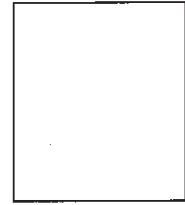




SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 19th November 2013

Subject: Street Trading
City Centre Small Trading Stalls

Author of Report: **Andy Ruston** – 203 7752

Summary: To consider an application for a street trading consent to trade in the city centre.

Recommendations: That Members consider the application submitted alongside the Council's "City Centre Street Trading - Small Trading Stalls" qualitative criteria, the street trading policy and comments submitted by City Centre Management Team, Highways Department South Yorkshire Police, South Yorkshire Fire and Rescue.

That Members consider all the information provided by the applicants both in their written application and in person at the meeting.

Background Papers: Attached documents

Category of Report: OPEN

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Street Trading – City Centre Small Trading Stalls

1.0 PURPOSE OF REPORT

1.1 To consider an application for a street trading consent to trade in the city centre.

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- (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.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.

2.6 There is no appeal procedure against the refusal or revocation of a consent. An applicant may, however apply for judicial review of the Council's decision.

2.7 A copy of the Council's Street Trading Policy is available via the following link; <https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/retail/street-trading.html>. Members should note that the age restriction of 5 years for motorised vehicles has been removed and is not presently being enforced.

3.0 CITY CENTRE STREET TRADING

- 3.1 Working in partnership with the City Centre Management Team and Planning, Licensing presented a report to Committee in August 2011 to encourage more local businesses to trade in the city centre whilst also controlling the type and thereby controlling the quality that is on offer.
- 3.2 This is to encourage more local businesses to trade in the city centre and to offer a more continental style of trading in certain areas of the city centre
- 3.3 There is no constraint on the type of goods that can be sold. However, we would like to encourage more traditional goods that would give a more continental style to the City Centre.
- 3.4 A City Centre Qualitative Criteria for Small Trading Stalls was approved to meet these requirements (attached at Appendix 'A').
- 3.5 The fee for consent has been set at £498.50 per quarter (£1,994 per annum) to trade seven days a week between 7am and 7pm.

4.0 THE APPLICATION

- 4.1 An application has been submitted by Stephen Harrison Academy c/o Mr Stephen Harrison to trade at Devonshire Green to sell soups, healthy shakes, tea, coffee, soft drinks, fruit toast, panini's, sandwiches, breakfast pots and cereal bars. A copy of the application is attached at Appendix 'B'. Members should note that Mr Harrison previously made an application for a site at Barkers Pool to sell the aforementioned items to which the City Centre Management Team and Development Services, Planning raised objections due to the vehicle that would be used whilst trading. The application for Barkers Pool was placed before the Licensing Sub Committee on 26th September 2013 and the Licensing Sub Committee at the hearing determined the following "That, following consideration of the information contained in the report now submitted, including the representations now made, the application for a street trading consent to trade in the city centre, be deferred and the applicant was advised to transfer his application to a site in Devonshire Green, to which he agreed". It was decided by the Licensing Service that Mr Harrison withdraw his application for Barkers Pool and make a new application for Devonshire Green and for the new application to be circulated for comment in the usual manner.
- 4.2 A number of pitches have been allocated for city centre street trading at a previous meeting, therefore, the location of the remaining pitches are:
- Barkers Pool (currently one application pending)
 - Sheaf Street;
 - Tudor Square; and
 - Devonshire Green (currently two applications pending)
- 4.3 Members are to note that the specific location at the site will be agreed in conjunction with the City Centre Management Team and Planning Department.

5.0 REASONS FOR REFERRAL

- 5.1 The application has been referred to the Licensing Sub Committee as the Licensing Authority has received objections and comments concerning the motorised vehicle and falling outside the qualitative criteria set for city centre street trading which forms part of the Street Trading Policy.
- 5.2 Mr Harrison has been notified about the requirement to meet the city centre qualitative criteria and that motorised vehicles are not permitted as part of this scheme.
- 5.3 Each application must be determined on its own individual merits and has therefore been referred to the Licensing Sub Committee.

6.0 BACKGROUND

- 6.1 Mr Harrison's application was circulated in the usual manner to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways, Planning Department and the City Centre Management Team.
- 6.2 Comments and an objection have been received from the following:
- | | |
|---------------------------------|--------------|
| City Centre Management Team | Appendix 'C' |
| Highways Department | Appendix 'D' |
| South Yorkshire Police | Appendix 'E' |
| South Yorkshire Fire and Rescue | Appendix 'F' |
- 6.3 The objections and comments received refer to factors specified in Part 3 section 3.1 and Appendix '6' (city centre qualitative criteria) of Sheffield's Street Trading Policy when considering applications for grant or renewal.
- 6.4 Members are also to refer to section 2.8 of the policy in consideration of the objection and comments and in particular to the following bullet points under that section:

- **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.

- **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.

- **Objections**

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

6.5 The applicant has been invited to attend the Licensing Committee hearing to present his case. A copy of the invite is attached at Appendix 'G'.

6.6 The City Centre Management have been invited to attend the meeting for further clarification. Copies of the invite is attached at Appendix 'H'.

6.7 A copy of the hearing procedure is attached at Appendix 'I'.

7.0 FINANCIAL IMPLICATIONS

7.1 If Members are minded to refuse this application, there are no financial implications for the Council arising from this report.

7.2 If Members grant the application, the Licensing Authority will be required to increase the fees to enable it to recover the reasonable costs of the Council as the fee set for city centre consents are based on small stalls.

7.3 Members should also note that if any application is referred to the High Court significant legal costs are likely to be incurred. There is no hold over budget within Licensing to cover such costs.

8.0 RECOMMENDATIONS

8.1 That Members consider the application submitted alongside the Council's "City Centre Street Trading - Small Trading Stalls" qualitative criteria, the street trading policy and comments submitted by City Centre Management Team, Highways Department, South Yorkshire Police and South Yorkshire Fire and Rescue.

8.2 That Members consider all the information provided by the applicant both in their written application and in person at the hearing.

9.0 OPTIONS OPEN TO THE COMMITTEE

- 9.1 To grant the consent in the terms requested.
- 9.2 To grant the consent at an alternative location.
- 9.3 To defer the matter for further consideration.
- 9.4 To refuse the street trading application.

Steve Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy and Regulation, Place Portfolio
Block C Staniforth Road Depot
Staniforth Road, Sheffield S9 3HD

11th November 2013

APPENDIX 'A'

Sheffield City Council

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 safety 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.

APPENDIX 'B'

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

LICENSING GENERAL

03 OCT 2013

SECTION

STREET TRADING CONSENTS CITY CENTRE 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 5410

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

Opening Times

Monday to Friday

09:00 to 17:00



GUIDANCE FOR A CITY CENTRE STREET TRADING APPLICATION NOTES FOR APPLICANTS

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

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

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

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

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

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 a 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.

The city centre of Sheffield in relation to Street trading is attached at the back of this application, if you wish to trade within this area applicants must apply appropriately as below.

The applicant must meet the city centre qualitative criteria at the back of this application 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.

Motorised vehicles or stalls etc. are not permitted as part of the city centre scheme and the Council encourages barrows and handcarts to keep in with the area.

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.

Specific areas have been allocated for the city centre and applicants are advised to contact the Licensing Service for an up to date list.

1. Eligibility Criteria

- The applicant must be at least 17 years old;
- The units must meet the city centre qualitative criteria attached at the back of this application.

2. Fee

- The fee is £1,994.00 per annum but you must submit with your application a £100 non refundable fee to cover the costs of processing your application (if granted this will be deducted from the £1,994);
- If granted payments can be made quarterly if agreed with the Authority.

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

To apply for the grant of a Street Trading Consent (City Centre) an applicant must produce to the Council:-

- a) A completed application form;
- b) The non refundable fee of £100;
- c) 3 photographs of the unit to be used showing front, back and side;
- d) Details of the proposed site, including an ordnance survey based map of at least 1:1250 scale (a google map will not be sufficient) clearly identify the proposed trading position and its proximity to other similar retail outlets (shops, café's, etc) within an 800 metre radius.
- e) Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.
- f) Current passport;
- g) Current driver licence;
- h) One other proof of identity, showing applicant's name and current address (recent utility bill, bank statement etc);
- i) Right to work documentation (if applicable);
- j) Details of any food hygiene qualifications (unless trading in non-food items);
- k) If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.
- l) 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) A certificate of public liability insurance (the level of cover shall be a minimum of £2,000,000);
- b) Written confirmation that the vehicle meets the Council's food safety standards
- c) Waste management contract;
- d) Declare that you have registered as a food business (if applicable); and
- e) The remaining quarterly fee if agreed to pay in quarterly instalments.

4. Consultation

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

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
City Centre Management Team	0114 2736895	citycentre.management@sheffield.gov.uk

Twenty-eight days is given to the above services to make comments on your application.

5. 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.

Any application for street trading in the city centre will be referred to the Licensing Committee for their consideration. The applicant and any objectors will be notified of the hearing and will be invited to attend.

6. 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 in the consent, unless previously cancelled or revoked.

7. 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 licence 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 licence, 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 registration.

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

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

Identification of Consent Holders and Assistants

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

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

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

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

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

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

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

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

Applications must be submitted to:

**Licensing Service,
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD**

The Service is open from 9am to 5pm, Monday to Friday. Telephone (0114) 203 7752.

SHEFFIELD CITY COUNCIL
Licensing Service

PLEASE NOTE:

DISCLAIMER

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

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

We will however endeavour to offer basic information / guidance.

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

Stephen Lonnia
Head of Licensing
Sheffield City Council

Local Government (Miscellaneous Provisions) Act 1982

Application for a (City Centre – small unit) Street Trading Consent

Notes to Applicant:


All questions must be answered unless otherwise stated.
If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

*I **HEREBY APPLY** to the Sheffield City Council for the grant of a (city centre – small unit) street trading consent.

A. THE APPLICANT(S)

		1 st Applicant Mr	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	Mr. Stephen Harrison	
Q2	Applicant(s) permanent private address	[REDACTED]	
Q3	Date of birth	[REDACTED]	
Q4	Nationality and place of birth	British Sheffield	
Q5	National Insurance No.	[REDACTED]	
Q6	Do you have the legal right to work and live in the UK?	YES :	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	NO	YES / NO Details:
Q8	Telephone No	[REDACTED]	
Q9	Email address	[REDACTED]	

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

Q10	Name	Stephen Harrison Academy (not-for-profit-organisation)
Q11	Registered address	The Innovation Centre, 217 Portobello, Sheffield , S14DP
Q12	Registered number	6323562
Q13	Telephone number	01142242346
Q14	Email address	Stephen@snookerskills.com
Q15	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	

C. TRADING DETAILS

Q16	Trading Name (if applicable)	As above
Q17	Trading address (if different from above) Post Code	As above
Q18	Site to be occupied	Devonshire Green
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	Soups, Healthy Shakes, Tea, coffee, soft drinks, fruit toast, toast, Panini's, sandwiches, Breakfast pots, cereal bars
Q20	Please specify preferred days of trade:	Mon-Tue-Wed-Thur-Fri-Sat
Q21	Please specify preferred hours of trade:	10am – 5pm

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	THINK FOOD motorised vehicle
Q20	Size of unit	Height: 7ft

		Width: 7ft Length: 20ft
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E. CONVICTIONS / CAUTIONS

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

F. CHECK LIST

The following documents must be attached with this application: (tick)

Non refundable fee of £100	<i>Not required see ASR.</i>	X
Your current passport	✓	X
Your current drivers licence	✓	X
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	✓	X
Right to work documentation (if applicable)	✓	N/A
Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	✓	X
Photographs of the vehicle / unit, front back and rear.	✓	X
Details of any food hygiene qualifications (unless trading in non food items)	✓	X
If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	<i>Registered not yet inspected.</i>	✓
Confirmation your vehicle meets the quality/criteria	<i>Motored vehicle</i>	
Any further information you may wish to submit in support of your application		X

The following documents must be forwarded to us before the grant of your consent:
(tick if enclosed with this application)

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

G. DECLARATION

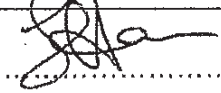
WARNING

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."

/

- 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: Stephen Harrison Date: 2/10/2013 Capacity: Team Leader
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 confidential information.

- (c) The Council is under no obligation whatsoever to grant a consent to any person; you will be notified of the result of this application, as soon as possible.

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

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

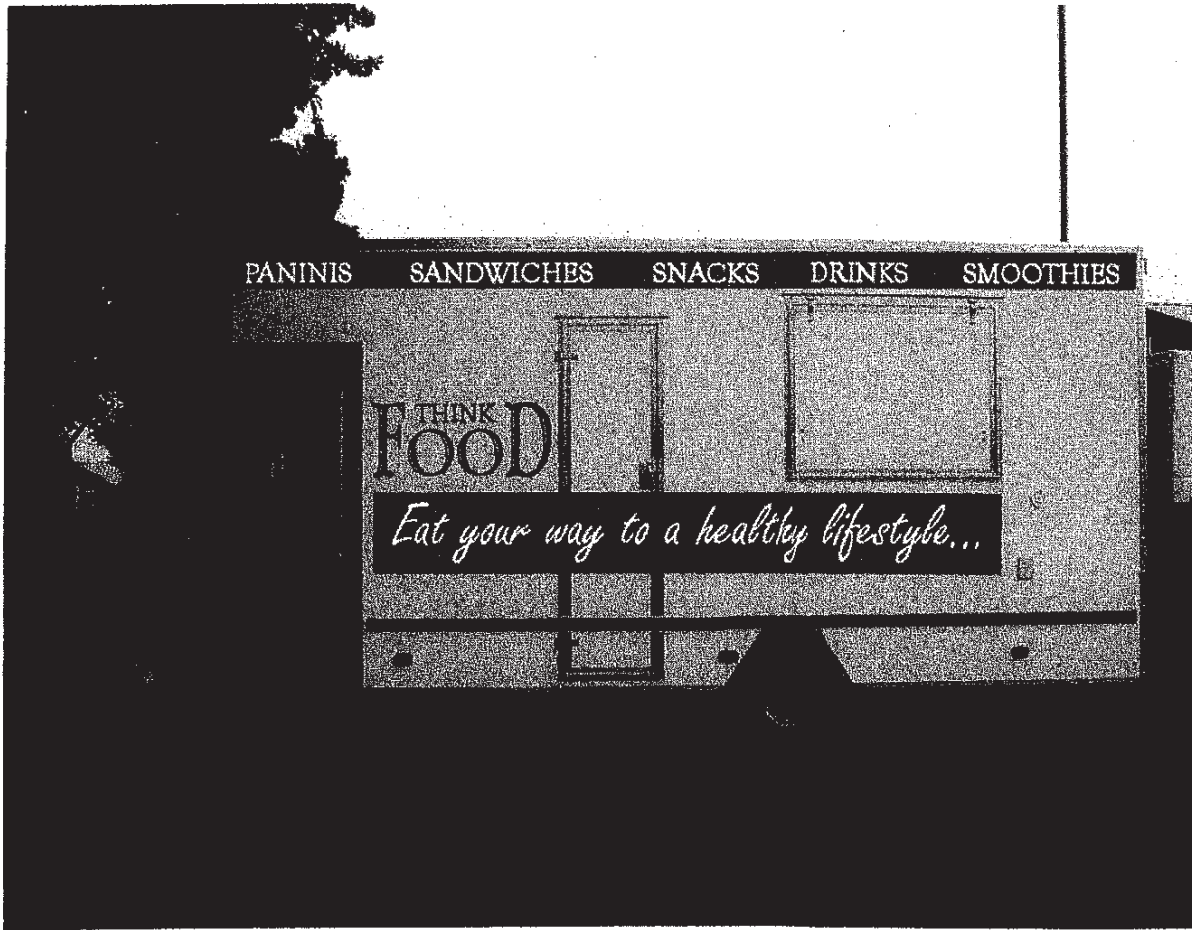
GENERAL DESIGN

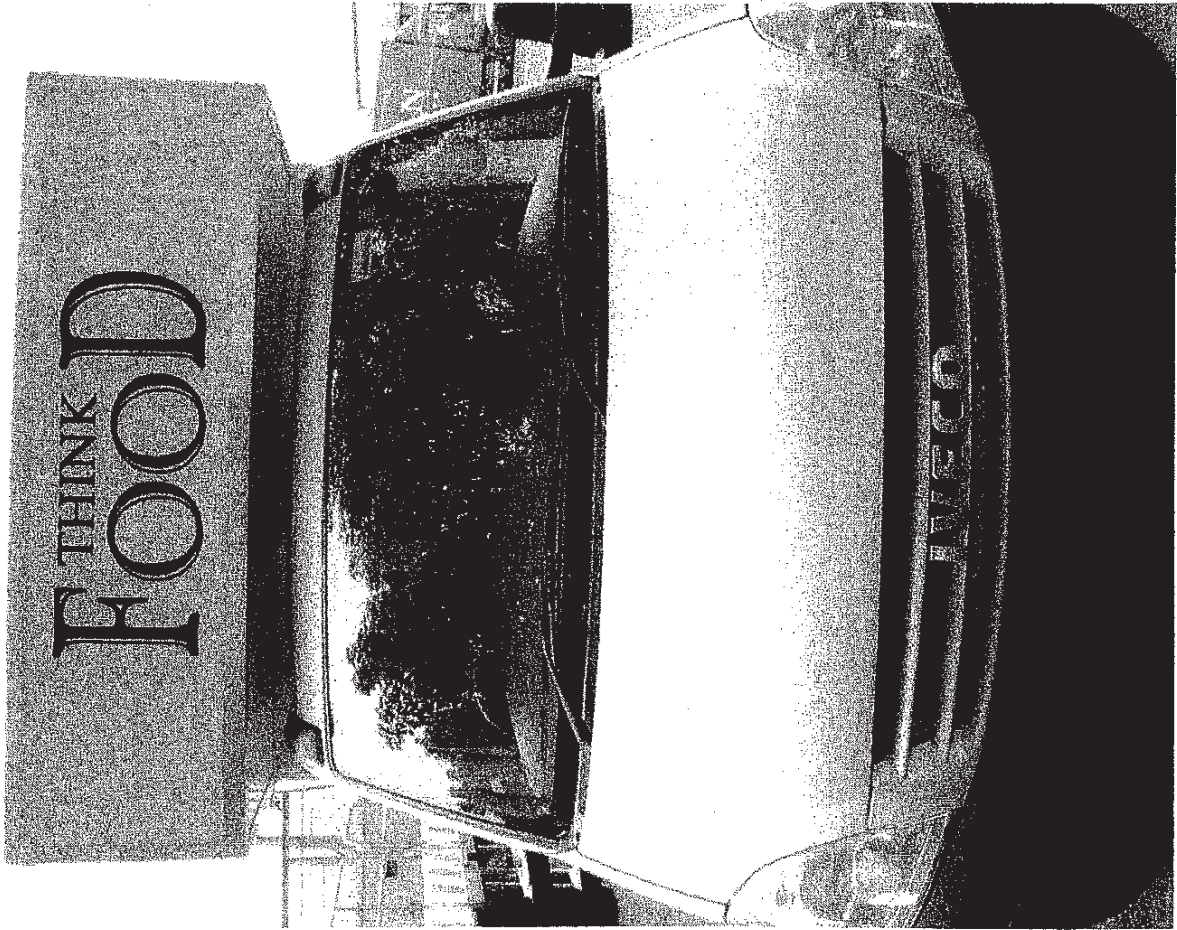
- There will be no motorised vehicles or stalls etc. permitted as part of this scheme.
- All barrows/handcarts must be capable of being moved on and off site by hand and any vehicles used to bring the barrows/handcarts to the site must be parked, loaded and unloaded off site.
- Good display is an important 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

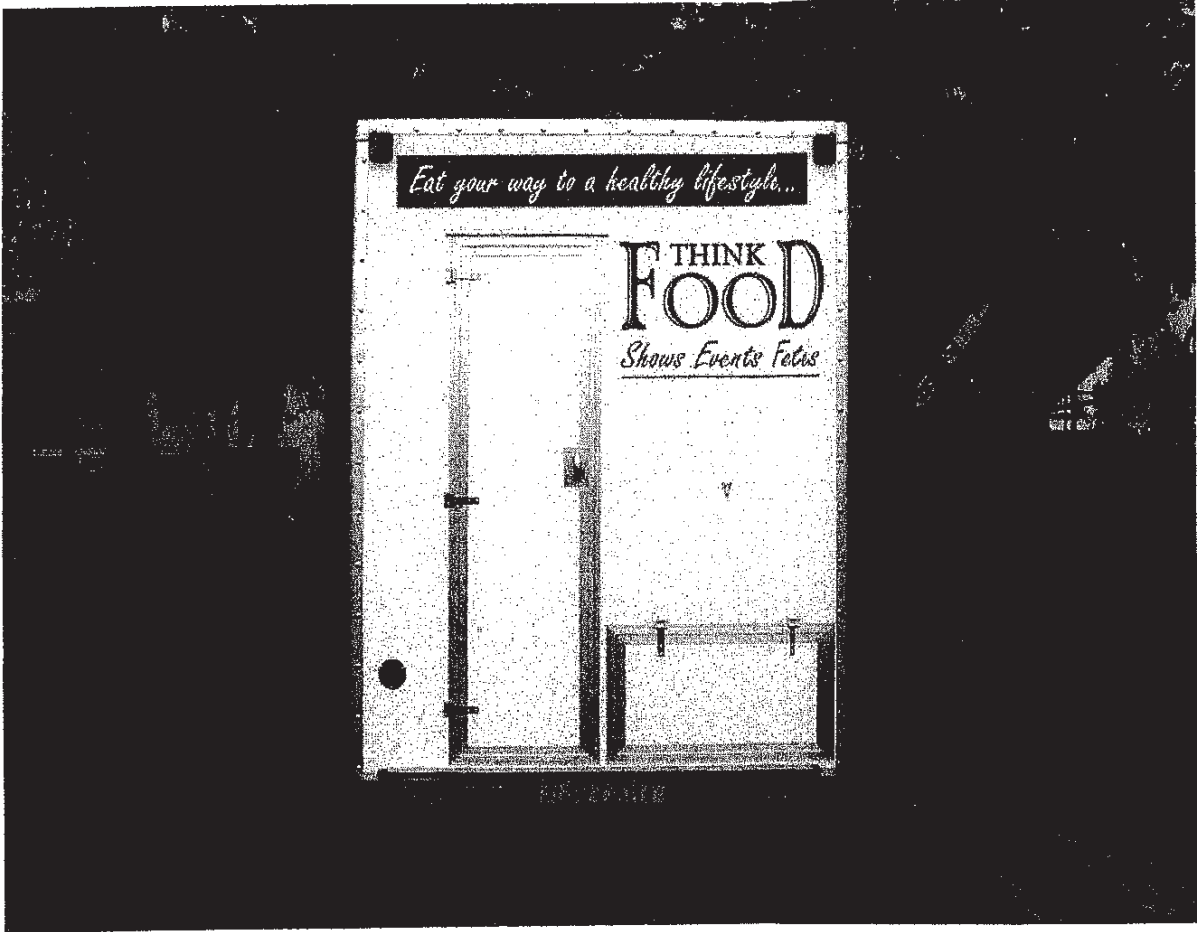
location.

- 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.

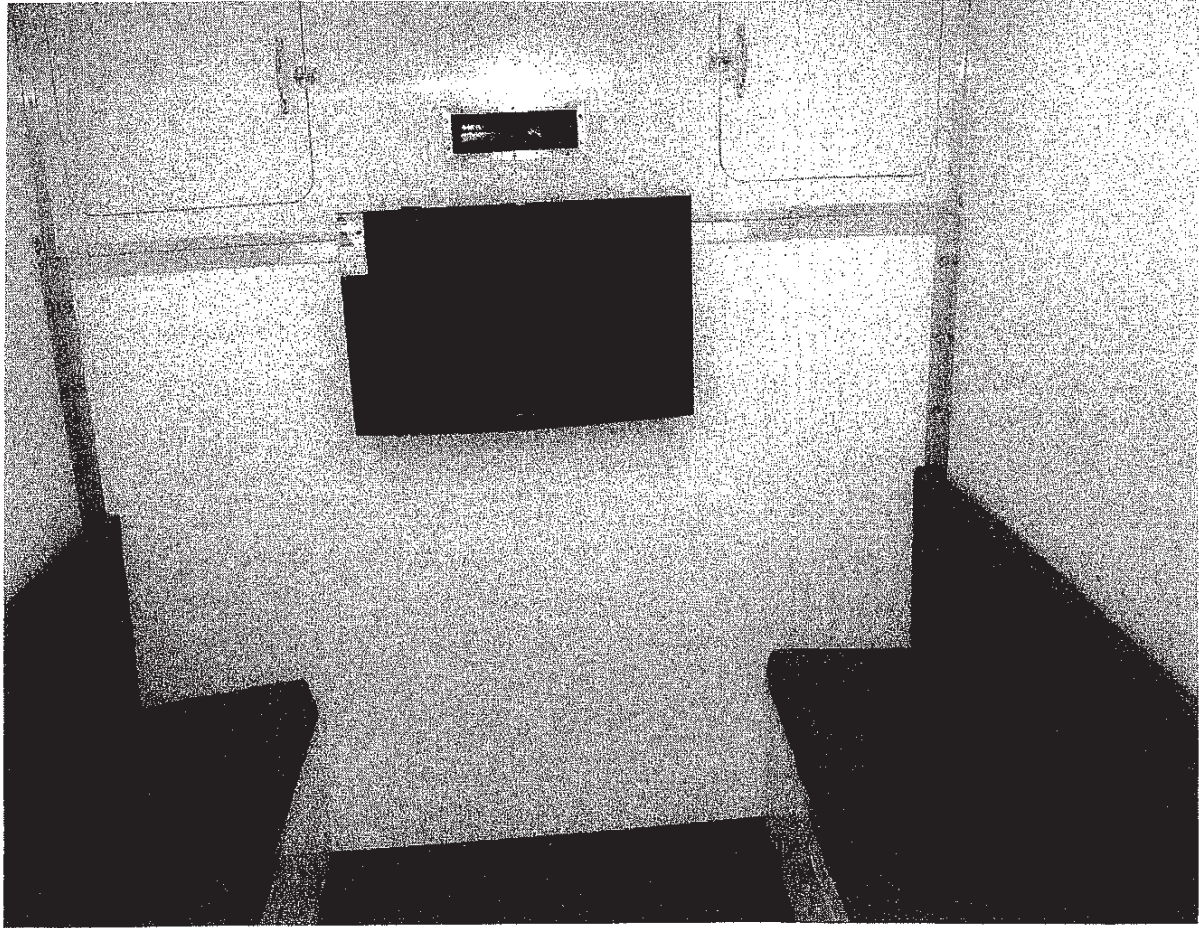


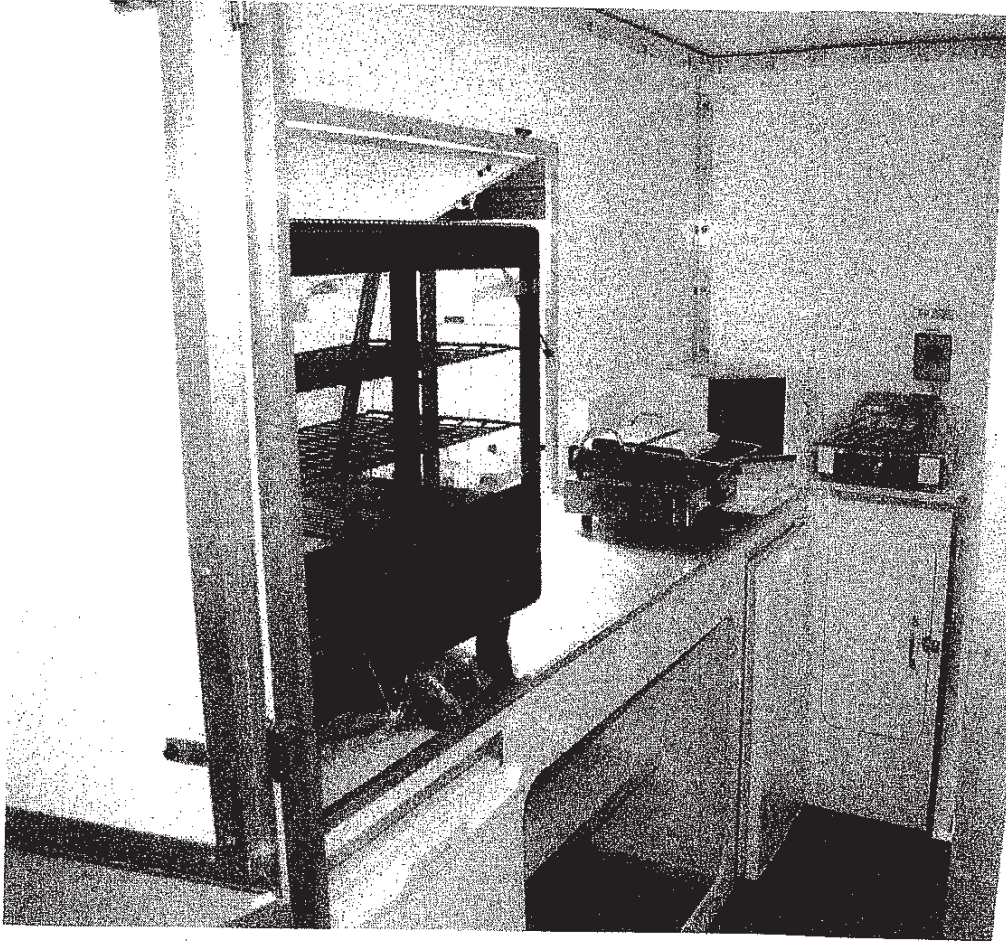














APPENDIX 'C'

Ruston Andy (CEX)

From: Ruston Andy (CEX)
Sent: 05 November 2013 13:27
To: Cooper Steve (DEL)
Cc: Finch Shimla (CEX)
Subject: RE: Street Trading - Devonshire Green

Dear Steve,

Thank you for the below comment. [REDACTED]

Thanks
Andy.

-----Original Message-----

From: Cooper Steve (DEL)
Sent: 05 November 2013 09:18
To: Ruston Andy (CEX)
Cc: Bond Lucy; Finch Shimla (CEX)
Subject: RE: Street Trading - Devonshire Green

Hello Andy,

Richard has passed this across to me, I have had a chat with Dave Gill who manages Dev Green and we attach the following comments.

1. We have a similar concession in Peace Gardens and feel that we should be insisting on the same standard of provision for any public realm site. ie Purpose built high quality unit, Images provided of the proposed unit are not to the desired standard in our opinion, it is little more than a fairground "burger van".
2. We would need to be able to take back the site for events and markets throughout the year. Typically this could be in excess of 20 days per year considering event build and get out days, the applicant may approach market/event organisers to be a part of their event.
3. The applicant should not be granted sole trading rights for Devonshire Green.
4. Vehicular access onto site is via the removable bollards off Fitzwilliam Street. Any bollard losses, bollard damages or damages to Devonshire Green due to unauthorised access through unlocked bollards, would have to be paid for by the applicant. Whilst the unit on Peace Gardens remains over-night on site, Devonshire Green would not be as safe, so would recommend daily delivery of unit to site. We could not accept any liability for the safety of the unit.
5. Vehicle movement on site would need to be restricted, with no movement between 10.00 - 18.00hrs daily.
6. The costs of providing a dedicated electricity and water supply to the unit, along with on-going usage costs, would be the responsibility of the applicant.
7. Applicant to ensure adequate waste receptacles available for customers. All trade waste to be removed from site by the applicant on a daily basis. No build up of waste permitted.

8. The exact location of the unit to be agreed between CCMT and the applicant. Temporary relocation may be required to accommodate events or works.

8. In addition to any fees paid to Licencing for this concession, City Centre Management would require a Property Lease Fee for use of this site. (Currently £3K per annum on Peace Gardens)

Regards
Steve

Steve Cooper
City Centre Resources Manager
City Centre Management Team
Room LG39
Town Hall
Pinstone Street
Sheffield
01142736832/07971750722

www.sheffield.gov.uk/citycentre

Find out all that's happening in Sheffield City Centre by following us on Twitter and Facebook
<http://www.facebook.com/SheffieldCityCentre> <https://mobile.twitter.com/sheffcitycentre>

-----Original Message-----

From: Ruston Andy (CEX)
Sent: 04 November 2013 12:18
To: Bond Lucy; planningdc@sheffield.gov.uk; highways@sheffield.gov.uk; dgill@syfire.org.uk;
Eyre Richard
Cc: Finch Shimla (CEX)
Subject: FW: Street Trading - Devonshire Green

Dear all,

Following on from my below email. I note that you have not made any comment to the attached application for Devonshire Green to use the proposed vehicle attached and therefore at this stage I am considering issuing the consent to include the usage of the attached vehicle, without placing this matter before the Licensing Committee. However I have spoken with Shimla Finch, Principal Licensing Officer, following which I would be grateful if you could provide comment in relation to as to whether you are satisfied with the attached vehicle and whether the consent should be granted. I would be grateful if you could provide comment by no later than 6.11.13.

Regards
Andy Ruston
Senior Licensing Officer
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot, Staniforth

-----Original Message-----

From: Ruston Andy (CEX)
Sent: 29 October 2013 09:19

To: Bond Lucy; Eyre Richard; planningdc@sheffield.gov.uk; highways@sheffield.gov.uk;
Sheffield.Liquor-Licensing@southyorks.pnn.police.uk; dgill@syfire.org.uk
Subject: FW: Street Trading - Devonshire Green

Dear all,

Further to my email below, I wondered if you have any comment with regards to the application prior to the end of the consultation period.

Thanks
Andy.

-----Original Message-----

From: Ruston Andy (CEX)
Sent: 08 October 2013 10:27
To: Bond Lucy; Eyre Richard; planningdc@sheffield.gov.uk; highways@sheffield.gov.uk;
'sheffield.liquorlicensing@southyorks.pnn.police.uk'; dgill@syfire.org.uk
Cc: Anderson Anne (CEX)
Subject: FW: Street Trading - Devonshire Green

Dear all,

Please find attached an application for a city centre street trading consent on Devonshire Green. I would be grateful of your comments, if any, by 31st October 2013.

Please note that Mr Harrison made an application for a site at Barkers Pool, which was placed before the Licensing Committee on 26.9.13 following objection to the application. The Licensing Committee determined "That, following consideration of the information contained in the report now submitted, including the representations now made, the application for a street trading consent to trade in the city centre, be deferred and the applicant was advised to transfer his application to a site in Devonshire Green, to which he agreed". Please can you note the aforementioned determination by the Licensing Committee when considering this application.

Kind 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

APPENDIX 'D'

Ruston Andy (CEX)

From: highways@sheffield.gov.uk
Sent: 05 November 2013 11:18
To: Ruston Andy (CEX)
Subject: RE: Street Trading - Devonshire Green

Andy

I have no further comments to add to this proposal other than my original response of 8th October 2013 which stated:- "Please accept this e-mail as confirmation that there are no objections to the proposal from a Highway Authority view".

Regards

Paul Turner
Highway Licences
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel 0114 2736137
Fax 0114 2736210

-----Original Message-----

From: Ruston Andy (CEX)
Sent: 04 November 2013 12:18
To: Bond Lucy; planningdc@sheffield.gov.uk; highways@sheffield.gov.uk; dgill@syfire.org.uk;
Eyre Richard
Cc: Finch Shimla (CEX)
Subject: FW: Street Trading - Devonshire Green

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Regards
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Senior Licensing Officer
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot, Staniforth

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From: Ruston Andy (CEX)
Sent: 29 October 2013 09:19

To: Bond Lucy; Eyre Richard; planningdc@sheffield.gov.uk; highways@sheffield.gov.uk;
Sheffield.Liquor-Licensing@southyorks.pnn.police.uk; dgill@syfire.org.uk
Subject: FW: Street Trading - Devonshire Green

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Sent: 08 October 2013 10:27

To: Bond Lucy; Eyre Richard; planningdc@sheffield.gov.uk; highways@sheffield.gov.uk;
sheffield.liquorlicensing@southyorks.pnn.police.uk; dgill@syfire.org.uk

Cc: Anderson Anne (CEX)

Subject: FW: Street Trading - Devonshire Green

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Kind 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

APPENDIX 'E'

Ruston Andy (CEX)

From: Lucy.Adams@southyorks.pnn.police.uk on behalf of Sheffield.Liquor-Licensing@southyorks.pnn.police.uk
Sent: 29 October 2013 16:22
To: Ruston Andy (CEX)
Subject: Re: FW: Street Trading - Devonshire Green
Attachments: DOC081013-08102013095057.pdf

Hi Andy,

Nothing from ourselves.

Kind Regards

Lucy

Sheffield Licensing Section
1st Floor
Attercliffe Police Station
60 Attercliffe Common
Sheffield
S9 2AD
Licensing Team

Lucy Adams 0114 2523617 internal 718617
Tracey Klein 0114 2523948 internal 718948
Andrea Marsden 0114 2523618 internal 718618
Lizzie Payne 0114 2523163 internal 718163
Alicia Marsden 0114 2523111 internal 718 111
Benita Mumby (Licensing Manager) 0114 2964308 internal 714308
Fax 0114 2523688 Internal 8688

Please be advised email correspondence may be submitted as evidence to a licensing hearing should issues arising not be resolved. As such they will be passed onto the relevant parties involved in the hearing process. The local council may post them, as part of this process, on their website to which the public has access

To find out who your local Safer Neighbourhood Team officer is, how to contact them, and to find out what's happening in your area enter your postcode at <http://neighbourhood.southyorks.police.uk>

"Ruston Andy (CEX)" <Andy.Ruston@sheffield.gov.uk>

29/10/2013 09:49

To Bond Lucy <Lucy.Bond@sheffield.gov.uk>, Eyre Richard <Richard.Eyre@sheffield.gov.uk>, "planningdc@sheffield.gov.uk" <planningdc@sheffield.gov.uk>, "highways@sheffield.gov.uk" <highways@sheffield.gov.uk>, "Sheffield.Liquor-Licensing@southyorks.pnn.police.uk" <Sheffield.Liquor-Licensing@southyorks.pnn.police.uk>, "dgill@syfire.org.uk" <dgill@syfire.org.uk>

cc

Subject FW: Street Trading - Devonshire Green

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Thanks

Andy.

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From: Ruston Andy (CEX)

Sent: 08 October 2013 10:27

To: Bond Lucy; Eyre Richard; planningdc@sheffield.gov.uk; highways@sheffield.gov.uk; 'sheffield.liquorlicensing@southyorks.pnn.police.uk'; dgill@syfire.org.uk

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Kind 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

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Could you or someone you know make a difference as a Special Constable in South Yorkshire Police? If so call 0114 2197000 or visit www.southyorks.police.uk to find out more

APPENDIX 'F'

James Courtney
Chief Fire Officer & Chief Executive

Date: 10/10/2013

Your Ref:

Our Ref: BAI#341032/W1079510/799722

Sheffield Technical Fire Safety
197 Eyre Street
Sheffield
S1 3FG

This matter is being dealt with by: Watch Manager B Ingle

Tel Direct line: 0114 2532378

Fax Direct line: 0114 2532888

Email: bingle@syfire.gov.uk

Website: www.syfire.gov.uk

Tel: 0114 2727202

Fax: 0114 2532888

The Director
Admin & Legal Department
Block C
Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Dear Sir/Madam

LEGISLATION:

**Local Government (Miscellaneous Provisions) Act 1982
Fire & Rescue Services Act 2004**

USE OF PREMISES:

**"Think Food" Hot and Cold food and drinks – by Mr Stephen
Harrison, 18 Cox Place, Sheffield S6 4SZ**

PREMISES:

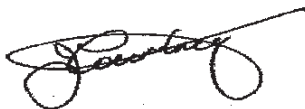
Van on Devonshire Green

Your application for street trading will be considered to be satisfactory by South Yorkshire Fire and Rescue provided the following factors are taken into account when siting your vehicle:

- It is advised that care should be taken when positioning vehicles to ensure that the access for emergency vehicles and fire hydrant water supplies are not obstructed.
- It is good practice to provide a fire blanket and a 2KG dry powder extinguisher where catering facilities are being used.
- A Fire Safety Risk Assessment should be conducted.

If you require any further information please contact the Officer dealing with this matter.

Yours faithfully



Chief Fire Officer

Enclosure: Fire Risk Assessment – Food Concessions.

Data Protection Act 1998

Information provided relating to any application made to South Yorkshire Fire & Rescue will be retained and may be used for future enforcement purposes and monitoring statutory compliance by SYFR and related enforcement agencies.

Disclaimer – Any legal liability howsoever arising from any information contained in this correspondence is hereby excluded.

APPENDIX G

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre application (Devonshire Green)

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Stephen Harrison Academy c/o Mr Stephen Harrison
The Innovation Centre
217 Portobello
Sheffield
S1 4DP

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent (City Centre) – Devonshire Green

I refer to the above and your application for the grant of a city centre Street Trading consent.

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

The Committee has indicated that it expects applicants and interested parties to attend the meeting.

The meeting in respect of the application will take place on **19th November 2013** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **10:00 am**.

PLEASE NOTE:

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

Steve Lonnia

.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 11th November 2013

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD
Telephone 0114 2037752

The Licensing Service is open from 9.00am to 5.00pm, Monday to Friday

APPENDIX H

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – City Centre application (Devonshire Green) – Stephen Harrison Academy

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Richard Eyre
City Centre Manager

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent (City Centre) – Devonshire Green – Stephen Harrison Academy.

I refer to the above application received for the grant of a city center Street Trading consent.

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

The Committee has indicated that it expects applicants and all interested parties to attend the meeting.

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APPENDIX I

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

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

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

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

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