

Licensing Sub-Committee

Tuesday 25 March 2014 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 (Chair), Nikki Bond, Adam Hurst and Mike Drabble
(Substitute Member)**

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.

Whilst recording is allowed at Committee meetings under the direction of the Chair of the meeting, Licensing Sub-Committee meetings may not be suitable for recording due to the nature of some of the evidence to be given, and the Chair will use discretion to decide if recording is allowed. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

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.

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
25 MARCH 2014**

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.

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 (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

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 DPIs 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>

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.

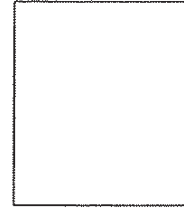
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's 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: 25th March 2014

Subject: Local Government (Miscellaneous Provisions) Act 1982
Street Trading.

Author of Report: Andy Ruston - 2037752

Summary: To give consideration to an existing Mobile Street Trading Consent, following breaches of the Street Trading Consent Conditions.

Recommendations: See attached report.

Background Papers:

Category of Report: Open

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

NASAR AHMED – 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, Nasar Ahmed.

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 Nasar Ahmed 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 Nasar Ahmed 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 shopkeeper.
- 4.2 Nasar Ahmed 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 had previously been amended following a full consultation and there were additional conditions added to the Street Trading Policy in relation to Mobile Street Trading Consent holders for fruit/vegetables and other traders. Condition 2 of The Mobile Street Trading Consent Conditions Fruit / vegetables and other traders stated at the time of the breaches of conditions by Nasar Ahmed, 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.

Members should also note that the Street Trading Policy has been further amended following the Licensing Committee meeting held on 20th February 2014 and condition 2 of The Mobile Fruit and Vegetables Street Trading Consent Conditions now states that;

- 2. Mobile consent holders are not permitted to trade within a 500m 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 Nasar Ahmed street trading from his vehicle on Elmham Road on 3rd January 2014, within an 800m radius of shops selling similar articles to him such as fruit and vegetables. Officers from the Licensing Service spoke with Nasar Ahmed, whilst he was trading on Elmham Road 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 a local shopkeeper on 10th February 2014, detailing that the local shop keeper had observed Nasar Ahmed street trading on High Hazels Close on 7th February 2014, within an 800m radius of shops selling

similar articles to him such as fruit and vegetables. A copy of the report received from the local shop keeper is attached to the report at Appendix 'C'.

The Licensing Service wrote to Nasar Ahmed on 10th February 2014 and to also invite him into the Licensing Service to discuss the matter further. A copy of the letter sent to Nasar Ahmed is attached to the report at Appendix 'D'.

Officers from the Licensing Service observed Nasar Ahmed street trading from his vehicle on Fisher Road on 18th February 2014, within an 800m radius of shops selling similar articles to him such as fruit and vegetables. Nasar Ahmed was again advised by officers and informed that the matter would be discussed when he attended the Licensing Service on 21st February 2014.

- 5.5 Nasar Ahmed attended the Licensing Service on 21st February 2014 to discuss the above further and during which Nasar Ahmed requested that any further action against his mobile consent be deferred to allow him time to consider the future of his mobile consent. Nasar Ahmed attended the Licensing Service on 6th March 2014, during which he agreed to sign a caution, which would be placed on his file. A copy of the caution is attached to the report at Appendix 'E'. Officers explained to Nasar Ahmed at the meeting on 6th March 2014, that his mobile street trading consent will be placed before the Licensing Sub Committee of the Council for consideration due to the above breaches of the conditions.
- 5.6 Nasar Ahmed has been invited to attend the Licensing Committee hearing. A copy of the invite is attached at Appendix 'F'. A copy of the Hearing Procedure is attached at Appendix 'G'.

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 Nasar Ahmed.

Steve Lonnia
Sheffield City Council
Block C, Staniforth Road Depot
Sheffield
S9 3HD
14th March 2014

APPENDIX A



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: **MV018**

Consent Holder: **Mr Nasar Ahmed**

Areas permitted to trade under this Consent:

- Area 1: Darnall**
- Area 2: Tinsley**
- Area 3: Firth Park**
- Area 4: Bright Side**
- Area 5: Abbeydale**

Vehicle registration number: **S867 DGU**

Permitted days: **Monday to Friday inclusive**

Permitted hours: **09:00 to 19:00 hours**

Goods sold: **Fruit and Vegetables**

Issue date: **11 September 2013**

Valid from: **11 September 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
MOBILE FRUIT/VEGETABLES & OTHERS
STREET TRADING – CERTIFICATE

Local Government (Miscellaneous Provisions) Act 1982

Expires: 31 March 2014

Consent No: MV018

Name: Mr Nasar Ahmed

Goods Sold: Fruit and Vegetables

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

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

Vehicle Registration Number: S867 DGU
Dated: 11 September 2013

Signed

Steve Lonnia

Steve Lonnia
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

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Standard Street Trading Consent Conditions

AUTHORISATION

1. The consent is only valid for the person named and is not transferable.
2. This consent enables the holder to trade in Sheffield from the area designated and between those times detailed in this consent only (if any).
3. The consent holder shall at all times have a copy of this consent available for inspection on request to any Police Officer or duly Authorised Officer of the Council.
4. A certificate will be issued along with the consent which must be clearly displayed on the vehicle or stall in a position that is clearly visible to customers and members of the public.
5. The consent holder shall only trade from the size and type of vehicle / stall / trailer specified in this consent.
6. The consent holder shall not use or permit anyone to use this consent to trade from anywhere other than the site detailed within this consent.
7. The consent holder shall ensure that a current price list of articles being sold is always prominently displayed on the vehicle or stall.
8. There shall be no alteration in the design / construction / appearance of the vehicle or stall without the written permission of the Council having been obtained.
9. There shall be no change in the range of articles sold without the written permission of the Council having been obtained.
10. The consent holder shall at all times have available for inspection an up to date and valid Certificate of Insurance (Vehicle and Public Liability) – the level of Public Liability Cover shall be a minimum of £2,000,000.
11. The Council reserve the right, should the need arise from time to time, to direct that the consent holder shall not trade:
 - from the whole or any part of the site;
 - during certain times from the site;
 - and move to an alternative site for a small length of time; and the consent holder shall comply with that instruction.
12. In the event that the Council give a direction to cease trading from the whole of the site, the City Council shall deduct from the next fee instalment due, a sum proportional to the trading time lost. For the purposes of this calculation it shall be deemed that trading takes place on 7 days a week.
13. This consent will expire on the date given on the face of this consent, and the Council are under no obligation to renew such consent.

14. Consent holders shall notify the Council in writing of any permanent change of address as soon as it occurs. You must provide proof of your new address with your notification (i.e. utility bill, bank statement, etc.)
15. Consent holders shall ensure that disabled people and wheelchair users can be adequately served.

CONDUCT

16. Consent holders and any assistants employed by them shall ensure the public and Council officers are treated fairly and with courtesy. Traders shall ensure that their staff are competent, courteous and helpful.
17. Consent holders will not obstruct Authorised Officers of the Council or Police Officers at any time and will always be polite and courteous.

AREA

18. Any consent issued by the Licensing Service does not permit the holder to trade within "The City Centre Boundary" unless specifically stated.
19. Any consent issued for a street trader does not permit the holder to trade within 800 meter radius of any school in the Sheffield boundary unless authorised to do so.
20. 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 plan for radius) for four hours previous, during and one hour after any event.

ASSISTANTS

21. The consent holder will only employ persons that are suitably qualified in food hygiene to assist him (unless trading in non food articles / goods).
22. The consent holder shall not permit any person under the age of 17 to engage in Street Trading.
23. The consent holder shall ensure that any person who is working on the vehicle, stall or designated area has obtained the relevant authorisation and is wearing the identity badge issued to them by the Council (this includes the consent holder and any other person who is assisting the consent holder in trading).
24. The consent holder shall ensure that any person who is working on the vehicle has a right to work in the UK and has made appropriate checks.
25. The consent holder shall ensure that the Council (Licensing Service) are informed immediately of any new assistants that are employed to work at the vehicle, stall or unit.
26. The consent holder shall supply a copy of these street trading conditions to every assistant employed by him and ensure they are fully aware of their responsibilities.

FOOD HYGIENE

27. The consent holder shall at all times observe proper food safety and hygiene standards and shall make appropriate use of any equipment provided for this purpose.
28. The applicant shall comply with all statutory requirements regarding food hygiene. The applicable legislation is:

**FOOD HYGIENE (ENGLAND) REGULATIONS 2006
FOOD REGULATIONS (EC) 852/ 2004.**

29. In accordance with the food hygiene legislation the applicant must provide proof to the Council that the business/mobile food unit is currently registered with the food authority in which the stall, handcart, barrow or mobile food unit is currently stored.
30. The applicant together with all other persons employed in food handling activities are required to attend a food hygiene course commensurate with the food handling activities.
31. Food traders must meet a minimum of 3 in their food hygiene rating score.
32. The applicant must display their food hygiene rating score visibly to customers.

LEGAL PROVISIONS

33. Nothing contained in these conditions shall relieve or excuse the consent holder or their employees or agents from any legal duty or liability and at all times the consent holder shall comply with the relevant legislation in force.

GENERAL

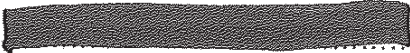
34. The consent holder shall take all reasonable steps to ensure public safety; in particular, any vehicle or trailer used to assist in street trading shall be maintained in a safe condition and be tested / serviced annually.
35. The consent holder shall ensure that no waste liquids (including grease) of any description are deposited on to the site, highway or into rainwater gullies / drains serving the site. All liquids must be removed from the site and disposed of in a proper manner.
36. The consent holder shall take all reasonable steps to;
 - Prevent accumulation of litter dirt, and / or grease in or close to the site;
 - Remove and properly dispose of any such litter, etc which does accumulate.See www.netregs.gov.uk or contact Environmental Protection on 0114 2037411 for more information on Trade Waste Disposal.
37. No freestanding advertisements such as 'A' boards or signs attached to street furniture will be permitted.
38. The consent holder shall comply with any reasonable request and / or instruction given to him / her by a Police Officer or duly Authorised Officer of the Council.
39. The consent holder shall not use or permit to be used any electrical or electronic equipment (for example, televisions or radio receivers) in such a manner as to cause a disturbance and or nuisance.



40. The consent holder shall not obstruct the highway / footpath in which the site is situated or cause danger to persons using the highway / footpath.
41. The consent holder shall not cause nuisance or annoyance whether to persons using the street or otherwise.
42. The consent holder shall be responsible for and reimburse the Council in respect of any damage he / she causes to the highway / footpath or any fittings or fixtures on it.
43. The consent holder shall at all times obey all road traffic regulations in force in the consent area.
44. The consent holder and/or assistant must notify the Council immediately of any convictions or proceedings arising out of the use or enjoyment of the Consent, or from any other offence committed.

PLEASE NOTE, for the purposes of these conditions the "Council" shall be defined as the Licensing Service.

I confirm I have read and understood the conditions attached to my consent and will undertake to comply with all conditions:

Signed:..... 

Print name:..... NASAR Dated: 11-09-13

Mr Nasar Ahmed

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.

I confirm I have read and understood the conditions attached to my consent and will undertake to comply with all conditions: ✓

Signed:.....

[Redacted Signature]

Print name:.....

NASAR

Dated:.....

11-09-13

Mr Nasar Ahmed



APPENDIX B



Licensing Service
Sheffield City Council
Block C Staniforth Road Depot
Staniforth Road
Sheffield, S9 3HD.
Tel:0114 2037752 Fax:0114 2734510
E-mail: general.licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk
Date 7th January 2014

- Wamed on 7/1/14.
Via letter.
- on site on 3/1/14.

Reference: Lic/243/AMA

Mr N Ahmed
● Halifax Road
Sheffield
S6 1LH

Dear Mr Ahmed,

Local Government (Miscellaneous Provisions) Act 1982
Mobile Street Trading – Elmham Road, Sheffield.

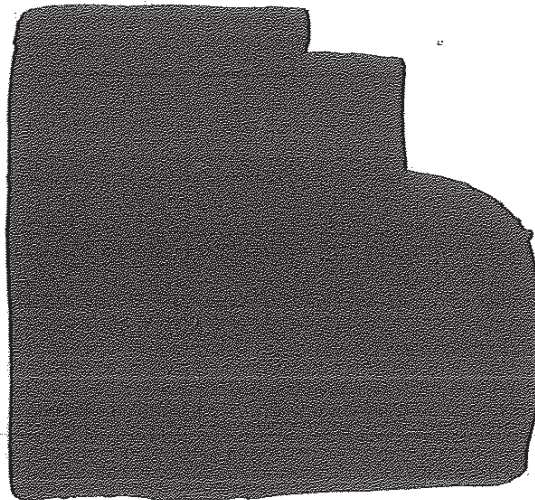
I refer to the above matter and write to advise you that my colleagues witnessed you trading on the 3rd January 2014 on Elmham Road trading within an 800m radius of shops selling similar articles to you such as fruit and vegetables, which is a breach of the Street Trading Consent Conditions.

Please note that any breach in conditions could result in further action being taken against your consent.

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

Anne Anderson
Licensing Officer
Licensing Services



APPENDIX C



Ruston Andy (CEX)

From: Ruston Andy (CEX)
Sent: 12 February 2014 11:20
To: [REDACTED]
Subject: RE: Illegal Street Trading

[REDACTED]

Thank you for the below information. The below will be brought to the attention of the consent holder.

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

From: [REDACTED]
Sent: 10 February 2014 10:41
To: Licensing(General)
Subject: Illegal Street Trading

To whom it may concern

Attached are photos taken on Friday 7th Feb just after speaking to Andy

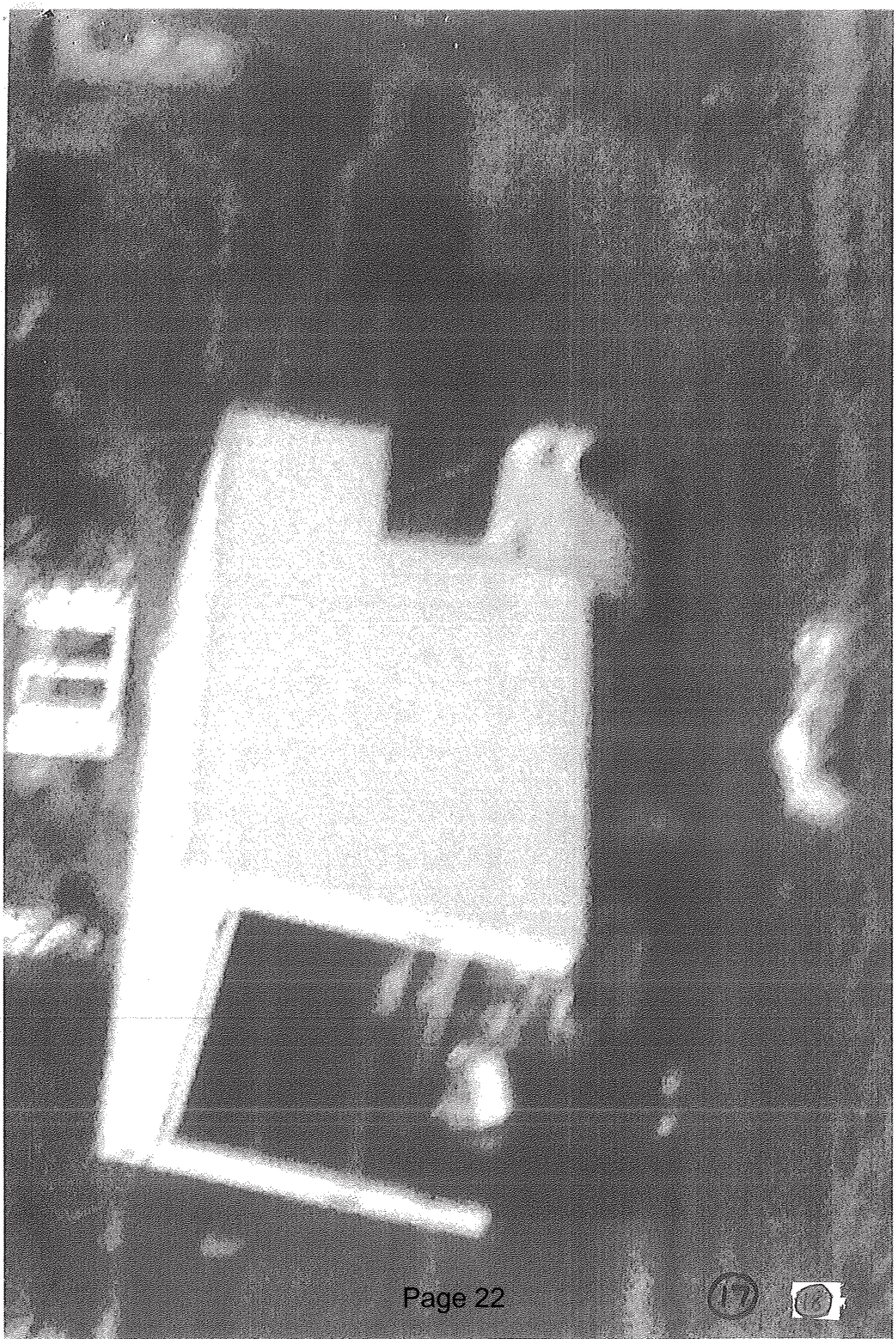
The trader was illegally trading and clearly breaking his trading agreement.

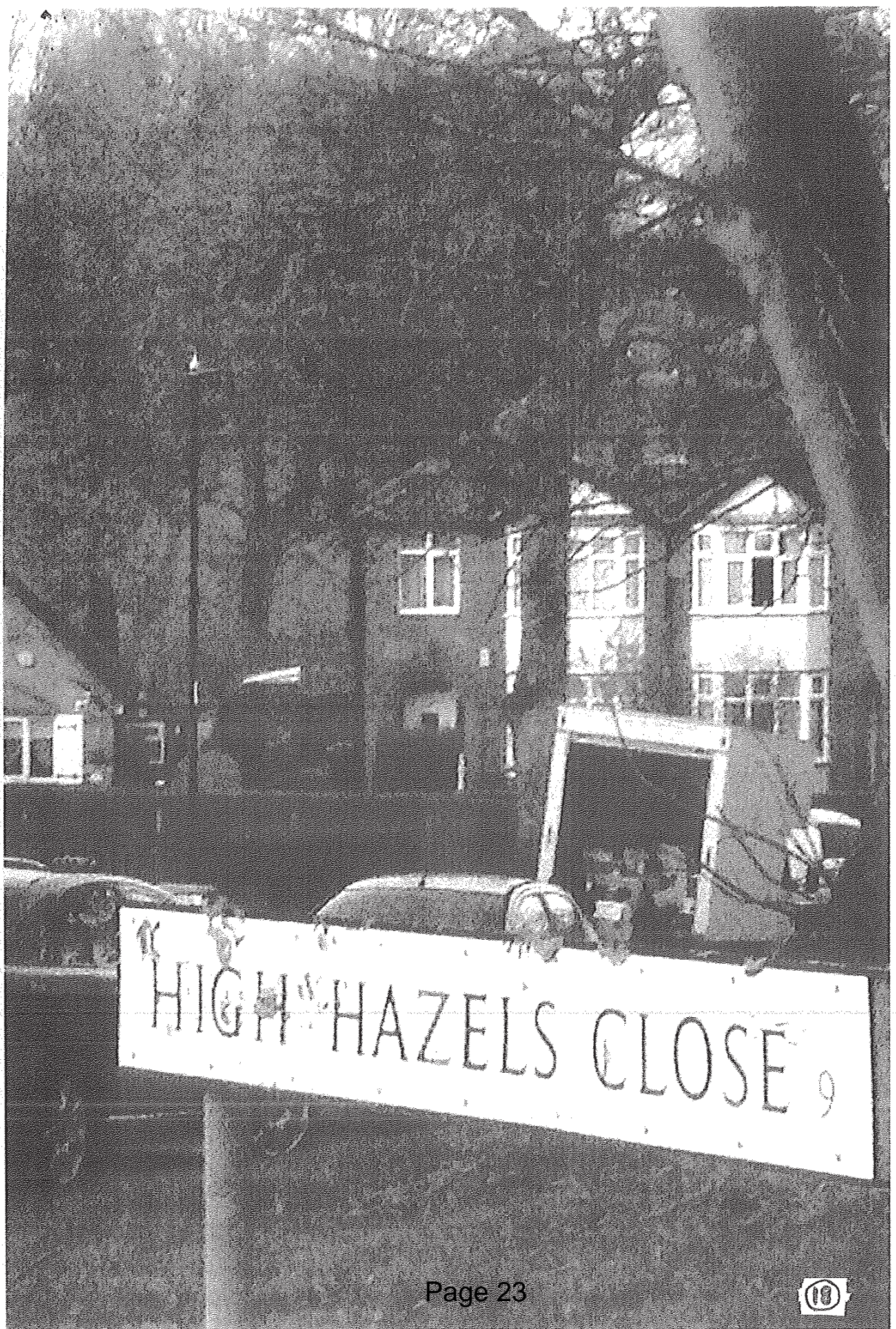
The images show the goods being displayed and 2 individuals at the vehicle looking to purchase items.

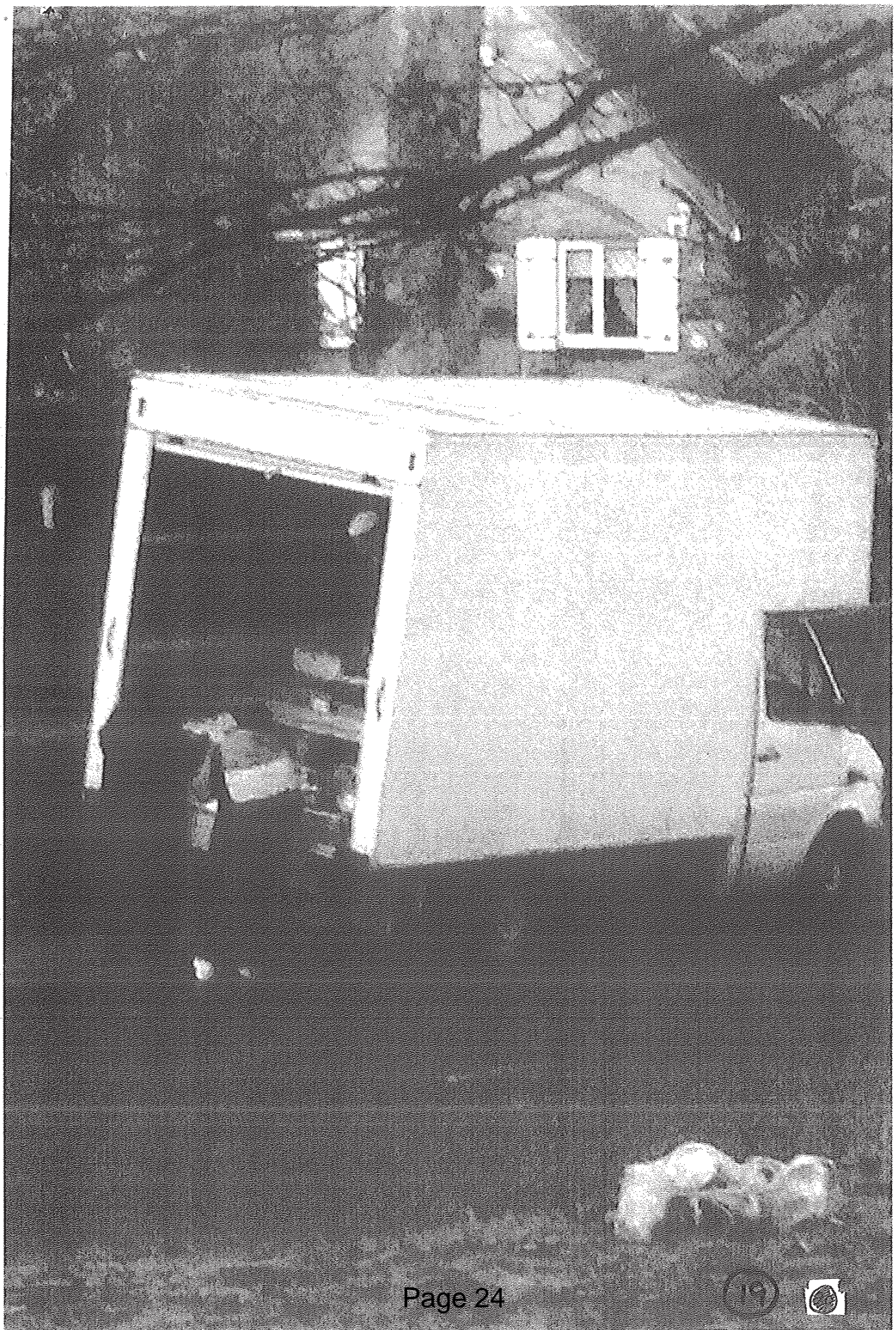
I hope these images show how much this trader respects the licensing agreement he has signed and should be abiding by.

[REDACTED]









ALTIMA
S867 DGU



ALTIMA

APPENDIX D



Licensing Service
Sheffield City Council
Block C Staniforth Road Depot
Staniforth Road
Sheffield, S9 3HD.
Tel:0114 2037752 Fax:0114 2734510
E-mail: general.licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk
Date 10th February 2014

Mr N Ahmed
● Halifax Road
Sheffield
S6 1LH

Dear Sir,

Local Government (Miscellaneous Provisions) Act 1982
Mobile Street Trading – High Hazels Close.

I refer to the above and a complaint that the Licensing Service has received from a local shopkeeper in the Darnall area of Sheffield.

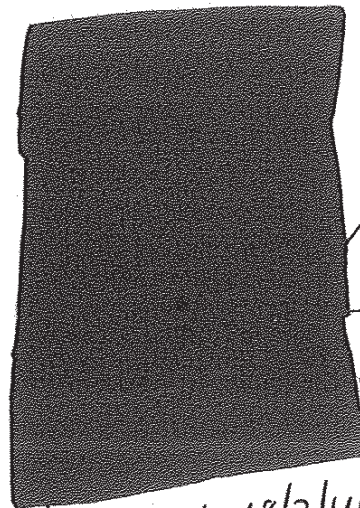
The above local shopkeeper has forwarded photographic evidence to me, which indicates that you were street trading from High Hazels Close on 7th February 2014, within an 800m radius of shops selling similar items to you such as fruit and vegetables. I am aware that you have previously been warned on 3rd January 2014 and this was followed up in writing on 7th January 2014, with regards to you trading within an 800m radius of shops selling similar articles to you such as fruit and vegetables

After giving consideration to the above, and my colleague's previous letter to you on 7th January 2014, it will be necessary for you to attend the Licensing Service at the above address to discuss this matter further with my colleague and me. Therefore I would be grateful if you could attend the Licensing Service at 2pm on 21st February 2014 to discuss this matter further. You can if you so wish bring someone with you when you attend the Licensing Service.

Should you have any queries regarding the above, please contact the Licensing Services, either via email or telephone at the above referred to email address or telephone number.

Andy Ruston


Senior Licensing Officer
Licensing Services



*observed 18/2/14
at 3.15pm
fisher lane.*



APPENDIX E





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: 7th March 2014

Mr Nasar Ahmed
● Halifax Road
Sheffield
S6 1LH.

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 3rd January 2014, your vehicle registration S867 DGU was observed parked on Elmham Road, from which you were street trading within an 800m radius of shops selling similar articles to you such as fruit and vegetables.

On 7th February 2014 you were observed by a local shopkeeper street trading on High Hazels Close, within an 800m radius of shops selling similar articles to you such as fruit and vegetables.

On 18th February 2014 your vehicle registration S867 DGU was observed parked on Fisher Road, from which you were 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. I have also been informed that my mobile street trading consent will now be placed before 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. 

Time. 2.30 pm Date. 6/3/14

Signature of officer administering the caution.

Signed



Time 2:30 P.M. Date 06-03-14



APPENDIX F



SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 Street Trading – Mobile Street Trading Consent – Nasar Ahmed IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Nasar Ahmed
Halifax Road
Sheffield
S6 1LH.

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 **25th March 2014** 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: 14th March 2014

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 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.

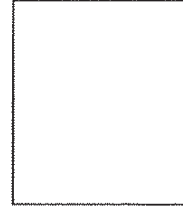
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee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





SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 25th March 2014

Subject: Local Government (Miscellaneous Provisions) Act 1982
Street Trading.

Author of Report: Andy Ruston - 2037752

Summary: To give consideration to an application for a Static Street
Trading Consent.

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 No: 11/14

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**STREET TRADING – STATIC STREET TRADING CONSENT – ELMHAM
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 Nasar Ahmed and a copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 14th January 2014.

3.3 The application is to sell Fruit, Vegetables, Toilet Paper and Kitchen Rolls.

4.0 REASONS FOR REFERRAL

4.1 Objection to the application has been received from a local business.

5.0 BACKGROUND

5.1 Nasar Ahmed submitted an application for a Static Street Trading consent on 14th January 2014. Nasar Ahmed currently holds a City Wide Mobile Consent, which expires on 31st March 2014. Members should note that the City Wide Street Trading Consent held by Nasar Ahmed, has been placed before the Licensing Sub Committee for consideration at the hearing on 25th March 2014, due to three breaches of the Street Trading Consent Conditions in relation to trading within an 800m radius of shops selling similar items such as fruit and vegetables.

5.2 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning on 14th January 2014. Notices were erected by Licensing Officers on Elmham Road 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 a local business, which are attached to the report at Appendix 'B'.

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>.

5.5 Members should note that the age restriction of 5 years for motorised vehicles is under review and is not presently being enforced. Members should also note that the Street Trading Policy has been further amended following the Licensing Committee meeting held on 20th February 2014 as follows;

- Mobile consent holders are not permitted to trade within a 500m radius of any static traders, other mobile traders, or shops, trading similar goods/articles.

5.6 The applicant and local shopkeeper have been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'C'.

5.7 A copy of the hearing procedure is attached at Appendix 'D'.

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

14th March 2014

APPENDIX A

Rec 100 34493 34503
+ h12-00 OS MAP →

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

Opening Times

Monday to Friday

09:00 to 17:00



GUIDANCE FOR A STATIC STREET TRADING APPLICATION NOTES FOR APPLICANTS

The purpose of the Street Trading process is to allow the selling or exposing or offering for sale of any article (including a living thing) in a street, under the Local Government (Miscellaneous Provisions Act 1982

The Council passed a resolution under Schedule 4 of the above Act designating all streets (which includes roads, footway, forecourts, or other areas to which the public have access) within the Sheffield City Boundary as consent streets.

This designation took effect from the 1st April 2002. The effect of the above resolution is that from the aforementioned date, it is an offence to engage in street trading in any street or other place identified in the above resolution without being authorised to do so by consent from the City Council.

If you wish to street trade in Sheffield, you must apply to the Licensing Authority. Please ensure you fully read our Street Trading Policy before making an application to us. This can be viewed at www.sheffield.gov.uk/licensing.

Any street trading consent granted under the Local Government (Miscellaneous Provisions) Act 1982 will generally remain in force for one year or for such shorter period as the licensing authority thinks fit.

Static street trading is trading in one site for **more** than 15 minutes. If a trader wishes to move around in various parts of the city for a period of less than 15 minutes at each site they are required to apply for the relevant mobile street trading consent.

Static street trading is where a pitch is identified and a Consent holder trades only from that pitch within the terms of the Consent issued.

These pitches are usually very specific and traders are given consent based on the **detailed** plan submitted on application.

It would be up to the trader to locate a pitch and make an appropriate application with the Authority.

Applicants **must contact the Highways and Planning services** prior to submitting your application to discuss any issues they may have and whether any other permissions are required.

It is not possible for traders to move pitch, even just a short distance, without the prior consent of the Licensing Service.

All static street trading consents expire on the 30th November.

1. Eligibility Criteria

An applicant:

- Must be at least 17 years old

2. Fee

- The appropriate fee if short term or the £100 non refundable fee payable on submission of an application to cover the costs of processing your application.
- The remainder of your fee (if not short term) will be determined if your application is granted.

3. Application

All questions on the application form must be answered unless otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the applicant. Application forms are available from www.sheffield.gov.uk/licensing

To apply for the grant of a Static Street Trading Consent an applicant must produce to the Council:-

- A completed application form.
- The non refundable fee of £100.
- 3 colour photographs of the vehicle to be used showing front, back and side.
- Details of the proposed site, including an ordnance survey based map of at least 1:1250 scale (a google map will not be sufficient) clearly identify the proposed trading position. A separate plan to scale detailing the sites proximity to other similar retail outlets (shops, café's, etc) within an 800 metre radius.
- Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.
- Current passport of the applicant(s).
- Current drivers licence of the applicant(s).
- One other proof of identity, showing applicant's name and current address (recent utility bill, bank statement etc).
- Right to work documentation (if applicable).
- Written confirmation from Highways Department confirming consultation on the site.
- Written confirmation from the Planning Department confirming consultation.
- If trading from private land, written confirmation from the landowner.
- Details of any food hygiene qualifications (unless trading in non-food items).
- If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.
- Confirmation that you can meet the qualitative criteria (as attached)
- 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 a consent:

- The remaining quarterly fee or full annual fee.
- A certificate of insurance in respect of the vehicle or tow vehicle you propose to use.
- An appropriate vehicle test certificate.
- A certificate of public liability insurance (the level of cover shall be a 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.

4. Consultation

Once an application is received, it will be circulated to:

South Yorkshire Police 0114 220 2020 www.southyorks.police.uk

South Yorkshire Fire & Rescue 0114 272 7262 www.syfire.gov.uk

Planning 0114 203 9183 planningdc@sheffield.gov.uk

Highways 0114 273 6677 highways@sheffield.gov.uk

Where applicable local residents, shop owners and any other person which may be affected by your application.

Twenty-eight days will be given to the above consultees to make comments on your application.

If you do not contact Highways and Planning prior to making an application and there is a problem with the site you have identified, your application will be delayed.

5. Traffic Regulation Orders

You will need to be aware of any parking restrictions (yellow lines) and other traffic restrictions on the highway when deciding where to site your vehicle.

If you think there is a traffic regulation order that might affect your consent, you must contact the traffic regulations section on (0114) 273 6178 or email Traffic_Regs@sheffield.gov.uk before you submit your application.

6. Objections

Any person objecting to an application for a consent shall give notice of their objection in writing not later than 28 days after the date of the application.

In any cases where an objection is received the application will be referred to Members of the Licensing Committee for their consideration. The applicant and objectors will be notified of the hearing and will be invited to attend.

7. Grant of a Licence

The Council may grant to any applicant a consent to trade in the terms and conditions as specified by the Council.

A consent will remain in force for one year, or such shorter period specified on the consent, unless previously cancelled or revoked.

All static consents expire on the 30th November.

8. Offences

It is an offence for any person to engage in street trading in a consent street without being authorised to do so except under and in accordance with the terms and conditions of a consent granted by the appropriate Authority.

The maximum penalty on summary conviction is £1000 for each offence (each individual sale would constitute a separate offence).

Any person who, in connection with an application for the grant or renewal of a 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.

9. Other Legislation to be Aware of

Food Establishments

Food establishments must be registered with Environmental Health (contact (0114) 273 5774 / 273 4415 or email: healthprotection@sheffield.gov.uk).

It is a criminal offence to operate a food business without registering.

There is no charge for registering with Environmental Health.

Trade Waste Disposal

You have a legal responsibility under the Environmental Protection Act 1990 and other related legislation to safely contain and legally dispose of any waste produced from your business. If you don't, you may be prosecuted.

For further information on this, please contact Environmental Protection on 0114 2037411 or visit www.netregs.gov.uk.

Identification of Consent Holders and Assistants

Consent holders must ensure that any person who is working on the site has obtained the relevant authorisation in the form of an identification badge from the Licensing Service.

Application forms for assistant identification badges can be collected from the Licensing Service.

Along with the form, the consent holder and any assistants must submit two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness. These will be used to issue an identification badge.

Assistant badges will be at a cost of £15 each.

Lost or replacement badges will be at a cost of £7.50 for consent holders and assistants.

The identification badge must be worn by the person/s working at all times.

Consent holders must ensure that the Licensing Service are immediately informed of any new assistants that are employed to work. Assistants may not commence work until being issued with the appropriate identification badge.

The consent holder must not allow anybody under the age of 17 to work on the pitch.

Applications must be submitted 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 CITY COUNCIL
Licensing Service

PLEASE NOTE:

DISCLAIMER

The information / guidance supplied in this pack by Sheffield City Council, Licensing Service, is offered purely as a basic guide for your assistance.

Sheffield City Council can take no responsibility or liability for the completion of your application form.

We will however endeavour to offer basic information / guidance.

Should you require any legal assistance you must seek your own legal advice.

Stephen Lonnia
Head of Licensing
Sheffield City Council

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	NASAR AHMED.	
Q2	Applicant(s) permanent private address	● HALIFAX Road. SHEFFIELD. S6-1-L-H.	
Q3	Date of birth	05-07-69.	
Q4	Nationality and place of birth	BRITISH 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:	YES / NO Details:
Q8	Telephone No	[REDACTED]	[REDACTED]
Q9	Email address	[REDACTED]	[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	BOX VAN
Q17	Registration number (if applicable)	S867D.G.U.
Q18	Date of first registration (If applicable)	13-10-1998
Q19	Last MOT and service (if applicable)	
Q20	Size of vehicle	Height: Width: Length:
Q21	Does the vehicle meet the qualitative criteria? Your vehicle will be inspected prior to granting a consent.	

D. TRADING DETAILS

Q22	Details of site to be occupied	ELMHAM Road.
Q23	Location of pitch: (include site plan to scale)	ELMHAM Road. Page 47

Q24	Is this private land?	
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/Vegetables. Toilet Paper. Kitchen Paper.
Q27	Specify days of trade	FRIday. Afternoon.
Q28	Specify times of trade (use 24 hours clock e.g. 10:00 to 16:00 hours)	15:00 To 18:00 hours
Q29	Highways comments attached?	
Q30	Planning comments attached?	

E. CONVICTIONS / CAUTIONS

Q31	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 []	
		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)

	Appropriate fee (if short term) or non refundable fee of £100	
X	Your current passport	N/A
X	Your current drivers licence	✓
X	One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	✓
X	Right to work documentation (if applicable)	N/A
X	Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	✓
	If trading from private land, written confirmation from the landowner	N/A
	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.	✓
	Photographs of the vehicle / unit showing front, side and rear.	✓
	Confirmation in writing that you have consulted with the Highways Department	✓
	Confirmation in writing that you have consulted with the Planning Department	✓
	Details of any food hygiene qualifications (unless trading in non food items)	✓
	If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	N/A.
	Confirmation that 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	
	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."

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: NASAR AHMED Date: 07-01-14- Capacity:
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.

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.

- 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.

07-01-14-

Dear Sirs

I wish To Trade on ~~WELM~~ELMHAM Road
I Trade only oneday a week. I Trade on
Friday afternoon between 3:00 To 5:00 o'clock
I Sell Fruit and veg Toilet Paper kitchen Paper.
I get VAN. we Server customer inside VAN.

Many Thanks

NASAR AHMED.

● HALIFAX Road.

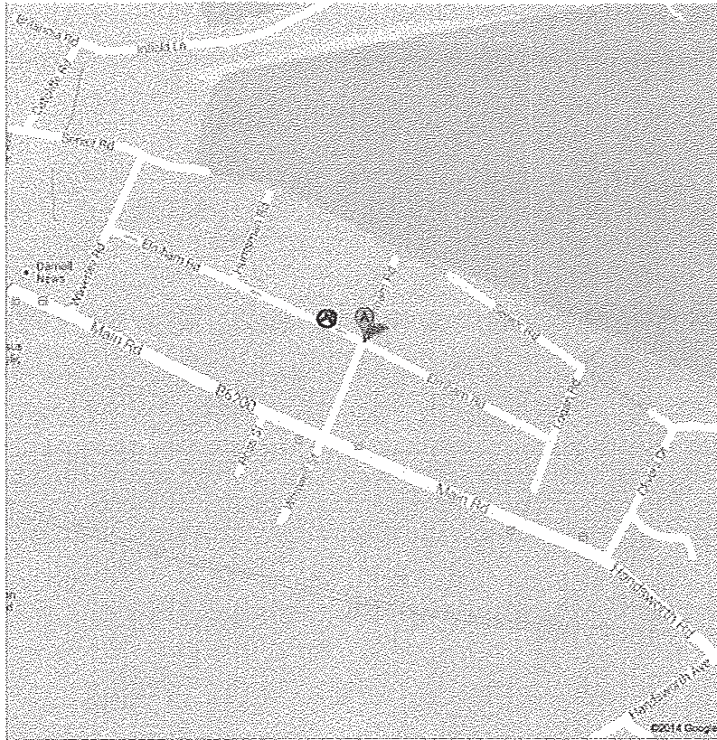
SHEFFIELD.

S-L-I-L-H.



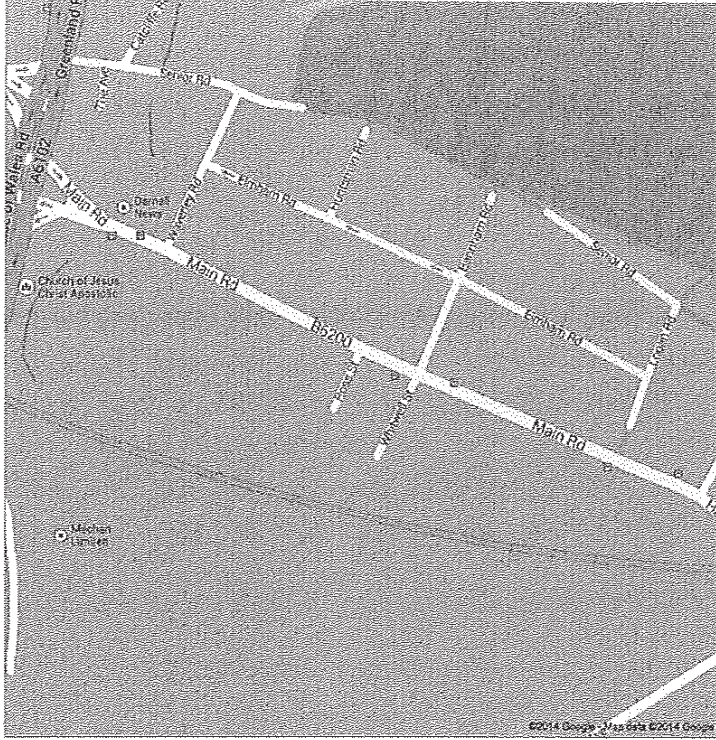
Google

Address **Elmham Rd**
Sheffield, South Yorkshire S9, UK



Google

Address **Elmham Rd**
Sheffield, South Yorkshire S9, UK





STREET TRADING

Notice is hereby given that:

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

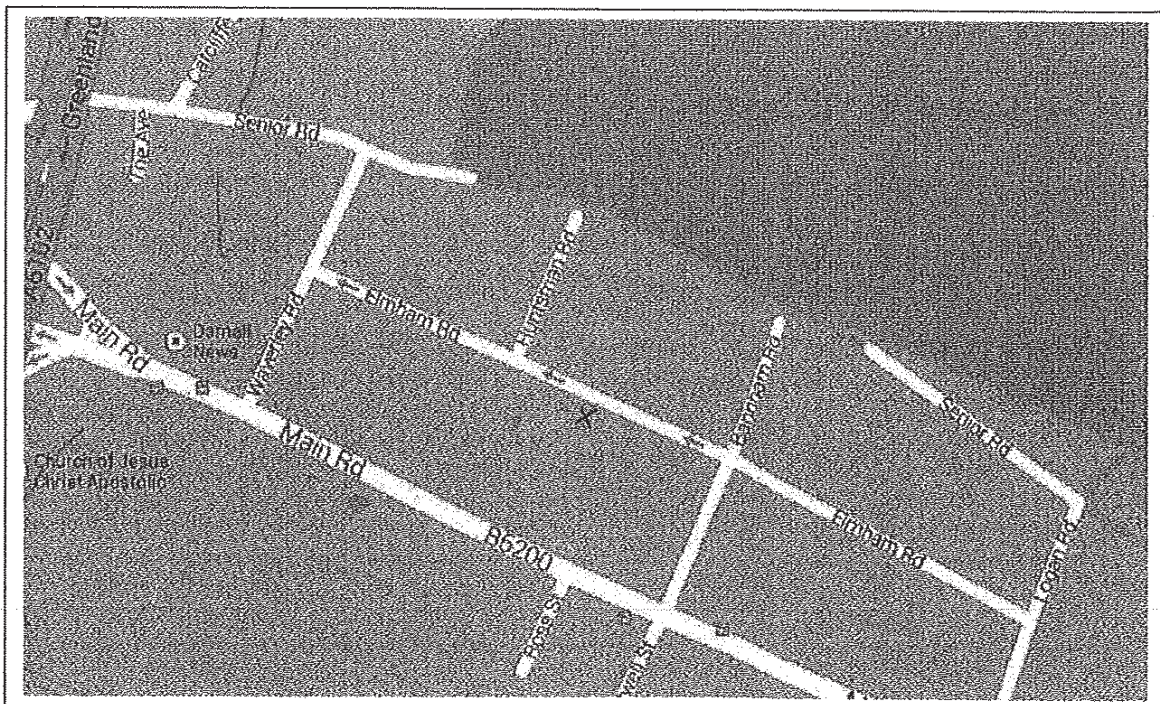
By: Mr Nasar Ahmed

To trade: Fruit, Vegetables, Toilet Paper & Kitchen Rolls

On: **Friday**
15:00 - 18:00

Unit details: **Box Van**

The location: **Elmham Road**



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 **10th February 2014**

For full details and to view a copy of the application please contact the Licensing Service on 0114 2037757.

Regeneration and Development Services

Director: David Caulfield, RTPi

Highway Regulation Group: 2-10 Carbrook Hall Road, Sheffield, S9 2DB

Email: paul.turner@Sheffield.gov.uk Fax (0114) 273 6210

Officer: Paul Turner Tel: (0114) 273 6137

Ref:HR/PT/Street Trading

Date: 13th January 2014

Mr Nasar Ahmed

● Halifax Road

Sheffield

S6 1LH

Dear Sir

Request for Highway Comments on Your Proposal to Trade on Elmham Road, Sheffield 9

Thank you for your letter dated 7th January 2013 and delivered by hand today, 13th January.

I understand from your letter that you wish to trade on Elmham Road for part of one day per week (Friday afternoon).

Please accept this as confirmation that from a Highway view the Highway Authority has no objection to your proposal provided that your 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 will enable you to submit your application to the General Licensing Team based at Staniforth Road.

Yours faithfully



P Turner

Highway Licences

Transport, Traffic and Parking Services

Large print versions of this letter are available by telephoning

(0114) 273 6137

Page 58

22a

Petition form

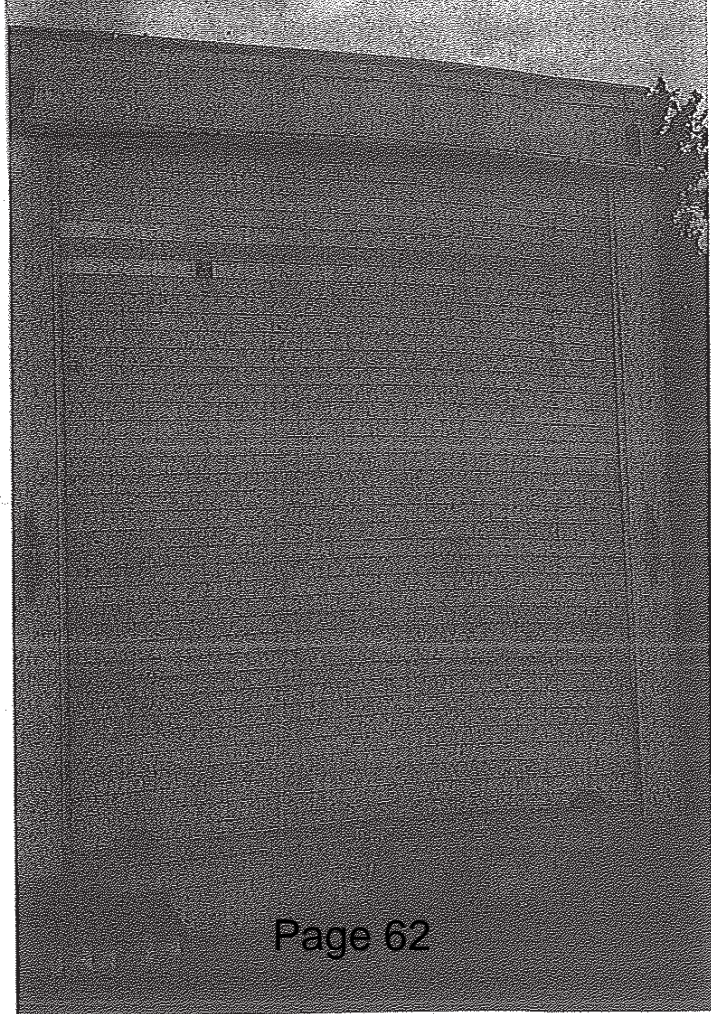
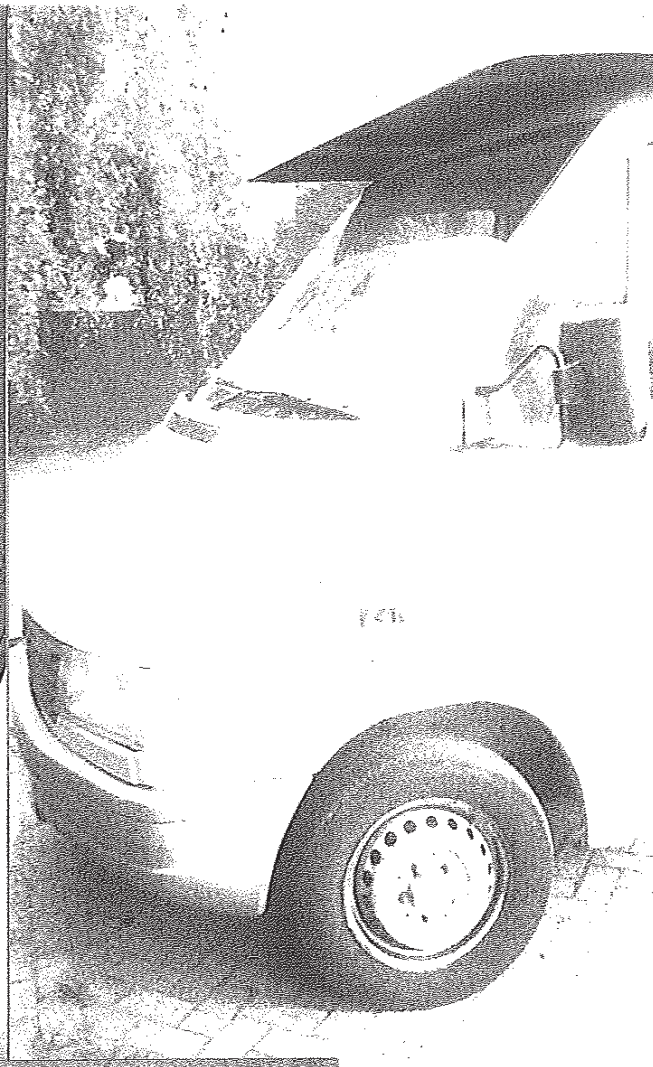
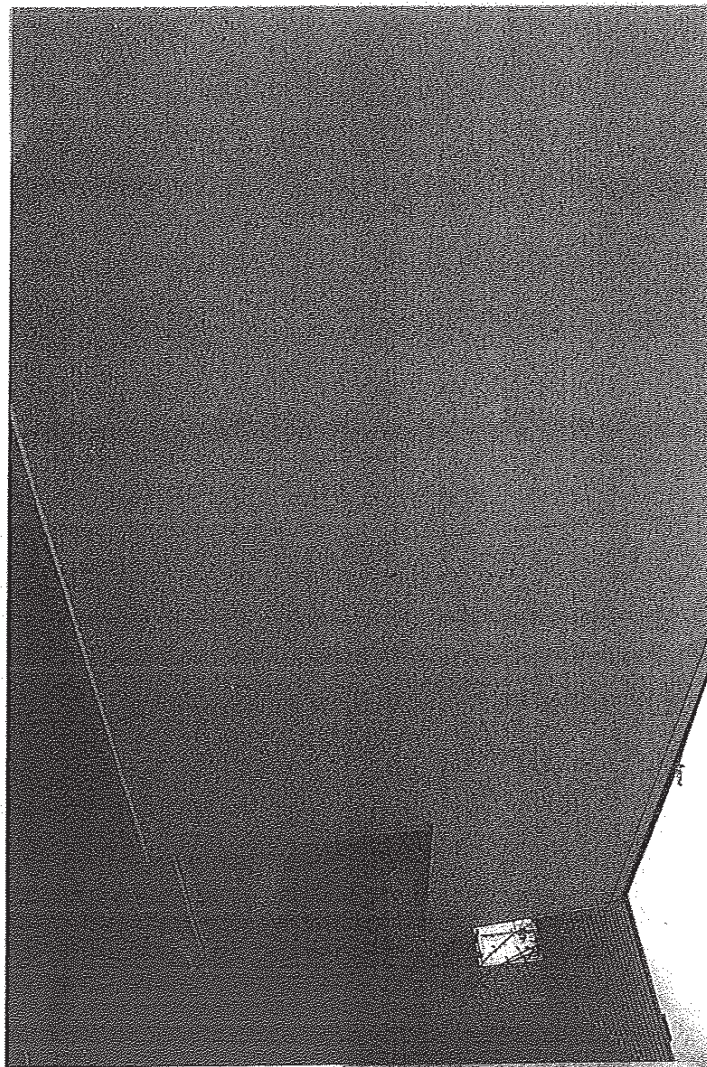
name	address	Signature
RAMEEL DUSN.	ELMHAM ROAD	[Redacted]
Perveen Ali	Elmham Rd SQ4PR	[Redacted]
Samira	SQ4PR	[Redacted]
M. R. KHAN	ELMHAM ROAD	[Redacted]
T. Hayat	ELMHAM RD.	[Redacted]
Tasira Khan	Elmham Road	[Redacted]
Sabina Naziq	Bannham Road	[Redacted]
Nadeem Abbas	Gainsford Road	[Redacted]
K. B. Beertti	Elmham RD	[Redacted]
A. HUSSAIN	WILFIELD R. D	[Redacted]
S. Khattun	Elmham Road.	[Redacted]
Rita Akhtar	Cavell drive	[Redacted]
Nasima Begum	Tinsley	[Redacted]
ROKEYA BEGUM	.ELMHAM RD	[Redacted]

Petition form.

name	address	signature
Javed KHAN	Elmham Rd	[Redacted]
F. Hussain	ELMHAM	[Redacted]
H. Sharif	Elmham	[Redacted]
M. SHARIF	ELMHAM RD	[Redacted]
R. Sharif	Elmham R.D Aeres hill R.d	[Redacted]
H. bibi	Elmham Rd and	
Alwida	Bramham	[Redacted]
Z. Raheem	ELMHAM RD	[Redacted]
Rafia	Elmham RD	[Redacted]
N. Abdulla	Logan rd	[Redacted]
Kasoom Begum	ELMHAM	[Redacted]
Shanzid Ahmed	Elmham	[Redacted]
Ashiq Hussain	Elmham Rd	[Redacted]
Azra Bi	Elmham Rd	[Redacted]

Petition Form!

name	address	signature
Shamem aktar	Elmham Road	
ABID A SHAIKH	S94LN	
Jasmin Mahmood	Elmham S94PK	
Nargis Sahar	Elmham RD S94PQ	
Sateen	Elmham Road	
Mohammed	Elmham Road	
MR J.B ALI	Elmham Rd	
MR. M. DIN	ELMHAM RD	
MR. IC ANJANA	ELMHAM RD	
Ghoshia; Amin.	ELMHAM	
J A Hussain	Elmham	
Y. RAZZAQ	Elmham Road	
Sedrah Bibi	Elmham Road	
Asha	Elmham Road.	



APPENDIX B

Ruston Andy (CEX)

From: Licensing(General)
Sent: 24 January 2014 16:54
To: Ruston Andy (CEX)
Subject: FW: Street Trading Application- Elmham Road, S9

From: [REDACTED]
Sent: 24 January 2014 15:36
To: Licensing(General)
Subject: Street Trading Application- Elmham Road, S9

To whom it may concern

Re: Application for static street trading by Mr Nasar Ahmed, Fruit, Vegetables, Toilet paper, kitchen rolls, on Friday 1500-1800

Company name/ address: High Hazel Store, 373 Main Road, Sheffield, S9 4QG

Completed by: [REDACTED]

I have the following comments to make about this application:

This applicant or (any applicant selling the same items as us) should NOT be given consent because:

- In our shop we sell a range of fruit, vegetables toilet paper and kitchen rolls etc. it will be unfair if they are given permission because we already sell these items.
 - The distance of Elmham Road from our shop is within the 800 metre radius. It is approximately less than 50 metres from our shop. The current rules of street traders are there to protect retailer but also to be fair to street traders. But by allowing this applicant will be unfair and bias towards the street trader.
 - By these traders coming onto Elmham Road; they are directly breaching their street trader licences. By applying to trade on Elmham Road is simply a legal way of allowing him to bypass the basic rules: 800 metres and not to selling the same items as the retailers.
 - if the application is successful ; it will set precedent for other traders to apply onto Elmham Road and other roads within the 800 metre radius of shops like ours and will ultimately cause more issues.
- The final point I would like to make is that for the last few years these street traders have been illegally trading from Elmham Road (not only breaking the 800 metre radius but also the being static for 15 minutes), but we trying to be fair turned the other cheek. But now not one or two street traders come onto the near by roads, but approximately 5 separate

ones and they aren't just selling fruit and vegetables but a lot more items we sell which has had a direct impact on our trade and livelihood. If they are granted a license in affect it will force us to close which will have a direct impact on the family who rely on this income.

We hope you do take these points into consideration when reviewing this application. We also hope you can help clamp down on illegal street traders.

Date: 23/1/14

Position : owner

Ruston Andy (CEX)

From: Ruston Andy (CEX)
Sent: 12 February 2014 11:20
To: [REDACTED]
Subject: RE: Illegal Street Trading

Dear [REDACTED]

Thank you for the below information. The below will be brought to the attention of the consent holder.

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

From: [REDACTED]
Sent: 10 February 2014 10:41
To: Licensing(General)
Subject: Illegal Street Trading

To whom it may concern

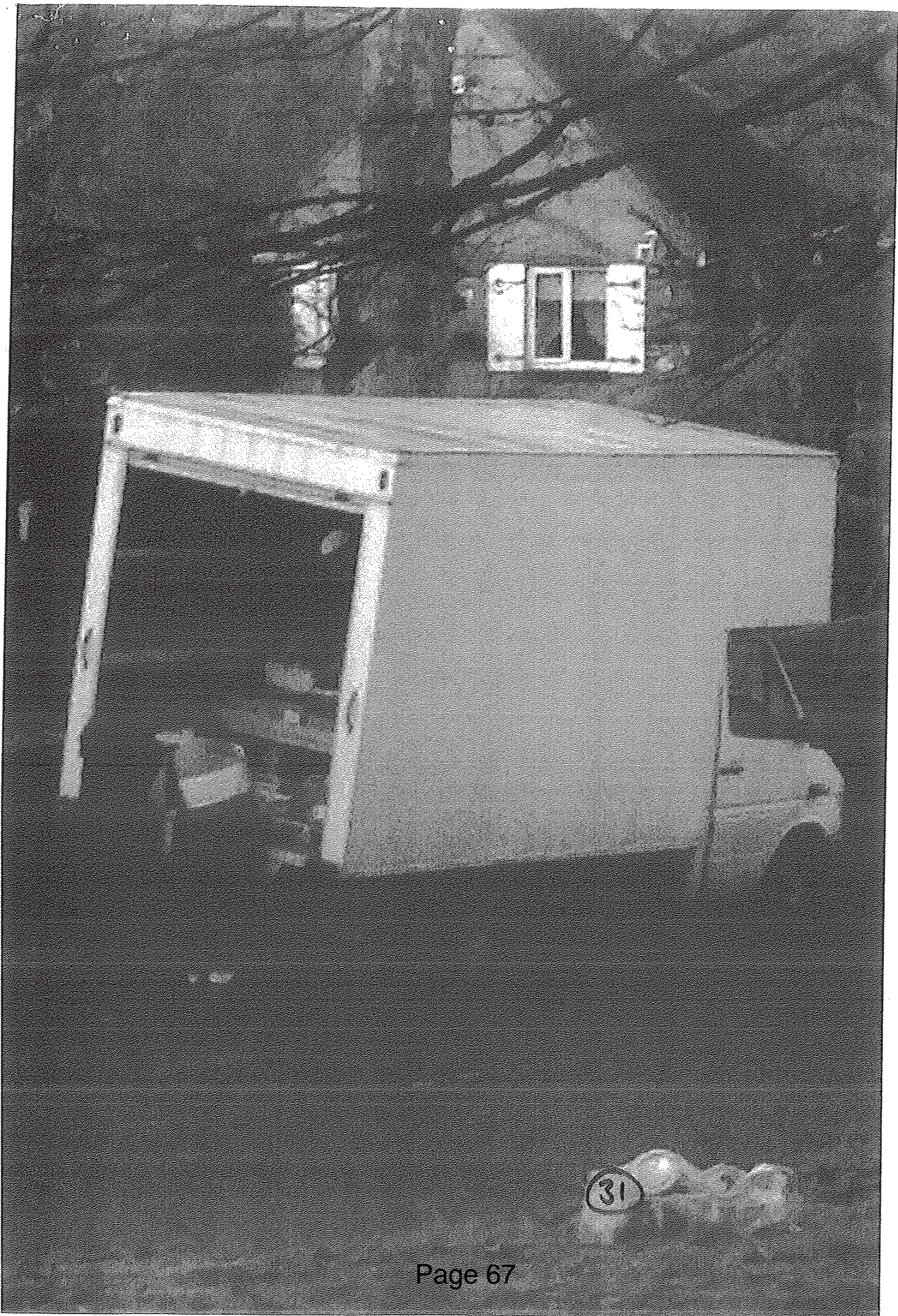
Attached are photos taken on Friday 7th Feb just after speaking to Andy

The trader was illegally trading and clearly breaking his trading agreement.

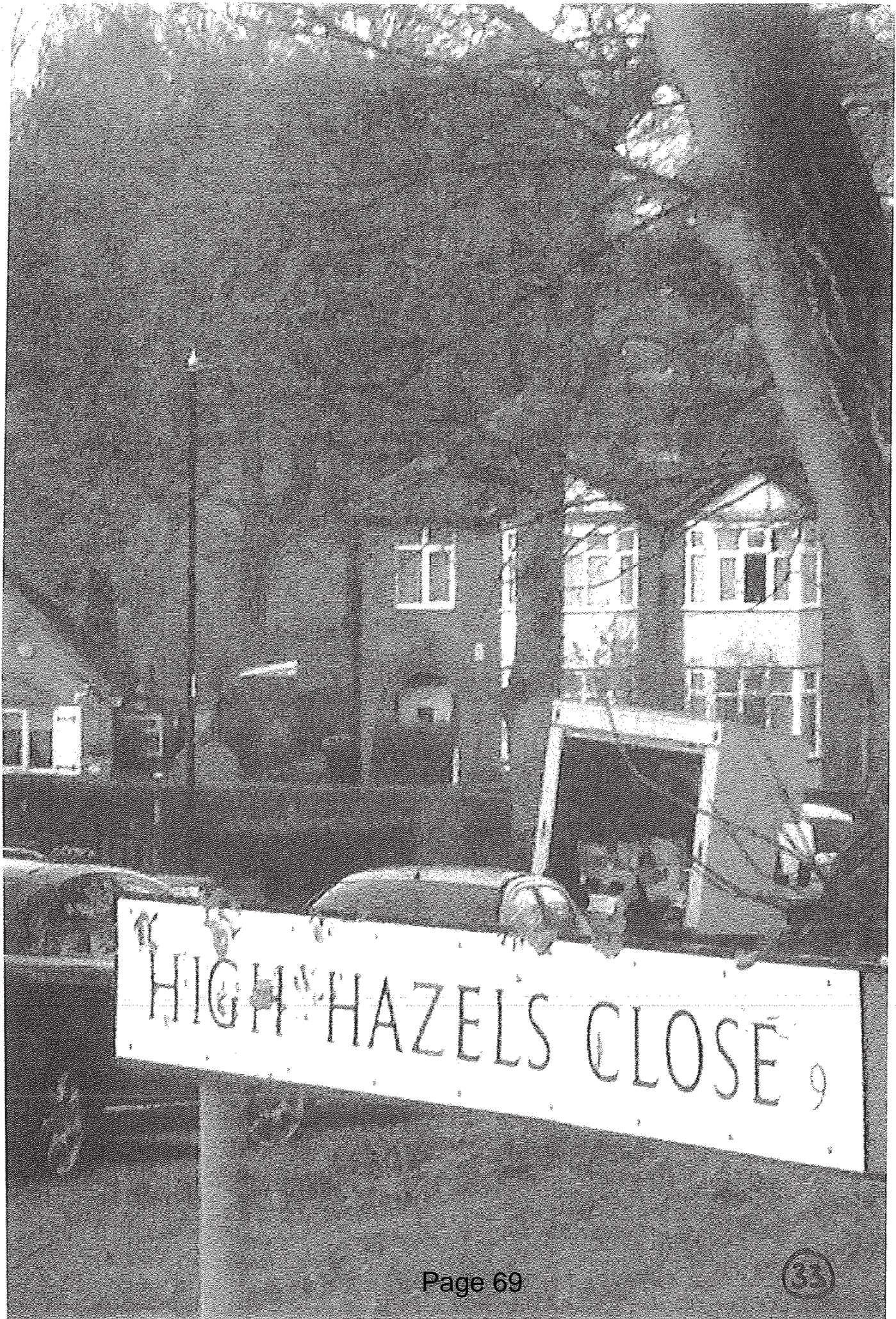
The images show the goods being displayed and 2 individuals at the vehicle looking to purchase items.

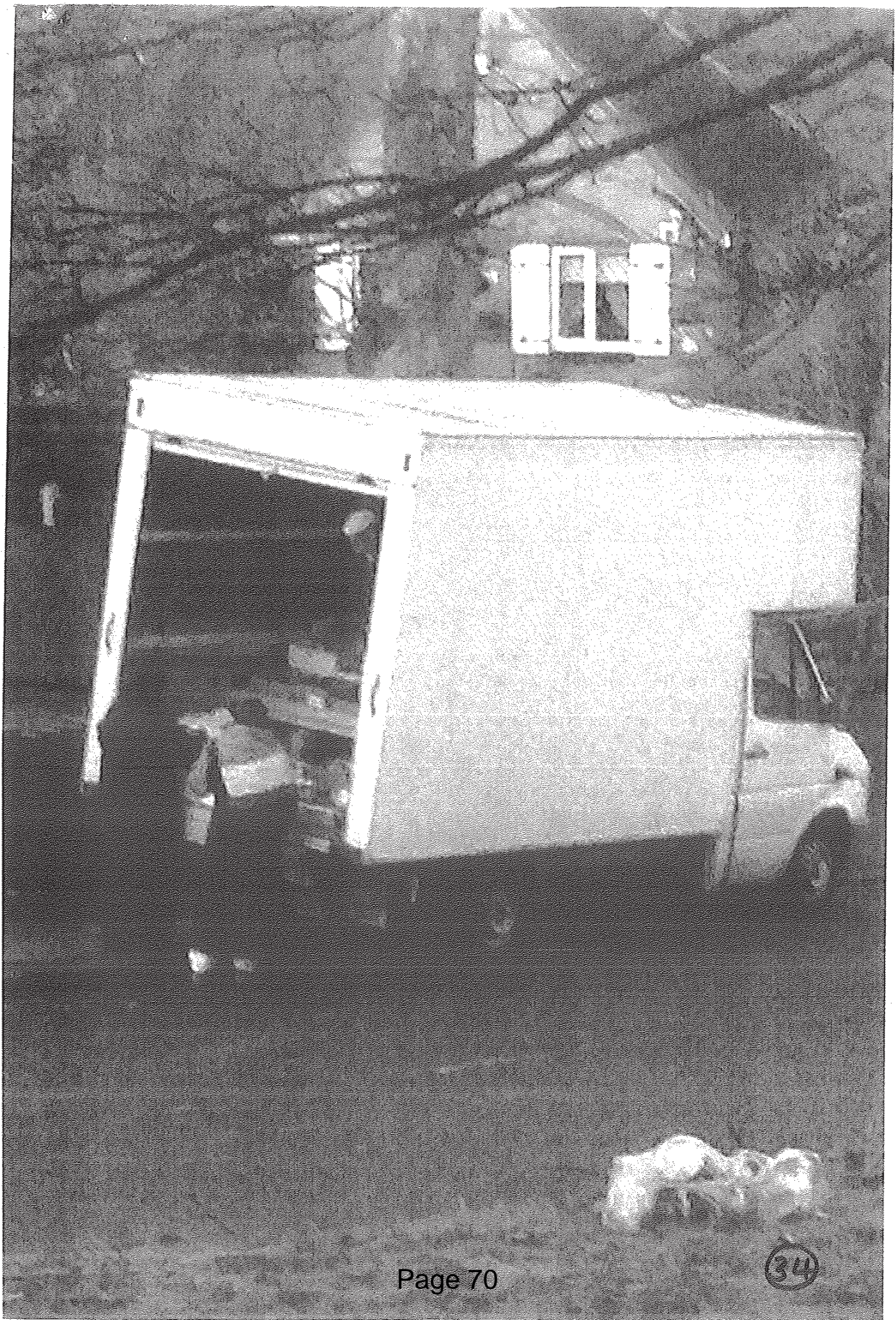
I hope these images show how much this trader respects the licensing agreement he has signed and should be abiding by.

Best Regards
[REDACTED]









SB67 DGU
IN BRITAIN

20811



APPENDIX C

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982 Street Trading – Mobile Street Trading Consent – Nasar Ahmed IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: High Hazels Store
373 Main Road
Sheffield
S9 4QG.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Static- Elmham Road.

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 **25th March 2014** 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 Office on 0114 2037752.



Date: 14th March 2014

.....
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 – Mobile Street Trading Consent – Nasar Ahmed IMPORTANT: NOTIFICATION OF A COMMITTEE HEARING

To: Nasar Ahmed
Halifax Road
Sheffield
S6 1LH.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Static- Elmham Road.

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.

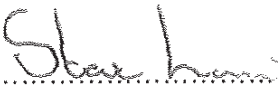
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Telephone 0114 2037752

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APPENDIX D

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.