

Agenda

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General Purposes Licensing Casework Sub-Committee

Date: **Monday 16 March 2020**

Time: **5.30 pm**

Place: **Barristers' Room - Oxford Town Hall**

For any further information please contact:

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If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

General Purposes Licensing Casework Sub-Committee

Membership

Chair	Councillor Colin Cook
	Councillor Mary Clarkson
	Councillor Elizabeth Wade

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AGENDA

Pages

PART ONE **PUBLIC BUSINESS**

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

3 PROCEDURE TO BE FOLLOWED AT THE MEETING

Guidance on the procedure to be followed is attached.

7 - 28

4 MINUTES

29 - 34

Recommendation: That the minutes of the meeting held on 03 February 2020 be APPROVED as a true and accurate record.

5 APPLICATION FOR STREET TRADING SITES 10 AND 14

35 - 90

The Head of Regulatory Services and Community Safety has submitted a report to inform the determination of applications received in competition for Street Trading Consent to fill two vacant approved street trading sites.

The Sub-Committee is requested to determine, from the applications received, which applicants they wish to grant Street Trading Consent to, taking into account the details in the report and any representations made at this Sub Committee meeting.

6 EXEMPT MATTERS

If the Sub-Committee wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding or following agenda items it will be necessary for the Sub-Committee to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PART II

EXEMPT BUSINESS

In accordance with paragraphs 1, 2, 3 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972, which includes:

- information relating to any individual
- information which is likely to reveal the identity of an individual
- business affairs of a person other than the Council
- information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

7	APPLICATION TO DRIVE PRIVATE HIRE VEHICLES The Head of Regulatory Services and Community Safety has submitted a report to inform the determination of an application to drive Private Hire Vehicles in the City.	91 - 118
8	APPLICATION TO DRIVE PRIVATE HIRE VEHICLES The Head of Regulatory Services and Community Safety has submitted a report to inform the determination of an application to drive Private Hire Vehicles in the City.	119 - 130
9	APPLICATION TO DRIVE PRIVATE HIRE VEHICLES The Head of Regulatory Services and Community Safety has submitted a report to inform the determination of whether someone remains a fit and proper person to drive Private Hire Vehicles in the City.	131 - 140
10	CONFIDENTIAL MINUTES Recommendation: That the confidential minutes of the meeting held on 03 February 2020 be APPROVED as a true and accurate record.	141 - 148
11	DATES OF FUTURE MEETINGS The dates of future meetings (if required) are: <ul style="list-style-type: none">• 27 April 2020• 08 June 2020• 06 July 2020 All meetings start at 5.30pm.	

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed “Declarations of Interest” or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council’s area; licences for land in the Council’s area; corporate tenancies; and securities. These declarations must be recorded in each councillor’s Register of Interests which is publicly available on the Council’s website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members’ Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members’ Code of Conduct says that a member “must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself” and that “you must not place yourself in situations where your honesty and integrity may be questioned”. What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member’s spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

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OXFORD CITY COUNCIL

General Purposes Licensing Casework Sub-Committee

HEARING PROCEDURE for Hackney Carriages and Private Hire licensing, Street Trading consents and Sex Establishment licenses

The Meeting

The General Purposes Licensing Casework Sub-Committee (Sub-Committee) consists of three members of the General Purposes Licensing Committee. With the consent of the applicant, or person who is subject of the hearing, the Sub-Committee can consist of two councillors. The Sub-Committee is responsible for reaching a decision upon the application having heard representations and considering all relevant material presented.

All members must be present throughout the hearing. If for any reason a member needs to withdraw during the proceedings the hearing should be temporarily adjourned until the member returns, or the member should not participate any further in the hearing. Any departure should therefore be avoided wherever possible. A member who arrives after the hearing has commenced is not allowed to participate in that hearing.

Closed and Open Hearings

Street Trading hearings shall normally take place in public. However, the Sub-Committee may exclude the press and the public from all or part of a hearing where exempt information (*section 100A(4) Local Government Act 1972*) is concerned and the Sub Committee considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

Taxi licensing hearings will usually be considered in private as cases coming before the Sub-Committee involve private and personal information relating to the case subject. Most taxi hearings will therefore be held in private and will be treated as confidential and not for publication.

Declaring Interests

To avoid any suggestion of bias, members should not take part in any hearing if they have any interest, financial or otherwise, in the outcome, or if they have any connection with or have been approached by a person who is the subject of an item on the Sub-Committee's agenda. Members must take care not to be

influenced by their role on any other council committee. Licensing decisions must be taken strictly on the criteria allowed by the relevant legislation.

The Paperwork

Officers of the Licensing Authority (the City Council) will prepare the paperwork for the application that is to be heard by the Sub-Committee. The paperwork will include:-

- A summary of the application or matter for determination, the representations received and of any other relevant material
- A copy of the application and any other supporting material supplied by the applicant.

for Street Trading hearing only:

- Any observations on the application or matter made by the Police and/or other technical advisor to the Sub-Committee
- Any representations of objection to the application

Attendees at the Hearing

Any party may be assisted or represented by any person whether or not that person is legally qualified.

For Street Trading hearings only:

Observations of Police and/or Technical advisors

Where appropriate the police or technical advisors to the Sub Committee may make their observations.

The Sub-Committee may ask questions of the Police and/or technical advisors.

Other parties may ask factual questions of the Police and/or technical advisors. Cross-examination will only be permitted with the consent of the Chair.

Objector's case

Where written representations of objection have been received the Sub-Committee will have regard to those representations. Any objectors can attend the hearing to speak in support of their written objection. However, the Sub Committee will not require repetition of points already made in written representations. Only objectors who have sent written representation during the consultation period can speak.

Where a number of objectors have made representations which are similar in nature the Sub-Committee will expect a spokesperson to be appointed to represent the group.

The Sub-Committee may ask questions of any objector.

Other parties may ask factual questions of any objector. Cross-examination will only be permitted with the consent of the Chair.

Non-Attendance of the Case Subject/Applicant

If a case subject/ applicant has had reasonable notice of the hearing fails to attend either in person or through their representative, the Sub- Committee can proceed with the hearing in their absence.

The Sub-Committee may grant an adjournment if a reasonable explanation has been given for failure to attend or an adjournment has been specifically requested, and there is no reason to think that the person would fail to attend on another occasion. If a case subject has expressed an intention not to attend, or has repeatedly failed to attend, it would be proper for the Sub-Committee to hear the case in their absence.

The Sub-Committee should be prepared to adjourn proceedings if questions arise which cannot be dealt with satisfactorily in the case subject's absence. In deciding whether to hear the case in the absence of the case subject, the Sub-Committee should take into account whether they have sent a representative to act on their behalf and whether delay in hearing the case is likely to result in hardship (for example, where the case subject has stated that his or her need is urgent).

Conduct of Proceedings

The role of the Chair is to control the proceedings. All questions must be put through the Chair.

Members of the Sub-Committee will have read and familiarised themselves with the papers and issues. The Sub-Committee does not therefore require points to be made or repeated at length.

The hearing shall take the form of a discussion managed through the Chair. Formal cross- examination shall not be permitted unless the Chair considers that cross-examination in a particular circumstance would assist. In exercising this

discretion to permit cross-examination, the Chair must have regard to the rules of natural justice and the right to a fair hearing.

In considering an application, the Sub-Committee may take into account documents or other information relied on by a party in support of their application or representation. Copies of the information should be supplied to the Licensing Authority at least two working days before the hearing or, with the consent of the Chair after that time.

If a person attending the hearing is acting in a manner that the Chair considers is disruptive, the Chair will require that person to leave the hearing and may:

- (a) refuse to permit that person to return; or
- (b) permit him / her to return only on such conditions as the Sub-Committee may specify.

Before the end of the hearing any person who was required to leave the hearing may submit in writing any information which they would have been entitled to give orally had they not been required to leave.

Order of Proceedings

The Chair commences the hearing by introducing themselves and the other Sub-Committee members. The Chair asks all of the other parties present to introduce themselves and explain in what capacity they are attending.

Licensing officers will present the report relating to the application or matter to be heard by the Sub-Committee. They shall say who the applicant is, what the application is for and explain the paperwork before the Sub-Committee.

- The person appearing before the Sub-Committee may ask questions of the licensing officers or their report.
- Members of the Sub-Committee may ask question of the licensing officer on their presentation.

The person appearing before the Sub-Committee will present their case.

- Licensing officers may ask questions of the person appearing before the Sub-Committee.
- Members of the Sub-Committee may ask question of the person appearing before them.

For Street Trading hearings only:

If present, Police, technical advisors and objectors will present their case.

- Licensing officers may ask questions of the person appearing before the Sub-Committee.

- Members of the Sub-Committee may ask question of the person appearing before them.

All parties will be given the opportunity to summarise briefly their key points. The order shall be:-

- Licensing officer
- Objectors (for Street Trading hearings)
- Police and/or technical advisors (for Street trading hearings)
- Applicant

At the end of the submissions, the Chair will announce that the hearing is adjourned while the Sub-Committee deliberate in private. The Sub-Committee will be accompanied by the committee clerk and legal advisor during their deliberations. All other officers, applicants/ case subjects and members of the public will leave the room.

If it is necessary to recall any party for clarification of any point, then all parties should be recalled.

The Chair will either:

- Announce the decision of the Sub-Committee and confirm that a written determination with reasons will be sent to the parties by a given date.
- or
- Close the hearing and confirm that once a decision has been made a written determination with reasons will be sent to the parties by a given date.

The person appearing before the Sub-Committee shall be advised orally of their 21 day right of appeal, (starting from the date of the letter) and that the decision and rights of appeal shall be notified to them in writing.

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OXFORD CITY COUNCIL

POLICY ON THE RELEVANCE OF WARNINGS, OFFENCES, CAUTIONS AND CONVICTIONS

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POLICY ON THE RELEVANCE OF WARNINGS, OFFENCES, CAUTIONS AND CONVICTIONS

Consideration of the Grant, Renewal, Suspension or Revocation of Hackney Carriage and Private Hire Driver's Licences, Vehicle Licences, and Private Hire Operator Licences.

Introduction

Hackney Carriage and Private Hire have a specific role to play in an integrated transport system. They are able to provide services in situations where public transport is either not available (for example in rural areas, or outside "normal hours" of operation such as in the evenings or on Sundays). The Hackney Carriage/Private Hire vehicles play an integral part in the dispersal of people to support the night time economy.

It is the Council's wish to facilitate well-run and responsible businesses which display sensitivity to the wishes and needs of the general public. Its purpose, therefore, is to prevent licences being given to or used by those who are not suitable people taking into account their driving record, their driving experience, their sobriety, mental and physical fitness, honesty, and that they are people who would not take advantage of their employment to cause distress, harm or suffering to any passenger or other person.

It is important that the Council's powers are used to ensure that Hackney Carriages and Private Hire vehicles in the City are safe and comfortable and that the powers are exercised in compliance with the European Convention on Human Rights.

Licensing Objectives

The Licensing Authority will carry out its Hackney Carriage and Private Hire licensing functions with a view to promoting the following licensing objectives:

- **Safety and health of drivers and the public;**
- **The promotion of a professional and respected Hackney Carriage and Private Hire trade;**
- **To prevent crime and disorder and to protect consumers;**
- **Improve the local environment, economy and quality of life; and**
- **To promote the aims and vision of Oxford City Council and its Partners.**

The aim of the licensing process, in this context, is to regulate the Hackney Carriage and Private Hire trade in order to promote the above objectives. In promoting these licensing objectives the Authority will expect to see licence holders and applicants continuously demonstrate they can meet or exceed specifications set by the Council.

Status

In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this policy document and the objectives set out above. Notwithstanding the existence of this policy and any other relevant Council policy, each case will be considered on its own merits.

Where it is necessary for the Authority to depart substantially from this policy, clear and compelling reasons will be given for doing so. The purpose of this document is to formulate guidelines which detail the Council's current stance on the relevance of warnings, offences, cautions and convictions in respect of applications for the grant of new licences, and the renewal of existing Hackney Carriage and Private Hire

vehicle driver's, operator's and proprietor's licences, and the maintaining of such licences.

The Council expects licence holders to comply with the conditions and regulations pertaining to the licence immediately. It is acknowledged, however, that certain provisions may place financial obligations on existing licence holders and accordingly the Council is prepared to permit a transitional period which will be determined by officers acting under delegated powers, during which necessary changes must be made.

The aim of the licensing regime to which these guidelines relate is not to punish the applicant twice for an offence (which includes a caution or a conviction), but to ensure that public safety is not compromised. The objective of the licensing regime is to ensure that, so far as possible, those licensed to drive Hackney Carriages and Private Hire vehicles are suitable persons to do so, namely that they are safe drivers with good driving records and adequate experience, sober, mentally and physically fit, and honest; and that they are persons who would not take advantage of their position to abuse, assault or defraud customers.

These guidelines will be taken into account by the Licensing Officers when processing applications.

Enforcement Procedures

It is this Authority's policy to deal with enforcement matters relating to an applicant or existing licence holders by means of Licensing Officers, the Head of Community Services, the Hackney Carriage and Private Hire Licensing Sub-Committee and the Courts. The expectation of the Authority is that any person who seeks the grant of a licence, or who holds a licence, meets with our definition of a "fit and proper" person. Hackney Carriage and Private Hire drivers maintain close contact with the public and are therefore not expected to behave or act in a manner that may:

- **cause any person to take offence at their actions**
- **cause any person to believe their actions are inappropriate**
- **cause any person to fear of their physical safety**
- **cause any person to doubt their integrity**
- **brings in to disrepute the integrity of the Council for having granted such a person a licence**
- **fail to adhere to the conditions and regulations pertaining to the licence**

Any complaints or enforcement measures are dealt with in the first instance by the Licensing Officers by way of a "Warning" system. Any failures on the part of an applicant or existing licence holder to uphold the Licensing Objectives or to adhere to the conditions and regulations pertaining to the licence may result in any of the following actions (including Officers requesting that additional background checks be carried out):

- **the issue of a warning (appropriate to the incident reported)**
- **the issue of a higher level of warning (appropriate to the incident reported and having regard to the history of the licence holder)**
- **the request for an interview to be held in accordance with the Police and Criminal Evidence Act 1984**
- **the issue of a Formal Caution**
- **the referral of the matter to the Head of Community Services**
- **the referral of the matter to the Hackney Carriage and Private Hire Licensing Sub-Committee**

- **the referral of the matter to the Law and Governance department for consideration of prosecution**

Definitions

Appeal: A means by which a decision under delegated authority can be reviewed by the Magistrates Court or the Crown Court. The decision of the Council may be upheld or overturned.

Offence: commonly used to signify any public wrong, including crimes or indictable offences and offences punishable on summary conviction.

Caution: A caution is a formal warning given to an adult who has admitted to the commission of an offence and has consented to the caution.

Conviction: Judicially determining that someone is guilty of a crime

Free of convictions: This means a period since your last conviction in which you remain free of any further convictions. In the case of a custodial sentence this means the periods given will run from the date that the full sentence awarded by the court would have been completed.

Fit and Proper Person: A person who is of no threat to the general public, has a good City knowledge, is healthy, is of a good character (including driving record) and is therefore deemed fit and able to hold a licence.

Hackney Carriages: A vehicle that can carry passengers for hire or reward can be hailed by a prospective passenger and can park on a rank to await the approach of passengers; a vehicle available for public Hire.

Hackney Carriage and Private Hire Licensing Sub-Committee: A committee having powers given to it by the General Purposes Licensing Committee of the Council, to determine the suitability of an applicant to be granted a licence or existing licence holder to maintain a licence, when the Head of Community Services is unable to determine whether such a person meets the Authority's definition of a "fit and proper" person.

Head of Community Services: Who holds delegated authority to make day to day decisions regarding the suitability of any person seeking the grant or renewal of a licence, and the suspension of any licence holder.

Mitigating Circumstances: The circumstances surrounding an offence, caution or conviction. These may alter the seriousness of a crime.

Private Hire Vehicles: A vehicle which must be pre-booked with a Private Hire operator. This type of vehicle cannot ply for hire (stand in a rank, wait without a booking in a "prominent position" giving rise to the impression that the vehicle is available for hire, or undertake a journey that has not been pre-booked by the hirer with the Private Hire Operator).

Proprietor: The person in possession of a Hackney Carriage or Private Hire vehicle licence.

Operator: This means a business that makes provision for the invitation or acceptance of bookings for a Private Hire vehicle.

Refusal: To decide not to give something.

(Within this Policy any reference to refusal will also be a reference to revocation or suspension).

Revoke: To take something away permanently.

Suspend: To take something away temporarily.

Advisory Warning: Either verbally given or a letter advising that although an offence, caution or conviction was not serious enough to have warranted a First Level Warning, the offence committed is unacceptable and has caused concern to the Council as to the suitability to hold such a licence. If, in the future, similar behaviour is illustrated, the consequences could be more severe, possibly leading to an escalation in the level of warning issued, or the suspension of the licence.

First Level Warning: A letter advising that although an offence, caution or conviction was not serious enough to have warranted a Second Level Warning, the offence committed is unacceptable and has caused concern to the Council as to the suitability to hold such a licence. If, in the future, similar behaviour is illustrated, the consequences could be much more severe, possibly leading to the suspension of the licence

Second Level Warning: A letter advising that although an offence, caution or conviction was not serious enough to have warranted the refusal, suspension or revocation of the licence, the offence committed is unacceptable and has caused concern to the Council as to the suitability to hold such a licence. If, in the future, similar behaviour is illustrated, the consequences could be much more severe, possibly leading to the suspension of the licence.

Final Warning: A letter advising that although an offence, caution or conviction was not serious enough to have warranted the refusal, suspension or revocation of the licence, the offence committed is unacceptable and has caused concern to the Council as to the suitability to hold such a licence. If, in the future, similar behaviour is illustrated, the licence holder should expect the matter to be met with the suspension / revocation of his/her licence.

Councillor Warning: A Decision issued by the Hackney Carriage & Private Hire Licensing Sub-Committee (likely to also include additional conditions being imposed on a licence) advising that although an offence, caution or conviction, and / or accumulation of Warnings issued by the Licensing Officers was not serious enough to have warranted the refusal, suspension or revocation of the licence, the offence committed is unacceptable and has caused concern to the Council as to the suitability to hold such a licence. If, in the future, similar behaviour is illustrated, the licence holder should expect the matter to be met with the suspension / revocation of his/her licence.

Introduction to the Guidelines Relating to the Relevance of Convictions

Powers and Duties

The Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847 (as amended), Road Safety Act 2006 (Sections 52-53) places on Oxford City Council (the "Authority") the duty to carry out its licensing functions in respect of Hackney Carriage and Private Hire vehicles.

The Rehabilitation of Offenders Act 1974 is summarised at Appendix 1.0. However, Hackney Carriage and Private Hire drivers are listed as regulated occupations within the Rehabilitation of Offenders Act 1974 (Exceptions) Order (Amendment) (No2) 2002. No conviction is categorised as spent under this Order. All categories that criminal offences fall into are deemed to be relevant to the role of a Private Hire and Hackney Carriage driver.

In order to assess an individual's suitability to hold a licence, this Authority requires all

applicants to provide an Enhanced Criminal Records Bureau Disclosure and a DVLA Disclosure; and the Authority will take into account all endorsement penalty points, cautions and convictions when considering an application for a driver's licence, irrespective of offence, sentence imposed or age when the offence is committed.

All motoring and criminal offences must be declared on the application form. Any failure to declare any endorsement penalty points, offences, cautions or convictions either when making an application, or within 7 days of receipt of their issue, may lead to the appropriate enforcement actions being taken in regard to the suitability of such a person being considered "fit and proper" to hold a licence issued by the Authority.

Suitability

The legislation states that the Council may grant a licence **only** if it is satisfied that the person is fit and proper – **the onus is on the applicant to prove this, not the Council to demonstrate that they are not.**

Where sufficient and appropriate enforcement measures have been taken by the Licensing Officers, in relation to a licence holder who has displayed a propensity to fail to adhere to the conditions and regulations pertaining to his or her licence, their suitability to hold a licence may be placed before the Hackney Carriage and Private Hire Licensing Sub-Committee to determine. It is therefore advisable for all new applicants and existing licence holders to be familiar with the content of this Policy on the Relevance of Warnings, Offences, Cautions and Convictions, and with the criteria, conditions and regulations specific to the licence that they hold.

Full details of the criteria, conditions and regulations relating to the Taxi Licensing function can be found in the following documents, or on the Council website:

- **Hackney Carriage & Private Hire Driver Licence Application Pack**
- **Hackney Carriage & Private Hire Vehicle Licence Application Pack**
- **Private Hire Operator Licence Application Pack**

Offences, Cautions and Convictions

The Licensing Officer is required to look at any past indicators (convictions, including formal cautions, fixed penalties, speeding offences, etc) that may affect a person's suitability to hold a Hackney Carriage/Private Hire driver's licence and consider the possible implications of granting such a licence to that person.

The imposition of a fixed penalty in place of a prosecution under any enactment may be considered a relevant indicator of suitability. In addition, applicants must disclose any recent formal cautions they have received and any pending matters.

The disclosure of any conviction will not necessarily prevent an applicant from being issued a licence. However, all convictions, spent or live, will be assessed.

Cautions are included under the definition of 'convictions' and they will also be taken into consideration. Although these are generally not as serious as convictions, they can give some indication as to an applicant's character and whether they are a fit and proper person to hold or be granted a licence. The Licensing Officer will bear in mind that a caution is given where there is sufficient evidence for a prosecution and guilt has been admitted. Cautions will be taken in to consideration for a period of five years.

Penalty notices are similar to fixed penalties, but are issued for a wide range of offences of an anti-social nature, including behaviour likely to cause harassment, alarm or distress to others, drunk and disorderly behaviour in a public place, destroying or damaging property up to the value of £500, retail theft under £200, sale

of alcohol to a person under 18 years of age, selling alcohol to a drunken person or using threatening words or behaviour. This will be viewed in an appropriate light given the nature of the offence.

The Licensing Officer may refer to the Rehabilitation of Offenders Act 1974 as part of their assessment of the convictions. A summary of the Act is provided at **Appendix 1.0**. The fact that a conviction is not yet spent under the Act may be relevant in the determination. However, the Exemption Order means that for all practical purposes, it is as if the Rehabilitation of Offenders Act had never been passed for licensed drivers. Therefore Licensing Officers may disregard the Act if they consider it necessary in a particular case.

If a Court or the Police have found as a matter of fact that a person has committed an offence, that person cannot then say to the Licensing Officer that he / she did not commit the offence; and if they seek to do so, their representations will not be taken into consideration. The applicant can, however, explain any mitigating factors that led to them committing the offence and the Licensing Officer can take these into account in deciding whether the applicant is a fit and proper person to hold or be granted a licence. Such cases may be referred to the Licensing Sub-Committee for determination.

In the case of offences that have led to a term of imprisonment, the periods given will run from the date that the full sentence awarded by the court would have been completed.

A “Fit and Proper Person”

When considering whether someone should serve the public, the range of passengers that a driver may carry should be borne in mind. For example, elderly people, unaccompanied children, the disabled, those who have had too much to drink, lone women, foreign visitors and unaccompanied property. Some areas give rise to particular concern, including:

- **Honesty and trustworthiness** – drivers often have knowledge that a customer is leaving a house empty; they have opportunities to defraud drunken, vulnerable or foreign people or to steal property left in cars. They must not abuse their position of trust.
- **Not abusive** – drivers are often subject to unpleasant or dishonest behaviour. The Council does not consider that this excuses any aggressive or abusive conduct on the part of the driver. Drivers are expected to avoid confrontation, and to address disputes through the proper legal channels. In no circumstances should they take the law into their own hands.
- **A good and safe driver** – Passengers paying for a transport service rely on their driver to get them to their destination safely. They are professional drivers and should be fully aware of all Road Traffic legislation and conditions attached to the licence. A person who has committed an offence and has to wait a period of time before being accepted as a Hackney Carriage or Private Hire driver is more likely to value his/her licence and act accordingly.

Protecting the Public

The over-riding consideration for the Licensing Officer is to protect the public. Having considered and applied the appropriate guidelines, the Licensing Officer will determine **each case on its own merits**.

History

The Licensing Officer may take into account a person's history whilst holding a licence, from this or any other authority. The Licensing Officer may take into account,

in deciding whether a person is a fit and proper person to hold (or to continue to hold) a licence, such matters as the record of complaints about them, also their compliance with Licence conditions and their willingness to co-operate with the reasonable requests of Licensing Officers.

Best Practice Guidance

In formulating this policy, advice contained in the Taxi and Private Hire Vehicle Licensing Best Practice Guidance issued by the Department for Transport, and the advice provided by the Institute of Licensing has been taken into account.

GUIDELINES RELATING TO THE RELEVANCE OF WARNINGS, OFFENCES, CAUTIONS AND CONVICTIONS

General Policy

1. Each case will be decided on its own merits.
2. A person with a current conviction for serious crime need not be permanently barred from obtaining a licence but should be expected to remain free of conviction for 3 to 5 years, according to the circumstances, before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration must be the protection of the public.
3. In the case of offences that have led to a term of imprisonment, whether or not suspended, the periods given will run from the date that the full sentence awarded by the court would have been completed.
4. Cautions will be taken in to consideration for a period of five years.
5. A new applicant is a person who has not previously held a licence with this authority or whose licence had expired for 12 months before the application form was received in the Taxi Licensing Office.
6. Warnings issued by the Licensing Officers shall be considered relevant to the determination of the suitability of all applicants and existing licence holders with regard to the grant or continuation of a licence issued by the Authority.

The following examples afford a general guide on the action to be taken where convictions are admitted.

Driving & Traffic Offences

Private Hire and Hackney Carriage drivers are considered professional drivers and must be aware of the safety of their passengers and the safety of their vehicles at all times.

Any traffic offences show a lack of responsibility whilst driving either due to the maintenance and safety of their vehicle or in the manner of their driving.

Convictions for traffic offences should not necessarily prevent a person from proceeding with an application. However, the number, type and frequency of an offence will be taken into account. In some cases it may be appropriate to issue a licence together with a strong warning as to future driving conduct. If a significant history of offences is disclosed, an application may be refused.

Whilst the imposition of a Fixed Penalty Notice does not lead to a conviction, it never the less attracts penalty points to a DVLA licence. The Council considers 'death by careless driving' or 'death by dangerous driving' to be a very serious and you should therefore refer to the **Major Traffic Offences** section. For information on alcohol and drug related offences see **Drunkenness & Drugs** sections.

New applicants should not normally be considered if they have acquired more than three penalty points within the twelve months prior to the application for the grant of a licence; or they have in the previous two years been convicted of any single offence which resulted in a points penalty of five or more points, or offences totalling more than six points.

If sufficient points have been accrued or offences committed resulting in a period of disqualification of the applicant's DVLA driving licence then an application for a Hackney Carriage or Private Hire driver licence may not normally be considered until a period of twenty-four months has elapsed following its restoration and a warning should be issued as to future conduct.

If the DVLA driving licence of an applicant or an existing driver is revoked following the acquisition of six or more points during the first two years since passing the DVLA driving test, then a period of 24 months following the restoration of the licence must have elapsed before a Hackney Carriage or Private Hire driving licence may be applied for.

Drivers already licensed who are convicted during the course of the licence of any single offence which results in a penalty of five or more points or acquires nine or more penalty points, should be interviewed and may be referred to the Licensing Sub-Committee.

When a driver who is already licensed with this authority is disqualified from holding or obtaining a DVLA driving licence, the licence will be suspended. A period of 24 months following the restoration of the licence must have elapsed before a Hackney Carriage or Private Hire driving licence application may be considered. The driver may be required to appear before the Hackney Carriage and Private Hire Licensing Sub-Committee before the licence is reinstated.

Drivers already licensed and applicants awaiting the grant of a licence must inform the Taxi Licensing office within 7 days of any conviction.

For existing licence holders, a guideline is provided below in relation to penalty points:

5 or less penalty points: For 5 or fewer points on an applicant's driving licence, a licence will usually be granted, with an advisory warning.

6 or more penalty points: Where any applicant has 6 or more penalty points on their driving licence the Licensing Officer will usually consider granting the licence with a written warning unless exceptional circumstances justify a refusal.

"Totting Up" under S35 Road Traffic Offenders Act 1988: Where an applicant has been disqualified under the "totting up" procedures, the Licensing Officers will normally consider refusal until there has been a **period of 12 months** free of relevant convictions. If an applicant has agreed "exceptional hardship" and avoided disqualification, refusal will still be considered and a **period of 12 months** free of relevant convictions required.

Motor Insurance Offences

An isolated incident in the past should not necessarily bar an applicant from being issued a licence; however, the Council takes a serious view of motor insurance offences. More

than one conviction for these offences should raise serious doubts as to an applicant's suitability to hold a Hackney Carriage or Private Hire licence. In this instance, at **least 3 years** after restoration of the DVLA driving licence should elapse before an applicant, who has been disqualified from driving for an insurance offence, can be considered.

Major traffic offences

E.g. dangerous driving, drive whilst disqualified, fail to stop after an accident, using a handheld mobile telephone whilst driving, no insurance, careless driving, using vehicle with defective brakes/tyres/steering wheel etc. If the applicant has been convicted of one isolated major traffic offence a **period of 12 months** free of convictions will usually be expected prior to consideration of grant.

If the applicant has been convicted of two or more major traffic offences then a licence will not normally be granted until the applicant has completed at least a **period of 2 years** free from conviction. This period may increase where the combination of offences are considered to increase the risk to the public.

We consider 'death by careless driving' or 'death by dangerous driving' to be a very serious offence. If the applicant has been convicted of such an offence a **period of 3 years** free of convictions will usually be expected prior to consideration of an application. In all such cases, the matter will be determined by the Hackney Carriage & Private Hire Licensing Sub-Committee.

Plying for Hire

A serious view is taken of this offence, particularly since the vehicle will almost certainly have been carrying fare-paying passengers whilst uninsured. The offence is making one's vehicle available for public hire whilst using a licensed Private Hire vehicle.

It is not appropriate for Private Hire drivers to park in prominent positions (i.e. where people are likely to congregate, locations with a high level of footfall, near a taxi rank), without a pre-booked journey having been provided by the Private Hire Operator. If witnessed by the Licensing Officer, the licence holder should expect further enforcement measures to be taken against them, including a full inspection of the driver and vehicle against the conditions relating to both licences.

The Licensing Officer may request from the Private Hire Operator details of all bookings given to the driver, and further evidence if required that would assist with the Licensing Officer's case. If a Private Hire Operator is complicit in allowing the driver to book a journey, rather than the passenger book the journey directly with the Operator, the Operator should expect for the Licensing Officer to undertake any necessary enforcement measures against the company itself.

The Licensing Authority regularly carries out what are known as "Test Purchase" Operations, where attempts are made to ascertain whether individual licence holders and Private Hire Operators knowingly ply for hire. If any licence holder is found to be non-compliant with regard to this matter during such an operation, they should expect the matter to result in a prosecution against them in the Courts. If convicted by the Court of a single offence of plying for hire, the licence holder will be required to appear before the Hackney Carriage and Private Hire Licensing Sub-Committee, where the licence holder should expect to receive a revocation of their licence.

If a licence is revoked a period of twenty-four months should have elapsed before any application is considered.

Drunkenness (With Motor Vehicle)

A serious view should be taken of convictions of driving or being in charge of a vehicle while under the influence of alcohol. A conviction for this offence should raise grave doubts as to the applicants' fitness to hold a licence and at least 3 years should elapse (after the restoration of the driving licence) before an application for a licence is considered.

If there is any suggestion that the applicant is an alcoholic, a special medical examination should be arranged before the application is entertained. If the applicant is found to be an alcoholic a period of 5 years should elapse after treatment is complete before a further licence application is considered.

Drunkenness (Not in Motor Vehicle)

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, more than one conviction for drunkenness could indicate a medical problem necessitating critical examination.

Drugs

A serious view should be taken of this type of offence. An applicant with a conviction or caution for any drug related offence should be required to show a period of at least 3 years free of conviction or caution before an application is entertained, or 5 years after detoxification treatment if he/she was an addict.

Any person convicted of supplying drugs should not be considered for the grant of a licence for at least 5 years following conviction. If the applicant has received a custodial sentence, the 5 years should be counted from the completion of the full sentence. If a licence is granted, the applicant should be warned of the serious consequences of driving a motor vehicle whilst under the influence of drugs.

Police Bail

Hackney Carriage and Private Hire drivers are expected to adhere to this Policy's definition of a "fit and proper" person. A person who already holds a licence with the Authority, if arrested for an alleged offence, and subsequently released by the Police on bail, depending upon the nature of the alleged offence, should expect to have their licence suspended by the Head of Community Services. The suspension shall remain in force until such time as the case is resolved by either the Police or by the Courts.

Police Recommendation

Hackney Carriage and Private Hire drivers maintain close contact with the public, often carrying unaccompanied and vulnerable passengers, and are therefore expected to adhere to this Policy's definition of a "fit and proper" person. Any person who is charged by the Police for an alleged offence, who in the view of the Police Officer represents a threat to the safety and well-being of the public, should expect to have their licence suspended by the Head of Community Services. The suspension shall remain in force until such time as the case is resolved by either the Police or by the Courts.

Indecency Offences

As Hackney Carriage and Private Hire vehicle drivers often carry unaccompanied passengers. Applicants with any cautions or convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, should be refused a

Hackney Carriage or Private Hire drivers licence until they can show a substantial period (at least 5 years) free of such offences before being considered to hold a licence.

Any applicant with a single caution or conviction of this kind should expect to have their application determined by the Hackney Carriage and Private Hire Licensing Sub-Committee. A person with more than once caution or conviction for any indecency offence would not normally be considered to be a suitable applicant.

A person who already holds a licence with this Authority, if charged with any indecency offence may expect to have their licence immediately suspended until the case is resolved by either the Police or by the Courts.

No application will be considered from a person currently on the Sex Offender's Register.

Violence

As Hackney Carriage and Private Hire vehicle drivers maintain close contact with the public, a firm line should be taken with applicants who have convictions for any form of offence that involves violence of any description. At least 3 years free of such convictions should be shown before an application is entertained and even then a strict warning should be given.

Offences involving breaches of public order should be treated seriously even if the case resulted in the applicant being bound over. More than one offence of this nature may indicate a propensity for this type of behaviour and at least three years free of conviction should be shown before an application is entertained.

Dishonesty

Hackney Carriage and Private Hire vehicle drivers are expected to be persons of trust. The widespread delivery of unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc.

Overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver. For these reasons a serious view should be taken of any conviction involving dishonesty. In general, a period of 3 to 5 years free of conviction or if a custodial sentence, 3 to 5 years from the completion should be required before entertaining an application.

Failure to declare endorsement penalty points, offences, cautions and convictions is regarded as a serious matter, whether it is through the omission of such incidents when submitting an application to the Authority, or by not informing the Authority within 7 days of receipt of their issue. Any person, who fails to declare on his or her application any such issues, should expect their application to be referred to the Hackney Carriage and Private Hire Licensing Sub-Committee, to determine their suitability to hold a licence.

Complaints Made Against Drivers

Complaints are frequently made against Hackney Carriage and Private Hire drivers. Such complaints include refusal to assist a disabled passenger, use of abusive language or refusal to accept a fare. Such complaints should be investigated and dealt with by the Licensing Officer, and if the complaint is serious enough, the applicant may be invited to make representations. At the Officer's discretion the applicant may be requested to attend an interview.

The Licensing Officer will consider the conduct of licence holders, taking into account the circumstances surrounding any alleged incident, and the realities of the profession, where drivers are often the subject of unwarranted abuse from members of the public.

The Licensing Officer will consider the history of all complaints made against the driver to assess any patterns and if deemed appropriate request additional background checks be carried out. If a pattern is identified, then the Officer will consider whether the driver is fit and proper person to hold such a licence, and the matter referred to the Licensing Sub-Committee for determination.

Warnings Issued by the Licensing Officers

The Licensing Officers carry out the day to day enforcement functions of the Licensing Authority. They deal with complaints made about licence holders, and carry out enforcement operations throughout the City. Such operations include the inspection of Hackney Carriage vehicles at the ranks, the checking of licensed drivers for adherence to the conditions attached to the driver, vehicle and operator licences, and checking that licence holders are complying with the relevant regulations pertaining to the licence.

Any failures on behalf of the licence holder to adhere to the criteria, conditions and regulation pertaining to the licence, are dealt with by way of Warnings. It is this Authority's policy to provide advice and education to the licensed trade in order to meet the licensing objectives as described in this Policy.

The levels of Warning issued by the Licensing Officers are proportionate to the incidents that they deal with, however should a licence holder be found to be continually failing to meet with the requirements of their licence, the level of Warning shall be escalated, until such time as the Licensing Officer has no alternative other than to refer the matter to the Head of Community Services, the Hackney Carriage and Private Hire Licensing Sub-Committee, or the Law and Governance department.

A licence holder who has shown a propensity to fail to adhere to the conditions and regulations pertaining to his or her licence, should expect to have additional condition imposed on the licence to ensure compliance. In certain cases the consequences could be much more severe and the licence holder should expect the matter to be dealt with by way of the suspension or revocation of his or her licence.

In cases where the licence is revoked, a period of 24 months must elapse before a further application may be made to the Authority. Should an applicant submit an application before 24 months has elapsed, he or she should expect the application to be refused by the Head of Community Services.

Any applicant or licence holder, who is issued with a Warning by the Licensing Officer and disagrees with that decision, has a right of appeal by way of written complaint, to the Licensing Team Leader within **21 days of the Warning being issued.**

Conclusion

Any applicant having a previous or current conviction should not necessarily prevent them from obtaining a Hackney Carriage or Private Hire licence. A person who has committed an offence and who is made to wait for a rehabilitation period to lapse prior to their application being accepted, is more likely to value their licence and act accordingly.

However, there are certain offences that are considered so serious that they will usually prevent a person obtaining or keeping a licence.

It is this Authority's policy to consider the safety, protection and well being of the general public by ensuring all licensed drivers are safe and competent drivers and are able to maintain their vehicles to an acceptable standard. The main purpose of the Licensing Officer's assessment is to ensure the public safety; not to punish or financially penalise licence holders. By applying these guidelines, the Council is seeking to maintain the high standard of quality of Hackney Carriage and Private Hire drivers, operators and proprietors in the City, which in turn maintains the good reputation of the taxi industry and the high quality of service to the travelling public.

Any applicant refused a licence on the grounds that the Licensing Officer is not satisfied he/she is a fit and proper person to hold such a licence, or who has had their licence suspended or revoked and disagrees with that decision, has a right of appeal by way of written complaint, to the Magistrates' Court within **21 days of the notice of decision**.

APPENDICES

Appendix 1: Table of Rehabilitation of Offenders Act

The Rehabilitation of Offenders Act 1974 provides that after a certain lapse of time, convictions for offences are to be regarded as "spent". Set out below are some examples of when convictions become "spent". Please note that it is from **the date of conviction** that the time commences for the Rehabilitation of Offenders Act.

Adult

	Sentence	Rehabilitation Period
1.	2 ½ years (30 months) imprisonment and over whether sentence was suspended or not	Never spent
2.	6 months imprisonment/youth custody and over but under 30 months whether sentence was suspended or not	10 years
3.	Under 6 months imprisonment/youth custody whether sentence was suspended or not	7 years
4.	A Fine, Compensation or Community Service Order	5 years
5.	Conditional Discharge, Bound Over or Probation Order. (Also includes Fit Person, Supervision and Care Orders)	1 year or period of probation sentence, whichever is longer
6.	Absolute Discharge	6 months
7.	Disqualification, disability or prohibition	Period of sentence unless a longer period as above (e.g. disqualification and a fine – 5 years)
8.	Remand Home/Approval School/ Attendance Centre Orders	1 year after Order expires
9.	Hospital Order Under Mental Health Acts	The period of the Order plus a further 2 years after Order expires (with a minimum of 5 years from the date of the conviction)

Youths

For applicants aged under 17 when the date of conviction took place 2, 3 and 4 above of the fixed rehabilitation periods are halved. Sentences which can only be passed on young offenders remain **fixed** and cannot be halved, i.e.

	Sentence	Rehabilitation Period
10.	Borstal	7 years
11.	6 months – 2 ½ years detention in a place determined by the Secretary of State	5 years
12.	6 months detention and less as above	3 years
13.	Detention Centre Orders	3 years

The period of time which must elapse in other cases before the conviction becomes “spent” may vary considerably according to the nature of the offence and other circumstances. **The rehabilitation period may, for example, be extended by the commission of a further offence during the rehabilitation period**

Minutes of a meeting of the GENERAL PURPOSES LICENSING CASEWORK SUB-COMMITTEE on Monday 3 February 2020

www.oxford.gov.uk



Committee members:

Councillor Cook (Chair) (for Councillor Clarkson)

Councillor Corais

Councillor Gotch

Officers:

Daniel Smith, Lawyer

David Stevens, Business Regulation Interim Team Manager

Joshua Curnow, Senior Licensing Compliance Officer

Samantha Broome, Licensing Officer

Katie Thorp, Licensing Compliance Officer

Lucy Longford, Licensing Officer

John Mitchell, Committee and Member Services Officer

Apologies:

Councillors Clarkson sent apologies.

48. Declarations of Interest

None.

49. Procedure to be followed at the meeting

Guidance on the procedure to be followed at the meeting was attached to the agenda.

50. Minutes

The Sub-Committee resolved to APPROVE the minutes of the meeting held on 16 December 2019 as a true and accurate record.

51. Breach of Street Trading Consent Conditions

The Head of Regulatory Services and Community Safety had submitted a report to inform the determination of what action to take in relation to the breach by Mr Iqbal of his Street Trading Consent.

Mr Iqbal and the Licensing Officers joined the meeting. The Chair introduced members of the Sub-Committee and explained the procedure to be followed at the meeting.

The Licensing Officer introduced the report. Mr Iqbal held Street Trading Consent for an ice cream van with registration J7 0RH. The Consent was issued on 01 April 2019 and would expire on 31 March 2020. Mr Iqbal also held Street Trading Consent for ice cream van registration BD52 WFO. The Consent was also issued on 01 April 2019 and would also expire on 31 March 2020.

The Report had been referred to the Sub-Committee following three complaints made to the Business Regulation Team.

On 15 July 2019 Mr L was involved in an incident whilst driving the ice cream van registration J7 0RH. Thames Valley Police notified the Business Regulation Team of the incident. Subsequent investigation found that Mr L was not registered as an employee, contrary to the general conditions of the Consent. These conditions require that a Consent holder must notify the Council of the name and address of any person he wishes to employ to work on his stall or vehicle. Anyone who operates a stall or vehicle other than the consent holder must be authorised by the Council

A second complaint was made to the Business Regulation Team by a member of the public regarding the behaviour of the driver of ice cream van BD52 WFO which was trading from Walton Well Road on Saturday 03 August 2019. Subsequent investigation found that the driver of the van was, also, not registered as an employee contrary to the conditions described above.

On the 05 September 2019 the Business Regulation Team received a complaint from a member of the public regarding ice cream van registration J7 0RH. The vehicle was observed parked on double yellow lines on Franklin Road, outside Rye St Anthony School. Mr Iqbal was therefore in breach of a further condition of the Consent which requires that "vehicle movements must be carried out legally and must not present a risk to people and structures".

Prior to the breaches of conditions mentioned above, Mr Iqbal had received a verbal warning on 02 May 2019 reminding him he must trade within his conditions of Consent. Mr Iqbal received a formal written warning on 18 June 2019, the letter reminded Mr Iqbal of the condition relating to vehicle movements. It was explained to Mr Iqbal that further enforcement action would be taken if further complaints were received during the 2019 trading period.

Following receipt of the complaints in the report, Mr Iqbal attended a meeting with officers of the Licensing Authority on 13 September 2019. At this meeting it was explained to Mr Iqbal that his Consent would be put before the Sub-Committee as per the Street Trading Policy.

Mr Iqbal had appeared before the Sub-Committee in May 2018 following a complaint regarding his ice cream van registration BD52 WFO being parked on double yellow lines and trading outside the permitted areas described on his Consent. The Sub-Committee resolved that Mr Iqbal should keep his Consent at that time but warned that another breach would necessitate his appearance before a further meeting of the Sub-Committee.

In discussion it was confirmed that the issues being considered by Thames Valley Police in relation to the incident on 15 July 2019 were not material to the consideration of whether or not Mr Iqbal should retain his Consents.

Mr Iqbal recognised that he should not have parked on a double yellow line and said he had not done so since the incident described in the report. He said many others parked on double yellow lines, particularly outside schools. He said that “In Oxford there are 90% yellow lines” and felt that there was a focus on challenging traders rather than the others who park on yellow lines. When he had parked on double yellow lines there was always someone able to move the vehicle at a moment’s notice if there was need to make way for emergency vehicles etc. Schools provided an important source of business for him but he took care to park at least 500 yards from schools (a licensing criterion which has yet to come into force).

With reference to the occasions when others had been responsible for one of his vans who had not been registered with the Council, Mr Iqbal said this was when he had been training someone into the role. Not everyone was suited to the role and he had thought it was preferable to find out if they were before registering them.

In response to a question from the Sub-Committee, Mr Iqbal apologised for what he had done and said he would take care not repeat the breaches of his Consent.

The Licensing Officer concluded by reminding the Committee that it was an important condition of the Consent that before anyone other than a Consent holder could work on that outlet they must have been registered with the Council. This was to ensure, for example, their right to work in the UK and at least a level 2 competence in food hygiene.

Mr Iqbal and the Licensing Officers left the room while the Sub-Committee considered the points raised.

The Sub-Committee expressed concerned at Mr Iqbal’s frequent breach of the conditions of his Consents.

Mr Iqbal and the Licensing Officers returned to the room.

The Chair said the Committee was satisfied that the recent breaches of Mr Iqbal’s Consents were proven. Given the history of breaches and, in particular, the failure to register other people working on his ice cream vans which undermined the objective of securing public safety, public order and avoiding public nuisance, the Sub-Committee felt it had no alternative but to revoke both of Mr Iqbal’s Consents.

The Sub-Committee resolved to:

Revoke both of Mr Iqbal’s Street Trading Consents.

52. Exempt Matters

The Sub-Committee resolved that under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the remaining items of business on the grounds that their presence would involve the likely disclosure of exempt information as described in Paragraph 3 of Part 1 of Schedule 12A of the Act.

The Sub-Committee considered matters relating to Hackney Carriage and Private Hire Vehicle licensing in private.

The Sub-Committee had two cases before it.

53. Determination of an application to continue to drive Private Hire Vehicles in the City.

The Head of Regulatory Services and Community Safety had submitted a report to inform the determination of an application to continue to drive Private Hire Vehicles in the City.

The Sub-Committee resolved to:

Renew the application to drive Private Hire Vehicles in the City for one year.

54. Determination of an application to drive Hackney Carriage & Private Hire Vehicles in the City.

The Head of Regulatory Services and Community Safety had submitted a report to inform the determination of an application to drive Hackney Carriage & Private Hire Vehicles in the City.

The Sub-Committee resolved to:

Agree the application for a licence to drive Hackney Carriage & Private Hire Vehicles in the City for one year.

55. Confidential Minutes

The Sub-Committee resolved to APPROVE the confidential minutes of the meeting held on 16 December 2019 as a true and accurate record.

56. Dates of Future Meetings

The dates of future meetings in 2020 (if required) are:

- Monday 16 March
- Monday 27 April

All meetings start at 5.30pm.

The meeting started at 6.30 pm and ended at 8.20 pm

Chair

Date: Monday 16 March 2020

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To: General Purposes Licensing Casework Sub-Committee

Date: 16th March 2020

Report of: Head of Regulatory Services and Community Safety

Title of Report: Applications for Vacant Approved Street Trading Sites

Summary and Recommendations

Purpose of the report: To seek determination of applications received in competition for Street Trading Consent to fill two vacant approved street trading sites.

Report Approved by:

Finance: Barbara Smolonska

Legal: Daniel Smith

Policy Framework: Street Trading Policy
A vibrant and sustainable economy

Recommendation(s): Sub-Committee is requested to determine from the applications received, to which applicants they wish to grant Street Trading Consent, in order to fill the following vacant approved sites taking into account the details in this report and any representations made at this Sub Committee meeting:

- Street Trading Site 14 outside Christ Church St Aldates
- Street Trading Site 10 outside 22 High Street (North Side)

Appendices

Appendix A – Applications for the vacant sites

Appendix B - List of applicants and site(s) applied for

Appendix C - Advert for Vacant Sites

Appendix D - General Conditions of Street Trading Consent

Legislative Background/Legal Framework

1. In 1986 the Council resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 the Council can manage street trading by designating streets as “consent streets”, “licence streets” or “prohibited streets”. All streets within Oxford are currently designated “consent streets” and any trading requires the grant of a street trading consent. Street trading consent may be granted as the Council “thinks fit”. When exercising the power to grant and enforce consents the Sub Committee should only take into account relevant considerations; must give each applicant or consent holder a fair hearing and should give reasons for their decisions.
2. Street trading consent is granted subject to the Council’s standard conditions. The Sub Committee may amend or attach any additional conditions to a Consent that it considers “reasonably necessary”.

Reasons for Referral to Licensing & Registration Sub Committee

3. This matter has been referred to Licensing & Registration Sub Committee to determine the applications in accordance with paragraph 5.18 of Oxford City Council’s Street Trading Policy as five applications have been received for the vacant approved street trading sites advertised.

Policy Considerations

4. The Street Trading Policy was adopted by Council in April 2015 and came into force on 14 April 2015. Paragraph 5.2(c) of the Policy states that applications may be referred to the Sub Committee where there is competition for a vacant site.
5. Paragraph 5.8 of the Street Trading Policy states in considering applications for the grant or renewal of a Street Trading Consent the following factors will be considered:

(a) Public Safety

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) Public Order

Whether the Street Trading activity represents, or is likely to represent, a substantial risk to public order.

(c) The Avoidance of Public Nuisance

Whether the Street Trading activity represents, or is likely to represent, a substantial risk of nuisance to the public from noise or misbehaviour, particularly in residential areas.

(d) Appearance of the stall or vehicle

The stall or vehicle must be of smart appearance and meet criteria, including size, laid down in the standard Consent conditions. Photographs or sketches, including dimensions, must be provided with all new applications and requests for approval of changes to or replacement of a stall or vehicle.

(e) Needs of the Area

The demand for the articles for sale, and the geographical location of the proposed site.

(f) Environmental Credentials

The 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.

(g) Food Traders

Applicants to trade in hot or cold food must hold a current Level 2 Food Hygiene Certificate accredited by The Chartered Institute of Environmental Health, or The Royal Society of Health, or The Royal Institute of Public Health and Hygiene.

(h) Highway

The location and operating times will be such that the highway can be maintained in accordance with the Oxfordshire County Council's requirements and that there are no dangers to those who have a right to use the highway and no obstruction for emergency access."

Financial Implications

6. The Council collects fees for the street trading function. Predicted income from licence fees are included in the Council's budget.

Legal Implications

7. The Sub Committee may grant a Street Trading Consent if it 'thinks fit', see paragraph 1 above. Consent may be revoked at any time. A street trader cannot be said to enjoy security of tenure and there is no requirement for the Council to give compensation for the loss of any Consent (other than any refund of Consent fees paid in advance). There is no statutory appeal against refusal or revocation of Consent.
8. Any determination of an application for Consent should take into account all relevant circumstances and the Applicant's right to a fair hearing. An application should not be refused arbitrarily or without clear reason.

Name and contact details of the author: Samantha Broome

Tel: 01865 252558

Email: sjbroome@oxford.gov.uk

Version number: 2

Application for a Street Trading Consent Local Government (Miscellaneous Provisions) Act 1982

All data contained in this form will be handled in accordance with the Data Protection Act 1998. Information about how Oxford City Council will handle this data can be found at www.ico.gov.uk and also on www.oxford.gov.uk.

www.oxford.gov.uk



Note: Please refer to the checklist attached before you send in your application form.

Full Name	Philip Fulcher
Trading Name (if any)	Oxford Street Snacks (Proposed trading name of Train Heat Eat Ltd)
Home Address	
Postcode	
Telephone Numbers	
Email address	
Date of Birth	
Nationality	
National Insurance number	
Description of articles to be sold	<p>A copy of our draft menu with descriptions can be found in the supporting documents</p> <p>Our focus is and has been to develop a menu that offers tasty food that can be prepared to the customers requirements quickly, but that also has good nutritional content. We will offer two main options of meals. The first is delicious burrito style wraps, lean veggie packed burrito bowls, salads, sweet potato fries and freshly made smoothies. And the second is freshly made Pizzas with a choice of fresh toppings and styles.</p>

	<p>We take health and fitness seriously and all our meals are made to be healthy. Where possible we have opted for food options that are allergen free. In instances where allergens are present, these will be clearly labelled on our menu on the side of the van.</p> <p>One of our favourite options is our protein packed tender Mediterranean marinated chicken burrito style wrap packed with rice, pinto beans, salsa and roasted veggies, topped off with a big scoop of guacamole. Our vegetarian customers can opt for our extremely tasty pan fried tofu or extra veggie options. We know that another popular option will be burrito bowls packed with the same ingredients but sat on a bed of romaine lettuce instead of the tortilla wrap.</p> <p>If customers are feeling more peckish, they can add sweet potato fries to their order. Thirsty customers will have a range of drink options including freshly made smoothies like our Pineapple-Smash smoothie with pineapple, ginger, turmeric, lemon & kombucha.</p>
If you intend to sell food & drink what is the address where the vehicle/trailer will be stored when not in use	Vehicle storage is currently being finalised. The proposed location is commercial storage
Which vacant site are you applying for? <i>Please tick</i>	<div> <input type="checkbox"/> High Street <input type="checkbox"/> St Aldates <input checked="" type="checkbox"/> <u>Both</u> </div>
If you are applying for both sites please specify your first and second choice	<div> First Choice 22 High Street, Oxford Second Choice Christ Church, St. Aldates </div>
Proposed days and times of trading	<p>Days: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday</p> <p>Times: 18:30-03:00</p> <p>We welcome a dialogue about these proposed times, and the possibility of opening earlier and closing later, for example.</p>
Vehicle registration number, make and model	Mercedes Sprinter 313 CDI.

Please read page 4, paragraphs 5.4 and 5.5 of the Street Trading Policy and describe how you are going to meet the following factors in boxes (a)-(h) below

Public Safety

(a) Our primary focus as a food company is providing safe food to customers through strict adherence to food safety practices through the storage, preparation, cooking and display of all of our food and drink items. All of our staff will have at a minimum their Level 2 Food Safety in Catering training. **See attached document 'Philip Fulcher-Level 2 Food Hygiene and Safety for Catering.pdf'**

We only purchase from suppliers with an accredited code of practice and we're selective in finding suppliers being guided by quality before price.

We take food allergies extremely seriously and as such any of the 14 main allergens will not only be clearly shown on our menu, but our staff will be trained and provided documentation of all ingredients used in recipes served, so that they are able to talk and reassure customers through menu options.

Our cleaning routines are in line with food safety and hygiene regulations and records will be maintained of cleaning performed. This includes cleaning down all surfaces at the end of each shift (floor, ceiling and walls) and washing all the cooking equipment.

We keep our truck up to date on gas and electricity checks and give our operators basic first aid training. We have carried out relevant risk assessments on our food van, many with a focus of identifying areas that have potential for a fire hazard within the van and taken mitigating strategies. These include installing fire extinguishers and having an evacuation plan.

In our risk assessments we also took into account other hazards and incorporated this into the processes which we provide for our personnel. This takes into account things like employee clothing and PPE, avoiding trip hazards and having relevant eye wash facilities.

All drivers and operators will be taught to follow the key principles of defensive driving, especially when going through a public area, such as a town centre. This includes things like driving slowly, minimizing distractions such as radios, and following the 3-4 second rule at a minimum when driving in

	<p>clear weather conditions and more in wet conditions. We also have a zero tolerance policy when it comes to alcohol and driving the van, even if it is under the legal limit.</p> <p>Drivers of the van are made aware of their responsibility to ensure the van is not blocking access to emergency service vehicles when parked for service.</p>
Public Order	<p>(b) Our ambition is to provide a high level of standardization and professionalism. We therefore endeavour not to do anything that could disturb public order, for example, we endeavour to keep noise to a minimum whilst operating. All staff and operators will have customer service training. Staff are also informed to respectfully refuse service to people who are abusive or are causing disruptions in public order.</p> <p>Customers will be informed that our van may be recording conduct outside the van via CCTV. Similarly we encourage reviews and feedback about the experience customers have with our service and staff, to ensure the quality of service and professionalism are kept high. We endeavour to do thorough due diligence on all employees we take on ensuring they do not have a history of public disorder.</p> <p>We will staff the van with 2 people at all times.</p> <p>Under no circumstances will our food truck obstruct any road, verge or footpath as it will be parked solely in the licensed area. We are mindful and expect that at certain times queues for food could become long, and in anticipation for this, we will direct customers not to block footpaths and other pedestrians. As a backup, we have a ticketing system so that customers can return to place and collect their orders.</p> <p>As engineering graduates with warehousing backgrounds we appreciate the importance of having written directives and we will have a written directive of codes of conduct in our food van that all employees must follow.</p>
The avoidance of public nuisance	<p>(c) One of the main aspects of public nuisance we want to prevent is noise. Our choice of generator operates between 50-60 dBA (about the same amount of noise as a running washing machine). Where possible a direct electric hook-up is preferred.</p>

	<p>Under no circumstances will we obstruct any road, verge, or footpath outside of the area designated for us to park. Furthermore as previously mentioned, our drivers of the van are made aware of their responsibility to ensure the van is not blocking access to emergency service vehicles when parked for service.</p> <p>Noise can become an issue when large groups congregate and queue around the van. Alongside steps to reduce public order issues, and as previously mentioned, we are able to introduce a ticketing system when queues become too long at busy times, so that customers may take a ticket and return when called to order and collect food. This means we can take orders but we also don't have numerous people hanging around the van at one time with the potential to cause disruption.</p> <p>We have done our utmost to reduce littering and food waste by providing customers with bins, differing portion sizes and packaging food as responsibly as possible. Our waste will be managed and disposed of appropriately.</p> <p>Our approach to dealing with pests is directed by the hazards identified by our HACCP analysis. In accordance with CIEH training we have identified and prioritised specific areas where we see potential pest problems and will have sought to implement mitigating strategies. These include thorough inspection of food products from suppliers for the presence of pests. We ensure that food is stored in a manner that is inaccessible at all times. We're doing as much as we can to "pest proof" our van, ensuring there are no gaps around seals and doorways to the kitchen area. We believe a lot can be done with the proper disposal of food waste as it reduces the "attractiveness" of the van to pests. This is something we are committed to and will not compromise on.</p>
Appearance of the stall or vehicle	<p>(d) Please find the renderings supplied with this application: 'pjfVanDesignConceptA.pdf' and 'pjfVanDesignConceptB.pdf'.</p> <p>We love Oxford City and the city's name is front and centre of our branding concepts for the van and for menu item names too. We believe our brand should serve to celebrate Oxford and its historical and cultural significance.</p>

	<p>The distinctive yet simplistic design and colour scheme reflects the simplicity of our healthy menu and is intended to convey a quick, healthy and accessible street food option. The lime green design reflects not only health and vitality but also a healthy environment too. In order to make Oxford City the focus, the city's name is clearly visible. Menu items such as the Jericho Jumble Veggie Bowl and the Trinity Cheese pizza are intended to engage customers and for us to share our love for the area with those who are both new and familiar to the area.</p> <p>To reduce the footprint of this operation, we have chosen an drivable unit rather than a trailer. The overall area of the vehicle is 6m x 2.5m. This provides a compact but safe working area for staff and safer access for customers around the van.</p> <p>The appearance of the van is being finalised and we welcome dialogue about the appearance and thoughts and comments.</p>
Needs of the area	<p>(e) My co-founder and I both have a serious interest in fitness and nutrition. Therefore our menu will offer health and nutritionally complete food. It's our mission to give people on the highstreet food options that are not only healthy but delicious too.</p> <p>We have seen the growing popularity of shops like Mission Burrito on St. Michael's Street and Tortilla on Cornmarket Street. When looking at evening food truck options much of the food we're seeing are types of fried chicken, kebabs, hot dogs and steaks. We want to add to this repertoire and enhance customer choice by providing them with a choice of healthy Burritos and freshly made Pizza. We seek to capture the growing interest in vegan and vegetarian foods across the demographic. As a city with a high student population, there is potential to be part of the move to ethical eating and prosperity for everyone.</p> <p>We have found that younger people are largely making more health oriented decisions across the board. With Oxford being one of the youngest cities in the UK (with an average age of 34 years old) we believe there is ample room for a health oriented take in the street food sector.</p>

	<p>As co-founders, we have taken it upon ourselves to not only look at our own diets but take stock of the guidelines from the British Nutrition Foundation when designing our menu.</p> <p>A copy of our draft menu with descriptions can be found in the supporting documents - 'PJFMenuConcept.pdf'</p>
Environmental Credentials	<p>(f) The environmental impact of the food van is just as important to us as the health impact.</p> <p>We believe a great deal can be done to reduce our carbon footprint from the food that we sell. We have many meatless dishes which significantly reduces carbon footprint and is also in line with promoting a healthy lifestyle. Food is also locally sourced which reduces the amount of "food miles" they cover. We aim to offer seasonal menus to maximise this. Our van is strictly maintained to keep pollution to a minimum.</p> <p>What we want to avoid is people spilling the contents of our food on the street surfaces around the truck or in town. It follows that we use 100% paper pulp wrapping and recyclable packaging which is designed to prevent any spilling of contents. We also have a written procedure of how to properly wrap food for our employees such that we minimise litter and waste.</p> <p>We have chosen a petrol as opposed to diesel generator reducing the amount of Nitrogen Oxides and harmful particulate matter produced. The food we intend to serve does not have a high power requirement for preparation and helps keep our footprint down.</p> <p>Coming from an engineering background, we are also aware of and adhere to green supply chain management (GSCM) practices. We are aware that maintaining a green supply chain also has a significant impact on business economic performance as well as the environment. Therefore we seek to keep the supply chain as green as possible. As mentioned previously, food is locally sourced and all suppliers produce materials that we ensure are environmentally sound and in accordance with food standards. We see the supply chain as a holistic entity and do as much as we can to reduce our impact at any point. For example our marketing is primarily digital with no paper marketing ultimately reducing paper waste.</p>

	<p>Our main products, variations of burrito wraps and bowls and pizza, are packed in 100% paper pulp and recyclable packaging respectively. This is chemical free, produces zero manufacturing waste and is 100% recyclable.</p> <p>Minimising waste is also tackled by not overstocking and strict stock rotation. What's more, analysis of sales and footfall will be ongoing on a daily basis to more accurately predict stock requirements.</p> <p>We use a first in first out method when storing food and at the beginning and end of each shift we take stock of our inventory. In the last hour of our shift we discount the food in order to further incentivise customers to buy stock that would otherwise be thrown away. That said, we believe that proper preparation of the food can do a great deal to reduce the amount of food waste. This is something we have written processes for and strive to do.</p> <p>In accordance with the Department for Environment, Food & Rural Affairs and Animal and Plant Health Agency on how food businesses must dispose of food and former foodstuffs we store high risk foodstuffs separately from low risk food stuffs. We then send this catering waste for composting.</p> <p>Bins will be strategically placed to encourage careful disposal by our customers.</p>
Food Traders	<p>(g) We hold consistently high standards in our storage, preparation, cooking, chilling and cleaning in accordance with the Food Standards Agency.</p> <p>We ensure that all food is cooked at the correct temperature and use by dates are clearly labelled and adhered to. Any food that is stored is also properly cooled and any food that is frozen is stored in airtight containers to avoid cross contamination.</p> <p>Anyone working in the van has a minimum of a level 2 food hygiene and safety certificate. On top of this, employees are instructed to wash their hands before carrying out a task, wear gloves for a single task and if they switch tasks change the gloves.</p>

	<p>All working surfaces are cleaned with detergent at the end of each shift and the truck undergoes a deep clean once a week.</p> <p>To further prevent cross-contamination, different utensils are used for preparing different foods and high risk foods are stored separately from low risk foods.</p> <p>We also are in the process of mapping out a Hazard Analysis and Critical Control Point (HACCP) plan in place as well as having all relevant risk assessments. Please see supporting documents 'HACCP Food Van Draft B.pdf'. The business is also insured up to £10,000,000 public liability insurance.</p> <p>We will have LPG and PAT Gas certificates for each of our appliances.</p>
Highway	<p>(h) Our food van will be specifically designed to fit into the allocated space and is fitted with lights that clearly mark it as being in operation to any other road users.</p> <p>We are also in the process of taking measures to reduce risk to our employees and the public in accordance to risk assessment measures we have mapped out for our business.</p> <p>Our vehicles will be correctly taxed, MOTed and insured for all those operating them. Additionally they will be kept in a good state of repair and maintained regularly.</p> <p>We are also mindful of other services that need to act around us such as street cleaning and emergency services and are happy to move the van if they need to access an area.</p>
Do you agree to comply with the Street Trading policy?	<u>Yes</u> or No

Declaration

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This means that if you as the applicant or anyone else gives false information or leaves out any information to help you get a Street Trading Consent, you and/or they can be prosecuted in court.

Applicants Name: Philip Fulcher	
Date: 10.02.2020	Applicants Signature:





591cm



199cm



282cm



Wraps. Burritos.

Bowls.

*Fully customisable Burrito style wraps, or
Burrito Bowl with a choice of*

Marinated Mediterranean Chicken
Chicken Tikka
Canadian Style Beef Steak
Sliced Turkey Breast
Fire Roasted Vegetables (ve)
Pan Seared Tofu (ve)

*Finished with a choice of Jasmin rice, Pinto
Beans, Zesty Salsa, Sour Cream,
Guacamole, Mozzarella Cheese, Lettice,
Cabbage, Extra Fire Roasted Vegetables.*

*Additionally, we intend to periodically
develop and update a bespoke menu
which may include:*

Brasenose Bacon & Chicken Wrap
*Bacon & Chicken with fire roasted
vegetables and cheese*
Queens Quesarito
*a fresh mix of beef, white rice, and cheese
seasoned with paprika and lime*
Summertown Shapers Bowl
*a mix of turkey, diced avocados and black
beans mixed with Yogurt and Hot sauce*
Sunnymead Cheesesteak Burrito
*thinly sliced steak, pepper, onion, seasoned
with freshly ground pepper and topped off
with zesty salsa*

Cuttesslowe Cabbage Burrito (v)
*cabbage, black beans, hot sauce and
sliced avocado, all wrapped together with
optional cheddar cheese*

The Jericho Jumble Veggie Bowl(v)
*Tofu, white rice, olive oil, avocado, with
shredded cheddar, fire roasted vegetables
and tomato.*

Sides

Sweet potato fries, sprinkled with paprika
Shoestring fries
**Loaded Sweet potato fries with sour cream,
salsa and chicken.**

Pizza

Italian Stone Baked Crust

The Magdalen Margherita
*tomato & fresh mozzarella, basil and
parmesan*
The Bodleian (v)
*tomato & fresh mozzarella, garlic, oregano
and extra virgin olive oil*
The Cherwell
*tomato & fresh mozzarella, fresh
pineapple, smoked ham and scallions*
Park Town Pepperoni
*tomato & fresh mozzarella, spicy
pepperoni and oregano)*
The Meat-olean
*tomato & fresh mozzarella, hot sausage,
pepperoni slices, ground black pepper and
slices of bacon*
The Trinity Cheese (v)
Traditional 3 cheese pizza
The Valentia Veggie (v)
*tomato & fresh mozzarella, roasted fresh
vegetables & mushrooms*

Drinks

Pineapple juice
Apple juice
Orange juice
Grape juice
Still water
Sparkling water

Smoothies

**The Green Machine (strawberry, spinach
and avocado with yogurt)**
**Bazinga (carrot juice and pineapple,
perfect for boosting energy)**
**Pineapple smash (vanilla, greek yoghurt,
pineapple juice, banana, fresh
pineapple)**
**The Super (frozen berries, fat free
strawberry yoghurt w honey)**
**The Endgame (banana, coffee, cashew
and cocoa)**





CERTIFICATE OF ACHIEVEMENT

High Speed Training certifies that

Philip Fulcher

has completed

Level 2 Food Hygiene and Safety for Catering

A certified and interactive online training course meeting the UK / EU standards for Food Hygiene & Safety

www.highspeedtraining.co.uk

Issued On: 30/01/2020
Recommended Renewal Date: 29/01/2023
Certificate Number: T-1853144-1926794
To verify please visit: www.highspeedtraining.co.uk/verify



D. Jordan
Dan Jordan on behalf of High Speed Training

Application for a Street Trading Consent Local Government (Miscellaneous Provisions) Act 1982

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www.oxford.gov.uk



Note: Please refer to the checklist attached before you send in your application form.

Full Name	SONIA CORTEZ MERCADO
Trading Name (if any)	GORES VANN
Home Address	
Postcode	
Telephone Numbers	
Email address	
Date of Birth	
Nationality	
National Insurance number	
Description of articles to be sold	<p>My great purpose of showing typical Latin Americana fast food, especially Colombian cuisine. Our visitors will find a friendly and welcoming place.</p> <p>Offering a variety of dishes to choose</p> <p>Empanadas: Latin - American corn patties filled with seasoned meat.</p> <p>Patacones : Deep fried green plantain. You can add shredded beef, beacon, avocado and some sauces.</p> <p><u>Patacones</u> with guacamole, tomato,</p> <p>Arepa de maíz : Rustic corn bread</p> <p>Arepa (Shredded Beef)</p> <p>Arepa (Cheese)</p> <p>Fried ripe plantain served with melted Colombian farmer</p>

	cheese.
If you intend to sell food & drink what is the address where the vehicle/trailer will be stored when not in use	
Which vacant site are you applying for? <i>Please tick</i>	High Street <input type="checkbox"/> St Aldates <input type="checkbox"/> Both <input checked="" type="checkbox"/>
If you are applying for both sites please specify your first and second choice	First Choice St Aldates_ Second Choice High Street_
Proposed days and times of trading	Days: Monday to Sunday Times: 18:30 – 3 :00am
Vehicle registration number, make and model	
Please read page 4, paragraphs 5.4 and 5.5 of the Street Trading Policy and describe how you are going to meet the following factors in boxes (a)-(h) below	
Public Safety	(a) we will buy the correct type fire extinguishers designed to tackle specific fire classes. and we make ensure the correct extinguishers are in place. We will install extra lights in the vehicle so we can be visible to the cars. we will keep the customers in right order to avoid that the people use the street and keep them safety. cameras will be installed in the vehicle with the stated goal of reducing crime and increasing public safety.
Public Order	(b) Our conduct themselves will be professional manner, polite, we don't allow any risk to public order because we will let the police know any <u>suspicion</u> or risk of public order.

The avoidance of public nuisance	(c) I have promise to maintain a high level of cleanliness in the area, have trash cans for public use and at the end of the workday collect all the trash and leave the area clean.
Appearance of the stall or vehicle	(d) You will have a good vehicle with the established measures, the vehicle will always be well painted, always keep clean and bright, with adequate lights. Every day there will be a high level of cleaning of the vehicle both inside and outside.
Needs of the area	(e) We will sell Latin American food that is not in the centre of Oxford is a good opportunity for you to have typical Latin American food made with love for the world in this multicultural city
Environmental Credentials	(f) Always recycle and we will encourage customers to do so. we will do it by placing green trash cans marked for paper and in another only for food. We will use plates made of cardboard, so we don't use plastic.
Food Traders	(g) I am going to make sure that I and food handlers receive the appropriate training in food hygiene. I have been completed The e-Learning course CIEH Level 2 Food Safety for Catering Final Assessment. The certificate is attached to this email.
Highway	(h) I will use the Highway according to the permits granted always respecting the maintained in accordance with the Oxfordshire County Council's requirements and that there are no dangers to those who have a right to use the highway and no obstruction for emergency access.
Do you agree to comply with the Street Trading policy?	<input checked="" type="checkbox"/> Yes or No

Declaration

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Applicants Name: SONIA CORTEZ MERCADO	
Date: 12/02/2020	Applicants Signature:

Photographs or a detailed sketch of the proposed vehicle/stall you intend to trade from including dimensions

- Fully loaded 10 x 7 in size catering trailer.
- Sketch of the proposed. We can adapt the trailer to the requirements of the Street Trading Consent



Any additional information to add to this application form - please write here.

I have experience as a helper in a kitchen I worked in a pizzeria for 5 years in Spain and 3 years in Oxford as a house keeper I am currently studying in the Ruskin Collage. Now I want a new challenge with my husband and win the heart of Oxford with our traditional Latin American food.

We great purpose of showcasing Latin-American food, specially Colombian gastronomy.

Our cuisine reflects our exquisite mingle of cultures. We have reflected this in the dishes we offer, food it at the heart of our culture and we endeavour to represent the pride of the variety and quality of our cuisine and heritage.





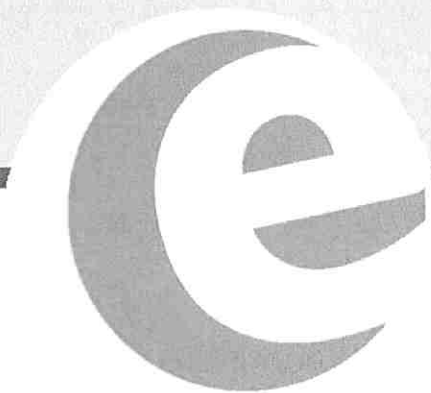
CIEH Learning Plus Certificate

SONIA MERCADO

has completed

**CIEH Level 2 Food Safety for Catering Final
Assessment**

Date: 16/02/2020



Application for a Street Trading Consent Local Government (Miscellaneous Provisions) Act 1982

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www.oxford.gov.uk



Note: Please refer to the checklist attached before you send in your application form.

Full Name	Karen Odulate
Trading Name (if any)	Go Dutch Ltd (t/a Kibbeling(TBA))
Home Address	
Postcode	
Telephone Numbers	
Email address	
Date of Birth	
Nationality	
National Insurance number	
Description of articles to be sold	<ul style="list-style-type: none"> • kibbeling (small pieces of marinated pollack fried in a light batter). • lekkerbek (hake fillets marinated and fried in a light batter). • chips, • selection of sauces • seafood (prawns/squid) marinated and fried in a light batter. • wraps containing kibbeling and salad.
If you intend to sell food & drink what is the address where the vehicle/trailer will be stored when not in use	① In the first instance, on private property out of sight, behind hedges,
cont - additional information	

Needs of the area	(e) • Kibbeling could be viewed as a street version of healthy fish and chips. • The nearest fish & chip shops are Headington, Moulton, Kidlington.
Environmental Credentials	(f) • Level 2 Award food safety in catering. • Only use sustainable fish. • Only recyclable containers are used • No plastic bottled drinks sold. Only aluminium canned & glass (water) bottles sold.
Food Traders	(g) • Currently registered with Oxford as a food business. • Hold level 2 food safety in catering certificate • All staff will also complete level 2 food safety in catering. • Already inspected and hold level 5 award.
Highway	(h) <u>See</u> Public Safety Section. • Location and operating times have been set by the council and we will observe these at all times.
Do you agree to comply with the Street Trading policy?	<input checked="" type="radio"/> Yes or No


Declaration

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Applicants Name: <u>Karen Odulate</u>	
Date: <u>16/02/2020</u>	Applicants Signature: 

Any additional information to add to this application form - please write here.

Public ~~Criteria~~ ^{Safety} continued.

- All cooking and all onboard systems will be using electric energy, including the drivebrain (the vehicle will have a converted Tesla drivebrain).

Avoidance of Public Nuisance continued.

business that are trading and residents sleeping and therefore we will encourage quiet behaviour while waiting for our goods

② Food odours - the majority of the food is fish based and will be deep fried. The vehicle will have a commercial overhead filter fitted. The health and safety act at work (1974) will be complied with. Oil will be run at approximately 190°C ~~at~~ which is less than its ignition point.

●
Environmental Credentials continued

- The Peugeot van running gear will be converted to a Tesla drivebrain (electric motor and lithium batteries).
- The equipment will be driven through a patented system, which will make use of the tesla batteries to cook the food. Potentially Zero carbon footprint
- Noise levels extremely low as run via electric.

Vehicle Storage Location

③ Negotiating premises [REDACTED]



LEVEL 2 AWARD IN FOOD SAFETY IN CATERING

KAREN ODULATE

has successfully completed a programme of training
in food safety and hygiene at level 2 and an assessment
which concluded the course

one
Food Safety Ltd

[Signature]
Responsible Officer

[Signature]
Responsible Officer

AWARDED

28 May 2018

COURSE

Food Safety

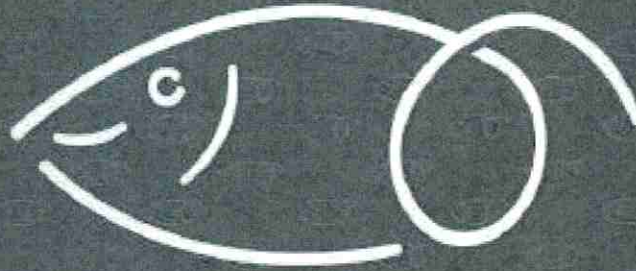
CERTIFICATE NUMBER

89025-100-000-0100

R-SPA
Approved
& Learning Centre

CPD
Approved

Go Dutch



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Application for a Street Trading Consent Local Government (Miscellaneous Provisions) Act 1982

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Note: Please refer to the checklist attached before you send in your application form.

Full Name	Mohammad Ramadan Mahmood
Trading Name (if any)	
Home Address	
Postcode	
Telephone Numbers	
Email address	
Date of Birth	
Nationality	
National Insurance number	
Description of articles to be sold	Food and Beverage (Fish, chips, sausages, pies, vegan alternatives, hot and cold drinks, sweet and savoury snacks)
If you intend to sell food & drink what is the address where the vehicle/trailer will be stored when not in use	

Which vacant site are you applying for? <i>Please tick</i>	High Street <input type="checkbox"/> /
If you are applying for both sites please specify your first and second choice	First Choice _____ Second Choice _____
Proposed days and times of trading	Days: Seven Times: 18:30 – 03:00
Vehicle registration number, make and model	
Please read page 4, paragraphs 5.4 and 5.5 of the Street Trading Policy and describe how you are going to meet the following factors in boxes (a)-(h) below	
Public Safety	(a) There is no substantial risk to public safety. I will ensure relevant steps are taken from installation of CCTV to implementing fire safety measures. This is including but not limited to first aid training and informative allergen information. Strict prep and cooking sections with proper food storage as well as correct recycling of waste to ensure we are compliant with the relevant regulations.
Public Order	(b) With my extensive experience in retail and catering I thrive on promoting a safe and professional environment. Our core values are to offer quality goods without any compromise. I believe no substantial risk will be posed to public.
The avoidance of public nuisance	(c) I aim to offer a quick and efficient service to help prevent build-up of large crowds gathering as well as placing bins near the van to combat unnecessary littering of the area. The trading business does not represent or cause any substantial threat to the public.
Appearance of the stall or vehicle	(d) Upon successful acceptance of the application, a new vehicle will be purchased, which will conform to the site conditions outlined in the street trader policy.

Needs of the area	(e) The geographical location of the proposed site is High Street, Oxford. Within the city centre there are approximately 10 other food street traders all of which do not specialise in traditional fish & chips. Also due to change in consumer trends I will be offering an extensive Vegan menu to encourage late night healthy eating.
Environmental Credentials	(f) I aim to minimise the factors that will have an impact on the environment and will achieve this by ensuring the vehicle is safe to use on the streets. As I will only be trading through the van, this will have minimal impact on the environment. I intend to power the equipment via an on street electrical supply. I aim to use local independent suppliers for both the food and packaging and will ensure that the packaging will be recyclable. All waste will be disposed in specific waste bins (recyclable materials, food) so I can ensure we reduce our impact on the environment.
Food Traders	(g) I have a number of years of experience of dealing with both food and drinks be it hot and cold. From working for small and large national chains such as Cornish Kitchen and Costa Coffee to currently being a Business Consultant for Subway. I understand the importance of food regulations and customer safety.
Highway	(h) There will be no risks or issues to the highway as I will be operating in the designated council street trader location. This has been clearly marked on the road and will cause no obstructions to any vehicles or the public.
Do you agree to comply with the Street Trading policy?	Yes

Declaration

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <http://www.oxford.gov.uk/websitetools/privacy.cfm>.

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I am aware that if any person knowingly or recklessly makes a false statement or omits any material, particular in giving information on this form, that person shall be guilty of an offence.

This means that if you as the applicant or anyone else gives false information or leaves out any information to help you get a Street Trading Consent, you and/or they can be prosecuted in court.

Applicants Name: Mohammad Ramadan Mahmood	
Date: 17/02/2020	Applicants Signature:

Any additional information to add to this application form - please write here.

It is important to keep up with the ever-changing demands of business and consumer behaviour, therefore I believe I have found a gap in the local community where I have grown up and feel that not only can I provide something different but also with quality standards and exceptional service.

Our aim is to drive more footfall into the city area as well as creating a buzzing atmosphere. With Oxford being the hub of education and attracting tourist from around the world, I feel our business will offer a traditional British experience.

My role as a Business Consultant for Subway, where I am currently covering 30 sites for both corporate and individual franchisees, involves evaluating/auditing the businesses. This is based on everything from health and safety aspect to developing the individual store and driving business sales.

I will use this knowledge and experience to bring this business to fruition and serve the community.



Application for a Street Trading Consent Local Government (Miscellaneous Provisions) Act 1982

All data contained in this form will be handled in accordance with the Data Protection Act 1998. Information about how Oxford City Council will handle this data can be found at www.ico.gov.uk and also on www.oxford.gov.uk.

Note: Please refer to the checklist attached before you send in your application form.

Full Name	Jane Bridgman
Trading Name (if any)	Racing Camel Gourmet
Home Address	
Postcode	
Telephone Numbers	
Email address	
Date of Birth	
Nationality	
National Insurance number	
Description of articles to be sold	<p>Italian Artisan Coffee, with Arabica beans, brewed on a traditional, Neapolitan 'lever' machine,(arguably makes the best espresso), over newer machines. Also, tea, hot chocolate etc. Desserts would be:</p> <p><i>Middle Eastern</i> Baklava and Kunafe</p> <p><i>French</i> 'Kuignettes' (a cross between a croissant and a cake)</p> <p><i>American</i> Waffles and Brownies</p> <p><u>In Summer:</u> (English Scones, New Zealand Anzac Biscuits Buzz Balls, which are homemade, gluten-free protein Balls)</p> <p>The MAIN FOOD OFFER:</p> <p>Middle Eastern inspired Pizza, made on Iraqi flatbread wraps, with a choice of</p> <p>1) Vegetarian</p>

	<p>Allergen information is provided and much guidance for workers is given before they work with me in relation to this. Accessing the vehicle, is mainly one side of the road, nearest the pedestrian walkway for the cooking. A safety measure is in place, with narrow table that helps to keep customers away from any heat from equipment, plus I use labels and a screen too for food hygiene as well as alerting to customers that is not an area for them to get too close.</p> <p>I made the wings of the vehicle to ensure they are 2.2 meters above ground level when open so nobody would hit their head. For rainy weather, specially made plastic side walls can be attached to the Piaggio Gull Wings and as such, cooking and chatting with customers continues in all weather.</p>
Public Order	<p>(b). The vehicle does not have a large fryer so the risk of fumes is much less accordingly. Also, as the vehicle is not large and not necessarily aimed exclusively at students, I do not think the noise is likely to be an issue.</p> <p>If anyone did object we would try to listen and appease them if there was a valid complaint about noise.</p>
The avoidance of public nuisance	<p>(c) I think that the people you choose to work with help to ensure there is no risk of 'public nuisance.' For example, if anyone worked with me that swore at a customer, they would be asked to apologise and given a warning as this would NOT be tolerated.</p> <p>A 'Code of Conduct' document would be signed by any new employee, or any self employed worker, agreeing to act to a professional standard.</p>
Appearance of the stall or vehicle	<p>(d) It is in my business interest to always strive to make the vehicle as attractive as possible. It has a 'retro' look to it. I veered away from garish, fluorescent lights and use 'warm white lights' on the vehicle. The lighting of the vehicle tends to be one of its big plusses; it draws people in as it has small, almost Christmas-tree like, lights in the ceiling, in copper and brass, which look quite magical as they reflect off the stainless steel. I do not believe it will detract from the area.</p> <p>During the early test marketing, there has been at times more items shown than I would want going forward and as such, wish to have a tidy work area, (whilst also still offering character)</p>
Needs of the area	<p>(e) Benefits of this Food/Drink Offering:</p> <ul style="list-style-type: none"> - High standard of cuisine, (I aspire to this, but also have learnt from experiences as a chef when younger) - Halal option/s will be available - Vegan and/or Vegetarian will be available - A 'Keto' and/or Gluten free option will be offered - Alternative, lactose free milk will be provided for the hot drinks. - Menu is aimed at both young students and hopefully locals of all ages, wanting more choice. - The vehicle can be a place where those less sure of

	<p>being out late (in and around the vans that perhaps attract the more inebriated), can relax, feel safe, and especially to enjoy a variety of tasty, healthy food.</p> <ul style="list-style-type: none"> - Food is sustainably and responsibly sourced. Except perhaps for some fresh fruit and vegetables sometimes sourced from local market traders to support the community of traders. - Our ethos is to cook food to a high standard safely and food that caters for a diverse range of people, from young to older, from overseas visitors to local residents. - We hope to build up our regular clientele and - We aim to be responsive to their feedback, requests and needs (i.e can adapt our Menu where requests for something is more than just an occasional throw away comment).
Environmental Credentials	<p>(f) We do not believe there would be any adverse affect of the vehicle on the road surface and the vehicle uses petrol not diesel (so has low emissions).</p> <p>The espresso coffee machine and most equipment runs off lpg and the vehicle also has its own battery bank with solar power for recharging. Hence we are 'off grid' to all intents and purposes.</p> <p>We would buy refuse bags from the Council but also bring our own collapsible waste bin for customers (After an initial period, we might want to progress to a slightly larger electric vehicle with a similar design style as this). Biodegradable, recyclable packaging is actively supported.</p>
Food Traders	<p>(g) I have registered with my local council and been awarded 5 stars out of 5 from the local EHO, in late 2018. I see this as only a starting point and wish to maintain great systems and processes for all, to ensure high standards continue on site and in the documentation needed as well.</p> <p>All workers would have to have the right to work in the UK, sufficient food qualifications and ongoing training - my role would also be to train and to monitor not only in how they go about their work but how they arrive and in what state of personal hygiene too.</p> <p>I would also be looking for those helpers who can speak to the customers, so languages are useful to make it a more fun and 'inclusive' experience for those from other countries (and I believe it is necessary to show a real interest in talking to people. (Part of the street food scene is connecting with people, irrespective of one's background, education or religion).</p>

Highway	<p>(h) The vehicle is easily able to move out of the way should there be an emergency and is not sufficiently large to cause any obstruction in my view.</p> <p>The vehicle is 3.2 meters long and 1.5meters wide, with an external height of 2.35meters high; with sufficient clearance under the wings for people to walk without hitting their heads. Sufficient safety measures would be put in place for customers to not get too close to the cooking equipment – for example, signs are in place and the use of a narrow table works well as a barrier for people to be clear of the cooking. All waste would be dealt with responsibly and we would seek to leave the area as we found it.</p>
Do you agree to comply with the Street Trading policy?	Yes

Declaration

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Applicants Name: Jane Bridgman	
Date: 17.02.2020	Applicants Signature:

Any additional information to add to this application form - please write here.

I am a New Zealander by birth but been in the UK for 30 years and would like to have a hot food business which brings me back to the food business, and my entrepreneurial early days of when I first came to the UK. I have created this vehicle as it embodies my love of working outside with food and people.

During 2019, part time, I set up the systems, suppliers and road tested the business model by taking the Piaggio and some loyal staff, out at the weekend to markets/events, offering Coffee and either Gourmet Burgers or Pizza Wraps. I was at first a novice Barista but gained more proficiency over time and was delighted that people liked the food I was offering, especially that for clear and few prices, they could choose a number of fillings.

Since 2019, I have been considering where to locate, but do not feel particularly drawn to joining larger organisations of food trucks such as Kerb or Street Dots, prevalent here in London. They tend to rotate street food traders a lot and this lessens the repeat business opportunity and the pleasure that comes with seeing familiar faces come back for their thing! This is why I am attracted to a permanent site. I also love Oxford and have people there that I could draw upon for extra support with the business. I would need at least 1 or 2 others involved and if offered a permanent site, would be very open to work with the Council if there any areas I need to improve upon.

Though I am an older applicant (slightly unusual for street food perhaps), I believe this demonstrates diversity and might encourage some that there ARE options for employment that can be fun and fulfilling whatever age you are. Many people said to me that they can see I really enjoy my work and that aspect, I hope, could be motivating to others.

I am committed to putting back into a community. If I were offered a full time trading site, I would like to do something to assist others (obviously once rent and a basic wage have been paid). For example, for food that would otherwise be thrown away, to be given to the homeless and to perhaps support an initiative to bring those less able or advantaged, those with perhaps some impairment or who are institutionalised, to be able to enjoy the street food for free for a special occasion or on a semi regular basis.

In sum, I want to be able to make a profit but do something enterprising or motivating too.

I have sent in some supporting documents and photos which I hope you will find useful:

- My documentation, (proof of what is stated above, Gas Cert, Food Certificates etc
- Photos of the Food
- Photos of the Vehicle
- Photos of People enjoying the fact that I was working near them while they could watch and chat

Thank you for your time in considering my Application.

Yours sincerely
Jane Bridgman



NCASS
NATIONWIDE
CATERERS
ASSOCIATION

City & Guilds | Accredited
Guilds Programme

NCASS FOOD HYGIENE LEVEL 2

Awarded to:

Jane Bridgman

This is to certify that the above named has completed an online course in the following subjects:

Food Poisoning, Cleaning, Refuse, Pest Control, Health & Safety, Safe Food Handling, Food Safety Risk Assessment, Legislation, HACCP, COSHH, Electrical Safety and Cross Contamination.

Date Taken: 23/Aug/2018

Valid Until: 23/Aug/2021



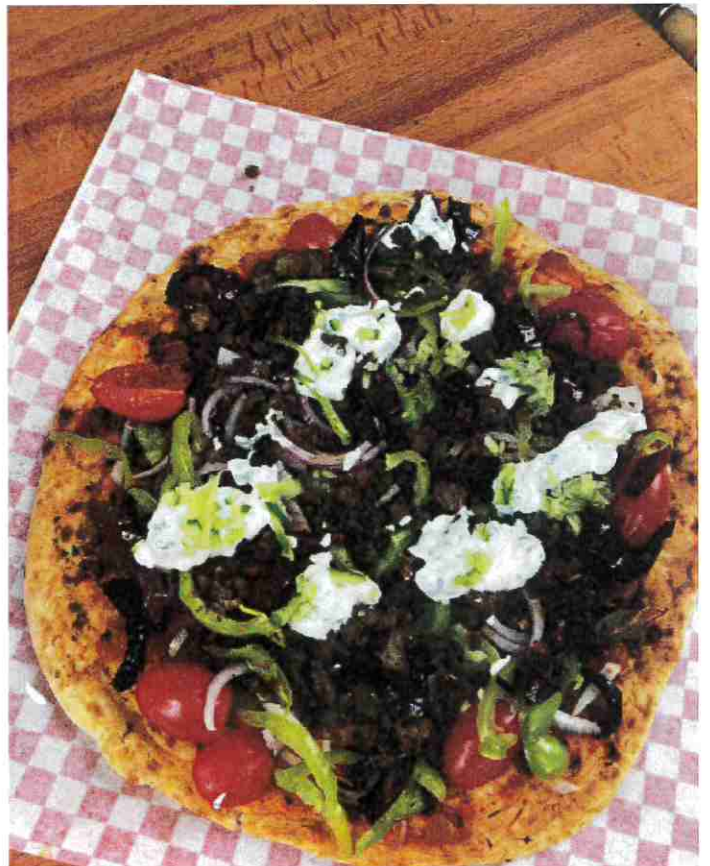
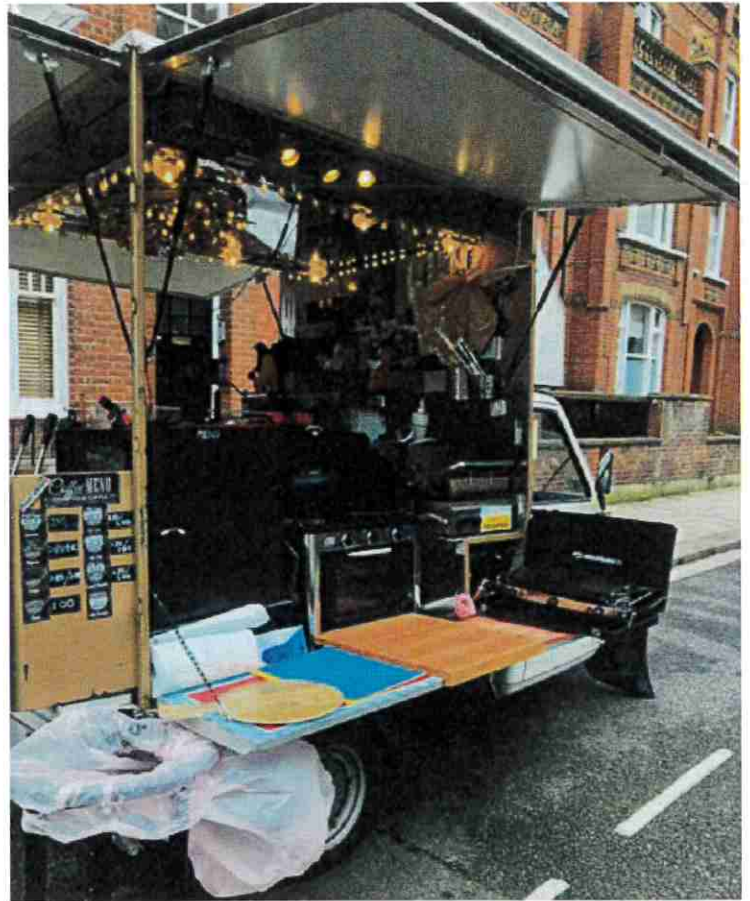
milton keynes council

PRIMARY
AUTHORITY

BRDO

A Fox (Director)
On behalf of the Association







Appendix B

Each applicant was asked to specify which vacant site they were applying for. Where the applicant wishes to be considered for either site, you will note there is a 1st and 2nd preference.

Street Trading Site 14 outside Christ Church St Aldates
Street Trading Site 10 outside 22 High Street (North Side)

www.oxford.gov.uk



Applicant	Site(s) applied for	1 st Preference	2 nd Preference	Relevant Matters
Philip Fulcher	Site 14 & 10	Site 10	Site 14	Intends to sell burrito style wraps, lean veggie burrito bowls, salads, sweet potato fries, freshly made pizzas and smoothies.
Sonia Cortez Mercado	Site 14 & 10	Site 14	Site 10	Intends to sell Latin American foods including, empanadas, patacones, arepa de maiz and fried ripe plantain.
Karen Odulate	Site 10	Site 10		Intends to sell kibbeling (small pieces of marinated Pollock fried in light batter), lekkerbek (hake fillets fried in light batter), chips, seafood marinated fried in light batter, wraps containing kibbeling and salad.
Mohammed Ramadan Mahmood	Site 10	Site 10		Intends to sell fish, chips, sausages, pies, vegan alternatives, hot and cold drinks, sweet and savoury snacks.
Jane Bridgman	Site 10 & 14	Site 10	Site 14	Intends to sell Italian artisan coffee, a range of Middle Eastern/French/American/English/New Zealand desserts, Middle Eastern inspired pizza and gourmet burgers.

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Appendix C

www.oxford.gov.uk



Vacant Street Trading Sites

Oxford City Council is inviting applications for two vacant street trading sites, both in prime City Centre locations. The consent period for each pitch will be for 12 months.

The current vacant sites are:

Street Trading Site 14 outside Christ Church, St Aldate's, Oxford – Trading hours 18:30 – 03:00 (subject to obtaining a premises licence under the Licensing Act 2003).



Street Trading Site 10 outside 22 High St (North Side), Oxford - Trading hours 18:30 – 03:00 (subject to obtaining a premises licence under the Licensing Act 2003).



Appendix C

We are keen to encourage a wide range of food and drink in the City, so particularly welcome businesses who offer foods currently under-represented elsewhere. We also welcome new and innovative businesses and street trading vehicles that have a smart appearance and will fit in with the surrounding area.

If you would like to apply for either of the vacant street trading sites, please complete the application form by using the below link and return it with all supporting documents by email to street_trading@oxford.gov.uk or by post addressed to the Business Regulation Team, 109-113 St Aldate's Chambers, St Aldate's, Oxford OX1 1DS.

The closing date for receipt of applications is: 17:00 on Monday 17th February 2020

Please make sure before submitting an application you read the Council's Street Trading Policy and Conditions of Street Trading Consent before submitting an application. Links to both documents can be found below.

We advise that you do not make any financial commitments before being granted Street Trading Consent in Oxford. For example, do not purchase a street trading vehicle/stall as there is no guarantee your application will be successful.

Once an application has been received and checked we will write to you confirming receipt of a valid application. If an application is not valid we will explain why and give you the opportunity to amend it and re-submit provided there is time before the closing date. Please note that any incomplete applications received will be returned to the applicant unprocessed and no fee will be incurred. The application fee is non-refundable; refunds will not be provided to unsuccessful applicants.

Applications that meet the criteria outlined in the Street Trading Policy will be referred to the Council's General Purposes Licensing Casework Sub-Committee (which consists of a panel of Councillors and Council Officers) for determination .

[Link to Application Form](#)
[Link to Policy and Conditions](#)
[Link to Fees & Charges](#)

For further information or to discuss your street trading application, please contact the Business Regulation Team using the below details.

Business Regulation Team
Telephone: 01865 252561
Email: street_trading@oxford.gov.uk

Please note that applications will be included in a publicly available agenda (contact details will be removed).

General Conditions for Annual and Weekly Street Trading Consents

1. No trading shall take place except between the dates specified on the Certificate of Street Trading Consent.
2. Street trading shall only be carried out during operational hours specified on the Certificate of Street Trading Consent.
3. The Street Trading Consent relates only to the area/site vehicle or stall specified on the Certificate of Street Trading Consent.
4. The Street Trading Consent relates only to the vehicle or stall specified on the Certificate of Street Trading Consent.
5. Street trading can only be carried out from the stall or vehicle authorised under the Certificate of Street Trading Consent. Any significant changes to or replacement of the stall or vehicle must be approved by the Head of Planning and Regulatory Services.
6. The Consent Holder's vehicle/stall shall be kept in a clean, safe and well maintained condition and be of a presentable appearance. The Street Trading Consent bearing the name of the consent holder shall be displayed conspicuously on the stall/vehicle so that members of the public can clearly see it during hours of business.
7. The Consent Holder's vehicle shall be maintained in a roadworthy condition, taxed, insured and with a current MOT Certificate. Vehicle movements must be carried out legally and must not present a risk to people and structures. The Consent Holder shall not drive or park a vehicle on any part of a footway.
8. The Consent Holder shall ensure that the stall/vehicle is positioned only in the allocated space (which may be marked on the ground) in the Consent Street for which the Street Trading Consent is issued. All goods shall be displayed on the stall and no freestanding racks or displays are permitted. If a Consent Holder or operator/assistant is requested to move the vehicle/stall by an authorized Council Officer or Police Officer they shall immediately comply with that request.
9. For Weekly Street Traders on Cornmarket Street, the Consent Holder's stall shall not exceed 2.3 metres in height nor occupy an area greater than 2.3 metres x 1.4 metres.
10. The Consent Holder shall comply with all statutes, statutory instruments and byelaws currently in force. Consent Holders must pay particular attention to the requirements of the Health & Safety at Work etc. Act, 1974 and the Food Safety and Hygiene (England) Regulations 2013. Advice on these requirements is available from the Business Regulation Team.
11. The Consent Holder shall conduct their business in a professional manner and in a way that minimises risks to employees and others.

Street Trading Consent:

Appendix D

12. The Consent Holder must take reasonable precautions to prevent the risk of fire at the stall or vehicle. All hot food vans/trailers are required to comply with current legislation on fire safety. A serviceable fire blanket and a suitable fire extinguisher shall be provided in all vehicles selling hot food.
13. Reasonable steps must be taken to ensure gas safety where gas appliances are used on a stall or vehicle. Gas appliances must be maintained and serviced as per manufacturer's instructions. Gas appliances and systems must be checked for safety by a competent Gas Safe engineer at least annually. Any faults or concerns in relation to gas safety must be appropriately investigated and made safe by a competent Gas Safe engineer as soon as possible.
14. All hot food vans/trailers are required to carry a basic first aid kit and have the means to contact the emergency services if necessary.
15. All food businesses must be registered as a food business with the local authority where the van/stall is kept overnight. All food businesses registered outside of the Oxford City Council area must be able to demonstrate food business registration, e.g. by written confirmation from the relevant local authority or by providing a copy of the latest inspection letter or report. Any changes in registration details must be notified to the relevant local authority.
16. All food handlers must hold a current Level 2 Award in Food Safety in Catering accredited by The Chartered Institute of Environmental Health or The Royal Institute for Public Health.
17. All food businesses must achieve and maintain a minimum Food Hygiene Rating of '3 – Generally Satisfactory'. The Hygiene Rating must be displayed prominently on the stall or vehicle.
18. The Consent Holder shall not be the cause of any nuisance or annoyance to any other user of the highway, the occupier of any land or building or the Oxford City Council. Consent Holders shall have special regard to and must take action to prevent excessive noise.
19. The Environmental Protection Act 1990 places a duty of care on businesses to dispose of their trade waste in an appropriate manner. Trade waste must be stored appropriately and be disposed of by a licensed waste carrier. No water or waste material shall be discharged on to the highway or any adjacent property. The Consent holder shall take reasonable steps to ensure that litter arising from their own trade is minimised as far as possible, for example by making a bin available for customers to use.
20. A Street Trading Consent cannot be transferred or sold to another person except that the Consent may be transferred to a member of the Consent Holder's immediate family in the event of the Consent Holder's death or incapacity on payment of a fee. The subletting of a pitch is prohibited.
21. The Consent Holder must be the principal operator and have day to day control of the stall/vehicle. The Consent Holder may employ any other person to assist in operating the stall/vehicle and shall notify the Head of Planning and Regulatory Services of the name and address of that person. An administration fee will be payable.

Street Trading Consent:

Appendix D

22. Anyone who operates a stall/vehicle other than the Consent Holder must be authorised by the Head of Planning and Regulatory Services.
23. A Consent Holder may terminate a Street Trading Consent by written notice to the Head of Planning and Regulatory Services. A refund of the portion of the fee equal to the remaining full months will be payable, less £50 which the Council will retain to cover administrative costs.
24. Consent holders shall ensure that disabled people and wheelchair users can be adequately served. This may involve serving persons from outside the vehicle.
25. A copy of the Consent shall be displayed by the operator when trading and must be produced on demand to a Council Officer or Police Officer.
26. Consent Holders shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £5,000,000 and shall cover the operator's vehicle, or stall and any additional equipment under their control. If food is sold the insurance shall specifically include cover against food poisoning to the same amount. Proof of cover must be produced to an officer of Oxford City Council on application and as required.
27. These general conditions, which apply to all Street Trading in Oxford, may be varied, having regard to a particular location. They are termed Special Conditions and listed on the Consent Certificate. These Special Conditions must also be complied with.
28. For Annual Street Trading Consents fee instalments are required quarterly, in advance. The first instalment must be paid in advance of the issue of Consent. The remaining fee can be paid in instalments on the following dates 1st July, 1st October and 2nd January. Annual fees may be paid in advance.
29. For Weekly Street Trading Consents fees must be paid two weeks in advance before trading commences. This is to allow sufficient time to process the application and receive the consent. It must be in your possession before you can trade.
30. The sale of food and/or drink is not permitted by Weekly Street Traders. The items to be sold must be agreed before a Weekly Consent can be issued.
31. For food traders all packaging and utensils for use by customers shall be made of biodegradable or recyclable materials.

Failure to comply with these conditions

If a Consent Holder fails to comply with any of the conditions attached to a Street Trading Consent, the Consent may be suspended for an indefinite period or revoked. The Consent Holder may also be prosecuted.

Street Trading Consent:

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Agenda Item 7

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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