

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 29 September 2020

(NOTE: This meeting was held as a remote meeting in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.)

PRESENT: Councillors Karen McGowan (Chair), Ruth Mersereau and Josie Paszek

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

2. EXCLUSION OF PUBLIC AND PRESS

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

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING - STATIC STREET TRADING CONSENT - CHAPELTOWN WORKING MEN'S CLUB CAR PARK, 10 MARKET PLACE, CHAPELTOWN, SHEFFIELD, S35 2UU

4.1 The Chief Licensing Officer submitted a report to consider an application, made under the Local Government (Miscellaneous Provisions) Act 1982, for the grant of a Static Street Trading Consent for Chapeltown Working Men's Club Car Park, 10 Market Place, Chapeltown, Sheffield, S35 2UU (Case No. 77/20).

4.2 Present at the meeting were Bradley Smith and Barry Turvill (applicants), Jayne Gough (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.

4.4 Jayne Gough presented the report, and it was noted that an objection had been received from a local trader and was attached at Appendix 'B' to the report. In addition, 41 letters of support had been received in connection with the application, which had been circulated prior to the hearing.

- 4.5 Bradley Smith stated that their trading hours were generally from 12:00 hours to 19:00 hours, whereas the person who had submitted the objection traded from 16:00 hours to the early hours of the following morning. They stopped at 19:00 hours as the car park was required by the Working Men's Club. Mr Smith stated that the objector sold mainly pizzas and kebabs, whereas they sold more traditional Greek food, including a vegan option. He stated that people were very positive about their food offer, and some travelled long distances to eat their food. Mr Smith added that all their plates/bowls/cutlery, which included wooden forks, was biodegradable. Mr Turvill added that no one else in the area sold food like theirs, and that they had received a lot of positive feedback from customers. They were very active in the local area and worked closely with the Friends of Chapelton Park. They both lived locally and knew a lot of people in the area.
- 4.6 In response to questions from Members of the Sub-Committee, the applicants stated that they had been trading at the site since 14th May 2020. They had not received any complaints regarding the operation of their business. They stated that they would normally trade at festivals, but due to such events being cancelled, they planned to trade from this site on a more regular basis. Whilst they were happy with their current trading hours, there was a possibility that they would like to trade on other days, such as when there was a market in the car park. In terms of waste, the majority of their customers took their food home to eat, whereas others ate it in the market, and discarded their waste in the bins provided. The trader who had objected to the application was sited just up the road, and he had visited them on a few occasions to try their food. With regard to action taken in connection with Covid-19, the applicants had sought the advice of a health and safety officer, and provided hand sanitizer on the counter and had a perspex screen between them and the customers. There was a small gap where they served the food, and they would wear masks at this point. In addition, they had both downloaded the NHS Track and Trace app on their mobile phones.
- 4.7 The applicants summarised their case, indicating that they had a lot of family and friends in the area, and would like to continue trading at this location.
- 4.8 Jayne Gough reported on the options available to the Sub-Committee.
- 4.9 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph

5 of Schedule 12A to the Local Government Act 1972, as amended.

4.10 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.

4.11 RESOLVED: That in the light of the information contained in the report now submitted, together with the representations now made, and the responses to the questions raised, approval be given for the grant of a Static Street Trading Consent at Chapeltown Working Men's Club Car Park, 10 Market Place, Chapeltown, Sheffield, S35 2UU (Case No. 77/20), as applied for.

(NOTE: The decision will be relayed to all interested parties following the meeting and the full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)