



## SHEFFIELD CITY COUNCIL Committee Report

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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 20<sup>th</sup> September 2016

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**Subject:** Street Trading  
Application for a Static Street Trading Consent

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**Author of Report:** Clive Stephenson

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**Summary:** To consider an application for a Static Street Trading Consent at the Fabulous Flooring – Car Park, 1 Deerlands Avenue Sheffield S5 7WN

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**Background Papers:** As attached  
Street Trading Policy

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**Category of Report:** OPEN

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

REF No: 94/16

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**STREET TRADING – STATIC STREET TRADING CONSENT – Fabulous  
Flooring Car Park – 1 Deerlands Avenue Sheffield S5 7WN**

**1.0 PURPOSE OF REPORT**

- 1.1 To consider an application for the grant of a Static Street Trading consent to trade at Fabulous Flooring Car Park, Deerlands Avenue S5 7WN

**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 29<sup>th</sup> 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 1<sup>st</sup> 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    - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.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 1<sup>st</sup> 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 Craig Wood (Calvert's Meats) and a copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 9<sup>th</sup> June 2016.

3.3 The application is to sell fresh meat from a mobile chilled unit on a Tuesday and Friday only every week from 08:00 to 16:00 hours.

3.4 The applicant has consulted with the Planning and Highways departments and received comments back from each service as well as authorisation from the Job Lot Deerland's Avenue to trade within the car park area at the premises. Attached at Appendix B.

3.5 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning. Notices were erected by Licensing Officers at the site advertising the application and notice was also given to shops and anyone that might be affected by the applications within the immediate vicinity.

3.6 No objections have been received from any of the above relevant authorities.

### **4.0 REASONS FOR REFERRAL**

4.1 The application has been referred to the Sub-Licensing Committee for their consideration as the Licensing Authority has two application of a similar nature within close proximity of each other selling similar products

4.2 Section 2.8 of our street trading policy should be considered when determining the application, and Members are referred to in particular section 2.8.2:

#### **Traders (a)**

4.3 Mr Wood is an existing trader with Sheffield City Council and currently has two static street trading consents. Premier Convenience Store, Northern Avenue and the Car Park of the Old Blue Ball, Bradfield Road, Sheffield.

4.4 After information was received that Mr Wood was trading on this site without consent he was spoken to by Officers and subsequently made the required application and was granted a 1 month short term Street Trading Consent for this site (Fabulous Flooring) to trade on Sundays only between 5<sup>th</sup> June 2016 and 5<sup>th</sup> July 2016.

- 4.5 On 22<sup>nd</sup> August 2016 was contacted by Officers regarding a letter received on 11<sup>th</sup> August 2016 from Mr Wood stating that he no longer required the consent for Tuesday. Mr Wood was informed that he hadn't got any such consent. A copy of the officer's note is attached at appendix C
- 4.6 Members should consider all the information provided by the applicant both in their written application and in person at the hearing.
- 4.7 The applicant has been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'D'.
- 4.8 A copy of the hearing procedure is attached at Appendix 'E'.

## **5.0 FINANCIAL IMPLICATIONS**

- 5.1 The Street Trading Policy states that fees will be set and reviewed annually on a full cost recovery basis. The level of fee takes into account the location, duration of consent, the trading hours and articles to be sold as well as the enforcement of terms and conditions.
- 5.2 Fees for static consents are determined at the grant of the application therefore there are no financial implications arising from this report.

## **6.0 RECOMMENDATIONS**

- 6.1 That Members consider all the relevant information available, any representations that may be made and our policy.

## **7 OPTIONS OPEN TO THE COMMITTEE**

- 7.1 To grant the application for a Static Street Trading Consent at the Fabulous Carpets. 1 Deerlands Avenue.
- 7.2 To grant the application with amendments.
- 7.3 To defer the matter for further consideration.
- 7.4 To refuse the grant of the Static Street Trading Consent .

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

20<sup>th</sup> September 2016

# Appendix A

Application form

## 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 <sup>st</sup> Applicant (Mr/Mrs/ <del>Miss</del> /other)	2 <sup>nd</sup> Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	Craig Richard Wood	
Q2	Applicant(s) permanent private address	16 Clay Pit Way Barlborough Chesterfield S43 4WN	
Q3	Date of birth		
Q4	Nationality and place of birth	English Sheffield	
Q5	National Insurance No.		
Q6	Do you have the legal right to work and live in the UK?	YES / <del>NO</del> Details:	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	<del>YES</del> / NO Details:	YES / NO Details:
Q8	Telephone No	01246 819	
Q9	Email address	marie@Lachambre-bis	

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

A2

Q10	Name	Calvert Meats
Q11	Registered address	16 Clay Pit Way Chetelceid S43
Q12	Registered number	
Q13	Telephone number	01246
Q14	Email address	marie@LaChambre.biz
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	Long wheel based sprinter Box VAN mercedes
Q17	Registration number (if applicable)	KW08 RCZ
Q18	Date of first registration (if applicable)	17-7-2008
Q19	Last MOT and service (if applicable)	Last Mot 14 sept 2015 EXPIRY DATE 13 sept 2016
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.	Yes

**D. TRADING DETAILS**

Q22	Details of site to be occupied	hard standing next to <del>Super</del> Carpets Fabulous.
Q23	Location of pitch: (include site plan to scale)	See site plan. Page 55

13

Q24	Is this private land?	Yes
Q25	If private, who owns the land and have you obtained consent from them to use the land to trade?	Superior Carpets Yes
Q26	Items to be sold	Fresh Meat
Q27	Specify days of trade	TUESDAY + FRIDAY
Q28	Specify times of trade (use 24 hours clock e.g. 10:00 to 16:00 hours)	8.00 to 16.00 both days
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?	<b>Applicant 1</b> Yes [ ] No <input checked="" type="checkbox"/>	
	If the answer is Yes please give full details below:	<b>Applicant 2</b> Yes [ ] No [ ]	
<b>Details of previous convictions and/or cautions</b>			
	<b>Date of Conviction</b>	<b>Court of Conviction</b>	<b>Nature of Offence</b>
	<b>Sentence</b>		
	<b>Applicant 1</b>		
	<b>Applicant 2</b>		



AA

## F. CHECK LIST

The following documents must be attached with this application:

(tick)

	Appropriate fee (if short term) or non refundable fee of £100	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Your current passport	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Your current drivers licence	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	<input checked="" type="checkbox"/>	
	Right to work documentation (if applicable)		
	Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.		
<input checked="" type="checkbox"/>	If trading from private land, written confirmation from the landowner		PIA written consent
	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.	<input checked="" type="checkbox"/>	
	Photographs of the vehicle / unit showing front, side and rear.	<input checked="" type="checkbox"/>	
	Confirmation in writing that you have consulted with the Highways Department	<input checked="" type="checkbox"/>	
	Confirmation in writing that you have consulted with the Planning Department	<input checked="" type="checkbox"/>	
	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.	<input checked="" type="checkbox"/>	
	Confirmation that your vehicle meets the quality criteria	<input checked="" type="checkbox"/>	
	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."

AS

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;

	<p><b>Applicant 1</b></p> <p>Signature: ..... <i>Craig Wood</i> .....</p> <p>Print name: ..... <i>CRAIG WOOD</i> .....</p> <p>Date: ..... <i>7-5-16</i> .....</p> <p>Capacity: ..... <i>owner</i> .....</p>
	<p><b>Applicant 2</b></p> <p>Signature: .....</p> <p>Print name: .....</p> <p>Date: .....</p> <p>Capacity: .....</p>

Please read these notes before completing the application form.

- (a) 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.
- (b) None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.
- (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 10am to 4pm, Monday to Friday. Telephone (0114) 2734264

**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 clear and to a high standard.

A7

# Fabulous Flooring

## Domestic & Commercial Flooring

I Thomas Madey give permission for Calvert Meats to stand outside our property know as: Fabulous Flooring, 1 Deerlands Avenue, Sheffield, S5 7WN

We have agreed 2 months rent free to help them get there business established thereafter we will be charging Calvert Meats £100 each day they stand.

I am happy for Calverts Meats to stand on.....TUESDAY + FRIDAY..... providing they have permission from the council.

Dated: 8.06.2016

Signed:



Printed:

T MADEY

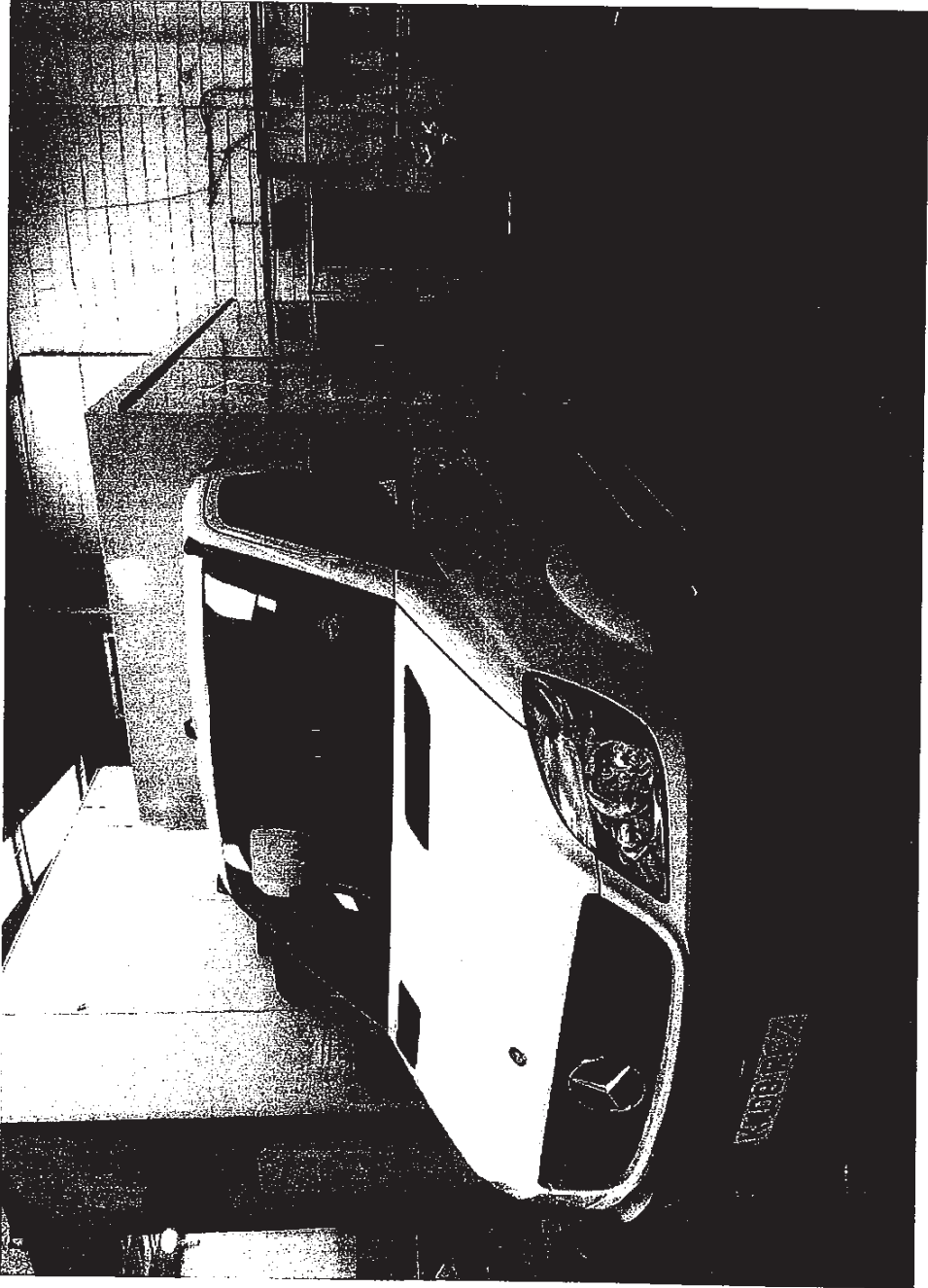
1A Deerlands Avenue, Sheffield, S5 7WN

Email: [mrfab@hotmail.co.uk](mailto:mrfab@hotmail.co.uk) Tel: 0114 2335676 Mobile: 07496725477

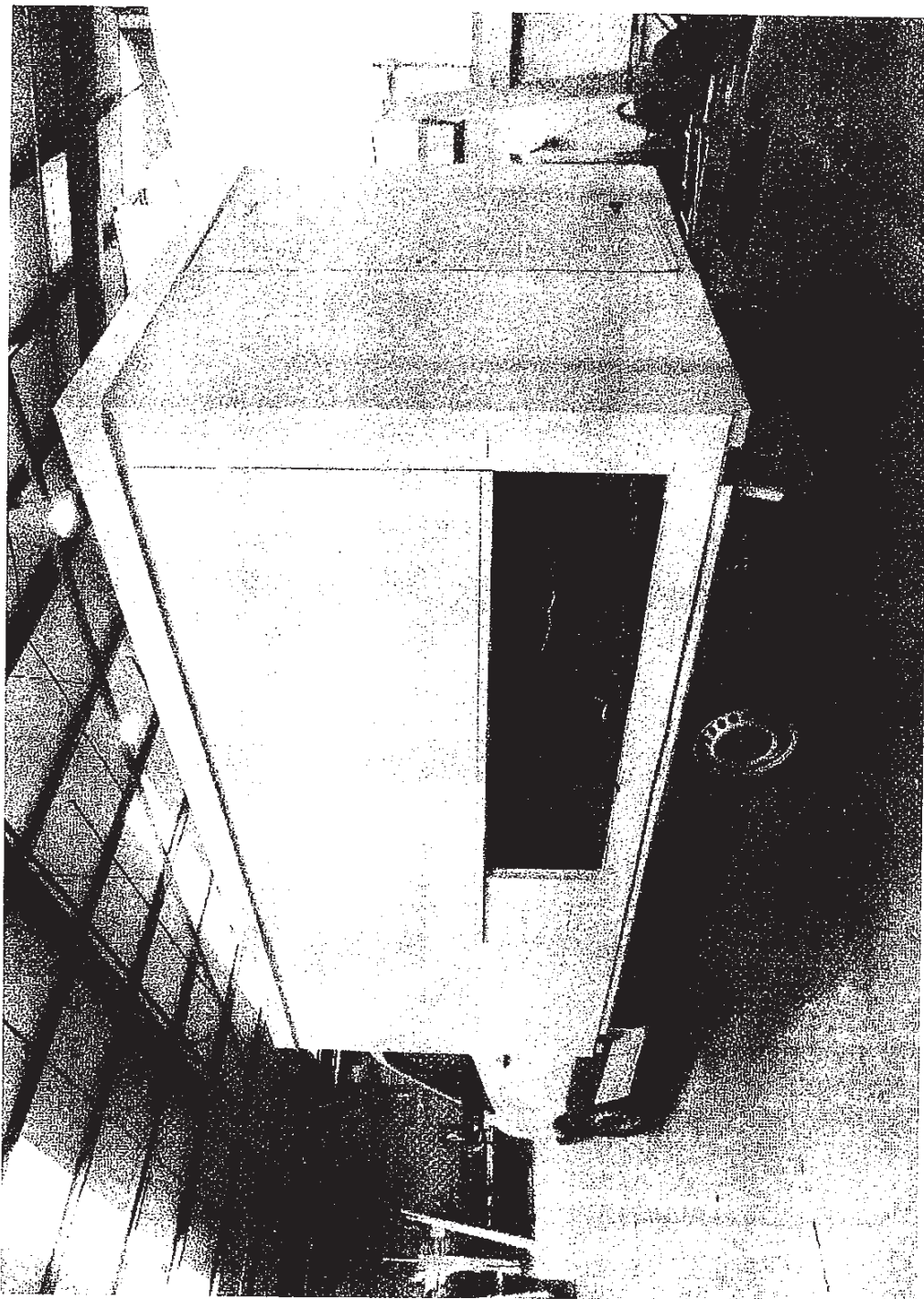
VAT Registration Number: 225641716

76W  
11.12.2010

A8



A9





## STREET TRADING

Notice is hereby given that:

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

A10

By: **Craig Richard Wood**

To trade: **Fresh Meat**

On: **Tuesday & Friday**  
**08:00 to 04:00**

Unit details: **Long Wheel Based Sprinter Box Van**

The location: **Hard Standing Next to Fabulos Carpets**



Interested parties may make representations about this application, in writing, to: Licensing Service, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD by **7 July 2016**

For full details and to view a copy of the application please contact the Licensing Service on 0114 2734264

All

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Legend



# Appendix B

Planning Permissions

From: Turner Paul (DEL-H/Way Regs)  
Sent: Wednesday, June 8, 2016 8:11 AM  
To: 'marie@lachambre.biz'  
Cc: highways@sheffield.gov.uk  
Subject: RE: Street trading license

BI

Dear Mr Wood,

Please accept this e-mail as confirmation that from a Highways view the Highway Authority has no objection to your proposal to trade from within the private land next to Superior Carpets at Lane Top.

I trust that this will enable you to progress your application with the General Licensing Service.

Regards

Paul Turner

Highway Licences Town Hall

Pinstone Street

Sheffield S1 2HH Tel 0114 2736137 Fax 0114 2736210

From: marie@lachambre.biz [mailto:marie@lachambre.biz]

Sent: 07 June 2016 13:25

To: highways@sheffield.gov.uk

Subject: Street trading license

Dear Sir / Madam

We have put in an application to the licensing department for a static street trading license to sell fresh meat from a van.

It will be on private land next to Superior carpets Lane Top Sheffield.

The closest highway is Barnsley Road, which is approximately 20 meters away.

Licensing department have told us as part of the application we have to inform yourselves and they must have proof that we have informed you.

We would be very much obliged if you could forward your comments back to us at the earliest opportunity, as we cannot continue the application until then.

Many thanks for your help,

Craig Wood (Calvert Meats)

This Email, and any attachments, may contain non-public information and is intended solely for the individual(s) to whom it is addressed. It may contain sensitive or protectively marked material and should be handled accordingly. If this Email has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately. Whilst we take reasonable steps to try to identify any software viruses, any attachments to this Email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Sheffield City Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this e-mail

B2

# Fabulous Flooring

## Domestic & Commercial Flooring

I Thomas Madey give permission for Calvert Meats to stand outside our property know as: Fabulous Flooring, 1 Deerlands Avenue, Sheffield, S5 7WN

We have agreed 2 months rent free to help them get there business established thereafter we will be charging Calvert Meats £100 each day they stand.

I am happy for Calverts Meats to stand any day of the week providing they have permission from the council.

Dated: 8.06.2016

Signed:



Printed:

T MADEY

1A Deerlands Avenue, Sheffield, S5 7WN

Email: [mrfab@hotmail.co.uk](mailto:mrfab@hotmail.co.uk) Tel: 0114 2335676 Mobile: 07496725477

VAT Registration Number: 225641716

# Appendix C

Correspondence &  
notes

11/08/2016.

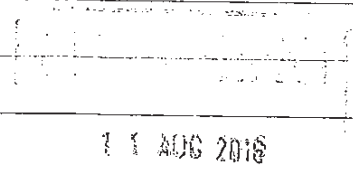
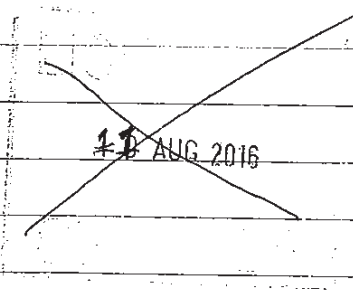
AA Calvert Meats.

Craig Wood C1  
116 Clay Pit Way  
Barnborough  
Chesterfield  
S434WN.

01246 812094

As from 26/07/2016 we no longer  
stand our Meat van on the  
Barnsley RD. pitch on Tuesdays.

C Wood



C2

File Note

22<sup>nd</sup> August 2016 at 16:50 Approximately

T/C to Craig Wood following receipt of a letter on the 11<sup>th</sup> August 2016 un which he stated that he no longer required Tuesday on his consent at Barnsley Road.

I contacted Mr Wood with regard to his letter as I was unsure as to the intention of the letter, I had spoken with Emma Rhodes regarding this matter who mentioned that she didn't think that the consent had been issued.

I spoke to Mr Wood regarding his letter and I asked him if he was currently trading Mr Wood stated that he was and had been doing so since his previous month's consent expired which I believed to be the beginning of July 2016.

I explained to Mr Wood that I didn't think that the consent has been issued and as such he didn't have the appropriate authority to trade on the site at Barnsley Road on the days in question. I said that I would check the papers and having done so confirmed to Mr Wood that this was the case.

Mr Wood then explained that he has spoken to my colleague Mick Crawshaw who has told him that he was able to trade and the consent was granted after the expiry of his previous short term consent.

I then said that I would check with Mick and after a brief conversation passed the telephone call over to him for him to confirm what he has previously said.

During the brief conversation with Mick he did confirm to me that he had told Mr Wood's wife that the consent had not been granted and that the matter would need to go to Licensing Committee for them to make a decision.

Anne Anderson

22/8/2016

# Appendix D

Invitations to hearing

# SHEFFIELD CITY COUNCIL

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## LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading Application – Fabulous Floorings Deerlands Avenue, Sheffield.

### IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Craig Wood

[REDACTED]  
Chesterfield  
S43 [REDACTED]

Email: [REDACTED]

**LEGISLATION:** Local Government (Miscellaneous Provisions) Act 1982

**LICENCE TYPE:** Street Trading Consent – fabulous Carpets car park, 1 Deerlands Avenue Sheffield

I refer to the above and the application for the grant of a static street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details are provided in the report enclosed and to the Committee. 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 and objectors to attend the meeting.**

The meeting in respect of the application will take place on **Tuesday 20<sup>th</sup> September 2016** in a Committee Room of the Town Hall, Sheffield, S1 2HH (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 2734264.



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

Date: 2<sup>nd</sup> September 2016

**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 2734264

**The Licensing Service Reception is open from 10.00am to 4.00pm, Monday to Friday. Telephone calls can be taken from 09:00am to 5:00pm.**



# STREET TRADING CONSENT APPLICATION

## SUB-COMMITTEE HEARING PROCEDURE

E1

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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