	
Q2	Applicant(s) permanent private address	 Sheffield, S10 1UU	
Q3	Date of birth	15/10/1988	
Q4	Nationality and place of birth	Chinese, China	
Q5	National Insurance No.		
Q6	Do you have the legal right to work and live in the UK?	YES / NO Details: Yes Tier 4 student dependent Visa, can work full-time.	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	YES / NO Details: Yes. Last application, the trailer was applied to stay overnight at the business site.	YES / NO Details:
Q8	Telephone No		
Q9	Email address		

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. TRADING DETAILS

Q16	Trading Name (if applicable)	Chinese fast food.
Q17	Trading address (if different from above) Post Code	Portobello street S1 4DP
Q18	Site to be occupied	Road side (Along the to foot path)
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	Hot food, soft drinks.
Q20	Please specify preferred days of trade:	Monday to Friday.
Q21	Please specify preferred hours of trade:	10:00 am to 6:00 pm.

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	A Catering Trailer (Will be moved during nights.)
Q20	Size of unit	Height: 2 m Width: 1.8 m Length: 7.8 m

E. CONVICTIONS / CAUTIONS

Q21	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? If the answer is Yes please give full details below:	Applicant 1 Yes [] No <input checked="" type="checkbox"/>		
		Applicant 2 Yes [] No []		
Details of previous convictions and/or cautions				
	Date of Conviction	Court of Conviction	Nature of Offence	Sentence
	Applicant 1			
	Applicant 2			

F. CHECK LIST

The following documents must be attached with this application:

(tick)

Non refundable fee of £100	<input checked="" type="checkbox"/>
Your current passport	<input checked="" type="checkbox"/>
Your current drivers licence	
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)	
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.	
Confirmation your vehicle meets the quality criteria	
Any further information you may wish to submit in support of your application	

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

(tick if enclosed with this application)

The remaining quarterly fee or full annual fee.	
Certificate of insurance in respect of the vehicle / unit	
Public liability insurance (minimum of £2,000,000)	
Written confirmation that the vehicle meets the Council's food safety standards	

Waste management contract	✓
Declare that you have registered as a food business	✓

G. DECLARATION

WARNING

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

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

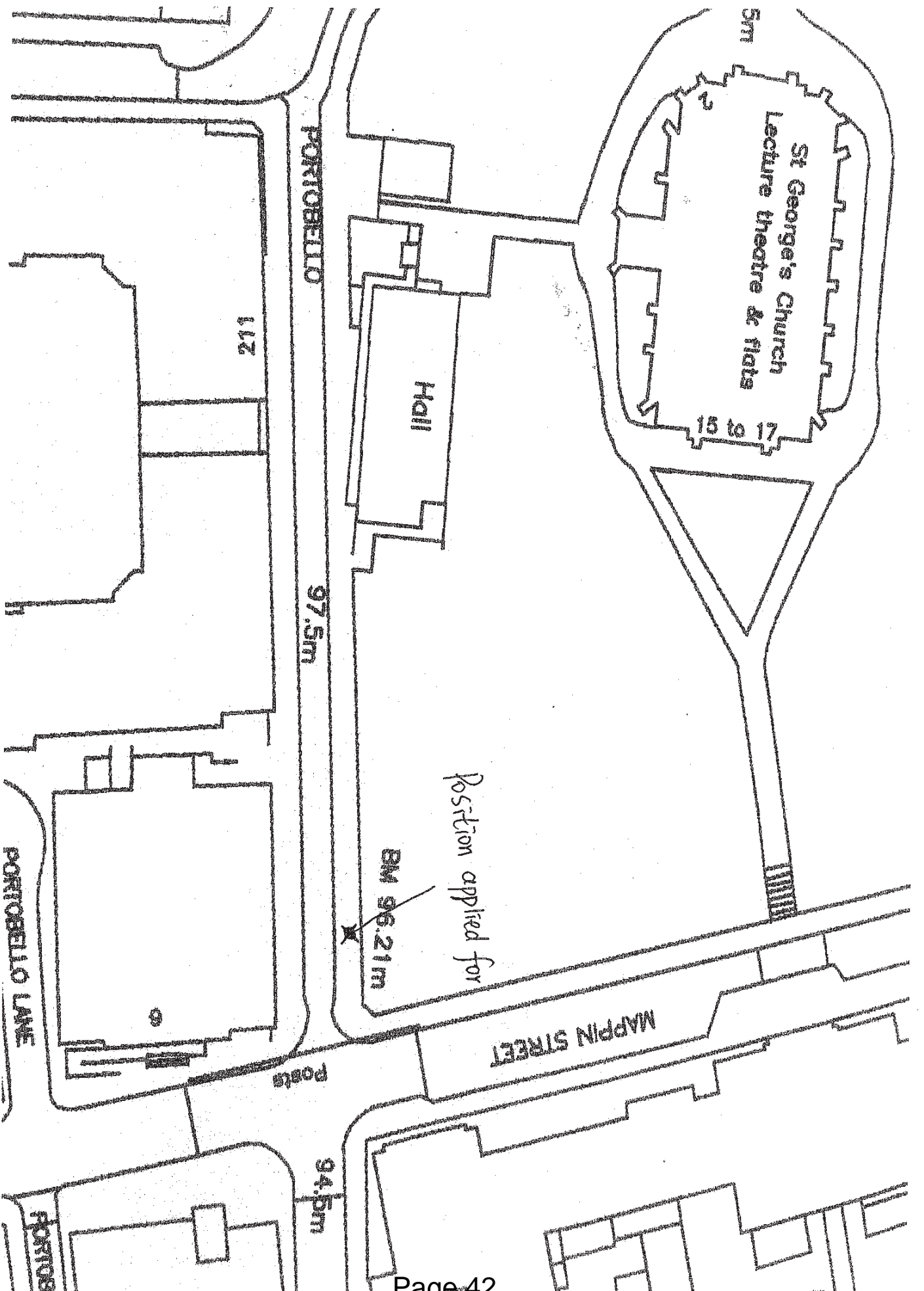
I / We,

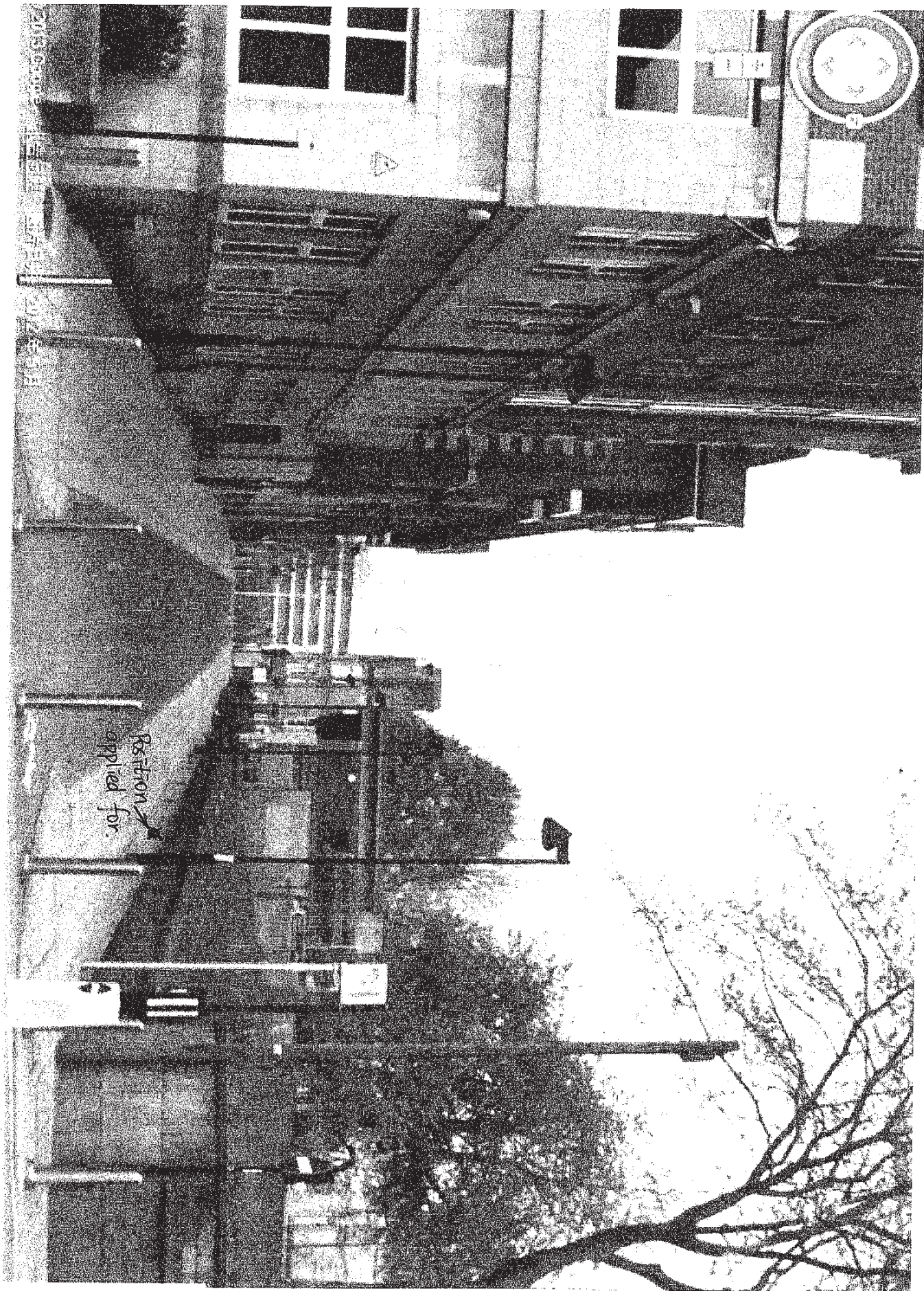
- declare that all the information I have given in this application is complete and correct;
- declare that I am over 17 years of age (in cases of individual applicants)
- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield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

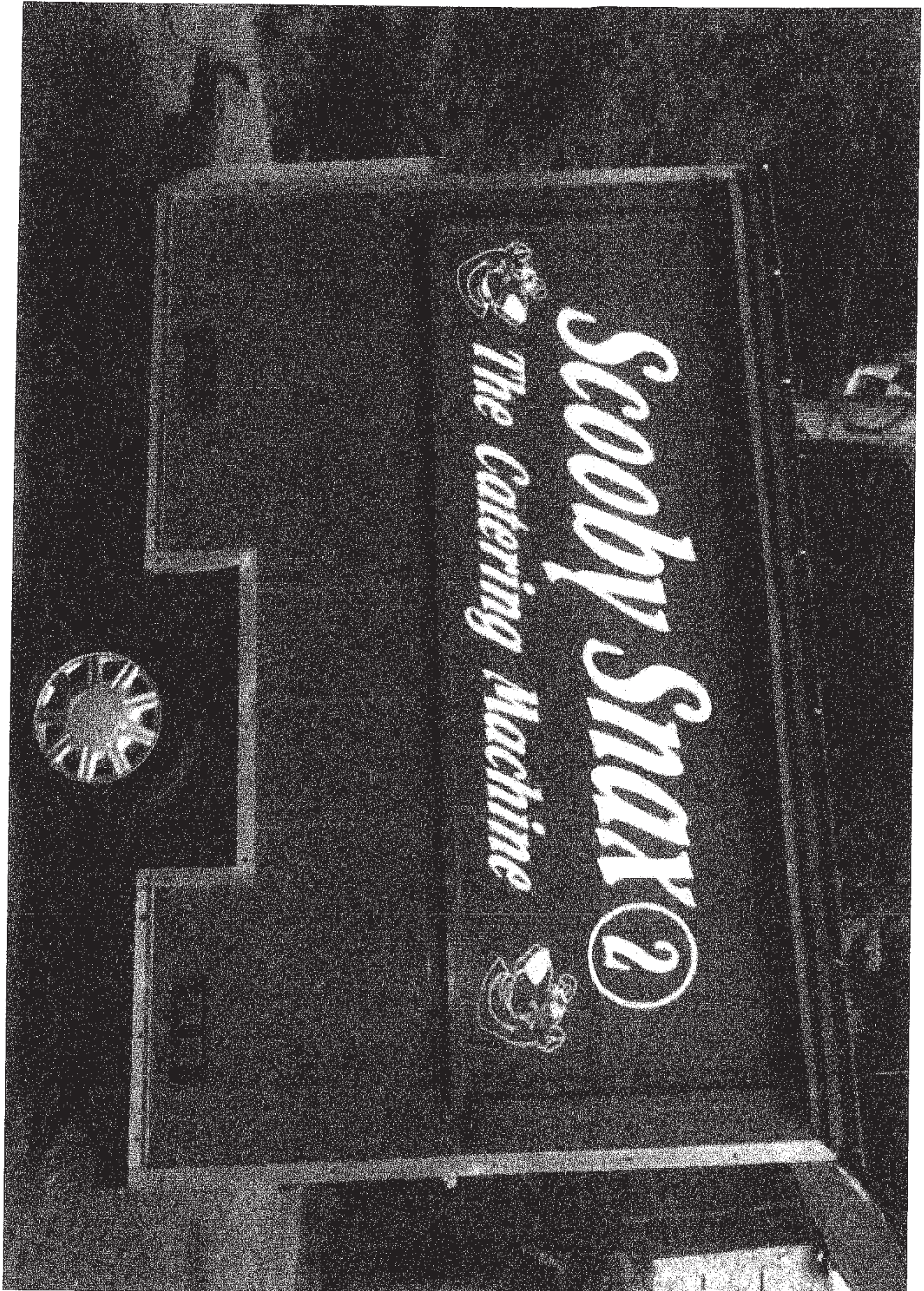
Applicant 1	Signature: <i>吴沙沙</i> Print name: <i>SHASHA WU</i> Date: <i>31/01/2013</i> Capacity: <i>Housewife</i>
Applicant 2	Signature: Print name: Date: Capacity:

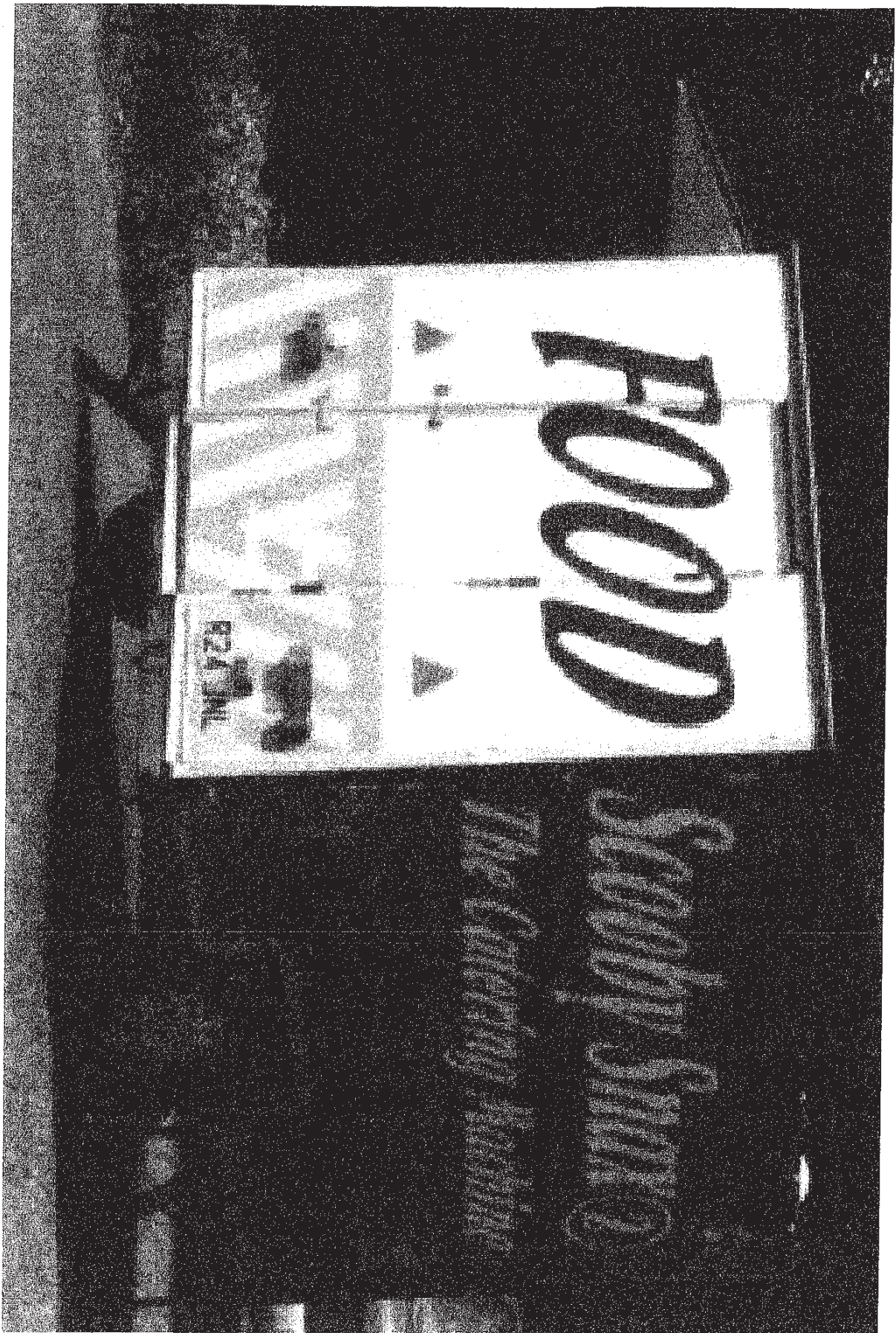
Please read these notes before completing the application form.

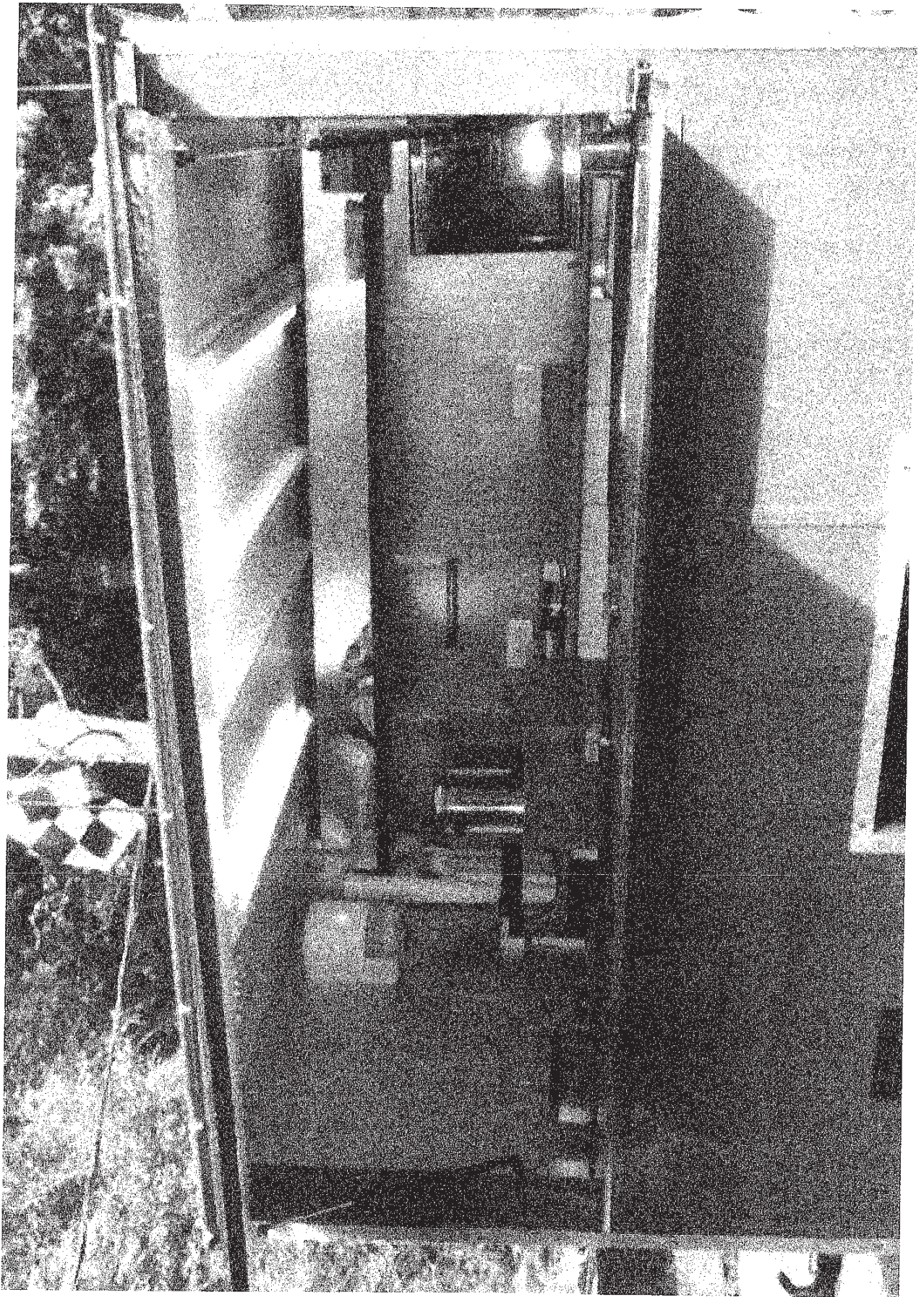
- (a) If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- (b) None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.
- (c) 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.











[打印该邮件](#)[关闭该邮件](#)

Application confirmation for Food premises registration

noreply-licensing@digital.cabinet-office.gov.uk

收件人: sdwflxg@126.com

时 间: 2012-12-7 2:52:01

附 件:

Confirmation from Sheffield City Council

You've just submitted an application for **Food premises registration** .

Your application reference number is: **sheffield-8347**

Your application was submitted on 06-12-2012 18:52 and Sheffield City Council has been notified.

Assuming the form is valid they'll contact you with a decision by 18-01-2013.

If you haven't had a decision by this date you can assume it's been approved as tacit consent applies.

If you have any questions about your application please contact:

Sheffield City Council

Health Protection Service

2-10 Carbrook Hall Road

Carbrook

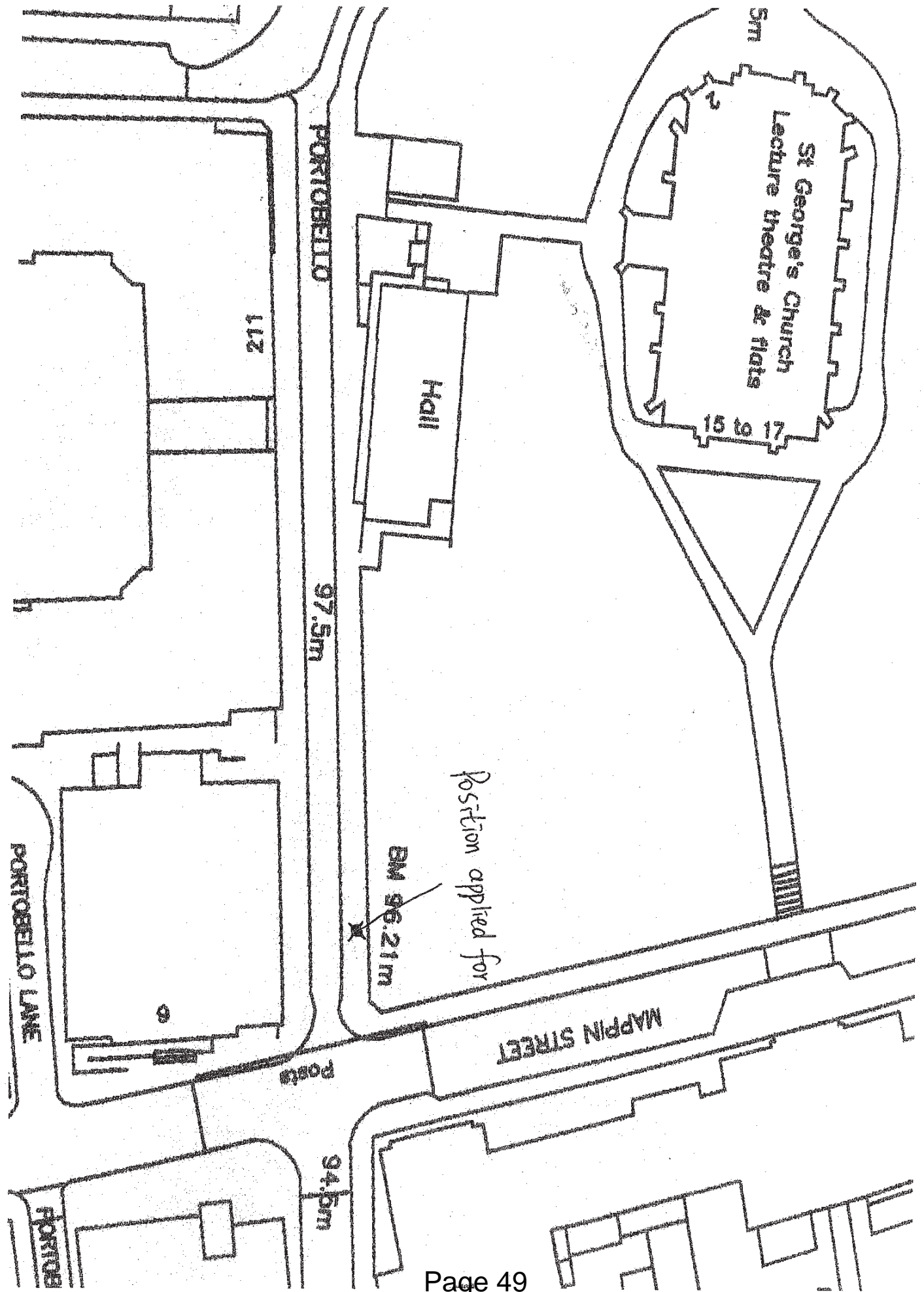
S9 2DB Sheffield

Phone: 0114 2734644

e-mail: healthprotection@sheffield.gov.uk

[打印该邮件](#)[关闭该邮件](#)

APPENDIX B



APPENDIX C

CITY WIDE STREET TRADING QUALITY SPECIFICATION

(This specification does not include the city centre)

UNIT DESIGN

- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailers' reputation.
- It is in the best interest of traders to produce a high quality design both internally and externally in their unit.
- The function of the unit is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness in their operation. The unit must contribute to the appearance of the area for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Stalls must enhance the visual appearance of the street rather than detract from it and be constructed in a suitable style and of appropriate materials.

Examples of acceptable designs include:

- Modern, simple, functional stalls with umbrellas, canopies or striped awnings.
- Traditional or 'period' type handcarts, barrows or tricycles.
- The stall design should be fully accessible for all customers.
- The outside of the unit will be limited to the name of the stall, the type of product sold and a simple price list. Ad hoc pictures and advertiser's slogans should be avoided, as should untidy handwritten signs.
- 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.
- 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.
- The general design of the unit must meet the requirements of the Council for the location and proposed hours or days of trading. A photograph of the actual unit or proposed model must be submitted on application.
- Bright colours and a sense of fun are encouraged.
- Pitched and curved roofs are encouraged.
- Canopies must be maintained and cleaned.
- No expenditure on units or equipment should be made until the Council has granted consent and the unit design is approved.

- The internal layout of the unit must be clean and to a high standard.
- Non-motorised vehicles (ie carts/barrows) are encouraged in pedestrian areas. For example shopping areas like Woodseats, Hillsborough, etc.
- Motorised vehicles should not be of an age of 5 years or over.
- Mobile trading vans must have a side hatch to serve customers.
- The unit / vehicle must be clearly identifiable as a trader.

Environmental Health considerations of the unit design:

For Enclosed Food units:

- The internal arrangements must be such that:
 - There is suitable and sufficient hand washing facilities with hot water;
 - The work surfaces are impervious to water and readily cleansable;
 - There is sufficient compliant temperature controlled food storage facilities appropriate to the business;
 - The gas and electrical installations are certificated and deemed to be safe by a competent and suitably qualified engineer; any gas store cupboard should be outside of the food area;
- The external arrangements must be that the mobile is sufficiently weather and pest proof so as to not risk the contamination of the food.

For Market-Stall or Street-Barrow type food units:

- The stall must be covered to prevent the risk of matter falling on to the food;
- The work surfaces likely to be in contact with the food must be impervious to water and readily cleansable;
- Any intrinsic storage food area must be able to be secured against the intrusion by pests;
- If temperature controlled food is to be stored on the mobile, the storage facility shall be capable of maintaining the food in a legally compliant manner;
- That there are adequate hand washing facilities.

Food Hygiene record (for all food stalls) - all food regulations have been adhered to:

- The applicant will need to demonstrate that:

- they have registered with their home Local Authority;
- all food handlers have received adequate food safety training appropriate to their job role;
- the food business has a legally compliant Food Safety Management System (e.g. Safer Food, Better Business);
- if there is a history of non-compliance, it has been addressed and accepted by the Food Safety Enforcing Officer, or that the food business is in the process of addressing the issues and the Food Safety Officer does not consider the defect too severe so as to prohibit the food business from trading; and
- their business has a food hygiene rating score of at least 3.

DRESS

- Trader and their assistants must be identifiable (i.e wear a uniform).
- The style of dress worn by stall operators should be chosen to complement the style and period of the unit.
- Over clothing must always be smart and clean. Operators of food stalls should ensure that sufficient changes of clothes are provided so as to enable personnel to always wear over clothing, which is clean.
- Personal cleanliness is also important and persons employed at food stalls are required to have good personal hygiene.

GENERAL

- Vehicles used to tow trailers must be parked legally at all times.
- 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.
- The goods complement and do not conflict with the goods sold by other retailers within their proposed area(s).

The criteria above are intended to guide applicants for street trading consents as to the type of stall and dress, which the Council is looking to promote as a means of regulating the street trading.

It is not intended to exclude any design that does not fall within the examples given.

APPENDIX D

STREET TRADING

Notice is hereby given that:

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

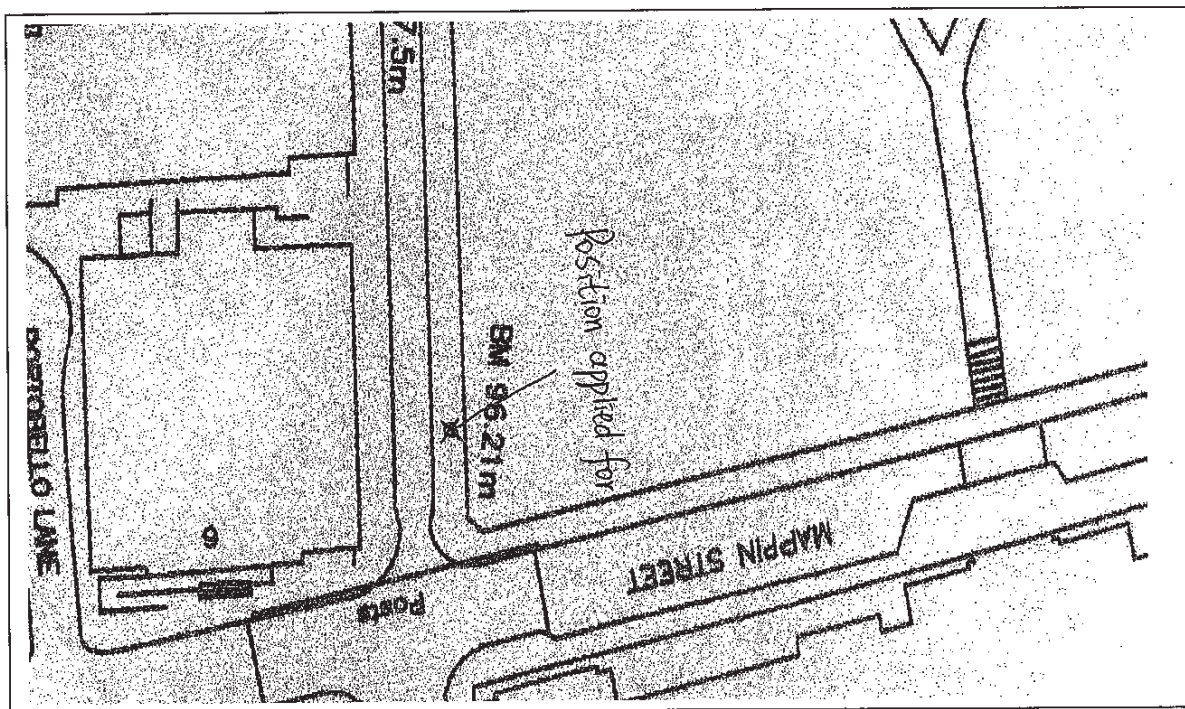
By: Ms Sasha Wu

To trade: Hot food soft drinks

On: Monday to Friday
10:00- 18:00

Unit details: A catering Trailer 2m x 1.8m x 2.8m

The location: Portebello



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 **1st March 2013**

For full details and to view a copy of the application please contact the Licensing Service on 0114 209 552.



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

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

By: Ms Sasha Wu
To trade: Hot food soft drinks
On: Monday to Friday: 10:00- 18:00

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 March 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: Ms Sasha Wu
Proposed Location: Potebello

APPENDIX E

Darwent Linda

From: Licensing(General)
Sent: 01 March 2013 09:11
To: Ruston Andy (CEX)
Cc: Siddall Ann (CEX); Darwent Linda
Subject: FW: Static Street trading consent application - Ms Sasha Wu - Portobello
Attachments: Portobello street blockage.JPG

From: Chris Garlick [REDACTED]
Sent: 28 February 2013 17:00
To: Licensing(General)
Subject: Static Street trading consent application - Ms Sasha Wu - Portobello

Dear General Licensing,

We write in regard to the above application of which you kindly provided the University of Sheffield a copy of to provide comment.

The University has serious concerns over the use of Portobello as a location for a Street trader, we set out our concerns below.

Portobello is a pedestrianized public highway which has created an attractive route for both pedestrians and cyclists. Portobello is one of the signed cycle routes promoted by Sheffield City Council and provides a popular route from Leavygreave Road all the way to Haymarket.

Portobello has a configuration of a single cycle route, with a footpath either side. The current street trader completely blocks the northern footpath and creates a blockage across the route with customers waiting to be served. As the route is used by students of the University and a high number of cyclist, the university believes this location is unsuitable for a trader given that a conflict between cyclist and pedestrians is created.

It is recognised that a great deal of planning and expenditure has taken place to create an attractive pedestrianized area, which is popular to the residents of Sheffield, students and visitors of the University. We are of the opinion that static traders in this location of the city are not appropriate and detract from the work on public realm space that has already begun. The University is working closely with Sheffield City Council on improving realm space around the Universitys campus. This is an area which has been identified for further improvement and the locating of a trader in this location will impede these plans.

The University has concerns on the health and safety grounds, as discussed this is based on the safety both pedestrians and cyclists. In addition we have concerns over how this unit will generate its power cooking and lighting. With no local power sources we assume the unit maybe powered by a generators. Should this be the case then the noise and fumes from the unit would be unsuitable for this location as both teaching and office accommodation is situated either side of Portobello.

Extraction from the unit will push food smells to the surrounding location, this will provide both and unattractive environment for people using the area but also for the University buildings surrounding the unit.

Please find attached an image of this problem created by having a unit in the subject location.

Please do not hesitate to contact me should you require any further information.

Page 58

01/03/2013

y

Regards

Chris

Chris Garlick BSc (Hons) MRICS
Senior Surveyor
Estates & Facilities Management

University of Sheffield, Arts Tower - Floor 08, Western Bank, Sheffield S10 2TN

w: <http://www.sheffield.ac.uk/efm>

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Ruston Andy (CEX)

Comments
re planning
permission

From: Licensing(General)
Sent: 21 February 2013 11:10
To: Ruston Andy (CEX)
Subject: FW: LICENSING PORTOBELLO

From: planningdc.cityeast@sheffield.gov.uk
Sent: 21 February 2013 10:19
To: Licensing(General)
Subject: RE: LICENSING PORTOBELLO

Licensing,

I refer to the street trading application submitted by Shasha Wu for a static street trading pitch on Portobello to trade between the hours of 10am and 6pm Monday to Friday.

I can confirm that this proposal will require planning permission and I have already advised the applicant of this. Until such time as the applicant has planning permission I consider that it would be inappropriate of me to comment on this street trading application.

Regards

Lucy Bond
Development Management
(0114) 273 4556

From: planningdc@sheffield.gov.uk
Sent: 01 February 2013 11:19
To: planningdc.cityeast@sheffield.gov.uk; planningdc.north@sheffield.gov.uk
Subject: LICENSING PORTOBELLO AND LIVESEY STREET

From: Darwent Linda
Sent: 01 February 2013 10:19
To: 'Dgill@syfire.org.uk'; planningdc@sheffield.gov.uk; City Centre Management Team; highways@sheffield.gov.uk; 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'
Subject:

<< File: Shasha Wu.pdf >>

Dear all,

Please find attached two applications for Street Trading one at Portobello and one at Livesey Street (I know this one won't come under City Centre Management). Public notices will be going up today the 1st February for the 28 day consultation period.

If you have any comments or objections please could I have these by 6th March which is when the consultation period will end.

Thank you

Kind regards

Linda Darwent
Licensing Officer
Licensing Service, Business Strategy & Regulation, Block C, Staniforth Road Depot, Sheffield, S9

3HD

Telephone: 0114 20 37752

Fax: 0114 27 35410

Email linda.darwent@sheffield.gov.uk

Web www.sheffield.gov.uk

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P Please don't print this e-mail unless you really need to

Darwent Linda

From: highways@sheffield.gov.uk
Sent: 12 February 2013 12:45
To: Darwent Linda
Cc: Heneghan Julie (CEX)
Subject: RE:

Linda,

With regard to the Portobello Street Trading application I would comment as follows.

With the amount of information provided with Mrs Wu's recent application we have been able to make more detailed comments than we could on the previous application for this street.

We consulted our Traffic Regulations Team regarding any formal vehicle or cycle restrictions on Portobello. They have confirmed the following:-

"With reference to your enquiry regarding the traffic regulations in place on Portobello, I would advise you that it has a Prohibition of Driving Except for Access restriction at its entrance from St Georges Terrace/Regent Street. The other end of Portobello where it joins Mappin Street is closed off with several bollards in place to prevent vehicle access.

In effect, It is essentially a pedestrian street which can be also be used by cyclists and any motor vehicles which need to gain access to any of the premises along its length".

This means that motor vehicles of any size, for the purpose of access and/or deliveries, can drive down Portobello from the top end (off Regent Street). They then have to make manoeuvres to turn around or reverse back up Portobello. This is the nature of this pedestrianised access road to which the University buildings require delivery and emergency vehicle access.

It could be considered that such access is rarely required.

However, we have a legal duty to consider pedestrian safety and wherever there is a possible mix of vehicles, cycles and pedestrians there is always a risk of injury. This can be said of Portobello along its full length and as it is today, without any trader present.

With the introduction of a catering trailer then the risk is increased considerably, primarily because the trailer occupies what is effectively a footway. When any vehicles or cycles access any part of Portobello pedestrians can naturally get out of the way and the footways provide this refuge. The trailer would not only present an obstruction of this refuge but customers waiting to be served would have to move out of the way if a vehicle required access to service or deliver to the University buildings at the bottom of the street.

Unlike the Fargate pedestrian precinct there is no time restriction for vehicular access and there is little room for vehicles that do need access to manoeuvre on Portobello.

It is on the grounds of general pedestrian safety that we have to object to the proposal.

Regards

Paul Turner
Principal Engineer
Highway Licences and Regulation
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel : 0114 2736137

: 0114 2736210

From: Darwent Linda
Sent: 01 February 2013 10:19
To: 'Dgill@syfire.org.uk'; planningdc@sheffield.gov.uk; City Centre Management Team; highways@sheffield.gov.uk; 'Sheffield.Liquor-Licensing@southyorks.pnn.police.uk'
Subject:

<< File: Shasha Wu.pdf >> << File: Shelly Roberts ST.pdf >> << File: Shelley roberts map.pdf >>

Dear all,

Please find attached two applications for Street Trading one at Portobello and one at Livesey Street (I know this one won't come under City Centre Management). Public notices will be going up today the 1st February for the 28 day consultation period. If you have any comments or objections please could I have these by 6th March which is when the consultation period will end.

Thank you

Kind regards

Linda Darwent
Licensing Officer
Licensing Service, Business Strategy & Regulation, Block C, Staniforth Road Depot, Sheffield, S9 3HD

Telephone: 0114 20 37752
Fax: 0114 27 35410
Email linda.darwent@sheffield.gov.uk
Web www.sheffield.gov.uk

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APPENDIX F

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 Street Trading – Portobello

IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Shasha Wu
[REDACTED]
Sheffield
S10 1UU

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent

I refer to the above and your application for the grant of your 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 to attend the meeting.

The meeting will take place on **26th March 2013** in a Committee Room of the Town Hall, Sheffield (Pinstone Street entrance) and you are invited to attend at **11:00 am**.

PLEASE NOTE:

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

.....

Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 7th March 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 – Portobello – Shasha Wu

IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Paul Turner
Highways

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent

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

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SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 Street Trading – Portobello – Shasha Wu

IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Lucy Bond
Development Management

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent

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SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 Street Trading – Portobello – Shasha Wu

IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Chris Garlick
Senior Surveyor
Estates and Facilities Management
University of Sheffield
Arts Tower
Floor 08
Western Bank
Sheffield
S10 2TN.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent

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APPENDIX G

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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