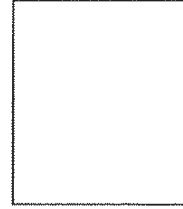




SHEFFIELD CITY COUNCIL Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 25th March 2014

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

Author of Report: Andy Ruston - 2037752

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

Recommendations: See attached report.

Background Papers:

Category of Report: Open

**REPORT OF THE CHIEF LICENSING OFFICER,
HEAD OF LICENSING TO THE LICENSING SUB COMMITTEE**

REF No: 11/14

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**STREET TRADING – STATIC STREET TRADING CONSENT – ELMHAM
ROAD, SHEFFIELD.**

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a Static Street Trading consent.

2.0 INTRODUCTION

2.1 The Council as a Licensing Authority have power under the provision of the 1982 Act to regulate Street Trading in the City.

2.2 A Street Trading Consent is required to trade on any Street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.

2.3 The Licensing Committee at it's meeting of 29th January 2002 passed the following resolution:

1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
 - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
 - (b) such street trading designation shall take effect as from the 1st April 2002; and
 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.
2. The effect of this resolution is that from 1st April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.

2.4 A Local Authority may attach conditions to a Street Trading Consent. The conditions may include conditions to prevent obstruction of the street and danger to persons using the street or nuisance or annoyance.

2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.

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

3.0 THE APPLICATION

3.1 The applicant is Nasar Ahmed and a copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 14th January 2014.

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

4.0 REASONS FOR REFERRAL

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

5.0 BACKGROUND

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

5.2 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning on 14th January 2014. Notices were erected by Licensing Officers on Elmham Road advertising the application and notice was also given to shops within the immediate location, which sell similar items to the applicant.

5.3 Objections have been received from a local business, which are attached to the report at Appendix 'B'.

5.4 Members should note that the Council Street Trading Policy states at page 18, paragraph 3.2.8, that "All applications will be dealt with under their own individual merits, however, when determining an application the proximity of existing nearby shops, café's and other traders that primarily trade in the same articles will be taken into account". Also the Council Street Trading Policy states at page 18 paragraph 3.2.11 that "Written comments from consultees, individuals and occupiers of properties that may be affected by the proposed site will be taken into consideration when determining an application". A copy of the Council's Street Trading Policy is available via the following link; <https://www.sheffield.gov.uk/business-economy/licensing/general-licensing/retail/street-trading.html>.

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

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

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

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

6.0 FINANCIAL IMPLICATIONS

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

7.0 RECOMMENDATIONS

7.1 That Members consider all the relevant information available and any representations that may be made.

8.0 OPTIONS OPEN TO THE COMMITTEE

8.1 To grant the Street Trading Consent.

8.2 To defer the matter for further consideration.

8.3 To refuse the grant of the Street Trading Consent.

Steve Lonnia
Head of Licensing
Block C Staniforth Road
Staniforth Road
Sheffield
S9 3HD

14th March 2014

APPENDIX A

Rec 100 34493 34503
+ h12-00 OS MAP →

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING CONSENTS

STATIC STREET TRADING

APPLICATION FORM AND GUIDANCE

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

Telephone Number: 0114 203 7752
Fax Number: 0114 273 4073

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

Opening Times

Monday to Friday

09:00 to 17:00



GUIDANCE FOR A STATIC STREET TRADING APPLICATION NOTES FOR APPLICANTS

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

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

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

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

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

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

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

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

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

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

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

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

1. Eligibility Criteria

An applicant:

- Must be at least 17 years old

2. Fee

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

3. Application

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

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

- a) A completed application form.
- b) The non refundable fee of £100.
- c) 3 colour photographs of the vehicle 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. A separate plan to scale detailing the sites 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 of the applicant(s).
- g) Current drivers licence of the applicant(s).
- 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) Written confirmation from Highways Department confirming consultation on the site.
- k) Written confirmation from the Planning Department confirming consultation.
- l) If trading from private land, written confirmation from the landowner.
- m) Details of any food hygiene qualifications (unless trading in non-food items).
- n) If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.
- o) Confirmation that you can meet the qualitative criteria (as attached)
- p) 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) The remaining quarterly fee or full annual fee.
- b) A certificate of insurance in respect of the vehicle or tow vehicle you propose to use.
- c) An appropriate vehicle test certificate.
- d) A certificate of public liability insurance (the level of cover shall be a minimum of £2,000,000).
- e) Written confirmation that the vehicle meets the Council's food safety standards.
- f) Waste management contract.
- g) Declare that you have registered as a food business.

4. Consultation

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

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

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

Planning 0114 203 9183 planningdc@sheffield.gov.uk

Highways 0114 273 6677 highways@sheffield.gov.uk

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

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

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

5. Traffic Regulation Orders

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

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

6. Objections

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

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

7. Grant of a Licence

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

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

All static consents expire on the 30th November.

8. Offences

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

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

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

9. Other Legislation to be Aware of

Food Establishments

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

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

There is no charge for registering with Environmental Health.

Trade Waste Disposal

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

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

Identification of Consent Holders and Assistants

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

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

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

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

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

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

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

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

Applications must be submitted to:

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

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

SHEFFIELD CITY COUNCIL
Licensing Service

PLEASE NOTE:

DISCLAIMER

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

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

We will however endeavour to offer basic information / guidance.

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

Stephen Lonnia
Head of Licensing
Sheffield City Council

Local Government (Miscellaneous Provisions) Act 1982

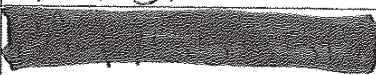
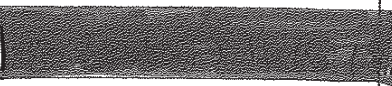



Application for a STATIC Street Trading Consent

Notes to Applicant

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

*I / *WE HEREBY APPLY to the Sheffield City Council for the grant of a static street trading consent (*delete as appropriate).

A. THE APPLICANT(S)

		1 st Applicant (Mr/Mrs/Miss/other)	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	NASAR AHMED.	
Q2	Applicant(s) permanent private address	● HALIFAX Road. SHEFFIELD. S6-1-L-H.	
Q3	Date of birth	05-07-69.	
Q4	Nationality and place of birth	BRITISH PAKISTAN.	
Q5	National Insurance No.		
Q6	Do you have the legal right to work and live in the UK?	YES / NO Details:	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	YES / NO Details:	YES / NO Details:
Q8	Telephone No		
Q9	Email address		

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

Q10	Name	
Q11	Registered address	
Q12	Registered number	
Q13	Telephone number	
Q14	Email address	
Q15	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	

C. THE UNIT / VEHICLE

Q16	Description of unit / vehicle to be used	BOX VAN
Q17	Registration number (if applicable)	S867D.G.U.
Q18	Date of first registration (If applicable)	13-10-1998
Q19	Last MOT and service (if applicable)	
Q20	Size of vehicle	Height: Width: Length:
Q21	Does the vehicle meet the qualitative criteria? Your vehicle will be inspected prior to granting a consent.	

D. TRADING DETAILS

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

Q24	Is this private land?	
Q25	If private, who owns the land and have you obtained consent from them to use the land to trade?	
Q26	Items to be sold	Fruit/Vegetables. Toilet Paper. Kitchen Paper.
Q27	Specify days of trade	FRIday. Afternoon.
Q28	Specify times of trade (use 24 hours clock e.g. 10:00 to 16:00 hours)	15:00 To 18:00 hours
Q29	Highways comments attached?	
Q30	Planning comments attached?	

E. CONVICTIONS / CAUTIONS

Q31	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? If the answer is Yes please give full details below:	Applicant 1 Yes [] No []	
		Applicant 2 Yes [] No []	
Details of previous convictions and/or cautions			
	Date of Conviction	Court of Conviction	Nature of Offence
	Sentence		
	Applicant 1		
	Applicant 2		

F. CHECK LIST

The following documents must be attached with this application:

(tick)

	Appropriate fee (if short term) or non refundable fee of £100	
X	Your current passport	N/A
X	Your current drivers licence	✓
X	One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	✓
X	Right to work documentation (if applicable)	N/A
X	Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	✓
	If trading from private land, written confirmation from the landowner	N/A
	Ordnance survey map of at least 1:1250 scale clearly identify the proposed trading position. An additional map to scale showing its proximity to other similar retail outlets within an 800 metre radius.	✓
	Photographs of the vehicle / unit showing front, side and rear.	✓
	Confirmation in writing that you have consulted with the Highways Department	✓
	Confirmation in writing that you have consulted with the Planning Department	✓
	Details of any food hygiene qualifications (unless trading in non food items)	✓
	If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	N/A.
	Confirmation that your vehicle meets the quality criteria	✓
	Any further information you may wish to submit in support of your application	

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

(tick if enclosed with this application)

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

G. DECLARATION

WARNING

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

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

I/We,

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

Applicant 1 Signature: Print name: Date: Capacity: NASAR AHMED 07-01-14-
Applicant 2 Signature: Print name: Date: Capacity:

Please read these notes before completing the application form.

- If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.
- The Council is under no obligation whatsoever to grant a consent to any person; you will be notified of the result of this application, as soon as possible.

Please return the fully completed form and all attachments to:

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

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

CITY WIDE STREET TRADING QUALITY SPECIFICATION

(This specification does not include the city centre)

UNIT DESIGN

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

Examples of acceptable designs include:

- Modern, simple, functional stalls with umbrellas, canopies or striped awnings.
- Traditional or 'period' type handcarts, barrows or tricycles.
- The stall design should be fully accessible for all customers.
- The outside of the unit will be limited to the name of the stall, the type of product sold and a simple price list. Ad hoc pictures and advertiser's slogans should be avoided, as should untidy handwritten signs.
- Advertisements on stalls will not be permitted except by permission of the Council in writing and subject to further conditions. The Council shall be the sole judge of what is an acceptable advertisement.
- Sign writing and scrollwork must be finished to a standard acceptable to the City Council.
- The unit must be visually acceptable to the City Council.
- The general design of the unit must meet the requirements of the Council for the location and proposed hours or days of trading. A photograph of the actual unit or proposed model must be submitted on application.
- Bright colours and a sense of fun are encouraged.
- Pitched and curved roofs are encouraged.
- Canopies must be maintained and cleaned.
- No expenditure on units or equipment should be made until the Council has granted consent and the unit design has been approved.
- The internal layout of the unit must be clean and to a high standard.

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

Environmental Health considerations of the unit design:

For Enclosed Food units:

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

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

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

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

- The applicant will need to demonstrate that:
 - they have registered with their home Local Authority;
 - all food handlers have received adequate food safety training appropriate to their job role;
 - the food business has a legally compliant Food Safety Management System (e.g. Safer Food, Better Business);

- if there is a history of non-compliance, it has been addressed and accepted by the Food Safety Enforcing Officer, or that the food business is in the process of addressing the issues and the Food Safety Officer does not consider the defect too severe so as to prohibit the food business from trading; and
- their business has a food hygiene rating score of at least 3.

DRESS

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

GENERAL

- Vehicles used to tow trailers must be parked legally at all times.
- The Council will reserve the right to not renew any consent where it considers the product/s offered by the operator are not in keeping with the requirements of the site.
- The goods complement and do not conflict with the goods sold by other retailers within their proposed area(s).

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

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

Dear Sirs

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

Many Thanks

NASAR AHMED.

● HALIFAX Road.

SHEFFIELD.

S-L-I-L-H.



Google

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





STREET TRADING

Notice is hereby given that:

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

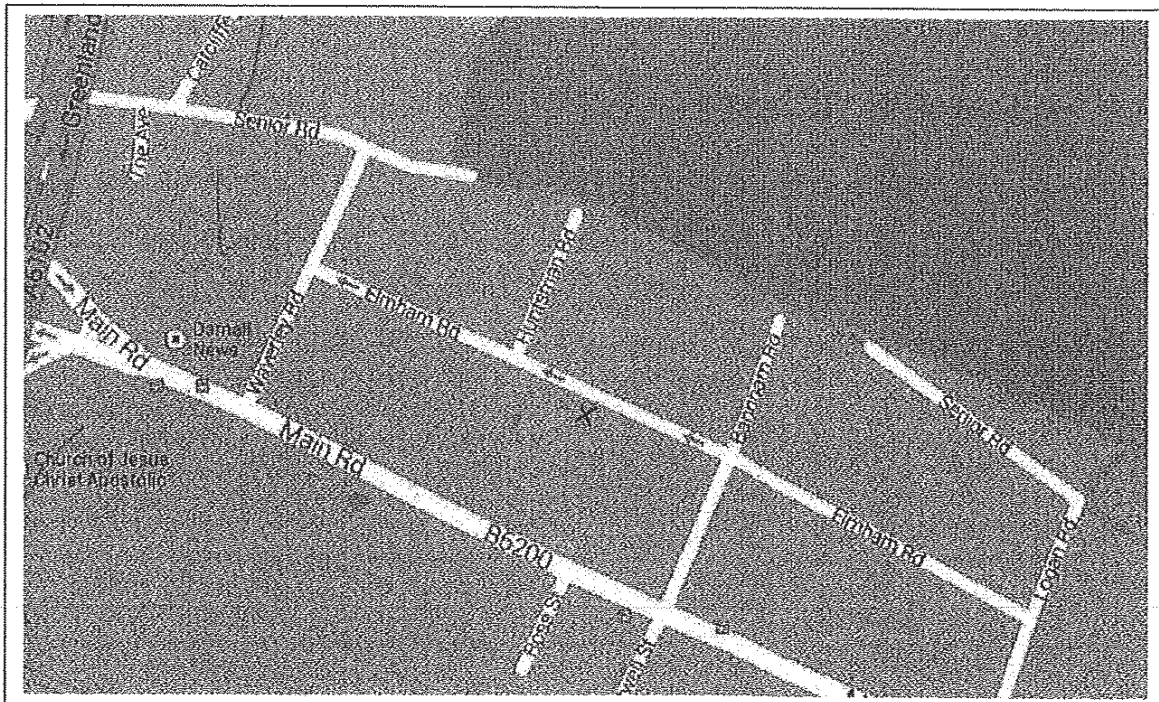
By: Mr Nasar Ahmed

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

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

Unit details: **Box Van**

The location: **Elmham Road**



Interested parties may make representations about this application, in writing, to: Licensing Services, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD by **10th February 2014**

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

Regeneration and Development Services

Director: David Caulfield, RTPi

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

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

Officer: Paul Turner Tel: (0114) 273 6137

Ref:HR/PT/Street Trading

Date: 13th January 2014

Mr Nasar Ahmed

● Halifax Road

Sheffield

S6 1LH

Dear Sir

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

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

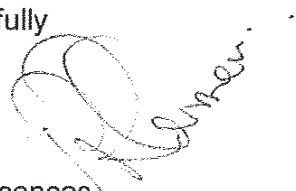
I understand from your letter that you wish to trade on Elmham Road for part of one day per week (Friday afternoon).

Please accept this as confirmation that from a Highway view the Highway Authority has no objection to your proposal provided that your vehicle does not:-

- i) contravene any Traffic Regulation Order (yellow lines) or the Highway Code
- ii) present an obstruction to pedestrians or vehicles
- iii) present safety or visibility issues at any location

I trust that this information will enable you to submit your application to the General Licensing Team based at Staniforth Road.

Yours faithfully



P Turner

Highway Licences

Transport, Traffic and Parking Services

Large print versions of this letter are available by telephoning

(0114) 273 6137

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Petition form

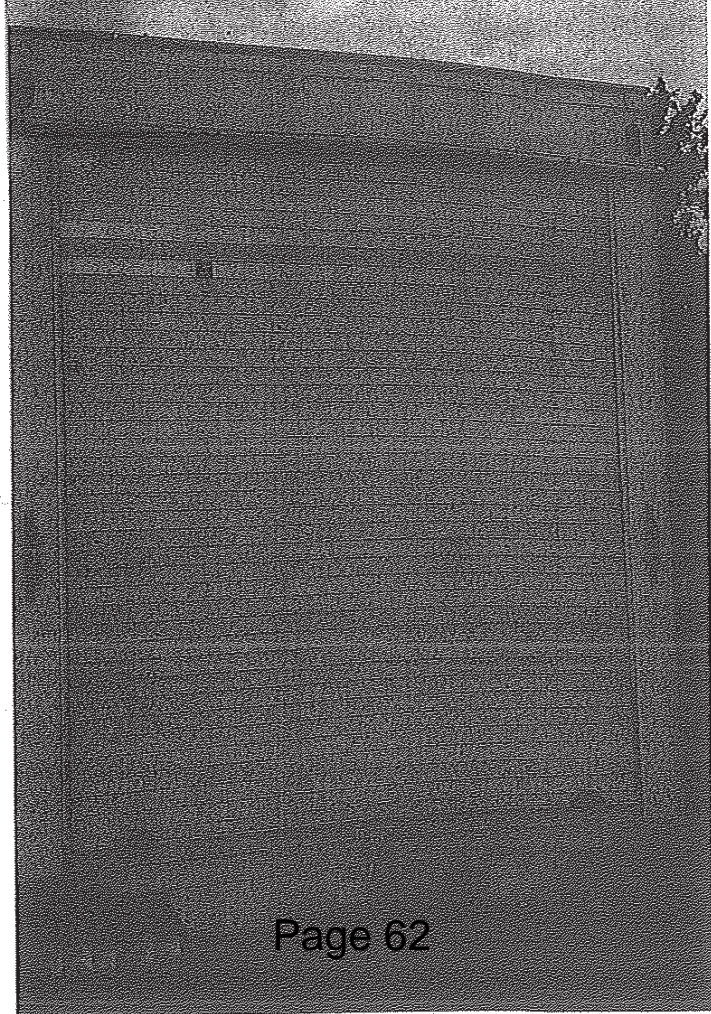
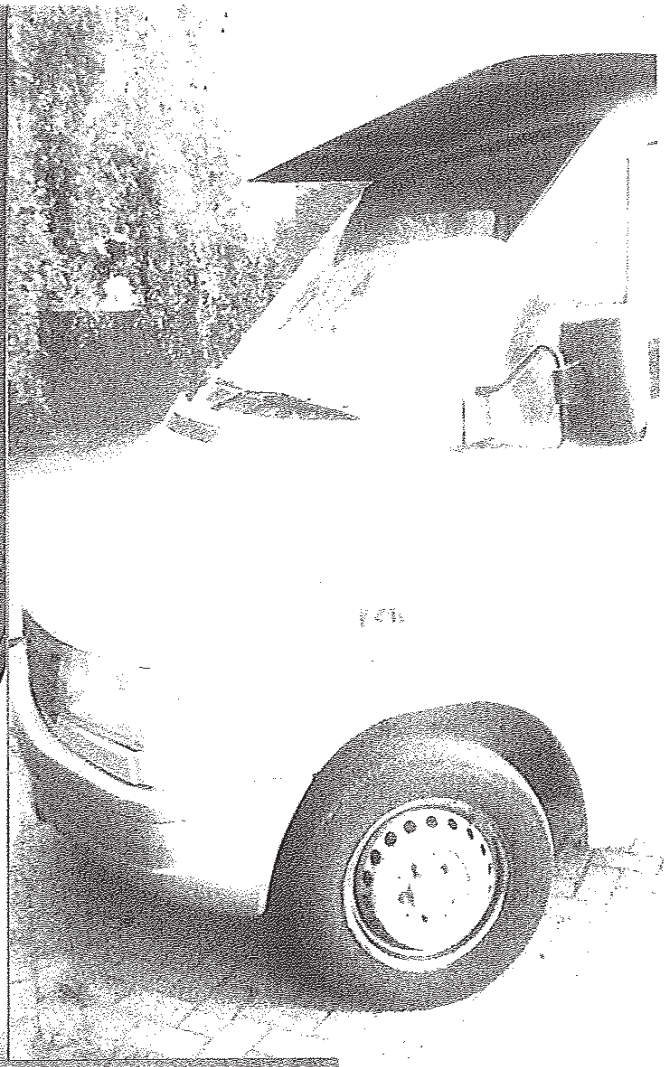
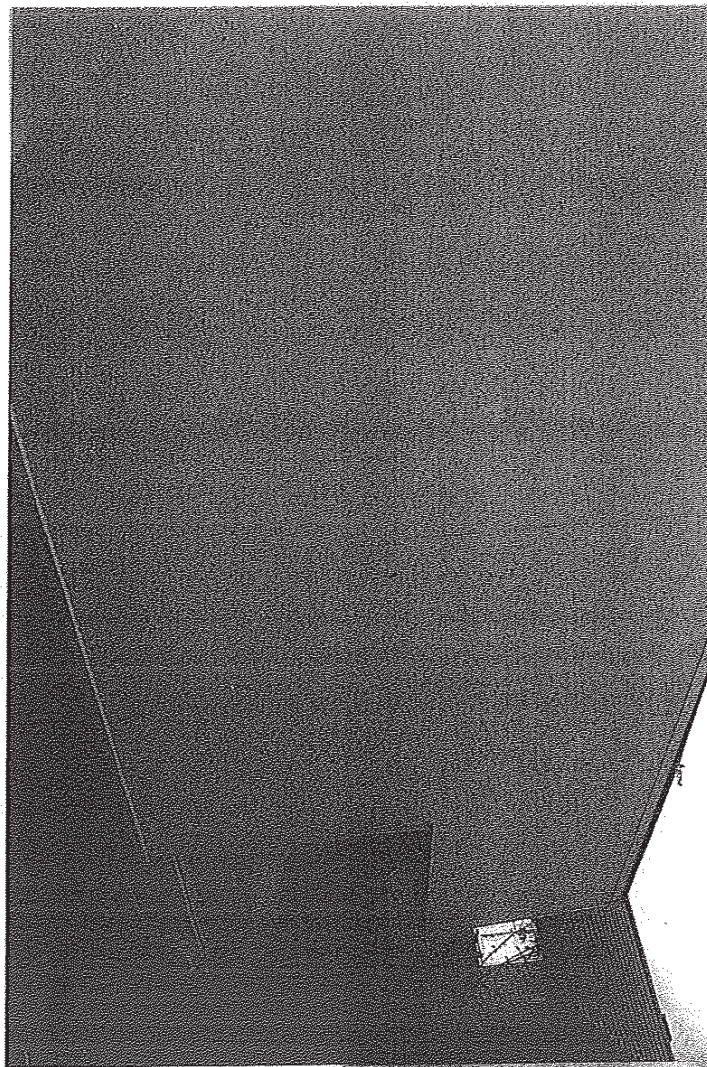
name	address	Signature
RAMEEL DUSN.	ELMHAM ROAD	[Redacted]
Perveen Ali	Elmham Rd SQ4PR	[Redacted]
Samira	SQ4PR	[Redacted]
M. R. KHAN	ELMHAM ROAD	[Redacted]
T. Hayat	ELMHAM RD.	[Redacted]
Tasira Khan	Elmham Road	[Redacted]
Sabina Naziq	Bannham Road	[Redacted]
Nadeem Abbas	Gainsford Road	[Redacted]
K.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

Petition form.

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

Petition Form!

name	address	signature
Shamem aktar	Elmham Road	[Redacted]
ABID A SHAIKH	S9 4LN	[Redacted]
Jasmin Mahmood	Elmham S9 4PK	[Redacted]
Nargis Sahar	Elmham RD S9 4PQ	[Redacted]
Sateen	Elmham Road	[Redacted]
Mohammed	Elmham Road	[Redacted]
MR J.B ALI	Elmham R.d	[Redacted]
MR. M. DIN	ELMHAM RA	[Redacted]
MR. IC ANJANA	ELMHAM RD	[Redacted]
Ghoshia; Amin.	ELMHAM	[Redacted]
J A Hussain	Elmham	[Redacted]
Y. RAZZAQ	Elmham Road	[Redacted]
Sedrah Bibi	Elmham Road	[Redacted]
Asha	Elmham Road.	[Redacted]



APPENDIX B

Ruston Andy (CEX)

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

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

To whom it may concern

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

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

Completed by: [REDACTED]

I have the following comments to make about this application:

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

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

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

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

Date: 23/1/14
Position : owner

Ruston Andy (CEX)

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

Dear [REDACTED]

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

Regards
Andy Ruston
Senior Licensing Officer
Business Strategy and Regulation
Place Portfolio
Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9.
Telephone: 0114 2037752 Fax: 0114 20 37750 Email: Andy.Ruston@sheffield.gov.uk
www.sheffield.gov.uk

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

To whom it may concern

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

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

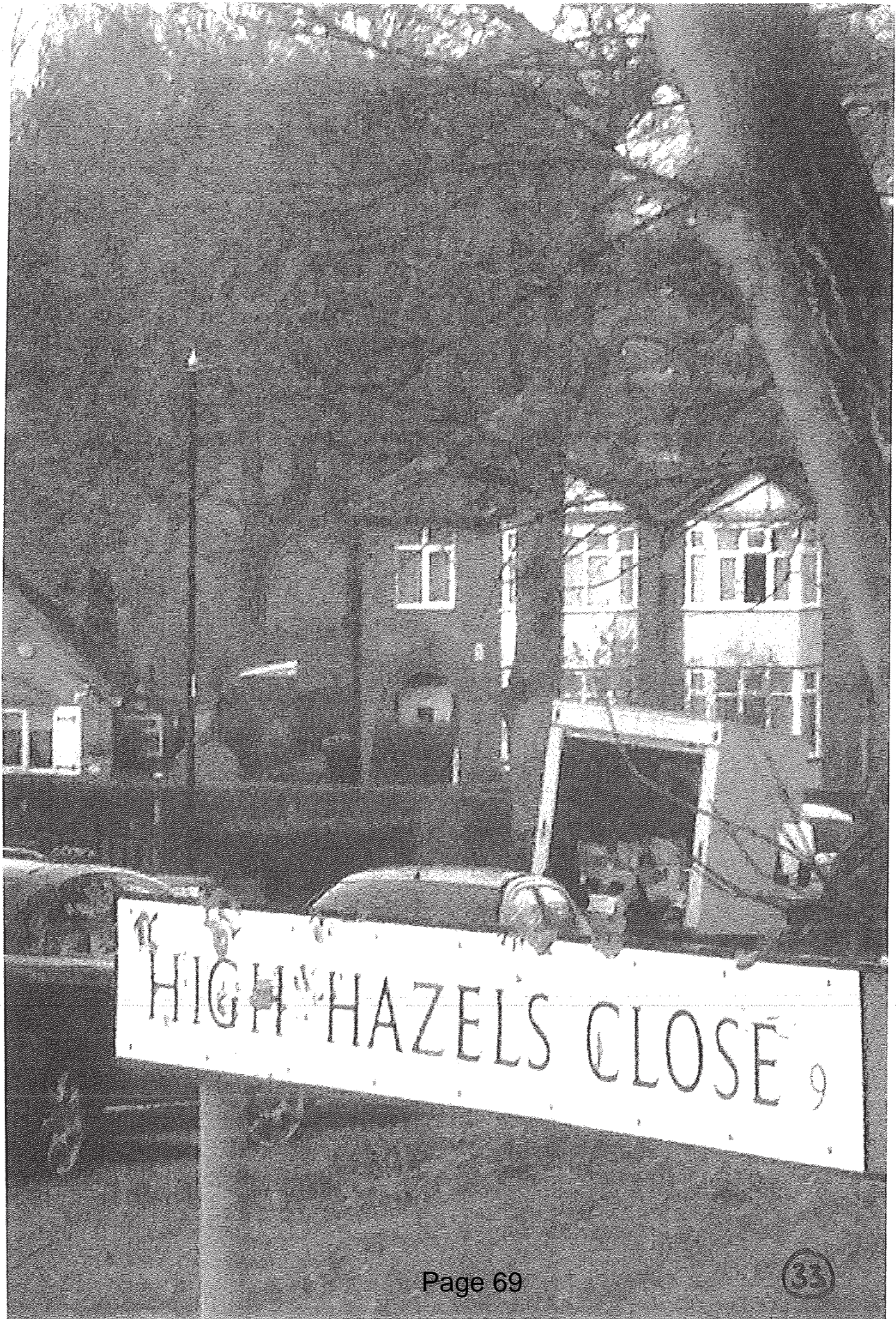
The images show the goods being displayed and 2 individuals at the vehicle looking to purchase items.

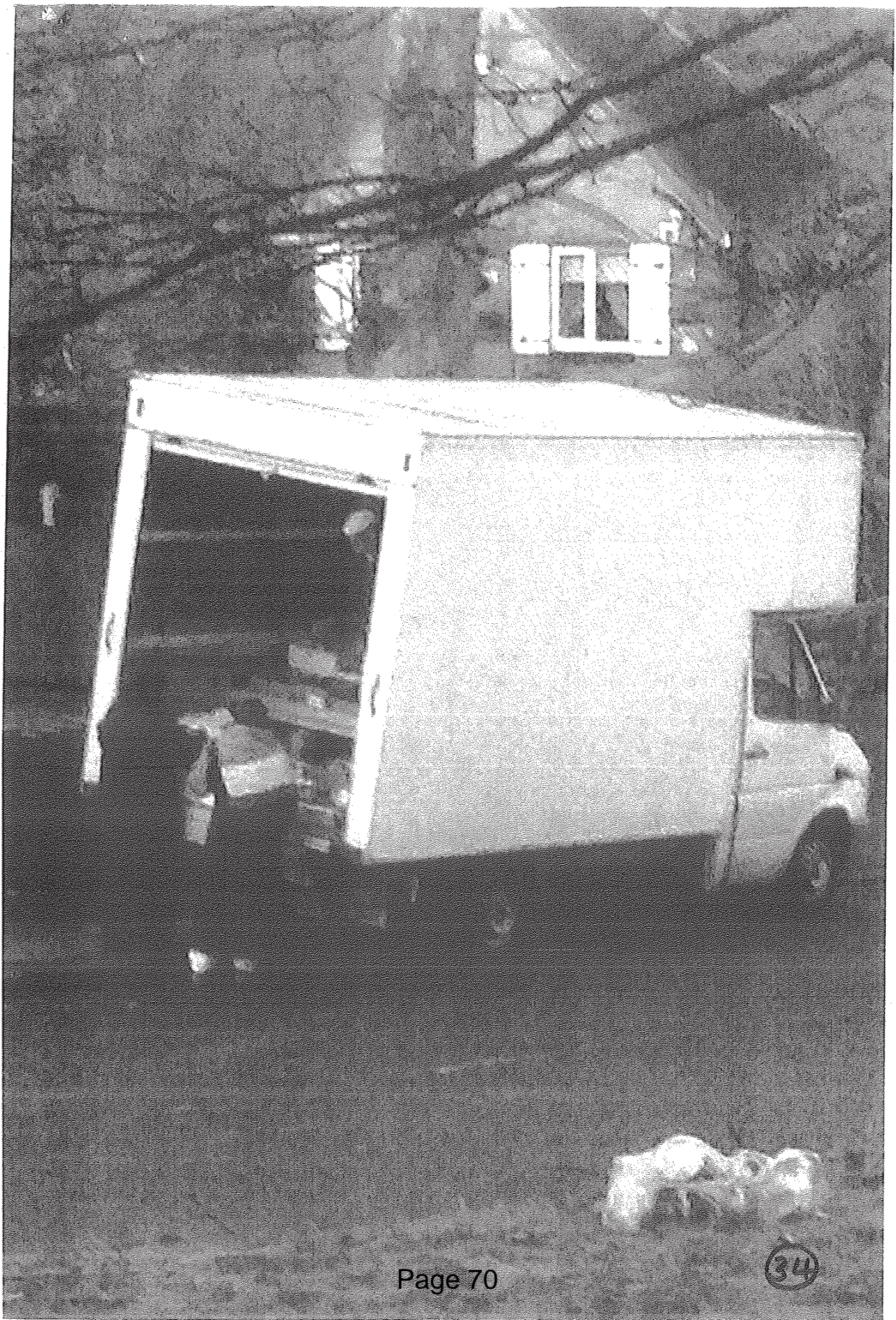
I hope these images show how much this trader respects the licensing agreement he has signed and should be abiding by.

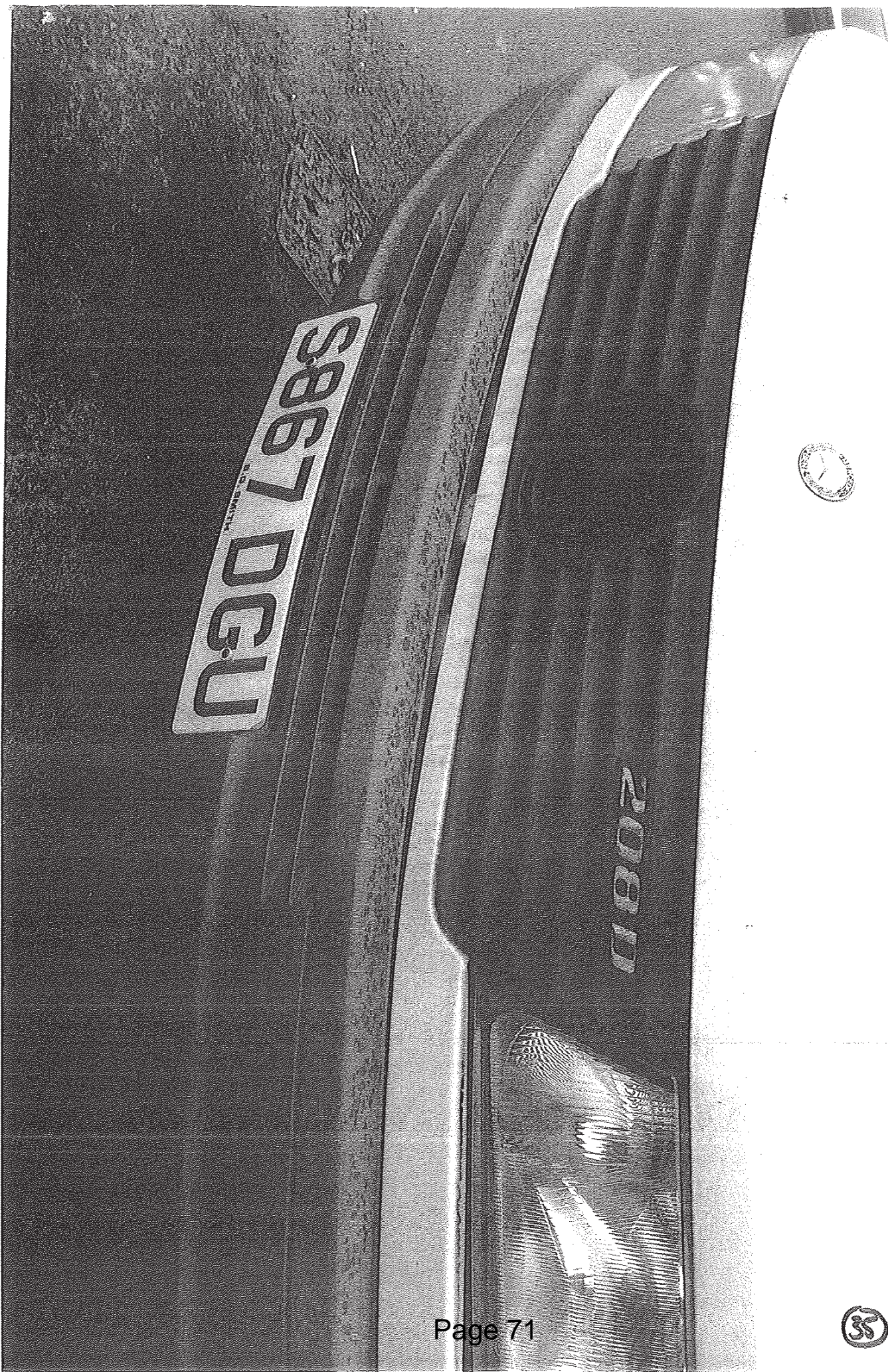
Best Regards
[REDACTED]











APPENDIX C

SHEFFIELD CITY COUNCIL

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

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

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

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

I refer to the above and consideration that will be given to the consent following three instances of the consent holder breaching the Mobile Street Trading Consent Conditions, Fruit Vegetables and Other traders.

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

The Committee has indicated that it expects persons that are invited to attend the meeting.

The hearing in respect of this matter will take place on **25th March 2014** in a Committee Room of the Town Hall, Sheffield (Pinstone Street entrance) and you are invited to attend at **11:00 am**.

PLEASE NOTE:

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



Date: 14th March 2014

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

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

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

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

SHEFFIELD CITY COUNCIL

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

To: Nasar Ahmed
Halifax Road
Sheffield
S6 1LH.

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

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

I refer to the above and consideration that will be given to the consent following three instances of the consent holder breaching the Mobile Street Trading Consent Conditions, Fruit Vegetables and Other traders.

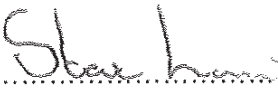
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Head of Licensing

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

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

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

APPENDIX D

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

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

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

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

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