

Licensing Sub-Committee

Tuesday 29 April 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), Jillian Creasy and Stuart Wattam
Mike Drabble (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.

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
29 APRIL 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. Pet Animals Act 1951 - Pets at Home Limited**
Report of the Chief Licensing Officer
- 6. Local Government (Miscellaneous Provisions) Act 1982 - Mobile Street Trading Consent**
Report of the Chief Licensing Officer

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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.

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.

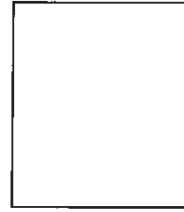
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's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

Further advice can be obtained from Gillian Duckworth, Interim Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 29th April 2014

Subject: Pet Animals Act 1951.

Author of Report: Andy Ruston - 2734264

Summary: To consider two applications for the renewal of a Pet Shop Licence under the Pet Animals Act 1951.

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: 17/14

THE PET ANIMALS ACT 1951.

**PETS AT HOME LIMITED, UNIT 2 DRAKEHOUSE RETAIL PARK,
DRAKEHOUSE WAY, SHEFFIELD, S20 7JJ AND PETS AT HOME LIMITED,
UNIT 2B HEELEY RETAIL PARK, SHEFFIELD, S2 ORG.**

1.0 PURPOSE OF REPORT

- 1.1 To consider two applications to renew a pet shop licence at the above referred to premises.

2.0 INTRODUCTION

- 2.1 The Keeping and running of a pet shop is controlled by the Pet Animals Act 1951. To run a business selling pet animals a licence is required from Sheffield City Council. This includes all commercial selling of pet animals, including pet shops and businesses selling animals over the internet. When an application is received, an officer from the Animal Control Service will inspect the proposed premises. Where a licence is granted, that licence and any subsequent licence will expire on 31st December of the year to which it relates.

2.2 APPLICATION EVALUATION PROCESS

The following will be considered when the application is being evaluated:

- that animals will be kept in suitable accommodation, for example in regards to temperature, size, lighting, ventilation and cleanliness
- adequate food and drink will be provided to the animals and they will be visited at suitable intervals
- that any mammalian animals will not be sold too young
- that steps are taken to prevent disease spreading among the animals
- that adequate fire and emergency provisions are in place

Conditions will be attached to a licence to ensure that the above are complied with:

3.0 REASONS FOR REFERRAL

- 3.1 Pets at Home Limited, Unit 2 Drakehouse Retail Park, Drakehouse Way, Sheffield, S20 7JJ and Pets at Home Limited, Unit 2B, Heeley Retail Park, Sheffield, S2 ORG, are both licensed under the Pet Animal Act 1951. A copy of the licence for both premises along with standard conditions are attached at Appendix 'A'. An application to renew both licenses was received by the Licensing Service on 21st October 2013. A copy of the renewal applications are attached to the report at Appendix 'B'.

- 3.2 An inspection of the premises was undertaken by an officer from the Animal Control Section of the Council, following which an email along with the a report for both premises was forwarded to the Licensing Service on 5th December 2013. A copy of the email and reports are attached at Appendix 'C' to the report.
- 3.3 A letter was sent to the head office of Pets at Home on 10th December 2013, detailing the concerns of the inspecting Animal Control Officer. A copy of the letter is attached at Appendix 'D'.
- 3.4 An email was received from Lyndsay O'Hanlon, on 19th December 2013, in response to the above referred to letter and detailing the current routines carried out by Pets at Home Limited. A copy of the email is attached at Appendix 'E' to the report. A copy of the email was forwarded onto the Animal Control Section for their consideration and comment.
- 3.5 An email was received from the Animal Control Section in response to the above email received on 19th December 2013, which was forwarded onto Lyndsay O'Hanlon, Pets at Home Limited, detailing that as a resolution to this matter had not been found, that the only option left was to place the matter before the Licensing Committee for consideration. A copy of the email is attached at Appendix 'F'.
- 3.6 Members should note that as referred to above efforts have been made to resolve this matter, without success.

4.0 APPEALS

- 4.1 Any applicant who is refused a licence can appeal to the local Magistrates' court. Any licence holder who wishes to appeal against a condition attached to their licence can appeal to their local Magistrates' court.

5.0 FINANCIAL IMPLICATIONS

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

6.0 RECOMMENDATIONS

- 6.1 That members consider all the relevant information.

7.0 OPTIONS OPEN TO THE COMMITTEE

- 7.1 To grant the renewal applications with the existing licence conditions attached.
- 7.2 To grant the renewal applications with amendments to the licence conditions.
- 7.3 To defer the matter for further consideration.

Steve Lonnia
Sheffield City Council
Block C, Staniforth Road Depot
Sheffield
S9 3HD
17th April 2014

APPENDIX A

Licensing Service, Sheffield City Council
Block C, Staniforth Road Depot, Staniforth Road,
Sheffield, S9 3HD. Telephone (0114) 2037752 Fax:0114 2734510
 E-mail: general.licensing@sheffield.gov.uk
 Website: www.sheffield.gov.uk
 Date: 6 December 2012

Pets at Home Ltd
 Unit 2 Drakehouse Retail Park
 Drakehouse Way
 Sheffield
 S20 7JJ

Our Ref: LIC/227/MRC

Dear Sir/Madam

Pet Animals Act 1951

Pets at Home Ltd, Unit 2 Drakehouse Retail Park, Drakehouse Way, Sheffield, S20 7JJ

I refer to the above and your recent application for a licence to keep a pet shop under the Pet Animals Act 1951 which was received by my Licensing General Section on the 24 October 2012.

As you are aware, the Animal Control Service carried out an inspection at your premises as required under the Act to ensure certain standards are met and that you are able to adhere to the standard licence conditions.

The table below details the Animal Control Officer's report on the inspection and the issues which must receive your attention along with any relevant timescales.

Condition	Defect	Remedy (including timescale where appropriate)
<p>15 All animals must be allowed a suitable acclimatization period before sale.</p> <p>18 All animals brought in to the premises with a view to being offered for sale must be isolated for a minimum of 48 hours prior to sale</p>	<p>Fish delivery occurs Thursdays, Fish available for sale approx 2 hours after they have been released into their tanks.</p>	<p>All animals should be isolated for a minimum of 48 hours prior to sale. So that their health, eating habits, behaviour etc can be assessed before sale to ensure they are fit for sale.</p>

I understand that the Animal Control and Enforcement Officer who carried out the inspection discussed the issues with you whilst at the premises.

If you have not already done so, please ensure these matters are given your immediate attention. For those items that have been given a timescale, the Animal Control and Enforcement Officers will be checking the progress as relevant.

I enclose your licence and conditions. Please ensure that all the details are correct and that you are aware of the attached conditions that must be adhered to at all times.

The Licensing General Section issues your licence in accordance with advice from the Animal Control Service.

If you have any queries, please contact us on 0114 2037752 or, if it is a technical issue, please contact the Animal Control Service on 0114 2930361.

Yours faithfully

Steve Lonnia
Head of Licensing

Enquiries to: **0114 2037752**

The person dealing with this matter is: **Michael Crawshaw**

SHEFFIELD CITY COUNCIL
PET ANIMALS ACT 1951
LICENCE TO KEEP A PET SHOP

Licence Number: 237

Issue: 9

THE SHEFFIELD CITY COUNCIL HEREBY GRANTS THIS LICENCE TO:

NAME

Pets at Home Ltd

IN RESPECT OF PREMISES AT

**Unit 2 Drakehouse Retail Park
Drakehouse Way
Sheffield
S20 7JJ**

This licence is valid from:

1 January 2013

Expires on:

31 December 2013

THIS LICENCE IS ISSUED SUBJECT TO THE SPECIAL CONDITIONS SET OUT BELOW AND THE ATTACHED CONDITIONS.

DATE ISSUED: **6 December 2012**

SIGNATURE.....

Steve Lonnia
Head of Licensing

SPECIAL CONDITIONS:

1. The Sheffield City Council must be informed of any change to accommodation and approved before use.
2. Sheffield City Council must be advised if any animals covered by the Convention in International Trade of Endangered Species (CITES), the Dangerous Wild Animals Act 1976, or the current Ministry of Agriculture, Fisheries and Foods (CEFAS) legislation are being kept or sold from the premises and must be supplied with any relevant copies of documentation, licences etc pertaining to them.
3. The animals you have indicated on your application and the accommodation of those animals, which has been approved, must be the only animals kept or sold from the premises unless specifically agreed by Sheffield City Council in writing.
4. Any puppies that are offered for sale must be taken home at the close of day, on a daily basis, and not left on the shop premise unsupervised.

Please see overleaf for list of animals authorised to be sold at this premises.

ANIMALS AUTHORISED TO BE SOLD AT THE PET SHOP

Degus	20	Purpose built cages and quarantine cages	10 weeks
Chinchillas	8	Purpose built cages and quarantine cages	12 weeks
Rabbits and Cavies	50 each	Purpose built runs and quarantine cages	Rabbits 8 weeks Cavies 5 weeks
Hamsters	120	Purpose built cages and quarantine cages	4-6 weeks
Rats and Gerbils	30 each	Purpose built cages and quarantine cages	4-6 weeks
Reptiles & Amphibians	50	Purpose built cages and quarantine cages	6 weeks
Fish	Tropical	6000	Filtered Aquariums and Vats
	Marine	0	
	Cold Water	5000	

Licensing Service, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD. Telephone (0114) 2037752

SHEFFIELD CITY COUNCIL

PET SHOP LICENCE CONDITIONS

ACCOMMODATION

1. Animals must at all times be kept in accommodation suitable with respect to construction, size, temperature, lighting, ventilation and cleanliness.
2. Animals must not be exposed to draughts and must be kept in an environment suitable to the species. If animals are displayed outdoors, they must have protection appropriate to their species.
3. Housing must be constructed of either non-porous materials or such other materials as the Council may approve and subject to any conditions attached to such approval.
4. Animals must not be kept in housing in such a way that they can be interfered with by other animals or the public.
5. All animals for sale must be readily accessible and easy to inspect.
6. Accommodation must be cleaned as often as necessary to maintain good hygiene standards.
7. Where accommodation is on a tiered system, water food or other droppings must not be allowed to enter the lower housing.
8. All accessories provided in the accommodation must be suitable for the species.

EXERCISE FACILITIES

9. Facilities must be available where appropriate.

REGISTER OF ANIMALS

10. An animals purchase register must be maintained for all animals. A sales register must be maintained for: puppies; kittens; Psittacines; and any Dangerous Wild Animal as defined by the Dangerous Wild Animals Act 1976 (as amended).

STOCKING NUMBERS AND DENSITIES

11. The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available. NOTE: advice on stocking densities is available from the City Council who will make reference to guidance issued by the Pets Trades Industry Association Council who will make reference to guidance issued by the Pets Trades Industry Association.

HEALTH, DISEASE AND ACCLIMATISATION

12. All animals sold must be in good health as far as can be reasonably determined without veterinary inspection.
13. Any sick or injured animal must receive appropriate care and treatment without delay.
14. Veterinary advice must be sought whenever necessary.

15. All animals must be allowed a suitable acclimatisation period before sale.
16. Isolation facilities must be provided on the premises.
17. All sick and injured animals must be isolated.
18. All animals brought in to the premises with a view to being offered for sale must be isolated for a minimum of 48 hours prior to sale.
19. All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from any infectious or contagious disease or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.
20. Puppies and kittens must be kept separate from other litters.
21. All necessary precautions must be taken to prevent the introduction to the premises and harbourage, of rodents, insects and other pests.

FOOD AND DRINK

22. Animals must be supplied with adequate amounts of food and drink appropriate to their needs and at suitable intervals.
23. All food must be suitable for the species concerned.
24. Food and drink receptacles must be constructed and positioned to minimise faecal contamination and be kept clean.

FOOD STORAGE

25. All food, excluding live foods, intended for feeding to animals on the premises, must be stored in impervious closed containers which are kept clean.

OBSERVATION

26. All animals must be attended to at regular intervals and in any event not less than once per day, as appropriate to the species.

EXCRETA AND SOILED BEDDING

27. All excreta and soiled bedding must be stored in impervious containers with close fitting lids.
28. Excreta and soiled bedding should be removed from the premises on a regular basis, at least weekly, and disposed of to the satisfaction of the City Council and in accordance with current regulations and good waste management practice.
29. All containers must be kept in a clean condition.

SALE OF ANIMALS

30. All animals sold must be in good health as far as can be reasonably determined without veterinary inspection.

31. No mammal shall be sold unweaned or, if weaned, at an age at which it should not have been weaned.
32. In the case of non-mammals, they must be capable of feeding themselves when sold.

DANGEROUS WILD ANIMALS
AS DEFINED BY THE DANGEROUS WILD ANIMALS ACT 1976

33. The Council must be informed of the intention to keep Dangerous Wild Animals and given the opportunity to re-inspect the premises to assess and approve the accommodation etc, prior to stocking.

When Dangerous Wild Animals are kept, the accommodation must be of a secure design and construction appropriate to the species. A fine wire mesh, glass or plastic safety barrier must be incorporated into the case system. Other appropriate security and safety arrangements to the satisfaction of the council, must be in place.

34. Licensees selling Dangerous Wild Animals must check and inspect the validity of the purchaser's licence to keep such an animal and immediately inform the issuing Authority of the details of the purchase.
35. No animal, defined as a Dangerous Wild Animal by the Dangerous Wild Animals Act 1976, or any subsequent revision or enactment or by regulations attached to the legislation may be kept or offered for sale from the premises without the specific written consent of the council and subject to any further conditions that the council may impose.

STAFF TRAINING AND ANIMAL KNOWLEDGE

36. No animal may be stocked or sold unless the staff (or a member of the staff) is familiar with the case and welfare of that animal. Appropriate information relating to the case and welfare of the animal must be given to the purchaser at the time of sale.
37. The licensee must formulate a written training policy for all permanent staff responsible for animal care and will be required to demonstrate that systematic training is carried out.

FIRE AND OTHER EMERGENCY PRECAUTION

38. Suitable emergency precautions and written procedures shall exist and be made known to all staff, including arrangement for evacuation of animals.
39. Entrances and exits must be clear of obstructions at all times.
40. Fire extinguishers must be provided and sited as approved by the local Fire Protection/Prevention Officer.
41. The fire-fighting equipment must be maintained in good working order.
42. The licensee, or a designated key holder, must at all times be within reasonable distance of the premises and available to visit the premises in case of emergency.
43. A list of key holders must be lodged with the local Police and Fire Brigade.

44. An emergency telephone number must be displayed at the front of the shop; this may either be the key holder's number or the emergency telephone number 999.
45. When pet shops are sited within other premises, the licensee or key holders must have access at all times to the part(s) of the premises containing the animals.
46. Animals being sold from a licensed pet shop must be transported in appropriate containers.

Additional Agreed Condition

47. Fish will be acclimatised / rested for a period of at least 24 - 48 hours and a normal feeding pattern established, before being released for sale.

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: 6 December 2012

Pets at Home Ltd
Unit 2B Heeley Retail Park
Sheffield
S2 0RG

Our Ref: LIC/227/MRC

Dear Sir/Madam

Pet Animals Act 1951

Pets at Home Ltd Unit 2B Heeley Retail Park Sheffield S2 0RG

I refer to the above and your recent application for a licence to keep a pet shop under the Pet Animals Act 1951 which was received by my Licensing General Section on the 24 October 2012.

I am pleased to confirm that further to the licensing inspection carried out by the Animal Control Service, no issues were found and I therefore enclose the licence for the above premises.

Please ensure that all details are correct and that you are aware of the attached conditions that must be adhered to at all times.

The Licensing General Section issues your licence in accordance with advice from the Animal Control Service.

If you have any queries, please contact us on 0114 2037752, or if it is a technical issue please contact the Animal Control Service on 0114 2930361.

Yours faithfully

Steve Lonnia
Head of Licensing

Enquiries to: **0114 2037752**

The person dealing with this matter is Michael Crawshaw

SHEFFIELD CITY COUNCIL
PET ANIMALS ACT 1951
LICENCE TO KEEP A PET SHOP

Licence Number: 241

Issue: 8

THE SHEFFIELD CITY COUNCIL HEREBY GRANTS THIS LICENCE TO:

NAME	Pets at Home Ltd
IN RESPECT OF PREMISES AT	Unit 2B Heeley Retail Park Sheffield S2 0RG

This licence is valid from: **1 January 2013**

Expires on: **31 December 2013**

THIS LICENCE IS ISSUED SUBJECT TO THE SPECIAL CONDITIONS SET OUT BELOW AND THE ATTACHED CONDITIONS.

DATE ISSUED: **6 December 2012**

SIGNATURE.....

Steve Lonnia
Head of Licensing

SPECIAL CONDITIONS:

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6. Accommodation must be cleaned as often as necessary to maintain good hygiene standards.
7. Where accommodation is on a tiered system, water food or other droppings must not be allowed to enter the lower housing.
8. All accessories provided in the accommodation must be suitable for the species.

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9. Facilities must be available where appropriate.

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AS DEFINED BY THE DANGEROUS WILD ANIMALS ACT 1976

33. The Council must be informed of the intention to keep Dangerous Wild Animals and given the opportunity to re-inspect the premises to assess and approve the accommodation etc, prior to stocking.

When Dangerous Wild Animals are kept, the accommodation must be of a secure design and construction appropriate to the species. A fine wire mesh, glass or plastic safety barrier must be incorporated into the case system. Other appropriate security and safety arrangements to the satisfaction of the council, must be in place.

34. Licensees selling Dangerous Wild Animals must check and inspect the validity of the purchaser's licence to keep such an animal and immediately inform the issuing Authority of the details of the purchase.
35. No animal, defined as a Dangerous Wild Animal by the Dangerous Wild Animals Act 1976, or any subsequent revision or enactment or by regulations attached to the legislation may be kept or offered for sale from the premises without the specific written consent of the council and subject to any further conditions that the council may impose.

STAFF TRAINING AND ANIMAL KNOWLEDGE

36. No animal may be stocked or sold unless the staff (or a member of the staff) is familiar with the case and welfare of that animal. Appropriate information relating to the case and welfare of the animal must be given to the purchaser at the time of sale.
37. The licensee must formulate a written training policy for all permanent staff responsible for animal care and will be required to demonstrate that systematic training is carried out.

FIRE AND OTHER EMERGENCY PRECAUTION

38. Suitable emergency precautions and written procedures shall exist and be made known to all staff, including arrangement for evacuation of animals.
39. Entrances and exits must be clear of obstructions at all times.
40. Fire extinguishers must be provided and sited as approved by the local Fire Protection/Prevention Officer.
41. The fire-fighting equipment must be maintained in good working order.
42. The licensee, or a designated key holder, must at all times be within reasonable distance of the premises and available to visit the premises in case of emergency.
43. A list of key holders must be lodged with the local Police and Fire Brigade.
44. An emergency telephone number must be displayed at the front of the shop; this may either be the key holder's number or the emergency telephone number 999.

45. When pet shops are sited within other premises, the licensee or key holders must have access at all times to the part(s) of the premises containing the animals.
46. Animals being sold from a licensed pet shop must be transported in appropriate containers.

Additional Agreed Condition

47. Fish will be acclimatised / rested for a period of at least 24 - 48 hours and a normal feeding pattern established, before being released for sale.

APPENDIX B

SHEFFIELD CITY COUNCIL

THE PET ANIMALS ACT 1951

Application for the RENEWAL of a licence to keep a pet shop

Please read the notes attached to this form before completing it.

1. APPLICANT(S)

Full Name(s) PETS AT HOME LTD

Date of Birth:

Address (including postcode) ERSOM AVENUE, STANLEY GREEN
TRADING ESTATE HANDFORTH CHESTER SK9 3RN

Telephone number 0161 486 3786

Mobile No:

E.Mail Address: lyhardya@petsathome.co.uk

2. PREMISES

Name (if any) PETS AT HOME

Address (including postcode) UNIT 2 DRAYHOUSE RETAIL PARK
DRAYHOUSE WAY SHEFFIELD S20 7JJ

Telephone Number 0845 600 8733

Name and telephone number of person through whom an inspection of the premises
can be arranged STORE MANAGER 0845 600 8733

3. OFFENCES, DISQUALIFICATIONS ETC.

Have you ever been;

21 OCT 2013

(a) Convicted of any offences involving animals? YES / NO

(b) Disqualified under animal related legislation? SECTION YES / NO

If the answer to any of these questions is 'YES', please supply full details on a separate sheet. Any information supplied is subject to the Rehabilitation of Offenders Act 1974.

4. Please list below the animals you intend to sell and the accommodation you will be providing to keep them in.

TYPE OF ANIMAL	ACCOMMODATION PROVIDED	PREVIOUSLY APPROVED
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO

SAME AS CURRENT LICENCE PLEASE

5. ANIMAL ACCOMMODATION AND HUSBANDRY

What steps do you intend to take for securing that:

- (A) The animals will at all times be kept in accommodation suitable as respect construction, size, temperature, lighting, ventilation and cleanliness.

.....
3 THE STORE HAS STRICT PROTOCOLS
.....
TO ADHERE TO. SEE WHILE IN STORE
.....
.....

- (B) That the animals will be adequately supplied with suitable food, drink and visited at regular intervals.

.....
AS ABOVE
.....
.....
.....

- (C) That those animals, being mammals, will not be sold at too early an age?

.....
AS ABOVE
.....
.....
.....

- (D) That all reasonable precautions will be taken to prevent and control the spread of infectious or contagious diseases including the provision of isolation facilities for each type of animal stocked? **N.B.** There is a specific requirement in the Pet Animals Act 1951 that quarantine facilities should be provided and maintained on the premises. **A licence will not be issued without this provision.**

.....
QUARANTINE & ISOLATION ROOMS IN PLACE.
.....
.....

(E) That appropriate steps will be taken for the protection of the animals in case of fire including the use of written fire procedures and provision of fire fighting equipment?

.....
SEE PROCEDURES LITTLE IN STORE
.....
.....

6. YEAR OF LICENCE VALIDITY

If a licence is to be granted, do you wish it to start (and therefore end) in the year in which you applied for it, or in the next following year?

RENEWAL

THIS YEAR / NEXT YEAR

7. PROPOSED LICENCE CONDITIONS

You have the right to appeal against any licence conditions, which the Council intends to impose. Do you wish to be notified of the proposed conditions? (see note 5 below before answering this question).

YES / NO

8. DECLARATIONS, ETC.

I/we apply for a licence under the Pet Animals Act 1951.
I/we understand my/our responsibilities under the Act.
I/we declare that the information I/we have given is complete and correct.

I/we enclose the licence fee of £134:00 (cheques to be made payable to Sheffield City Council)

SIGNATURE(S)

.....

.....

DATE

16/10/13
.....

NOTES

1. Please complete this form in block capital letters and return it to:

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

Tel: (0114) 203 7752
Fax: (0114) 273 5410

Opening Hours
9:00am to 5:00pm
Monday to Friday

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

The Councils' Chief Environmental Health Officer will deal with the technical aspects of this application. Telephone (0114) 2037415.

2. The licence fee is fixed in April each year. If the application is made near this date, please check the fee prior to submitting it.
3. **Renewal applications – if this application is for the renewal of a licence, it is recommended that it be submitted by mid November.** If it is submitted later than this it may not be possible to process the application prior to the previous licence expiring. If this licence is not renewed by the 1st January, then the licensed activity must cease. It is a serious criminal offence to carry on that activity without a licence, such action could also jeopardise any future licence application.
4. Proposed licence conditions – The applicant has a right of appeal to the Magistrates' Court against any licence condition that the Council intend to impose. The right is lost once the licence has been granted. If you wish to be notified of the proposed condition please answer question 7 is 'YES'. The applicant should bear in mind that
 - (a) The proposed licence conditions will only be determined at the end of the application process
 - (b) No licence can be issued until the applicant has had a reasonable time to consider the proposed conditions.
 - (c) If no licence is currently in force, the activity for which the licence is being applied for cannot be started or carried on. You should seek independent legal advice if you have any queries about this issue.

FOR OFFICE USE ONLY

Date: 21-10-13 Time: 12-10

Officer: MRC

Receipt No: 30825 Fee: £ 134.00

Date Sent to ERS:

Date Received from ERS:

Licence No: Issue Date:

SHEFFIELD CITY COUNCIL

THE PET ANIMALS ACT 1951

Application for the RENEWAL of a licence to keep a pet shop

Please read the notes attached to this form before completing it.

1. APPLICANT(S)

Full Name(s) PETS AT HOME LTD

Date of Birth:

Address (including postcode) ELSON AVENUE, STANLEY GREEN
TRADING ESTATE, HANDFORTH, CHESTRE SK9 3RN

Telephone number 0161 486 3786

Mobile No:

E.Mail Address: lyhardy@petsathome.co.uk

2. PREMISES

Name (if any) PETS AT HOME

Address (including postcode) UNIT 28 HEELEY RETAIL PARK
CHESTERFIELD ROAD, SHEFFIELD

S8 0RG

Telephone Number 0114 255 8622

Name and telephone number of person through whom an inspection of the premises can be arranged STORE MANAGER 0114 255 8622

3. OFFENCES, DISQUALIFICATIONS ETC.

Have you ever been;

(a) Convicted of any offences involving animals? YES NO

(b) Disqualified under animal related legislation? YES NO

If the answer to any of these questions is 'YES', please supply full details on a separate sheet. Any information supplied is subject to the Rehabilitation of Offenders Act 1974.

4. Please list below the animals you intend to sell and the accommodation you will be providing to keep them in.

TYPE OF ANIMAL	ACCOMMODATION PROVIDED	PREVIOUSLY APPROVED
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO
		YES / NO

SAME AS
 CURRENT
 LICENCE PLEASE

5. ANIMAL ACCOMMODATION AND HUSBANDRY

What steps do you intend to take for securing that:

- (A) The animals will at all times be kept in accommodation suitable as respect construction, size, temperature, lighting, ventilation and cleanliness.

.....
THE STORE HAS STRICT PROTOCOLS TO
ADHERE TO. SEE WRITE IN STORE
.....

- (B) That the animals will be adequately supplied with suitable food, drink and visited at regular intervals.

.....
AS ABOVE
.....

- (C) That those animals, being mammals, will not be sold at too early an age?

.....
AS ABOVE
.....

- (D) That all reasonable precautions will be taken to prevent and control the spread of infectious or contagious diseases including the provision of isolation facilities for each type of animal stocked? **N.B.** There is a specific requirement in the Pet Animals Act 1951 that quarantine facilities should be provided and maintained on the premises. **A licence will not be issued without this provision.**

.....
QUARANTINE & ISOLATION ROOMS IN PLACE
.....

(E) That appropriate steps will be taken for the protection of the animals in case of fire including the use of written fire procedures and provision of fire fighting equipment?

SEE PROCEDURES LITTLE IN STORE

6. YEAR OF LICENCE VALIDITY

If a licence is to be granted, do you wish it to start (and therefore end) in the year in which you applied for it, or in the next following year?

RENEWAL

THIS YEAR / NEXT YEAR

7. PROPOSED LICENCE CONDITIONS

You have the right to appeal against any licence conditions, which the Council intends to impose. Do you wish to be notified of the proposed conditions? (see note 5 below before answering this question).

YES / NO

8. DECLARATIONS, ETC.

I/we apply for a licence under the Pet Animals Act 1951.
I/we understand my/our responsibilities under the Act.
I/we declare that the information I/we have given is complete and correct.

I/we enclose the licence fee of £134:00 (cheques to be made payable to Sheffield City Council)

SIGNATURE(S)



DATE 16/10/13

NOTES

1. Please complete this form in block capital letters and return it to:

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

Tel: (0114) 203 7752
Fax: (0114) 273 5410

Opening Hours
9:00am to 5:00pm
Monday to Friday

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

The Councils' Chief Environmental Health Officer will deal with the technical aspects of this application. Telephone (0114) 2037415.

2. The licence fee is fixed in April each year. If the application is made near this date, please check the fee prior to submitting it.
3. **Renewal applications – if this application is for the renewal of a licence, it is recommended that it be submitted by mid November.** If it is submitted later than this it may not be possible to process the application prior to the previous licence expiring. If this licence is not renewed by the 1st January, then the licensed activity must cease. It is a serious criminal offence to carry on that activity without a licence, such action could also jeopardise any future licence application.
4. Proposed licence conditions – The applicant has a right of appeal to the Magistrates' Court against any licence condition that the Council intend to impose. The right is lost once the licence has been granted. If you wish to be notified of the proposed condition please answer question 7 is 'YES'. The applicant should bear in mind that
 - (a) The proposed licence conditions will only be determined at the end of the application process
 - (b) No licence can be issued until the applicant has had a reasonable time to consider the proposed conditions.
 - (c) If no licence is currently in force, the activity for which the licence is being applied for cannot be started or carried on. You should seek independent legal advice if you have any queries about this issue.

FOR OFFICE USE ONLY

Date: 21 - 10 - 13 Time: 12 - 05

Officer: MRC

Receipt No: 30823 Fee: £..... 134 - 00

Date Sent to ERS:

Date Received from ERS:

Licence No: Issue Date:

APPENDIX C

Ruston Andy (CEX)

Need to write
to Pets @ Home

From: Owen Wendy
Sent: 05 December 2013 09:54
To: Ruston Andy (CEX); Siddall Ann (CEX); Anderson Anne (CEX)
Cc: Bell Shaun; Parry Mark; Owens Angela
Subject: Pets at Home - Heeley and Drakehouse
Attachments: WEO03448.doc; WEO03449.doc

re above - 12/12/13

Hi All

Following my inspections earlier this year and now at Licensing time it has been brought to my attention that Pets at Home at Heeley and Drakehouse, under direction of their home authority, are not in compliance with their licensing conditions in relation to Condition 18 which states:-
"All animals brought in to the premises with a view to being offered for sale must be isolated for a minimum of 48 hours prior to sale."

In 2008 following numerous complaints and problems at Pets at Home a meeting was arranged on 21st February.

In attendance was Philip Dunraven, myself and from Pets at Home Dominic Jordan and George Lingwood.

One result of this meeting was an agreement that we would allow a special condition for Pets at Home, in relation to reducing the acclimatisation period, for fish, to 12 hours.

All other stock was to remain at 48 hours as an acclimatisation period.

A special condition was then attached to the licence stating the following (however this may have only been attached in 2012 for some reason,?), as follows

47

Additional Agreed Condition

Fish will be acclimatised / rested for a period of at least 24-48 hours and a normal feeding pattern established, before being released for sale.

I am therefore suggesting **no licence is granted** to the above 2 premises until written confirmation is received from their **head office** in relation to providing the appropriate acclimatisation period as stated in the licensing conditions, for **All** animals. (I have bolded this as I also have some paperwork which indicates the 'quarantine' period for Hamsters, Gerbils and Rats is only 24 hours)

The Head office address, as per the licensing application is as follows:-

Pets At Home Ltd
Epsom Avenue
Stanley Green Trading Estate
Handforth
Cheshire
SK9 3RN

I feel addressing this matter at store level is not appropriate as they take their operating instructions from Head Office.

If you can let me have copies of any letters or e mails I can attach them to the flare record.

Thank You

Kind regards

Wendy Owen
Animal Control & Enforcement Officer
Environmental Protection Service
Business Strategy & Regulation
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel: 0114 2930360

Fax: 0114 2736464

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Memorandum- Sheffield City Council
Business Strategy and Regulation

From: Wendy Owen
Tel: 0114 2930360
Date: 4 December 2013

To: Steve Lonnia
cc: Andy Rushdon,
 Ann Siddall, Anne Anderson

Ref: Licensing Inspection

**Pets At Home, Unit 2, Drakehouse Retail Park, Drake House Way,
 Sheffield, S20 7JJ
 Pet Animals Act 1951**

Further to your request for a report on the above premises, I would report that an inspection was carried out on 13 November 2013. I have advised on the following matters with the licence holder, referenced by the relevant condition number.

Condition	Defect	Remedy (including timescale where appropriate)
	Licence on Display is out of date	A valid, current licence (or a copy of) is to be suitably displayed to the public in a prominent position.
18	Fish being offered for sale within 2-3 hours after delivery.	All animals brought in to the premises with a view to being offered for sale must be isolated for a minimum of 48 hours prior to sale.
47 Additional Agreed Condition		Fish will be acclimatised / rested for a period of at least 24-48 hours and a normal feeding pattern established, before being released for sale.

These matters should be confirmed to the licence holder in writing and need to be addressed to the Home Authority for confirmation of compliance with the above conditions.

.....
 Wendy Owen
 Animal Control & Enforcement Officer

Memorandum- Sheffield City Council
Business Strategy and Regulation

From: Wendy Owen
Tel: 0114 2930360
Date: 4 December 2013

To: Steve Lonnia
cc: Andy Rushdon
 Ann Siddall, Anne Anderson,

Ref: Licensing Inspection

Pets at Home, 2B Heeley Retail Park, Chesterfield Road, Sheffield, S8 0RL
Pet Animals Act 1951

Further to your request for a report on the above premises, I would report that an inspection was carried out on 21 November 2013. I have advised on the following matters with the licence holder, referenced by the relevant condition number.

Condition	Defect	Remedy (including timescale where appropriate)
1	New metal protector, on step into rabbit enclosures, to be filed down/smoothed off.	Animals must at all times be kept in accommodation suitable with respect to construction, size, temperature, lighting, ventilation and cleanliness. Informed matter to be attended to immediately after my visit.
12 13.	Some dead and diseased fish seen in tanks, on display (not in isolation tanks or covered up).	All animals sold must be in good health as far as can be reasonably determined without veterinary inspection. Any sick or injured animal must receive appropriate care and treatment without delay. Matter being attended to whilst on site.
18 47 Additional Agreed Condition	Fish being offered for sale within 2-3 hours after delivery.	All animals brought in to the premises with a view to being offered for sale must be isolated for a minimum of 48 hours prior to sale. Fish will be acclimatised / rested for a period of at least 24-48 hours and a normal feeding pattern established, before being released for sale.

These matters should be confirmed to the licence holder in writing and need to be addressed to the Home Authority for confirmation of compliance with the above conditions.

.....
 Wendy Owen
 Animal Control & Enforcement Officer

APPENDIX D

Copy of what sent



Licensing Services

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

Pets at Home Limited
Epsom Avenue
Stanley Green Trading Estate
Handforth
Cheshire
SK9 3RN.

Dear Sir/Madam,

The Pet Animals Act 1951 – Pets at Home Limited, Heeley Retail Park and Drakehouse Retail Park, Sheffield.

I refer to the above and the Pet Shop Licence for each premise, which expire on 31st December 2013.

It has been brought to my attention by my colleague Wendy Owen, Animal Control & Enforcement Officer, Environmental Protection Service, Sheffield City Council, that during an inspection of the above premises, the premises are not in compliance with their licensing conditions in relation to Condition 18 which states:-

All animals brought in to the premises with a view to being offered for sale must be isolated for a minimum of 48 hours prior to sale.

I am aware that previously in 2008, a meeting was arranged on 21st February. In attendance were Philip Dunraven, Environmental Protection Services and Wendy Owen, Environmental Protection Service, and Dominic Jordan and George Lingwood from Pets at Home. One result of this meeting was an agreement that a special condition would be allowed for Pets at Home in relation to reducing the acclimatisation period, for fish, to 12 hours. All other stock was to remain at 48 hours as an acclimatisation period.

A special condition was attached to the licence in 2012, stating the following as follows

Condition 47

Additional Agreed Condition

Fish will be acclimatised / rested for a period of at least 24-48 hours and a normal feeding pattern established, before being released for sale.

I understand from information provided to me that the management of the premises have indicated that they receive their operating instructions from head office and are unable to change the operation of the premises. Wendy Owen has at this stage requested that the renewal applications for both premises not be granted until such a time as this matter is resolved and has requested that written confirmation is received from you in relation to providing the appropriate acclimatisation period as stated in the licensing conditions, for all animals.

I must inform you that failure to comply with the above condition is a breach of the conditions that are attached to the licence for each of the above premises, and should this continue the Licensing Service may consider taking appropriate action with regards to this

matter. Furthermore, should a resolution not be found that is satisfactory to the Environmental Protection Service, then I will have no option but to place the renewal applications for both of the above premises, before the Licensing Sub Committee of Sheffield City Council for determination.

If you require any further information/assistance regarding this matter, please can you contact me either via email or on the telephone number shown above.

Yours faithfully



Andy Ruston
Senior Licensing Officer

APPENDIX E

Ruston Andy (CEX)

- Await comment
from Wendy Owen.

20/12/13.

From: Ruston Andy (CEX)
Sent: 20 December 2013 09:39
To: 'lyhardy@petsathome.co.uk'
Cc: Owen Wendy
Subject: FW: Pet Shop Licence- Sheffield Stores- FAO Andy Rushton
Attachments: Fish Delivery Procedure.pdf; PAH Aquatics system.pdf; Pets at Home Fish Suppliers.pdf; Acclimatisation.doc

Dear Lyndsay,

Thank you for the below response. I will forward your comments onto my colleague Wendy Owen in our Animal Control Team for her consideration.

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: Licensing(General)
Sent: 19 December 2013 16:49
To: Ruston Andy (CEX)
Subject: FW: Pet Shop Licence- Sheffield Stores, FAO Andy Rushton

From: Lyndsay O'hanlon [<mailto:lyhardy@petsathome.co.uk>]
Sent: 19 December 2013 16:47
To: Licensing(General)
Subject: Pet Shop Licence- Sheffield Stores, FAO Andy Rushton

Dear Andy,

I am writing in correspondence to your recent letter regarding our Sheffield stores non compliance with your licensing conditions.

I understand that you are referring to the condition listed below:

Condition 47

Additional agreed condition

Fish will be acclimatised/rested for a period of at least 24-48 hours and a normal feeding pattern established, before being released for sale.

I will just give you a bit of background information on how our current fish routines were formed and where our current guidance has originated from as this has changed significantly in recent times.

All of our current fish protocols and routines have been put together by our Aquatics Manager, Pete Carey BSc (Hons), who is a very experienced Freshwater and Marine Biologist and also a Director of OATA- (the Ornamental Aquatic Trade Association). Pete was not working for us when we met with you previously and has completely overhauled our aquatic operations and how our suppliers deliver fish to us. We also work with OATA on a regular basis as well as the one of the leading fish specialist vets in the UK, Peter Scott MSc.BVSc.FRCVS Specialist in Fish Health & Production and RCVS Specialist in Zoo & Wildlife Medicine

Member of the Companion Animal Welfare Council, Member of the Defra Sector Council Forum, both of whom have approved our fish routines in store.

I have attached our current delivery procedure as well as a letter from both OATA and Peter Scott to support our position that using a set period of time for fish quarantine actually is not very logical, it is their behaviour that should be used as a guide.

We know you are keen to ensure good standards of animal welfare in the pet shops in your area and we wish to work with you to achieve this. We are sure you will appreciate that considerable advances have been made in this area over the last few years and guidelines that were appropriate in the past may have no relevance today. We would appreciate if you could clarify where the timescale of up to 48hours in the above condition has originated from and what aquatic consultants were involved in the decision making process.

If after reading the supportive information you still feel that the set acclimatisation period is necessary, we would like to invite you and your aquatic consultants to meet with both our Aquatics Operations Manager and Fish Specialist to discuss this further.

Kind Regards.

Lyndsay

Lyndsay O'Hanlon
Vet Nurse Assistant to Head of Pets
Pet Team | Pets at Home Ltd
Direct Dial: 0161 486 37 86 |
lyhardy@petsathome.co.uk



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pets **where pets come first**



Fish Delivery:

Delivery routine:

1. The day before your delivery, do a good clean so that you don't need to disturb the new fish too much when they go in tomorrow.
2. Dose the bays with Myxazin the evening before your delivery day, except for bays that have been treated with Protozin or any other medicine within the last 2 days. This prepares the systems for the new fish.
3. When the fish arrive at the back door, check through the bags looking for complete bags that are DOA or complete bags that are not healthy and send these back with the driver. Look for split fins, clamped fins, damage to eyes, fins and scales and look out for any signs of disease. Don't worry about counting all the fish in each bag though, you can do this later. This initial check should take less than 15 mins.
4. Turn off the lights on the bays and float the sealed bags in the tanks that they are to go into. This is the time to very carefully count the fish as you unpack them noting any missing fish on your delivery sheet.
5. Check that you have received what you are expecting and so do not have any empty tanks. If not, now is the time to move species around, as it is much easier and less stressful for the fish to be moved while they are still in their bag.
6. After 20 mins, start at one end of your system and untie/ cut off the top of the bags and roll them down. Scoop some of the tank water into the bag, adding about 1/3 new water to the bag. Now leave the rolled down bag to float again. Work around the bays from left to right.
7. Once you have done all the bags, start at the beginning again and scoop another third new water into the bag. Once you have done this leave to float for another 20 mins.
8. Starting with the bay you began with, quickly and smoothly release the fish into their new tank. Repeat right around the fish bays.
9. Once all the fish are released ensure all the lids are down and leave the lights off for a further 2 hours. Do not leave the lights off for any longer than this.
10. After this settling in time you can turn on the lights and check the new arrivals have settled by giving a small feed. Any fish that don't feed should not be offered for sale until they start feeding.
11. The evening of the fish delivery day, dose all the bays with Myxazin, except for bays that have been treated with Protozin or any other medicine within the last 2 days. This helps to prevent the new fish getting sick following the journey to your store.



Lyndsay

Some initial thoughts.

It is my understanding that the new system operated by Pets at Home (PAH) – after extensive trialling is for stores to receive fish from one of four specialist importers. These are based in London, Sheffield, Glasgow and Belfast. These importers have dedicated PAH systems, I have seen the London site and will be seeing the others in the early part of 2014.

The system is that the importers get the fish in, into the dedicated PAH tanks where they are held in quarantine for as long as necessary to settle them down. Any necessary treatments can be applied and then healthy fish make the short journeys to stores, packed to order for individual stores for same day delivery.

This is a true quarantine system, it exceeds any basic quarantine that could be installed in a PAH or other store.

Reference to the CIEH model conditions for pet vending licensing 2003 will indicate that I was one of the people consulted. I had input to the conditions in 2013, and actually the previous ones.

There is no requirement in the 2003 Model Conditions which requires in-store quarantine/acclimatisation. The Condition is that 'All animals for sale must be in good health'. Acclimatisation is mentioned in the guidance as to how this is achieved, and this is perfectly appropriate where importers are not pre-acclimatising prior to distribution to stores.

Quarantine / acclimatisation was always done at the store, but this was generally when fish had very recently travelled around the world. Now this stressor is increasingly dealt with at the quarantine premises where dedicated systems exist.

This is now becoming a common practice, one major marine fish importer actually quarantines in the country of origin and simply carries out water changes here in Europe before going straight to shops for sale (this is not a PAH supplier). They have detailed records which show improved survival throughout the process and at final purchasers with this system.



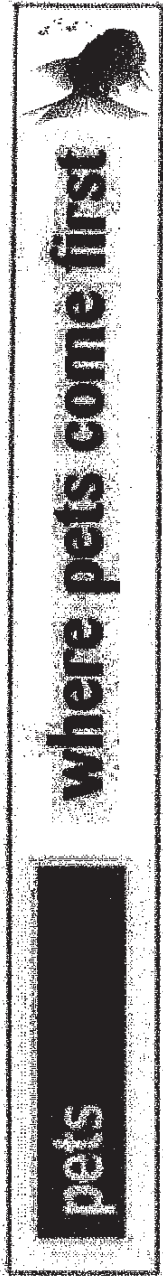
pets

where pets come first



All of our fish and aquatic livestock comes from our fish supply partners, and follow the wholesale supply route and not direct from the fish farms/ producers. The two routes can be confused, but are fundamentally different:

- Direct import/ consolidation: the fish are shipped straight from the fish farm/ breeder (the producer) to the retailer, where the fish are not acclimatised to life in an aquarium and the water conditions of an aquarium rather than a breeding pond/ facility. The fish would require a 'quarantine' period with the appropriate treatments and feeding up required to prepare the fish for retail sale. In this instance when the fish are 'directly imported' by a retailer from the producer, the retailer must perform the necessary treatments during the 'quarantine' period before offering for sale. This should be as long as is needed, but generally takes 5-10 days.
- Wholesale Supply: The fish come from a fish farm and into a wholesaler's tanks. The wholesaler does the 'quarantining' and the routine treatments and feeding up required to prepare the fish for life in an aquarium and therefore retail sale, before sending on to the retailer where the fish are simply acclimatised to the retailers water conditions in their tanks, just as if they were being moved from one body of water to another. The fish are ready for sale when they are acclimatised which is indicated by the fish exhibiting normal behaviours such as feeding and swimming appropriately for the species. This generally takes only a couple of hours, but can take longer with some species. If the fish are not exhibiting normal behaviours they should be left off sales until they are.



We have 4 freshwater fish suppliers, and one marine supplier, and these are based at 8 sites across the UK to service all our stores.

- We regularly inspect our fish suppliers' facilities and also use the services of various specialist vets to perform checks throughout the year to ensure that the standards comply with our code of conduct for freshwater fish supply.
- All of our fish suppliers must sign and follow this code in order to supply fish to us.
- This code of conduct was originally written in conjunction with Peter Scott one of the UK's leading aquatic specialist vets who has considerable knowledge of both retail and public aquarium operations.
- Breaches to this code would result in PAH terminating the contract with the supplier.
- I believe that we are the only aquatics retailer in the UK that has such a code of conduct.
- We use a 'Store Supplier Feedback' electronic sheet for stores to feedback any issues that they have with a fish delivery and this is actioned with the suppliers on a store by store basis. This enables a very fast reaction time and means that we are able to adapt very quickly to prevent issues from becoming problems.
- Our store colleagues perform a check of the fish upon delivery to their store and we only paid our suppliers for the fish that our stores accept. This forces our suppliers to only send fish that are 100% fit and healthy, as they don't get paid for fish that are anything less than this.

pets

where pets come first



Images from our fish suppliers facilities where fish from fish producers are quarantined, treated and prepared for dispatch to our stores. The fish are only sent onto the stores when they have completed a course of broad spectrum treatments and are completely acclimatised to tank water as apposed to pond/ lake or breeding facility water.



Selling through service

pets where pets come first

Images from our suppliers facilities showing fish already quarantined and acclimatised to life in a tank as apposed to a producers breeding lake/ pond/ facility. All Pets at Home fish come from the fish producers to our suppliers, who acclimatise the fish to tank water and treat the fish with a broad spectrum of medications to ensure they are disease free and ready to be sent to our stores.



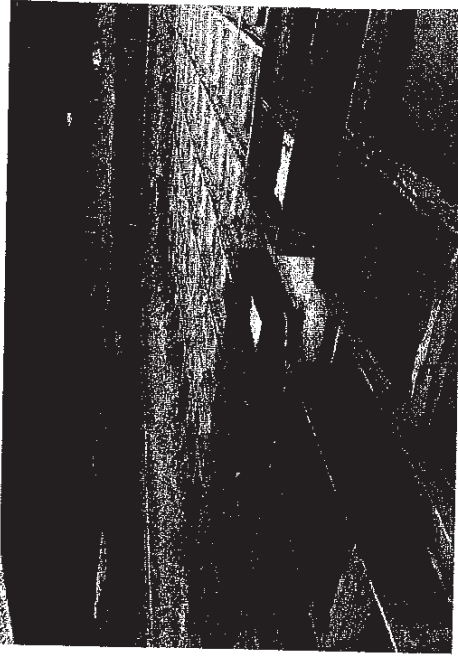
pets
Selling through
service

pets

where pets come first



Images from fish farms and fish producers showing the difference in water conditions and the need to quarantine fish from these sources, which is carried out by our fish suppliers. Pets at Home does not get fish directly from the producers. All our fish are quarantined and treated with out suppliers before being sent to our stores.



pets

where pets come first



Comparison of packing densities of Pets At Home wholesale route versus direct import/consolidation route.

Our packing densities are vastly lower. A direct comparison is neon tetra which our bags contain a maximum of 40 fish, and we pack now more than 12 bags in a box = 480 fish.

The comparable size via consolidation/ direct import is 120 per bag and 8 bags per box = 960 fish.

The cost of buying through a whole sale supplier and stipulating packing densities results in the cost price of the smaller fish, such as neons, almost doubling. We happy chose this option as this is the best for the fish welfare.

Sunbeam Aquarium Pte Ltd
 Tel: 65-5481 1726; Fax: 65-5482 4893; Email: enquiry@sunbeam.aquarium.com

U. Price \$	1/B Bag	Label Price	Code
0.21	50	10.50	7000
1.23	50	61.50	7003
1.47	48	60.92	7010
4.41	32	52.51	7044
0.49	40	50.31	7060
0.56	64	50.56	7063
1.10	32	50.72	7064
0.49	40	50.31	7065
0.51	80	50.41	7087
0.86	72	50.55	7088
1.23	32	50.31	7089
0.56	64	50.56	7088
0.29	80	50.30	7108
0.25	140	50.15	7115
0.49	80	50.35	7118
0.30	100	50.28	7132
0.56	64	50.40	7134
0.95	64	50.56	7147
0.37	80	50.29	7151
0.49	72	50.36	7152
0.56	64	50.56	7158
1.23	64	50.75	7158
0.49	64	50.37	7171
0.61	52	50.45	7172
0.56	64	50.40	7188
0.64	52	50.48	7190
0.49	120	50.32	7194
0.56	64	50.73	7197
1.23	56	50.73	7197
0.17	80	50.17	7204
0.29	64	50.24	7205
0.29	56	50.29	7207
0.62	56	50.44	7217
0.86	400	50.52	7230
0.49	36	50.29	7235
0.49	140	50.31	7240
0.61	120	50.38	7241
0.56	72	50.40	7242
0.58	72	50.77	7243
1.23	120	50.32	7259
0.49	72	50.49	7261
0.49	120	50.32	7265
0.49	100	50.48	7270
0.74	100	50.46	7270
0.49	110	50.32	7278
0.61	100	50.39	7279
0.49	120	50.32	7313
0.61	110	50.38	7314
0.74	60	50.48	7315
0.86	64	50.56	7319
0.29	160	50.20	7330
0.32	120	50.23	7331
0.61	72	50.42	7331

SUNBEAM AQUARIUM, SINGAPORE

CONSOLIDATED PRICE LIST

8FC 2012





ORNAMENTAL AQUATIC TRADE ASSOCIATION LTD

"The voice of the ornamental fish industry"

Wessex House, 40 Station Road, Westbury, Wiltshire, BA13 3JN, UK

Telephone: +44(0)1373 301352 Fax: +44(0)1373 301236

keith@ornamentalfish.org www.ornamentalfish.org

Lyndsay O'Hanlon
Vet Nurse Assistant to Head of Pets
Pets at Home Ltd
Epsom Avenue
Stanley Green Trading Estate
Handforth
Cheshire
SK9 3RN

19 December 2013

Dear Lyndsay,

Acclimatisation of fish in retail outlets and fitness for sale

The passage of an arbitrary period of time does not ensure the acclimatisation or welfare of imported ornamental fish. Insisting fish are kept for a specified period prior to sale may achieve no more than recording the passage of time. Rather the welfare of fish and their fitness for sale is determined by the care they receive in the supply chain. Thus matters such as *inter alia* the species concerned, pre-acclimatisation in the country of origin, stocking in transport, the training and experience of staff unpacking the fish and the protocol they use will all impact on how quickly fish adapt to a new environment.

A fish could be fit for sale very quickly after arrival or for a variety of reasons it may take days or weeks to acclimatise. The key determinations to be made are that the fish are behaving normally, their colouration is normal for the species taking into considerations its age and sex and they are feeding normally. The greater the investment in the supply chain logistics the better the welfare of the fish and the more quickly they might be offered for sale to the public.

If I can help any further on this matter please let me know,

Yours sincerely,

Keith Davenport
Chief Executive

APPENDIX F

Ruston Andy (CEX)

From: Lyndsay O'hanlon <lyhardy@petsathome.co.uk>
Sent: 28 March 2014 14:29
To: Ruston Andy (CEX)
Subject: RE: Pets at home, Heeley and Drakehouse and pet shop model conditions.

Hi Andy,

Thank you for getting back to me, I would appreciate it if you could put it to the licensing committee as we have been practicing these routines for many years now as guided by experienced marine biologists and an Exotic Specialist vet specialising in fish.

Thanks again for your help.

Kind Regards.

Lyndsay O'Hanlon
Vet Nurse Assistant to Head of Pets
Pet Team | Pets at Home Ltd
Direct Dial: 0161 486 37 86 |
lyhardy@petsathome.co.uk



From: Ruston Andy (CEX) [mailto:Andy.Ruston@sheffield.gov.uk]
Sent: 28 March 2014 13:25
To: Lyndsay O'hanlon
Subject: FW: Pets at home, Heeley and Drakehouse and pet shop model conditions.

Dear Lyndsay,

Apologies for the delay with this matter. I have received the below comment from Wendy Owen, Animal Control. It looks like the only option at the moment is to put the matter before the Licensing Committee for their consideration. I am out of the office after today until next Thursday, following which I will book the matter in at the next available committee hearing. If you have any thoughts with regards to a way forward other than the aforementioned, please feel free to contact me and I will be happy to discuss.

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: Ruston Andy (CEX)
Sent: 28 March 2014 13:06
To: Owen Wendy; Bell Shaun
Subject: RE: Pets at home, Heeley and Drakehouse and pet shop model conditions.

Wendy,

Thank you for the below. It looks like the only option at the moment is to put the matter before the Licensing Committee for their consideration. I am out of the office after today until next Thursday, following which I will book the matter in at the next available committee hearing.

Thanks
Andy.

From: Owen Wendy
Sent: 27 March 2014 14:25
To: Ruston Andy (CEX); Finch Shimla (CEX)
Cc: Parry Mark; Bell Shaun
Subject: RE: Pets at home, Heeley and Drakehouse and pet shop model conditions.

Hi Andy

Sorry for the delay.

After speaking with both Mark Parry and Shaun Bell on this matter please see the comment's below.

Following discussions with Pets at Home in 2009 the following additional condition was agreed,

Condition 47

Additional Agreed Condition

Fish will be acclimatised / rested for a period of at least 24-48 hours and a normal feeding pattern established, before being released for sale.

The original condition states;

Condition 18,

All animals brought in to the premises with a view to being offered for sale must be isolated for a minimum of 48 hours prior to sale.

We recognise Pets at Homes commitment to ensuring good standards of animal welfare and husbandry. The current licensing conditions were created by Sheffield City Council with this in mind.

However as stated in the literature received via e mail and dated 20/12/13, entitled, Fish Delivery, in particular Item 11 *"The evening of the fish delivery day, dose all the bays with Myxazin, except for bays that have been treated with Protozinor any other medicine within the last 2 days. This helps to prevent the new fish getting sick following the journey to your store."*

If fish have been sold within 1-2 hours of delivery, as is the current practice as I have been informed, they will not receive the above secondary preventative treatment and are then being subjected to further disturbance and stress within a short period of time.

The process of handling and transportation once a day let alone potentially twice within a short space of time can cause disruption, fear and stress for the fish. This in turn could then lead to health issues for the individual animals and potentially cause problems through the introduction of new stressed fish into a customers established tank.

A period of 24 hours will allow a sufficient period of time to establish normal behaviour patterns, feeding etc, but should not significantly impact on the retail aspect. If customers are then advised

as to the reason for any delay in sales this should only further demonstrate and reinforce a commitment to good practice and animal health and welfare.

We also have information indicating other Pets at Home stores do provide the minimum 24 hours acclimatisation, rest period.

Kind regards

Wendy Owen
Animal Control & Enforcement Officer
Environmental Protection Service
Business Strategy & Regulation
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel: 0114 2930360
Fax: 0114 2736464

Charter Mark Standard for Customer Service Excellence re - awarded in March 2008

Visit us at: www.sheffield.gov.uk/environment/environmental-health/animals

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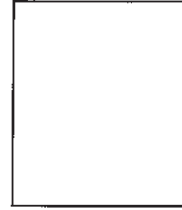
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SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 29th April 2014

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

Author of Report: Andy Ruston - 2734264

Summary: To give consideration to an application for a Mobile 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.**

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

Harold Mortimer – MOBILE STREET TRADING CONSENT.

1.0 PURPOSE OF REPORT

1.1 To consider an application to renew a Mobile Street Trading Consent.

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 REASONS FOR REFERRAL

- 3.1 The Councils Street Trading Policy has been amended following the Licensing Policy Committee hearing held on 20th February 2014. Attached at Appendix 'A' is a copy of a letter that has been sent to all mobile street trading consent holders following the hearing held on 20th February 2014, detailing the amendments to the Street Trading Policy. A full copy of the amended Street Trading Policy is attached at Appendix 'B'.
- 3.2 Harold Mortimer made an application to the Licensing Service on 13th March 2014 a copy of which is attached at Appendix 'C' to the report. Harold Mortimer has also written to the Licensing Service requesting that consideration be given to his application as he wishes to continue selling bread and milk as well as fruit and vegetables, which the amended Street Trading Policy no longer allows. A copy of the aforementioned letter is attached at Appendix 'D'.
- 3.3 A copy of the hearing procedure is attached at Appendix 'E'.

4.0 APPEALS

- 4.1 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.

5.0 FINANCIAL IMPLICATIONS

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

6.0 RECOMMENDATIONS

- 6.1 That members consider all the relevant information.

7.0 OPTIONS OPEN TO THE COMMITTEE

- 7.1 To grant the application for Street Trading Consent as requested.
- 7.2 To defer the matter for further consideration.
- 7.3 To refuse the application for Street Trading Consent.

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

APPENDIX A

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: 26th February 2014



Name
Address Line 1
Address Line 2
Address Line 3
Address Line 4
Postcode

Dear Sir/Madam

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

I refer to the above and my previous letter dated 17th December 2013 regarding the proposed amendments to the Street Trading Policy.

Following a meeting of the Licensing Committee on the 20th February 2014 the Street Trading Policy has now been amended as detailed below:

MOBILE TRADERS

1. Mobile traders will now be split into two clear distinct categories:
 - **Ice- cream**
 - **Fruit and Vegetables only**

PLEASE NOTE: *No further items can be sold in addition to a fruit and vegetables mobile consent. **The trading of any other articles will only be permitted by applying for a static street trading consent.***

2. Trading days for mobile fruit and vegetable street traders have increased from 5 days to 7 days a week:

ICE CREAM MOBILE CONDITIONS

3. Change in condition 1 to increase the 15 minute restriction to 20 minutes:
 - “Mobile consent holders are not permitted to remain static for more than **20** minutes, and cannot return to the same site within the same day (site refers to a 400 meter radius)”

MOBILE FRUIT AND VEGETABLE TRADERS CONDITIONS

4. Change of condition 1 to increase the 15 minute restriction and reduce the 800 meter radius:
 - Previously: “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 meter radius)”

- **Approved:** "Mobile consent holders are not permitted to remain static for more than **20** minutes, and cannot return to the same site within the week (site refers to an **500** meter radius)"
5. Change in condition 2 to reduce the 800 meter radius around shops and other traders selling primarily the same goods:
- Previously: "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."
 - **Approved:** "Mobile consent holders are not permitted to trade within a **500** metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles."

I would also like to take this opportunity to remind mobile traders that as per the City Wide Street Trading Qualitative Criteria, it will be necessary for your vehicle to have a side hatch to serve customers upon renewal.

Our records indicate that your consent expires on the **31st March 2014**; I attach application and guidance documents for your assistance to apply for a mobile fruit and vegetable consent.

If you trade in items for anything other than fruit and vegetables, you must apply for a static street trading consent. Further information can be found on our website at www.sheffield.gov.uk/licensing under the heading street trading.

If you have any queries in relation to any of the above please do not hesitate to contact my Licensing Service.

Yours faithfully



Steve Lonnia
Chief Licensing Officer (Head of Licensing)

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

APPENDIX B



SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING POLICY

**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

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SHEFFIELD CITY COUNCIL
LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING POLICY

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1.0 PART 1 - INTRODUCTION

1.1 Purpose of the Policy

- 1.1.1 Street activities are an essential ingredient of a vibrant and lively city and in Sheffield there is a strong demand for legitimate small scale street trading. They offer an opportunity for small businesses to get started with a relatively modest outlay.
- 1.1.2 The street trading scheme is part of Sheffield City Council's campaign to make Sheffield a more attractive and vibrant place and fits in with our Corporate Plan 2011-2014 which sets out Sheffield's strategic directions and priorities. The street trading policy supports the corporate priorities which include; *'Standing up for Sheffield'*, *'Supporting and Protecting Communities'*, *'Focusing on Jobs'* and being *'Business Friendly'*.
- 1.1.3 Sheffield's Street Trading Policy works alongside existing Council strategies (e.g. local crime prevention, planning, tourism, culture strategy and protection of children and vulnerable persons) and the Licensing Authority will ensure continuing co-ordination and integration of these policies.
- 1.1.4 This policy sets out Sheffield City Council's framework for the management of street trading in the city of Sheffield. The scheme also aims to prevent the obstruction of the streets in Sheffield by street traders and ensuring the safety of persons using them. In doing so, it recognises the importance of licensed businesses to the local economy and the character of the area whilst trying to ensure that the activities do not cause nuisance or annoyance to the people in the area.
- 1.1.5 This document will guide the Licensing Authority when it considers applications for Street Trading Consents. It will inform applicants of the parameters in which the Authority will make decisions and how their needs will be addressed.

1.2 The Objectives of this Policy

- 1.2.1 This Policy has been written with a view to securing the following objectives:
- to enhance the city of Sheffield;
 - to protect public health through the control of street trading within the city of Sheffield;
 - to ensure that traders operate within the law and act fairly in their dealings with the public; and
 - to prevent nuisance, unsafe practices and anti social behaviour.
- 1.2.2 Whilst promoting inclusive, vibrant, safe and strong communities and supporting small businesses the Licensing Service will work closely with external partners to support the above objectives.
- 1.2.3 The production of this document and guidance issued with applications will assist us in achieving our service vision of "Doing the right things and doing things right, for our customers and the City, making Sheffield a Great Place to be".

1.2.4 The work we are doing fits with many of our Service objectives of:

- **Effective** – delivering high levels of customer satisfaction.
- **Equitable** – ensuring provision to all without disadvantaging anyone.
- **Empowering** – engaging with customers and involving them in our decisions.
- **Enabling** – working proactively to help make things happen.

1.2.5 It also fits in with our Service design principles of:

- **Collaboration** – working effectively with customers, partners and other stakeholders to provide a streamlined quality service.
- **Responsiveness** – listening and acting in a timely fashion to complaints and queries.
- **Openness** – being transparent and accountable to enforcement issues and decisions made on applications.
- **Flexibility** – by making it easier for customers to make applications, discuss issues, hold meetings and provide information is a convenient and flexible way.
- **Learning** – listening / learning to customers, improving systems and the way we can do things better over time.

1.2.6 The overarching benefits are that the Policy will assist in achieving the Place core strategic outcome of “Making Sheffield a Great Place to Be”.

1.2.7 This will be by supporting the following strategic outcomes:

- **A Strong & Competitive Economy**
 - working with businesses to set up and be a part of the growth of the local economy.
- **A Great Place to Live**
 - **good place management** by involving communities and ensuring traders fit in and contribute to the appearance and enhancing an area ensuring it is safe, attractive and clean by placing conditions and meeting a qualitative criteria.
 - **effective service delivery** by working in collaboration with other agencies, departments and the communities to ensure effective quality service.
- **Vibrant City**
 - by enhancing the **night time economy** by providing customers wants and needs for the city.
 - being **destination of choice** by having variety in the city.
- **Safe & Secure Communities**
 - by working with police, safer neighbourhood officers, etc. to improve communities and tackle problems associated with street trading

- **Successful Young People**
 - **protect and promote the welfare of children** and ensuring the suitability of all applicants.

1.3 Consultation

1.3.1 There is no statutory requirement to consult before determining this licensing policy however to ensure openness and transparency the Council has chosen to consult with the following people and bodies:

- All existing Street Traders
- The Planning Authority (Sheffield City Council)
- The Highways Department (Sheffield City Council)
- City Centre Management Team (Sheffield City Centre)
- South Yorkshire Police
- South Yorkshire Fire and Rescue
- Health Protection Service (Sheffield City Council)
- Environmental Protection Service (Sheffield City Council)
- Community Assemblies
- Local Elected Members
- Shop keepers
- Trade Associations

1.4 Review of the Policy

1.4.1 This policy will be reviewed every three years. At the time of the review, we will again consult all interested parties. As well as the three-yearly reviews, we will continue to evaluate the policy and may update it at any time. Any minor changes can be agreed by the Licensing Committee and/or the Head of Licensing through delegated powers.

1.5 Departure from the Policy

1.5.1 In exercising its discretion in carrying out its regulatory functions, Sheffield City Council will have regard to this Policy document and the principles set out therein.

1.5.2 Notwithstanding the existence of this Policy, each application will be considered on its own merits based on the licensing principles detailed in this Policy.

1.5.3 Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons for doing so will be given.

1.6 The Legislation

1.6.1 The Council (Licensing Authority) have power under the provision of the Local Government (Miscellaneous Provisions) Act 1982 (the 1982 Act) to regulate Street Trading in the City.

1.6.2 Street Trading means, the selling or exposing or offering for sale of any article (including a living thing) in a street.

- 1.6.3 Street is defined in the Act as any road, footway, beach or other area to which the public have access and a service area as defined in section 329 of the Highways Act 1980, and also includes any part of a street.
- 1.6.4 The Licensing Committee at its 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."*
- 1.6.5 A Street Trading Consent is therefore required to trade on any street (which includes roads, footways, forecourts, or other areas to which the public have access without payment) within the Sheffield City boundary.
- 1.6.6 A map of the Sheffield boundary is attached at Appendix 1.
- 1.6.7 In addition, anyone trading on private land, to which the public obtain access without payment, is required to hold a street trading consent.
- 1.6.8 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.
- 1.6.9 The Children and Young Persons Act 1933, as amended by the Children and Young Persons Act 1963, controls the employment of children in street trading. The Act prohibits the employment of children under 17 years of age for the purposes of street trading.
- 1.7 Exemptions**
- 1.7.1 For the purpose of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982; the following are not street trading:
- trading by a person acting as a pedlar under the authority of a pedlar's certificate granted under the Pedlar's Act 1871;

- anything done in a market or fair, the right to hold which was acquired by virtue of a grant, or acquired, or established, by virtue of an enactment or order;
- trading in a trunk road picnic area provided by the Secretary of State under section 112 of the Highways Act 1980;
- trading as a news vendor within the required specification as defined by the 1982 Act trading which:
 - (i) is carried on at premises used as a petrol filling station;
 - (ii) is carried on at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop;
- selling things, or offering or exposing them for sale, as a rounds man;
- the use of trading under Part VIIA of the Highways Act 1980 of an object or structure placed on, in or over a highway;
- the operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980; or
- the doing of anything authorised by regulations made under section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916

1.8 Street Trading for which consent is not required

1.8.1 The following Street Trading activities have been deemed by Sheffield City Council as to not require the consent of the Council.

- Charitable, Local Authority organised and community type events (where an admission charge is not made for entry) (i.e. outdoor school fayres, carnivals, fund raisers, car boot sales). Any commercial vendor attending such events will be required to hold a current consent issued by the Council.
- Any market approved by the Council.

2.0 PART 2 – APPLICATIONS AND DETERMINATION

2.1 Types of Street Trading Consents

2.1.1 There are various types of Street Trading Consents in Sheffield which are listed below. The Policy will explain each one in more detail:

- City Centre Street Trading Consent
- Static Street Trading Consent
- Mobile Street Trading Consents for Ice Cream
- Mobile Street Trading Consents for Fruit and vegetable traders
- School Street Trading Consent
- Football Street Trading Consent
- Short term Street Trading Consents
 - 1 month consent
 - 1 week consent
 - 1 day consent

2.2 Fees

2.2.1 Fees will be set and reviewed annually on a full cost recovery basis. The level of fees applicable takes into account the location, the duration of the consent, trading hours, articles to be sold and the enforcement of the terms and conditions of any individual consent. Where trading ceases during the term of a consent, refunds will not be given for any outstanding period of less than 3 months.

2.2.2 For a list of current fees, please contact the Licensing Service on 0114 2037752 or view our web page at www.sheffield.gov.uk/licensing. Fees for static consents are determined at the grant of application.

2.2.3 Applications for annual consents should be accompanied by a non-refundable fee of £100. If the application is approved, the balance of the fee will be due before the consent is issued. If the application is not successful the fee will be retained to cover the cost incurred in processing the application.

2.3 Conditions

2.3.1 When granting or renewing a street trading consent the Authority may attach such conditions as are considered necessary. A standard set of conditions have been produced for all consents and the addition of specific conditions for some of the types of consents may be necessary.

2.3.2 A copy of the conditions are attached:

- Standard conditions - Appendix 2
- Additional mobile ice cream conditions - Appendix 3
- Additional mobile fruit and vegetable traders conditions - Appendix 4
- Additional static conditions - Appendix 5

- 2.3.3 These conditions are subject to an annual review and can be added to or amended for each individual consent granted.
- 2.3.4 Applicants will be required to sign a declaration confirming that they understand and will fully comply with the conditions prior to issuing a consent.
- 2.3.5 The Authority retains the right to vary the conditions of a street trading consent at any time. The conditions may specify the exact location trading may take place from and the times of trading.

2.4 Qualitative Criteria

- 2.4.1 To ensure we promote the objectives of this Policy and make Sheffield a more attractive and vibrant place, applicants must meet the minimum requirements of quality.
- 2.4.2 The Licensing Authority has produced two separate criterion:
- City Centre Qualitative Criteria - Appendix 6
(city centre applications only)
 - City Wide Qualitative Criteria - Appendix 7
(all applications outside the city centre)
- 2.4.3 The criteria sets out the minimum standards required by the Authority and applicants must ensure they meet these standards prior to making an application.
- 2.4.4 All vehicles / units will be inspected prior to the issuing of a consent to ensure they meet the qualitative criteria.

2.5 Applications

- 2.5.1 An application for a Street Trading Consent is not one that can be given tacit approval, as it is in the public interest, safety and policy that the Authority must undertake checks before any application can be granted. We aim to process all applications within 28 days where possible.
- 2.5.2 Applicants must submit the following to the Licensing Authority:
- A completed and signed relevant Street Trading Consent application form.
 - Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.
 - The appropriate application fee and/or non refundable fee of £100.
 - Where the proposed street activity is from a fixed position, a copy of an ordnance survey based map of at least 1:1250 scale (a google map will not be sufficient). An additional map to scale clearly identifying the precise trading position and its proximity to other similar retail outlets (shops etc) within an 800 metre radius.

- Proof of identity documentation: passport, driver licence, current utility bill/bank statement and right to work documentation (if applicable).
- 3 colour photographs of any stall, van, barrow, cart etc that will be used for the street trading activity showing the front, rear and side of the unit and dimensions of that unit.
- Written permission from the landowner if the street trading activity is to be carried out on land in private ownership.
- If trading in food, details of any food hygiene qualifications and confirmation that their business has a food hygiene score rating of 3 or above.
- Confirmation that they meet the relevant qualitative criteria.

2.5.3 The following documentation must be forwarded to the Licensing Authority before the grant of a consent:

- An original certificate of insurance that covers the street trading activity for third party and public liability risks up to a minimum of £2,000,000.
- A certificate of insurance in respect of the vehicle and/or the tow vehicle you propose to use.
- An appropriate vehicle test certificate.
- Declare that you have registered as a food business (where appropriate).
- Written confirmation that the vehicle/unit meets the Council's food safety standards.
- Any permissions or consents already granted with regard to the proposed operation, e.g. planning consent, late night refreshment premises licence, waste disposal agreement.

2.5.4 If any of the required documentation expires during the term of the applicants consent, the consent will cease to have effect until the applicant has produced current valid documentation to the Licensing Authority.

2.5.5 Please note: all vehicles / units will be inspected prior to issuing a consent to ensure they meet the qualitative criteria. If the vehicle / unit fails to meet the criteria in the opinion of the Licensing Officer, the matter will be placed before the Licensing Committee for determination.

PLEASE NOTE: Applicants are advised not to purchase the unit until the application has been determined.

2.6 Consultation

2.6.1 Before a consent is granted by the Council for the purposes of street trading we will, where reasonably practicable, seek comments from:

- South Yorkshire Police
- Highways Department (Sheffield City Council)
- Planning Department (Sheffield City Council)
- South Yorkshire Fire and Rescue
- Where applicable local residents, shop owners and any other person which may be affected

2.6.2 Once we receive an application, twenty eight days will be given for comments to be received. If no representations are received the Council may grant the application in the terms applied for, and standard conditions will be attached to the Consent (subject to all other requirements in this policy).

2.6.3 Where objections are received and not resolved relating to the grant or renewal of a consent the application will be referred to the Licensing Committee for determination.

2.7 Consideration of applications by the Licensing Committee

2.7.1 The Licensing Committee has been established to consider applications and hear objections in relation to licensing matters. The Licensing Committee consists of elected members of Sheffield City Council. These meetings are normally held in public unless there are matters to be considered that are of a confidential nature.

2.7.2 A list of the delegation of functions is attached at Appendix 8.

2.7.3 On receipt of relevant written objections and/or if the applicant has not met the qualitative criteria, arrangements will be made for the application to be heard by the Licensing Committee and the applicant and all parties making objections, will be notified in writing of the date, time and place where the application will be heard.

2.7.4 The person or body making an objection will be expected to attend the hearing and be allowed the opportunity to address the Licensing Committee and ask questions relating to the application. The applicant can be represented by a solicitor, or supported by a friend or colleague.

2.7.5 Letters of objection that have been received by the Council will be circulated to members of the Committee in advance. Where appropriate, the letters of objection will also be sent to the applicant but without any information that would identify the person submitting the objection.

2.7.6 The Licensing Committee will always determine applications by:

- Considering each case on its merits.
- Using this Policy to assess applications.
- Dealing with the hearing in a balanced and impartial manner.
- Ensuring that the rules of natural justice are applied in any hearings held.
- Giving all parties sufficient opportunity to present their case, ask questions and present information for consideration in support of their application or objection.

2.8 Grant / Renewal or Revocation of Street Trading Consents

2.8.1 Each application will be considered in accordance with paragraph 2.7.6 above.

2.8.2 In considering applications for the grant or renewal of a Street Trading Consent or revoking a current consent the following factors may be considered:

- **Public Safety / Highway**

- (a) Whether the street trading activity represents or is likely to represent a substantial risk to the public from the point of view of obstruction, fire hazard, unhygienic conditions or danger that may occur when a trader is accessing the site;
- (b) Whether there is sufficient space in the street for the applicant to engage in the trade in which he/she is proposing without causing undue interference or inconvenience to other persons using the street;
- (c) Whether the street trading activity may damage the structure or surface of the street;
- (d) Whether the location and operating times will be such that the highway can be maintained and that there are no dangers to those who have a right to use the highway and no obstruction for emergency services.

- **Public Order**

- (a) Whether the street trading activity represents, or is likely to represent a substantial risk to public order.

- **Avoidance of Public Nuisance**

- (a) Whether the street trading activity represents, or is likely to represent a substantial risk of nuisance or misbehaviour, particularly in residential areas.
- (b) Whether the granting of the application is likely to give rise to nuisances or loss of amenity caused by noise, odour, litter, disturbance or anti social behaviour;
- (c) in respect of an application in an area which is residential and where trading would not normally take place.

- **Appearance of the unit**

- (a) Whether the unit is of a smart appearance and meet the specific qualitative criteria.
- (b) Whether the appearance of the trading unit or structure is compatible with the character of the area in which it is proposed to be situated.

- **Environmental credentials**

- (a) Whether there is a negative impact of the proposed operation on the local environment including street surfaces and materials, power supply, carbon footprint, supply chain, packaging, waste minimisation, waste disposal and waste created by customers. Mitigating measures to minimise the environmental impact of the proposed operation will be taken into account.

- **Traders**

- (a) Whether the traders in hot or cold food hold a current Level 2 Food Hygiene Certificate;
- (b) Whether the granting of a consent for the sale of goods would conflict with those provided by nearby shops or cafes providing similar services;
- (c) Whether the trading in a particular location will conflict with concessions granted to other existing street traders;
- (d) Whether the quality of the goods to be sold and the hours and days for which it is intended to trade are suitable.
- (e) If trading in food, whether the food business has not achieved their food hygiene rating score of 3 or more

- **Suitability of Applicant**

When determining an application for the grant or renewal of a street trading consent or consideration of revoking a Consent, the Council will consider all relevant information relating to the suitability of the applicant to hold such a permission including:

- (a) where the applicant is unsuitable to hold a consent because of having been convicted of an offence that the Council consider makes them unsuitable to hold such consent, or for any other reason (guidance relating to the relevance of convictions is attached at Appendix 9);
- (b) where the applicant has at any time been granted a street trading consent by the Council, and has persistently refused or neglected to pay fees;
- (c) where the applicant or operator of the stall is under the age of 17 years;
- (d) where a trader has failed to comply with the conditions attached to the consent.
- (e) whether any earlier Consent to the applicant(s) has been surrendered, refused or revoked (whether it be in this Authority or other);
- (f) levels of complaints received about the applicant(s) and whether and how such matters were resolved;

(g) the decision may take into account the attitude of the applicant and/or their staff etc in dealing with concerns and queries raised by the Council Officers.

- **Number of Street Trading Consents**

(a) Consents may not be issued where Sheffield City Council considers that sufficient traders already exist in that locality and that additional traders may cause risks to public safety or nuisance to the occupants of neighbouring properties.

- **Objections**

(a) Take into account any objections made about the application or Consent holder from interested parties.

2.8.3 The above is not an exhaustive list and each application will be judged on its own individual merits. Any effective measures offered by the applicant to support the objectives will be taken into account.

2.8.4 The Council may at any time revoke a consent or vary the conditions of an existing consent where there are reasonable grounds for so doing.

2.9 Approval of Applications

2.9.1 The Licensing Committee, or Officers on a delegated basis may approve applications meeting the criteria contained within this Policy.

2.9.2 On approving the application the Council will issue a Street Trading Consent to which conditions will be attached, including specific terms such as days and hours when street trading is permitted, and goods that may be sold. The consent will also be subject to the Council's standard conditions, which are attached to all Street Trading Consents.

2.9.3 The conditions attached to the Consent form part of the approval to carry out street trading in Sheffield and **MUST** be complied with at all times. Failure to do so could constitute an offence and be subject to prosecution, and/or the Consent could be revoked or not renewed.

2.9.4 The applicant will be issued with a Consent and a Certificate along with the conditions.

2.9.5 The consent holder shall at all times have a copy of the consent available for inspection on request to any Police Officer or duly Authorised Officer of the Council.

2.9.6 The certificate must be clearly displayed on the vehicle or stall and must be visible to the public and customers.

2.9.7 The issuing of a Consent does not:
1. Permit trading outside the terms of the Consent.
2. Indicate that planning permission is not required.

- (a) That the requirement to obtain planning permission applies to all streets, whether they have been designated Consent Streets or not.
 - (b) That the grant of one or more street trading consents does not give the trader immunity from planning control
 - (c) The Council has discretion whether or not to enforce planning laws in relation to street trading.
3. Indicate that the unit is exempt from business rates
 4. Over ride parking restrictions or any other traffic regulations
 5. Imply approval from the highway authority or any other person or authority

3.0 PART 3 – STREET TRADING CONSENTS

3.1 City Centre Street Trading

- 3.1.1 This scheme is part of the City Council's campaign to make Sheffield City Centre a more attractive and vibrant place and offer to create a continental feel to the city.
- 3.1.2 The city centre area in relation to Street trading is attached at Appendix 10, if you wish to trade within this area applicants must apply appropriately as below.
- 3.1.3 The applicant must meet the city centre qualitative criteria (Appendix 6) which forms the basis on which to test applications for the grant of designated Street Trading Consent sites within the city centre.
- 3.1.4 Motorised vehicles or stalls etc. are not permitted as part of the city centre scheme and we encourage barrows/handcarts to be used.
- 3.1.5 All barrows/handcarts must be capable of being moved on and off site by hand and any vehicles used to bring the barrows/handcarts to the site must be parked, loaded and unloaded off site.
- 3.1.6 Specific areas have been allocated for the city centre and applicants are advised to contact the Licensing Service for an up to date list.
- 3.1.7 The fees for city centre sites that are part of this scheme have been set at £498.50 per quarter (£1,994 per annum) to trade seven days a week between 7am and 7pm (fees are reviewed annually).
- 3.1.8 All city centre consents expire on the 30th November each year.
- 3.1.9 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.
- 3.1.10 Applicants would be required to submit the appropriate application form with an example of the proposed type and design of trading unit with a non-refundable fee of £100 to process the application. If granted the £100 will be deducted from the next quarterly payment.
- 3.1.11 Applicants are advised not to purchase any trading unit prior to an application being approved.
- 3.1.12 A twenty eight day consultation period will commence from the day we receive the applications and follow the consultation process detailed in section 2.6 above.
- 3.1.13 All applications will then be placed before our Licensing Committee for determination and applicants are advised to provide as much information as possible regarding their proposal which can include photographs of the proposed

barrow/cart, designs, lettering, colours, uniforms etc as part of the application and presentation to the Committee.

3.2 Static Street Traders

- 3.2.1 Static street trading is trading in one site for **more** than 20 minutes. If a trader wishes to move around various parts of the city they are required to apply for the appropriate mobile street trading consent.
- 3.2.2 Static street trading is where a pitch is identified and a consent holder trades only from that pitch within the terms and conditions of the consent issued.
- 3.2.3 These pitches are usually very specific and traders are given consent based on the **detailed** plan submitted on application.
- 3.2.4 It would be up to the trader to locate a pitch and make an appropriate application with the Authority.
- 3.2.5 Applicants must contact the Highways and Planning services prior to submitting an application to discuss any issues they may have and whether any other permissions are required.
- 3.2.6 It is not possible for traders to move pitch, even just a short distance, without the prior consent of the Licensing Service.
- 3.2.7 All static street trading consents expire on the 30th November.
- 3.2.8 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.
- 3.2.9 Applicants must follow the application procedure as detailed in section 2.5 of this policy.
- 3.2.10 For new static applications, the application will be advertised detailing the proposed activities in the vicinity, by posting a notice at or close to the proposed site stating:
- the name of the applicant,
 - type of vehicle or stall to be used and the goods to be sold,
 - the times and days of operation,
 - the exact location of the proposed site,
 - how to make representations and the final date by which representations can be made.
- 3.2.11 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.
- 3.2.12 Any representations will be considered and placed before the Licensing Committee for determination.

- 3.2.13 Please note: all stalls/units will be inspected prior to issuing a consent to ensure it complies with the qualitative criteria.
- 3.2.14 Static street trading consents may require planning consent to be obtained. It is essential that you contact the planning section to check whether a planning consent is required **before** you begin operating under any street trading consent.
- 3.3 Mobile Street Trading for Fruit and vegetable traders
(This section does not include ice cream traders).**
- 3.3.1 Mobile consents are issued to traders who want to trade from numerous locations for a short period of time.
- 3.3.2 Mobile traders who sell fruit and vegetables only will move from site to site and will only remain stationary for no longer than 20 minutes for sales to be made and must not return to that site within the same week (site refers to a 500 metre radius).
- 3.3.3 Any consent issued under this section 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 for four hours previous, during and one hour after any event. See Appendix 11, 12, 13 and 14.
- 3.3.4 Mobile traders for fruit and vegetable traders are only permitted to trade within the hours of 9am to 7pm inclusive seven days a week.
- 3.3.5 Mobile traders fruit and vegetable traders cannot 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.
- 3.3.6 Mobile consent holders for fruit and vegetables are not permitted to trade within a 500 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.
- 3.3.7 In order to regulate and control mobile street trading in Sheffield, the trader will only be permitted to trade in a maximum of 5 areas in the City for each consent. The Licensing Committee may at any time wish to restrict the number of traders in a particular area.
- 3.3.8 Mobile trading vans in this section are required to have a side hatch to serve customers to avoid obstruction and are required to ensure that any foods that require refrigeration are installed with adequate units to meet food safety requirements.
- 3.3.9 Applicants must follow the application procedure as detailed in section 2.5 of this policy and ensure they meet the qualitative criteria.
- 3.3.10 Once received the Licensing Authority will consult as stated in section 2.6 above for a period of 28 days.

3.3.11 Any representations will be considered and placed before the Licensing Committee for determination.

3.3.12 All mobile street trading consents expire on the 31st March.

3.3.13 Please note: all vehicles will be inspected prior to issuing a consent to ensure it complies with the qualitative criteria.

3.4 Mobile Street Trading (ice cream traders only)

3.4.1 Ice cream mobile consents are issued to those who want to trade from numerous locations for a short period of time around the city excluding the city centre and areas listed below.

3.4.2 Ice cream mobile traders will move from site to site and will only remain stationary for no longer than **20** minutes for sales to be made and must not return to that site within the same day (site refers to a 400 metre radius)

3.4.3 Any consent issued for an ice cream 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 for four hours previous, during and one hour after any event. See Appendix 11, 12, 13 and 14.

3.4.4 Ice cream mobile traders are only permitted to trade within the hours of 9am to 7pm inclusive unless with prior written consent of the Licensing Authority.

3.4.5 Ice cream mobile traders cannot 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 unless you have applied for a school street trading consent as referred to below in section 3.5.

3.4.6 Applicants must follow the application procedure as detailed in section 2.5 of this policy.

3.4.7 Once received the Licensing Authority will consult as stated in section 2.6 above for a period of 28 days.

3.4.8 Any representations will be considered and placed before the Licensing Committee for determination.

3.4.9 All mobile street trading consents expire on the 31st March.

3.4.10 Please note: all vehicles will be inspected prior to issuing a consent to ensure it complies with the qualitative criteria.

3.5 School Street Trading

- 3.5.1 School street trading is where a trader parks outside or near a school from Monday to Friday during school term times from 12.00 noon until 2.00 pm and 3.00 pm until 4.30 pm.
- 3.5.2 To be eligible to apply for a school street trading consent, you must hold an ice cream mobile street trading consent as listed in section 3.4 above.
- 3.5.3 Applicants are required to obtain written confirmation from the head teacher of the school they wish to trade outside from. This written confirmation must be on school headed paper and will not be accepted in any other form.
- 3.5.4 Applicants must follow the application procedure as detailed in section 2.5 of this policy.
- 3.5.5 The application will be consulted upon in the normal way within the 28 day period. Applicants are advised to contact the Highways and Planning service prior to submitting their application to discuss any issues and whether any other permissions are required.
- 3.5.5 Any representations will be considered and placed before the Licensing Committee for determination.
- 3.5.6 For information: Sounding of Chimes (Based on the National Code of Practice)

Chimes and other audible signals should not be sounded:

- For longer than 4 seconds at a time – an automatic cut out should be used.
- When the vehicle is stationary.
- Except on approach to a selling point.
- When in sight of another mobile trader.
- Louder than 80 dB(A) at 7.5m.
- Before 12:00 or after 19:00 hours

3.6 Football Street Trading

- 3.6.1 Street trading is restricted around Sheffield's football grounds and any trader wishing to trade within an 800 metre radius of either ground on match days will be required to apply for a football street trading consent.
- 3.6.2 A plan indicating the radius of Sheffield Wednesday Football Club is attached at Appendix 11.
- 3.6.3 A plan indicating the radius of Sheffield United Football Club is attached at Appendix 12.
- 3.6.4 Granted football consents will be permitted to trade at all 1st Team Home Fixtures, Friendly's & Internationals for four hours prior, during and up to one hour after each fixture for that particular ground.

- 3.6.5 Restrictions have been placed on the number of consents that are issued at each stadium in order to avoid over-crowding, congestion and conflict between traders.
- 3.6.6 The following indicate the maximum consents permitted around both grounds:
- Sheffield Wednesday Football Ground - 19 consents
 - Sheffield United Football Ground - 15 consents
- 3.6.7 Any applications for new consents beyond the restricted numbers referred to above shall be placed before the Licensing Committee for determination.
- 3.6.8 Additional consents are only likely to be granted by the Licensing Committee if the applicant can demonstrate to the Committee that the unit will be a minimum of 25 metres away from any other current consent holder and that the consent site applied for does not cause any obstruction, to footpaths or exit routes from the stadia.
- 3.6.9 Consents may be restricted to trading prior to fixture on advice of the Police.
- 3.6.10 Applicants must follow the application procedure as detailed in section 2.5 of this policy.
- 3.6.11 The application will be consulted upon in the normal way within the 28 day period. Applicants are advised to contact the Highways and Planning service prior to submitting their application to discuss any issues and whether any other permissions are required.
- 3.6.12 Any representations will be considered and placed before the Licensing Committee for determination.

3.7 Short term Street Trading Consents

- 3.7.1 Short term consents for static street trading can be applied for the following periods:
- 1 month
 - 1 week
 - 1 day
- 3.7.2 The application period for these short term consents are no different to a static application (section 3.2), so applicants are reminded to ensure their applications are made in good time.
- 3.7.3 For 1 day consents, we will endeavour to determine your application within 28 days.

3.8 Applicants and Assistants

- 3.8.1 In order to control persons working at a consent site, the Licensing Authority will issue an identity badge to the person applying for the consent and will require the applicant to identify any person that is to work under his permission.

- 3.8.2 Consent holders must ensure that any person who is working on a street trading consent site has obtained the relevant authorisation in the form of an identification badge from the Licensing Service.
- 3.8.3 Application forms are available from the Licensing Service and the completed form needs to be submitted with two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness, the required fee and any other documentation requested on the application.
- 3.8.4 Applications for an identification badge need to be made by the consent holder and all other persons who wish to work at the consent site (assistants).
- 3.8.5 The identification badges must be worn at all times by the person(s) working at the consent site.
- 3.8.6 No person(s) may work at the consent site until they have been issued an identification badge by the Licensing Service.
- 3.8.7 No person(s) under the age of 17 are permitted to work at a street trading consent site as under the Children and Young Persons Act 1933, as amended by the Children and Young Persons Act 1963.

3.9 Renewals

- 3.9.1 Street Trading Consents are generally issued for a period of up to one year.
- 3.9.2 Applicants must then re-submit their application if they wish to continue to trade at least two months before the expiry of their current consent. At this renewal time, the Council may consult further to determine if the street trader is a cause for concern or has been the subject of complaints.
- 3.9.3 If a renewal is not made before the expiry of the current licence, a new application will have to be made, complete with consultation. (A trader will not be permitted to trade until the new consent is issued.)
- 3.9.4 Where a renewal application has been made and there have been no justifiable complaints, no enforcement issues and all fees have been paid on time, the consent will be renewed.
- 3.9.5 Where a renewal application has been made and there have been complaints or enforcement issues or fees have not been paid on time, then the application will be referred to the Licensing Committee.

3.10 Annual Static Consents with Quarterly Payments

- 3.10.1 The Council acknowledge that the cost of an annual consent can sometimes prove prohibitive to new and small street trading businesses, particularly food and drink vendors. To assist such commercial activity the Licensing Authority will offer the grant of a twelve month Static Street Trading Consent, subject to quarterly fee payments in advance.

- 3.10.2 All static consents expire on the 30th November each year and quarterly payments will be required in advance of each quarter. Reminders will be issued, however it would be up to applicant to ensure payment is made at the required time. Payments are normally due in November, February, May and August.
- 3.10.3 If payments are not made, the consent will automatically cease to have effect, save for exceptional circumstances at the Council's discretion, and no further trading in connection with that consent will be permitted until payment has been made.
- 3.10.4 The Council may remove the entitlement of quarterly payments at any time if payments are not received promptly.

3.11 Transfers

- 3.11.1 A Street Trading Consent cannot be transferred or sold to another person (Consent may be transferred to a member of the Consent Holder's immediate family in the event of the Consent Holder's death).
- 3.11.1 The sub letting of a pitch is prohibited.

3.12 Variations

- 3.12.1 Variations of a Street trading consent can be made for the following purposes:
- Change of vehicle / unit.
 - Change of hours (only on static applications).
 - Days of trading.
 - Change of items to be sold.
- 3.12.2 The application must be made on the Council's prescribed application form along with the fee and any necessary supporting documentation.
- 3.12.3 A change of minor details can be made in writing with supporting documentation with a nominal fee for example:
- Change of existing consent holders name (not a transfer).
 - Removal of an existing consent holder on a joint application.
- 3.12.4 Variations for the following will **not** be permitted and will require a new application:
- Change of Consent holder.
 - Adding a new Consent holder.
 - Change of site(s).

4.0 PART 4 – CONDITIONS AND ENFORCEMENT

4.1 Conditions and Enforcement

- 4.1.1 Standard conditions will be attached to each street trading consent detailing the holder's responsibilities to maintain public safety, avoid nuisance and generally preserve the amenity of the locality.
- 4.1.2 Applicants will be required to sign a declaration confirming that they understand and agree to fully comply with the conditions prior to the granting of a consent.
- 4.1.3 The Council is committed to enforcing the provisions contained within the relevant legislation and to work in partnership with all enforcement agencies, to provide consistent enforcement on licensing issues.
- 4.1.4 Where licensable activities are conducted without the benefit of a consent or where conditions are breached, the Council will look to gather evidence and take enforcement action as appropriate.
- 4.1.5 Any enforcement action will be
- **Proportionate** in applying law and seeking compliance.
 - **Consistent** in approach.
 - **Targeted** towards applicants not complying with their consent or conditions or unlawful activity.
 - **Transparent** in helping applicants and consent holders to understand what is expected of them.
- 4.1.6 If the Council feels that there is an issue of public order or threat to public safety in any particular instance, it will call for assistance from South Yorkshire Police.
- 4.1.7 The Council may also call for assistance from the CCTV control room when dealing with such issues.
- 4.1.8 Should a street trader fail to comply with instructions received from an Authorised Officer or Police Officer, the consent will be referred to the Licensing Committee.

5.0 PART 5 – OTHER LEGISLATION

5.1 Planning Permission

- 5.1.1 If a street trading consent is applied for, the onus is on the applicant to obtain both planning permission and permission to trade from the landowner when necessary, prior to making an application for street trading consent. It is not the responsibility of the Council to investigate and obtain this information.

5.2 Licensing Act 2003

- 5.2.1 In addition to the requirement of having a street trading consent, applicants who sell hot food or hot drinks between 23.00 hours and 05.00 hours the following day will require a premises licence under the Licensing Act 2003. The Licensing Service is able to provide advice as to the application process.
- 5.2.2 For traders that seek to trade only between the hours of 23.00 hours and 05.00 hours, a street trading consent will still be required in addition to the Licensing Act premises licence. A consent will not be granted without a premises licence being applied for.
- 5.2.3 Full details on how to apply for a premises licence can be collected from the Licensing Service or on our website at www.sheffield.gov.uk/licensing.

5.3 Traffic Regulation Orders

- 5.3.1 Applicants need to be aware of any parking restrictions (yellow lines) and other traffic restrictions on the highway when deciding where to site their vehicle.
- 5.3.2 If an applicant thinks there is a traffic regulation order that might affect their consent, they must contact the traffic regulations section on (0114) 273 6178 or email Traffic_Regs@sheffield.gov.uk before an application is submitted.

5.4 Food Establishments

- 5.4.1 Food establishments must be registered with Environmental Health (contact (0114) 273 5774 / 273 4415 or email healthprotection@sheffield.gov.uk).
- 5.4.2 It is a criminal offence to operate a food business without being registered.
- 5.4.3 There is no charge for registration.

5.5 Trade Waste Disposal

- 5.5.1 Applicants 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.
- 5.5.2 Applicants may be prosecuted should they not comply with the above requirements.
- 5.5.3 For further information on this, please contact Environmental Protection on 0114 2037411 or visit www.netregs.gov.uk.

6.0 PART 6 – USEFUL INFORMATION AND CONTACT DETAILS

6.1 Authorities

- **The Licensing Authority**

Licensing Service
Sheffield City Council
Business Strategy & Regulation
Block C, Staniforth Road Depot
Sheffield, S9 3HD

Tel: 0114 203 7752
Fax: 0114 273 4073
Email: general.licensing@sheffield.gov.uk
Website: www.sheffield.gov.uk/licensing

You can also visit our reception service at Staniforth Road Depot where you can discuss your query with one of our Licensing Officers. The Licensing Service is open Monday to Friday 9:00am to 5:00pm.

- **The Planning Authority**

Tel: 0114 203 9183
Email: planningdc@sheffield.gov.uk
Website: www.sheffield.gov.uk/planning

- **The Highways Department**

Tel: (0114) 273 6677
Email: highways@sheffield.gov.uk
Website: www.sheffield.gov.uk

- **City Centre Management Team**

Tel: (0114) 2736895
Email: citycentre.management@sheffield.gov.uk
Website: www.sheffield.gov.uk

- **South Yorkshire Police**

You will need to contact the station in the area you wish to trade

Tel: (0114) 220 2020
Website: www.southyorks.police.uk

- **South Yorkshire Fire and Rescue**

Tel: (0114) 272 7202
Website: www.syfire.gov.uk

- **Food Hygiene**

Tel: (0114) 273 5774 / 273 4415

Email: healthprotection@sheffield.gov.uk
Website: www.sheffield.gov.uk

- **Food Registration**

Tel: (0114) 273 5774 / 273 4415
Email: healthprotection@sheffield.gov.uk
Website: www.sheffield.gov.uk

6.2 **First Point for Business**

Town Hall
Pinstone Street
Sheffield, S1 2HH

Tel: (0114) 224 5000
Email: firstpointforbusiness@sheffield.gov.uk
Website: www.sheffield.gov.uk

Information is available for anyone considering setting up a new business or would like help or advice regarding an existing business.

If you are starting up a new business or are an established business needing advice, you can access help from the Council's First Point for Business.

Anyone can use First Point for Business – from companies to social enterprise to self-employed people.

First Point for Business is your one point of contact with the Council for all your business needs. If you are setting up a new business, for example, you may need to speak to Licensing, Planning, Highways and a number of other Council services.

The First Point for Business team is on hand to help you access Council services and specialist advice, so you get all the support you need. If you need practical business support such as start up advice, business planning, marketing or workforce training and skills they will put you in touch with the right people.

First Point for Business work on your behalf. You will deal with a Key Account Advisor who will identify your needs and help you get the right information and advice.

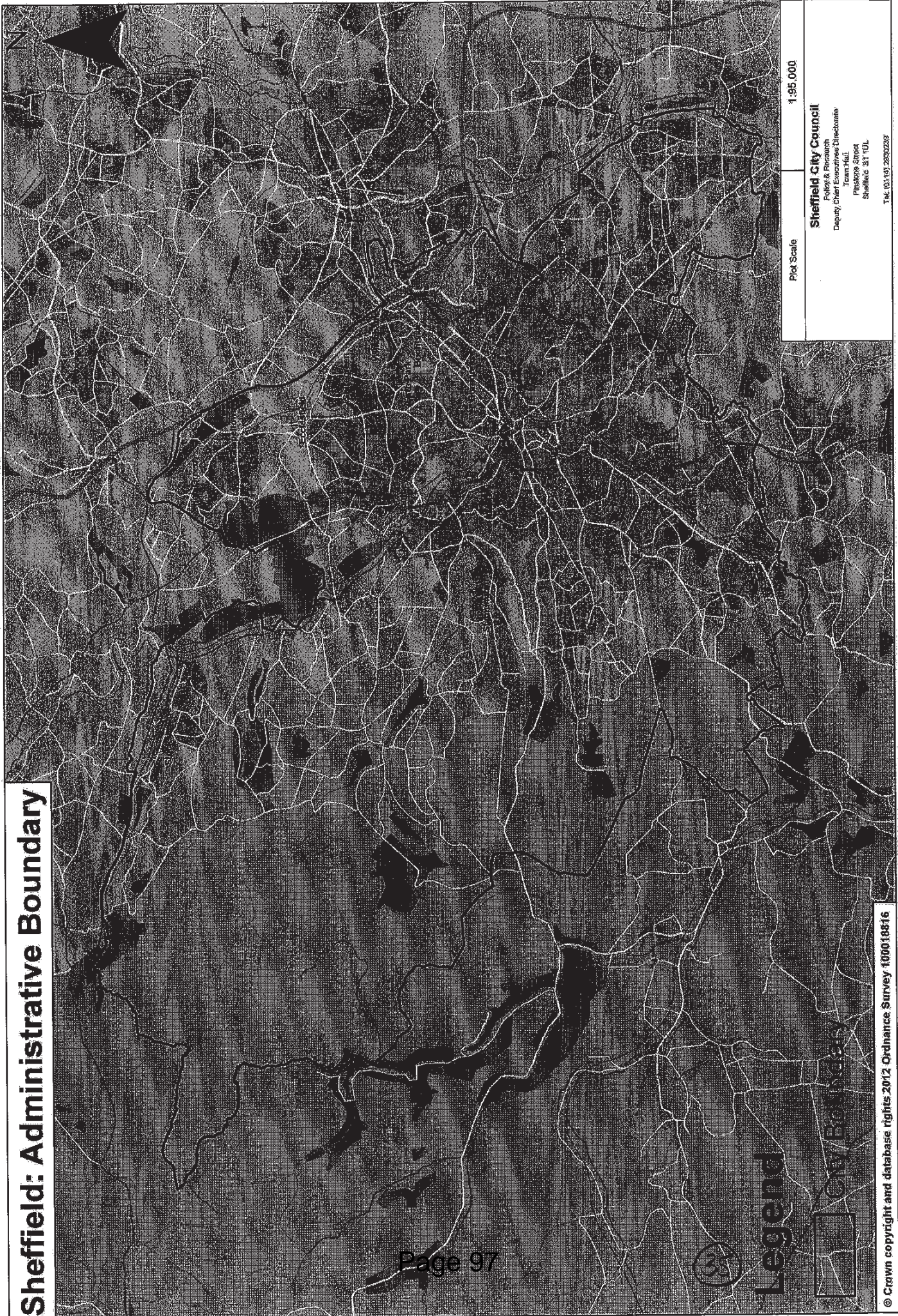
If they cannot give you all the answers straight away, then they will do the leg work and get back to you.

The Key Account Advisors will also help you to find out about the advice and support you could receive from outside the Council.

You are welcome to visit in person at the First Point for Business office in the Town Hall, just contact them for an appointment or simply drop in.

There is also wireless broadband in the First Point for Business office, so you can use your own laptop if needed.

Sheffield: Administrative Boundary



Legend

 City Boundary

Plot Scale

1:95,000

Sheffield City Council

Policy & Research
Deputy Chief Executive/Director
Town Hall
Pinstone Street
Sheffield S1 1UL

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:.....Dated:.....

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Ice Cream Mobile Street Trading Consent Conditions

1. Mobile consent holders are not permitted to remain static for more than 20 minutes, and cannot return to the same site within the same day (site refers to a 400 metre radius).
2. Mobile consent holders are not permitted to trade within a 400 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 for four hours previous, during and one hour after any event.
4. Mobile traders can only trade between the hours as specified on the face of individual consents.
5. Mobile traders are only permitted to trade in the areas listed on their consents.
6. 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.
7. 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 unless granted a school consent for that site.

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:..... Dated:.....

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Mobile Street Trading Consent Conditions
Fruit and vegetable traders

1. Mobile consent holders are not permitted to remain static for more than 20 minutes, and cannot return to the same site within the week (site refers to a 500 metre radius).
2. Mobile consent holders are not permitted to trade within a 500 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 seven days a week.
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:.....

Print name:..... Dated:.....

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Static Street Trading Consent Conditions

1. The consent holder shall only trade from the site specified in this consent.
2. Consent fees where previously agreed are payable quarterly in advance of the period to which they relate.
3. The trader shall collect and properly dispose of all wrappings and litter within a 100 metre radius of the site (and beyond where it is the result of the trader's activities from the site) at the end of each trading day and as often as may be necessary during each trading day so as to keep and leave the street in a clean and tidy condition.
4. The consent holder shall comply with all the conditions attached to their consent.

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:..... Dated:.....

**CITY CENTRE STREET TRADING
Small Trading Stalls**

BACKGROUND

Street activities are an essential ingredient of a vibrant and lively city, and in Sheffield there is a strong demand for legitimate small scale trading pitches. They also offer an opportunity for small businesses to get started with relatively modest outlay.

The widening of footways offers the opportunity to designate more pitches in locations that will add to the attractiveness of the City Centre. In Orchard Square and Meadowhall 'Barrow' style stalls are used extensively, enhancing the colour and vitality of those places.

This scheme is part of the City Council's campaign to make Sheffield City Centre a more attractive and vibrant place. Set out below is the qualitative criteria which forms the basis on which to test applications for the grant of designated small trading stall Street Trading Consent sites within the City Centre.

QUALITATIVE CRITERIA – SMALL TRADING STALLS

GENERAL DESIGN

- There will be no motorised vehicles or stalls etc. permitted as part of this scheme.
- All barrows/handcarts must be capable of being moved on and off site by hand and any vehicles used to bring the barrows/handcarts to the site must be parked, loaded and unloaded off site.
- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailer reputation.
- It is in the best interest of traders to produce a high quality design in their barrows/handcarts. The function of the stall is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness and order in their operation. The barrow/stall contributes to the appearance of the street for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Sign writing and scrollwork must be finished to a standard acceptable to the City Council.
- The unit must be visually acceptable to the City Council (this will include the Head of Licensing, City Centre Manager and Planning Service) and be in keeping with the street/area that it is to be located.
- Advertisements on stalls will not be permitted except by permission of the Council in writing and subject to further conditions. The Council shall be the sole judge of what is an acceptable advertisement.
- The Council will reserve the right to not renew any consent where it considers the

product(s) offered by the operator are not in keeping with the requirements of the site and the promotion of the City Centre.

- Non functional elements attached to barrows / handcarts, are not acceptable.
- The general design of the barrow/handcart must meet the requirements of the Council for that location.
- Flame retardant 'skirts' are to be used if necessary, so as to obscure the frame, gas bottle etc. They should be designed to 'unify' the barrow/handcart.
- All equipment, tools, gas bottles etc. must be self contained within the stall/handcart etc.
- Bright colours and a sense of fun are encouraged.
- Finished in flame retardant paint.
- A colour photograph or scale illustration of the proposed handcart must be submitted to the Licensing Service as part of the application process.
- No barrow/handcart should have a frontage greater than 3.0 metres or a width greater than 2.0metre.
- Roofs should be no more than 2.5m above ground level.
- Pitched and curved roofs are encouraged.
- Canopies should be high quality with a feeling of 'permanence'. These could be manufactured from either stretched canvas, or woven material, opaque or light metal materials. Clear plastic awning and extensions to the canopy will not be acceptable.
- Canopies must be maintained and cleaned to a high standard.
- Food traders must ensure that any stall design satisfies the requirement of food safely legislation. Staff must be adequately trained in good hygiene (Basic Food Hygiene Certificate and regular on going training) and records of training must be made available on request.
- Best practise of food hygiene must be adopted by the operator. This covers:
 - Personal hygiene
 - Hand washing
 - Ill health
 - Prevention of contamination
 - Temperature control
 - Temperature monitoring
 - Cleaning
 - Storage and stock rotation
 - Procedures in the event of freezer breakdown
 - Site cleanliness
 - Waste disposal
 - Pest control
 - Quality control
 - First aid facilities
- Food traders must have a minimum food hygiene rating score of 3.

**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.
- 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 8 - DELEGATION OF FUNCTIONS

Street Trading Consent

Local Government (Miscellaneous Provisions) Act 1982

Matter to be dealt with	Full Committee	Sub - Committee	Officers
Review of Policy and conditions	In all other cases		Minor changes to policy with agreement of Head of Licensing
Fee setting (where appropriate)	In all other cases		Static Consents
Grant or renewal of a Street Trading Consent		If a representation is made	If no representation made
Variation of a Street Trading Consent		If a representation is made	If no representation made.
Application for an Assistants badge		If a representation is made	If no representation made
Refusal of Consent		In cases where the set conditions or criteria are not met/breached	
Revocation		In all cases	

APPENDIX 9 - GUIDELINES RELATING TO THE RELEVANCE OF CONVICTIONS

Guidelines relating to the relevance of convictions for:

- **applicants for the grant or renewal of a street trading consent;**
- **persons who wish to be registered as an assistant to a holder of a street trading consent or to renew such registration; and**
- **the holders of street trading consents and persons registered as an assistant to the holder of a street trading consent.**

General policy

Each case will be decided on its own merits

1. The Council will assess whether:

- (a) an applicant for the grant or renewal of a street trading consent is a suitable person to hold or to continue to hold a street trading consent,
- (b) a person who wishes to be registered as an assistant to a street trading consent holder or to continue to be registered as an assistant to a street trading consent holder is a suitable person to be registered as an assistant to a street trading consent holder.

In making that assessment, the Council consider the previous convictions of such persons.

2. In considering the previous convictions of those persons mentioned in paragraph 1 above the Council will consider the following:

- (a) whether the conviction is relevant;
- (b) the seriousness of the offence;
- (c) the length of time since the offence occurred;
- (d) whether there is a pattern of offending behaviour;
- (e) whether that person's circumstances have changed since the offence occurred; and
- (f) the circumstances surrounding the offence and the explanation offered by that person.

3. The following is a description of the Council's general approach to certain categories of offences.

a) Dishonesty

The holders of a street trading consent and their assistants have to be persons who can be trusted. It is easy for a dishonest trader or assistant to take advantage of the public.

Members of the public using a street trading outlet expect the holder and his assistant to be honest and trustworthy.

For these reasons a serious view will be taken of any conviction involving dishonesty. In general, an applicant for the grant or renewal of a street trading consent is unlikely be granted a street trading consent where the application is made within 3 to 5 years of a conviction or the date of release from prison.

Similarly a person wishing to be registered as an assistant to a street trading consent holder is unlikely be to be registered where registration is sought within 3 to 5 years from the date of conviction or the date of release from prison.

b) Violence

As street traders and their assistants have close contact with the public, a firm line will be taken with applicants who have convictions for violence. In cases where the commission of an offence involves loss of life, a street trading consent or registration as an assistant to the holder of a street trading consent will normally be refused.

In other cases, a period of 3 to 10 years free of conviction from the date of conviction or the date of release from prison where a custodial sentence has been imposed, depending upon the nature and seriousness of the offence(s), will generally be required before an application is likely to be considered favourably.

c) Drugs

Where an applicant has a conviction for an offence that relates to the supply or importation of drugs and the date of the conviction or the release from prison, where a custodial sentence has been imposed, is less than 5 to 10 years before the date of the application, an application will normally be refused. After 5 years from a conviction or the date of release from prison, where a custodial sentence has been imposed, the circumstances of the offence and any evidence which shows that a person is now a fit and proper person to hold a street trading consent or to be registered as an assistant to the holder of a street trading consent will be taken into consideration.

An application will normally be refused where the applicant has a conviction for an offence relating to the possession of drugs and the date of the conviction or the release from prison, where a custodial sentence for such an offence has been imposed, is within 3 to 5 years of the date of the application. After a period of three years from conviction or the date of release from prison where a custodial sentence has been imposed, consideration will be given to the circumstances of the offence and any evidence to show that an applicant is a suitable person to hold a street trading consent or to act as an assistant to the holder of a street trading consent.

An application will normally be refused where an applicant has more than one conviction for offences related to the possession of drugs and the last conviction or the date of release from prison, where a custodial sentence has been imposed, is less than 5 years before the date of the application.

d) Sexual and indecency offences

As the holders of street trading consents and their assistants, and in particular

those who sell ice cream, have access to children, applicants who have convictions for rape, indecent assault, any sexual offence involving children and any conviction for an offence under the Sexual Offences Act 2003 will normally be refused a street trading consent or registration as an assistant to the holder of a street trading consent.

Where an applicant has a conviction for a sexual offence such as indecent exposure they will normally be refused a street trading consent or registration as an assistant to the holder of a street trading consent until they can show a substantial period usually between 5 and 10 years free of any such convictions from the date of conviction or the date of release from prison where a custodial sentence has been imposed.

After a period of 5 years from conviction or the date of release from prison, where a custodial sentence has been imposed, consideration will be given to the circumstances of the offence and any evidence to show that an applicant is a suitable person to hold a street trading consent or to be registered as an assistant to the holder of a street trading consent.

When considering applications, the Council may take into account any information of a sexual nature which does not amount to a criminal offence that is brought to its attention where that information may indicate that an applicant may not be a suitable person to hold a street trading consent or to be registered as an assistant to the holder of a street trading consent. In cases where the Council considers that information shows an applicant is not a suitable person, it will normally require a period of not less than 5 years free of such incidents from the date on which the incident occurred or, if more than one from the date of the last incident.

e) Motoring convictions

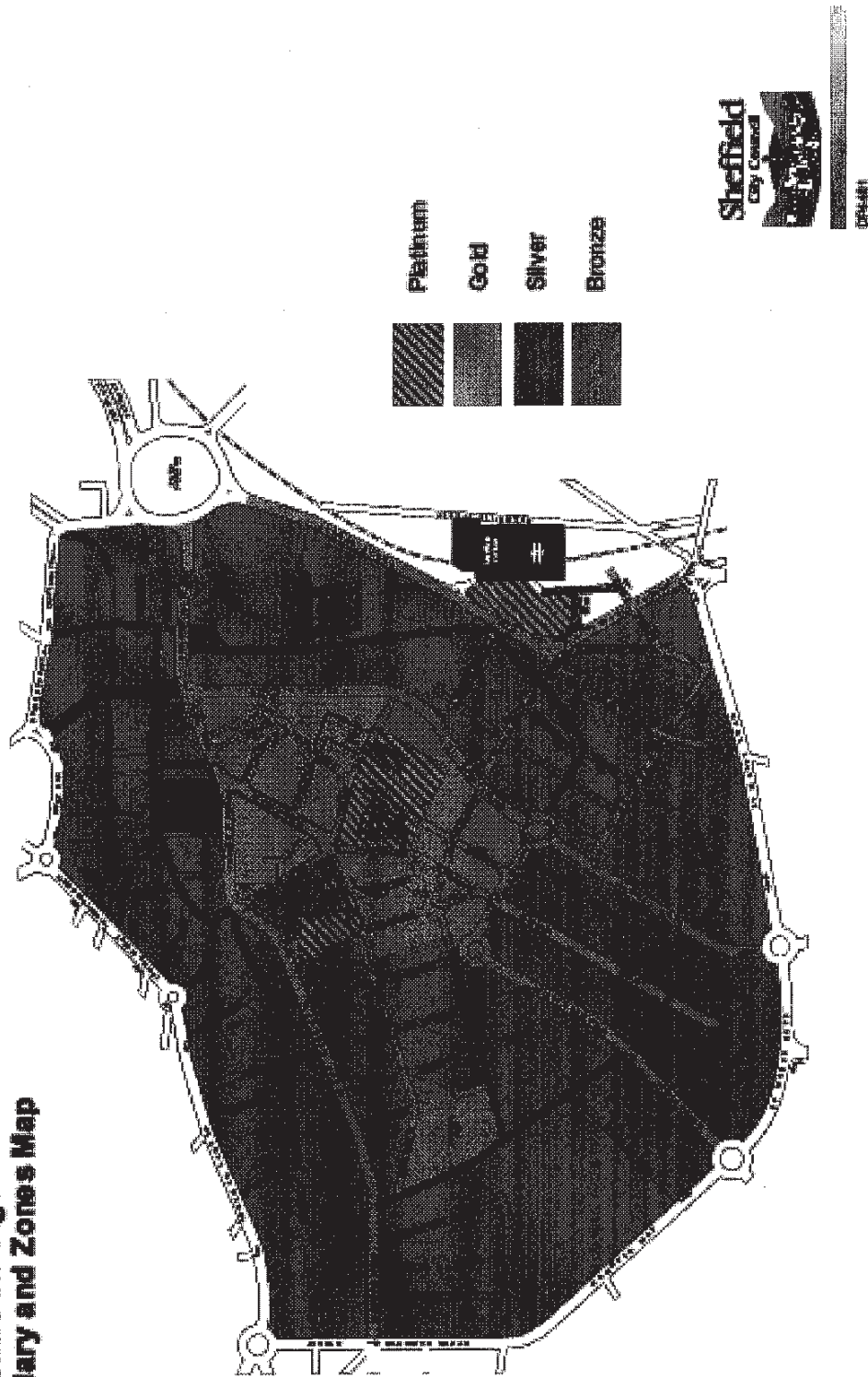
In most cases, motoring offences are unlikely to be relevant when deciding if an applicant for a street trading consent or to be registered as an assistant to the holder of a street trading consent is a suitable person.

However, there may be instances where the offences are of a very serious nature. In those cases, an applicant for a street trading consent or to be registered as an assistant to the holder of a street trading consent would be expected to show a period usually between 3 and 5 years free of any such convictions from the date of conviction or the date of release from prison, where a custodial sentence has been imposed.

f) Formal cautions and fixed penalty notices

For the purposes of these guidelines, the Council will treat Formal Cautions issued in accordance with Home Office guidance and fixed penalty notices as though they were a conviction before the courts

**City Centre Management Team
Boundary and Zones Map**





Hillsborough Football Stadium



Scale: 1:7,500

Legend

-  Hillsborough Football Stadium
-  800m Buffer

Sheffield City Council
Knowledge & Research Team
Policy, Partnerships & Research Service
Tel: (0114) 2930239

APPENDIX 12

- PLAN AND RADIUS OF SHEFFIELD UNITED FOOTBALL CLUB

Bramall Lane Football Stadium



Scale: 1:7,500

Legend

 800m Buffer


Sheffield City Council
Knowledge & Research Team


Policy, Partnerships & Research Service
Tel: (0114) 2930239

Don Valley Stadium



Scale: 1:7,500

Legend 

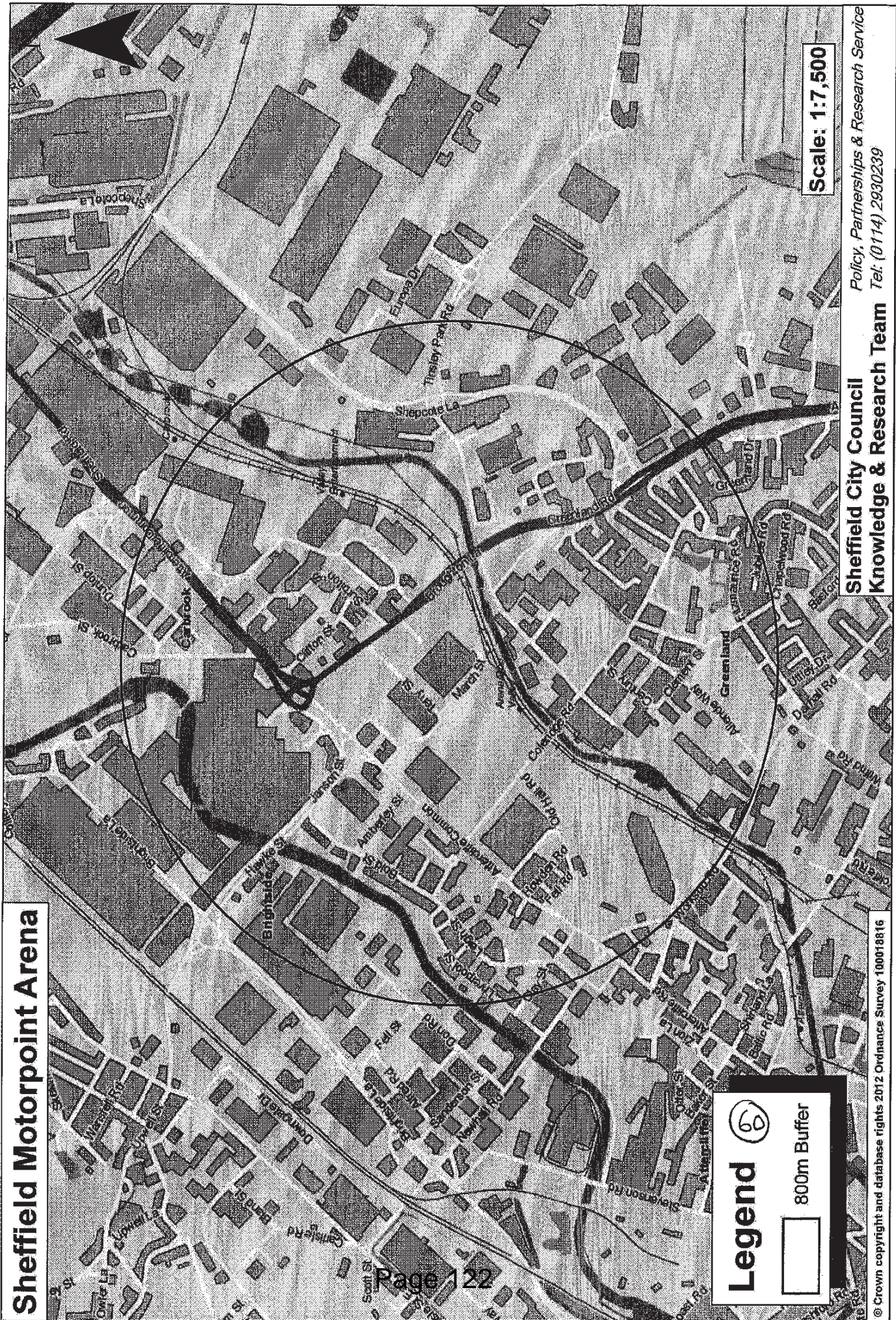
 800m Buffer

Sheffield City Council
Knowledge & Research Team
Policy, Partnerships & Research Service
Tel: (0114) 2930239

APPENDIX 14


**- PLAN AND RADIUS OF SHEFIELD MOTORPOINT
ARENA**

Sheffield Motorpoint Arena



Scale: 1:7,500

Legend

-  800m Buffer
- 

Sheffield City Council
Knowledge & Research Team

Policy, Partnerships & Research Service
Tel: (0114) 2930239

APPENDIX C

MORTIMER

LS 36388
cheaper

46

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING CONSENTS

MOBILE FRUIT & VEGETABLE 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 APPLYING FOR A MOBILE FRUIT & VEGETABLE STREET TRADING CONSENT 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.

Mobile consents are issued to traders who want to trade from numerous locations for a short period of time and are restricted to two categories; ice cream and fruit and vegetable traders.

Any trader wishing to trade anything else other than fruit and vegetables under this application must do so by applying for a static street trading consent (please see static street trading application and guidance).

In order to regulate mobile street traders who trade in fruit and vegetables, restrictions are put in place as below:

- Traders will move from site to site and will only remain stationary for no longer than 20 minutes for sales to be made and must not return to that site within the same week (site refers to an 500 metre radius)
- Any consent issued for a mobile fruit and vegetables 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.
- Mobile consent holders for the above are not permitted to trade within a 500 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.
- Mobile traders are only permitted to trade within the hours of 9am to 7pm inclusive seven days a week.
- Mobile traders for the above cannot 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

- Mobile street traders as above will only be permitted to trade in a maximum of 5 areas in the city for each consent. The Licensing Committee may at any time wish to restrict the number of traders in a particular area.
- Mobile trading vans in this section are required to have a side hatch to serve customers to avoid obstruction.

1. Eligibility Criteria

An applicant:

- Must be at least 17 years old

2. Fee

- The fee of £315 is payable on submission of an application

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 Mobile Street Trading Consent for fruit / vegetables and anything other than ice cream an applicant must produce to the Council:-

- A completed application form.
- The relevant fee.
- 3 colour photographs of the vehicle to be used showing front, back and side.
- 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).
- 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:

- A certificate of insurance in respect of the vehicle.
- 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 if relevant.

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 7202	www.syfire.gov.uk
Planning	0114 203 9183	planningdc@sheffield.gov.uk
Highways	0114 273 6677	highways@sheffield.gov.uk

Twenty-eight days is given to the above services and anyone else thought relevant by the Licensing Authority to make comments on your application.

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 mobile street trading consents expire on the 31st March.

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**

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 MOBILE Fruit & Vegetable 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 Mobile fruit / vegetable and other traders 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	HAROLD	MR MARTINEZ
Q2	Applicant(s) permanent private address	[REDACTED] MOSBOROUGH	SHEFFIELD [REDACTED]
Q3	Date of birth	[REDACTED]	
Q4	Nationality and place of birth	ENGLISH	SHEFFIELD
Q5	National Insurance No.		
Q6	Do you have the legal right to work and live in the UK?	YES / NO Details: YES	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	YES / NO Details: NO	YES / NO Details:
Q8	Telephone No	[REDACTED]	
Q9	Email address		

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

Q10	Name	MORTIMER'S
Q11	Registered address	NO 1 NEW SCHOOL CLOSE
Q12	Registered number	
Q13	Telephone number	[REDACTED]
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. LOCATION AND TRADING DETAILS

Q16	Please list a maximum of 5 areas of Sheffield to trade as a mobile trader: (you can use the attached area list to help you identify the Sheffield areas)	
	Area 1	WYBOURN
	Area 2	MANOR
	Area 3	
	Area 4	
	Area 5	

	<p>Note, Mobile traders</p> <ul style="list-style-type: none"> • will not be permitted to trade within "The City Centre Management Team Boundary"; • will not be permitted to remain static for more than 20 minutes, and cannot return to the same site within the same week (site refers to an 500 metre radius); • will not be permitted to trade within an 800 metre radius of the Sheffield Arena, Don Valley, Sheffield United and Sheffield Wednesday Stadiums on event / match days for four hours prior, during and one hour after each event; • will not be permitted to trade within a 800 metre radius of any school; • will not be able to trade in any other area except what is granted on the Consent; and • will not be permitted to trade within a 500 metre radius of any static traders, or other traders trading in similar goods / articles.
--	---

Q17	Trading items (Unable to modify or change)	<p>FRUIT & VEGETABLES ONLY</p> <p>Nb: No other items are permitted to be sold under this Consent, you must apply for a static consent for anything other.</p>
Q18	Specify days of trade (Permitted to trade 7 days a week)	<p>7 DAYS A WEEK</p> <p>Page 132</p> <p style="text-align: right;">(70)</p>

D. THE VEHICLE

Q19	Description of vehicle to be used	IVECO
Q20	Registration number	5Y 52 HNU
Q21	Date of first registration	2002
Q22	Last MOT and service	NOV 13
Q23	Size of vehicle	Height: 12 FEET Width: 8 FEET Length: 24 FEET.
Q24	Does the vehicle meet the quality criteria?	YES
	Your vehicle will be inspected prior to granting a consent.	YES

E. CONVICTIONS / CAUTIONS

Q25	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)

The appropriate fee	
Your current passport	
Your current drivers licence	
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	
Right to work documentation (if applicable)	
Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	
Photographs of the vehicle / unit showing front, side and rear.	
Details of any food hygiene qualifications	
If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	
Confirmation that your vehicle meets the qualitative 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)

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	

WORKING ROAD TRADING AT (BY COUNCIL)

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: H. MONTGOMERY
	Date: 13.3.14
	Capacity: SOLE TRADER
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.

**SHEFFIELD CITY COUNCIL
SHEFFIELD AREAS**

A	Abbeydale	H	Hackenthorpe	S	Sharrow
	Acres Hill		Halfway		Sharrowvale
	Arbourthorne		Handsworth		Shirecliffe
			Heeley		Shiregreen
B	Basegreen		Hemsworth		Skyedge
	Batemoor		Herding		Sothall
	Beauchief		High Bradfield		Southey
	Beighton		High green		Southey Green
	Bents Green		Hillsborough		Stannington
	Birley		Hollins End		Stocksbridge
	Bolsterstone				Stradbroke
	Bradway	I	Intake		
	Brightside			T	Tinsley
	Broomhall	J	Jordanthorpe		Totley
	Brungreave				
	Burncross	K	Kelham island	U	Upperthorpe
C	Catnerknowle	L	Langsett	W	Wadsley
	Chapeltown		Lodgemoor		Walkley
	Charnock		Longley		Waterthorpe
	Crookes		Low Bradfield		Waverley
	Crookesmoor		Lowedges		Westfield
	Crosspool		Loxley		Wharnccliffe Side
					Whirlow
D	Darnall	M	Manor		Wincobank
	Deepcar		Meadowhead		Winn Gardens
	Dore		Meersbrook		Wisewood
	Dungworth		Midhopstones		Woodhouse
			Millhouses		Woodseats
E	Ecclesall		Mosborough		Woodthorpe
	Ecclesfield				Worrall
	Endcliffe	N	Nether Green		Wybourn
			Netherthorpe		
F	Fir Vale		Norfolk Park		
	Firth Park		Norton		
	Foxhill		Norton Lees		
	Fulwood				
		O	Oughtibridge		
G	Gleadless		Owlthorpe		
	Gleadless Valley				
	Granville	P	Park Hill		
	Greenhill		Parson Cross		
	Greenlands		Phillimore		
	Grenoside				
	Greystones	R	Ranmoor		
			Ringinglow		

**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.
- 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 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

[REDACTED]
MOSSBOROUGH

SHEFFIELD
[REDACTED]

16-3-14.

Ref. trading as Montimers Bread and Confectionary

Dear Sirs.

I am writing to ask to be considered an exception to the recent changes to licensing policy.

For 30 years now I have operated a mobile street trading business selling bread and confectionary around Wybourne Manor estates in Sheffield. Over this time I have held every necessary licence, passed all required inspections and complied fully with all terms and conditions. I have seen the young people in the area grow up and developed strong relationships with local people, providing for many an opportunity to chat and have some friendly human contact which they would not have otherwise received, which I hope in a small way addresses the increasing problems of loneliness and isolation in the area.

I have a set route spending less than 15 minutes at each stop and am not putting any local businesses under any undue pressure or unfair competition.

Having operated a fully compliant business for so many years, providing a needed service and causing no one any problems I would ask your permission to continue to be able to work, as

having to pay for separate licenses for every stop on my route
(which licensing officers have told me I would need under the
new policy) would simply make the business unviable and force
me out of work

Yours faithfully


(MR HAROLD MOETIMER)



APPENDIX E

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

This procedure has been drawn up to assist those parties attending Street Trading Consent Committee hearings.

1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
2. The Chair will ask the applicants and interested parties to formally introduce themselves.
3. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
4. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The applicant/consent holder (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (d) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the applicant and/or his/her representative.
 - (e) Consultees / interested parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf. New representations must not be raised.
 - (f) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the consultees / interested parties.
 - (g) The consultees / interested parties will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (h) The applicant will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for Members to take legal advice and consider the application.
 - (k) Once a decision has been reached, all parties will be invited to return. The Sub-Committee's decision and reasons will be announced by the Chair.
 - (l) The Sub-Committee's decision will be confirmed in writing to the applicant and those parties who made representations.

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

There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.

