

# Agenda

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## Licensing and Registration Sub Committee

Date: **Monday 10 February 2014**

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Time: **5.30 pm**

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Place: **Council Chamber, Town Hall**

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For any further information please contact:

**Lois Stock, Democratic and Electoral Services Officer**

Telephone: 01865 252275

Email: [lstock@oxford.gov.uk](mailto:lstock@oxford.gov.uk)

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# Licensing and Registration Sub Committee

## Membership

### Chair

### Vice-Chair

<b>Councillor Van Coulter</b>	Barton and Sandhills;
<b>Councillor Gwynneth Royce</b>	St. Margaret's;
<b>Councillor Mary Clarkson</b>	Marston;
<b>Councillor Rae Humberstone</b>	Blackbird Leys;

## **HOW TO OBTAIN AGENDA**

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

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## AGENDA

### Pages

**1 ELECTION OF CHAIR**

**2 APOLOGIES FOR ABSENCE**

The quorum for this meeting is 2 and substitutes are permitted.

**3 DECLARATIONS OF INTEREST**

Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance on this is set out at the end of these agenda pages.

**4 PROCEDURE TO BE FOLLOWED**

1 - 6

Guidance is attached

**5 APPLICATION FOR NEW STREET TRADING SITE - MR ANTHONY PAGE**

7 - 22

Report of the Head of Environmental Development attached.

Mr Page has applied for a new site outside 65 St Giles, Oxford.

Licensing and Registration Sub Committee is asked to determine the application received and decide whether to grant a Street Trading Consent, taking into account the details in this report and any representations made at the meeting.

**6 APPLICATION FOR A NEW STREET TRADING SITE - MR HUSEYIN CANCAN**

23 - 36

Report of the Head of Environmental Development attached.

Mr Cancan has applied for a new site outside 42/44 High Street, Oxford.

Licensing and Registration Sub Committee is asked to determine the application received and decide whether to grant a Street Trading Consent, taking into account the details in this report and any representations made at the meeting.

<b>7</b>	<b>APPLICATION FOR A NEW STREET TRADING SITE - MR DAN BETTERTON</b>	<b>37 - 48</b>
	<p>Report of the Head of Environmental Development attached.</p> <p>Mr Betterton has applied for a new site outside Barclays Bank, 105 London Road, Headington, Oxford.</p> <p>Licensing and Registration Sub Committee is asked to determine the application received and decide whether to grant a Street Trading Consent, taking into account the details in this report and any representations made at the meeting.</p>	
<b>8</b>	<b>MINUTES</b>	<b>49 - 52</b>
	<p>Minutes of the meeting held on Monday 16<sup>th</sup> December 2013 attached</p>	
<b>9</b>	<b>MATTERS EXEMPT FROM PUBLICATION</b>	
	<p>If the Sub Committee wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding 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.</p>	

## **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.

<sup>1</sup> 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.



## OXFORD CITY COUNCIL

### LICENSING and REGISTRATION SUB-COMMITTEE

#### HEARING PROCEDURES:

##### ***Housekeeping Matters***

- Mobiles must be switched off
- No smoking throughout the building
- Consumption of food is not permitted

#### **The Meeting**

1. The Licensing Casework Sub-Committee will usually consist of four members of the Council (councillors) who are also members of the Council's General Purposes Licensing Committee. In some circumstances it may sit with a quorum of 2 councillors. At the start of each Sub-Committee meeting a Chair shall be elected from among the members. The Sub-Committee is responsible for reaching a decision upon the application having heard representations and considering all relevant material presented.

#### **The Paperwork**

2. 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, the representations received and of any other relevant material
  - The application and any other supporting material supplied by the applicant
  - Any observations on the application made by the Police or other technical advisor to the Sub Committee
  - Any representations of objection to the application

## **Introductions**

3. The Chairman will commence the hearing by introducing her or himself and the other Sub-Committee members. The Chair will then ask all of the other parties present to introduce themselves and explain in what capacity they are attending.

## **Conduct of Proceedings**

4. The role of the Chair is to control the proceedings. All questions must be put through the Chair.
5. The Chair will indicate that the members of the Sub-Committee have read and familiarised themselves with the papers and issues. The Chair will stress that the Sub-Committee does not therefore require points to be made or repeated at length.
6. The hearing shall take the form of a discussion. Formal cross-examination shall not be permitted unless the Chairman considers that cross-examination in a particular circumstance would assist. In exercising this discretion to permit cross-examination, the Chairman must have regard to the rules of natural justice and the right to a fair hearing.
7. Members of the Sub-Committee may ask questions to any party to elicit further information. The representative of the licensing authority may also ask questions of any party in order to clarify the evidence and any issues in the case.
8. In considering the application or any representation made by a party the Sub-Committee may take into account documentary or other information relied on by a party in support of their application or representation - provided that copies of the information have been supplied to the Licensing Authority at least seven working days before the hearing or, with the consent of all the other parties, after that time.
9. Where a person attending the hearing is acting in a manner that the Sub-Committee consider is disruptive, the Sub-Committee may require that the person 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 authority may specify.



10. Before the end of the hearing any person who was required to leave the hearing under paragraph 11 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**

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

#### **The Licensing Authority**

12. The representative of the licensing authority shall present the paperwork relating to the application to be heard by the Sub-Committee. The representative shall say who the applicant is, what the application is for and explain the paperwork before the Sub-Committee.

#### **Applicant's case**

13. The Applicant will outline their application and present their case and may call witnesses if desired.
14. The Sub Committee may ask questions of the Applicant.
15. Other parties may ask factual questions of the Applicant. Cross-examination will only be permitted with the consent of the Chair.

#### **Observations of Police and/or Technical advisors**

16. Where appropriate the police or technical advisers to the Sub Committee may make their observations.
17. The Sub Committee may ask questions of the Police and/or technical advisors.
18. 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**

19. Where written representations of objection have been received the Sub Committee will have regard to those representations. Any

Objectors attending the hearing may make oral representations in support of their objection and call witnesses if they wish. However, the Sub Committee will not require repetition of points already made in written representations.

20. 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.
21. The Sub Committee may ask questions of any objector.
22. Other parties may ask factual questions of any objector. Cross-examination will only be permitted with the consent of the Chair.

### **Closing submissions**

23. All parties will then be given the opportunity briefly to summarise their key points. The order shall be:-
  - Objectors
  - Police and/or technical advisors
  - Applicant

### **Determinations**

24. 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.
25. If it is necessary to recall any party for clarification of any point, then all parties should be recalled.
26. 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.

27. In any event a written determination setting out the reasons for the decision will be sent to the parties within five working days of the hearing.

**Closed hearing**

28. The hearing 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 so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

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**To:** Licensing & Registration Sub Committee

**Date:** 10<sup>th</sup> February 2014 **Item No:**

**Report of:** Head of Environmental Development

**Title of Report:** Application for a new street trading site – Mr Anthony Page.

### Summary and Recommendations

**Purpose of report:** To seek determination of an application proposing a new street trading location.

**Report Approved by:**

**Finance:** Emma Burson

**Legal:** Daniel Smith

**Policy Framework:** Street Trading Policy  
A vibrant and sustainable economy

**Recommendation(s):**

Licensing and Registration Sub Committee is recommended to determine the application received and decide whether to grant a Street Trading Consent, taking into account the details in this report and any representations made at this Sub Committee meeting.

### **The Application**

1. The Miscellaneous Licensing Team have received an application for Street Trading Consent from Mr Anthony Page. Mr Page has applied to trade from a new proposed site on the pavement outside 65 St Giles, Oxford.
2. A full copy of Mr Page's application can be found at Appendix A of this report. Mr Page has attached photographs of the proposed site, pictures to illustrate the vehicle he intends to trade from and supplementary information about StrEAT Cuisine.

## **Legislative Background/Legal Framework**

3. In 1986 the Council resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 of the Act the Council can manage street trading by designating streets as “consent streets”, “licence streets” or “prohibited streets”. All streets within Oxford are currently designated as “consent streets”. The Sub-Committee may grant a Consent if it “thinks fit”. When exercising this general power Members should only take into account relevant considerations; must give each applicant a fair hearing and should give reasons for their decision.
4. The Sub Committee may attach any conditions to a Consent that it considers “reasonably necessary”.

## **Policy Considerations**

5. The Street Trading Policy was adopted by Council in July 2010 and came into force on 1<sup>st</sup> January 2011 for existing traders. Delegation is laid out in the Council’s Constitution. Paragraph 5.2 of the Policy states that the General Purposes Licensing Committee appoints a Licensing and Registration Sub Committee to decide street trading applications that are longer than three months.

6. Paragraph 5.4 of the Street Trading Policy states:

“5.4 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."

### **Reason for Referral to Licensing & Registration Sub Committee**

7. This matter has been referred to Licensing & Registration Sub Committee as Mr Page has approached the Council with a new site proposal. Mr Page has applied for a 12 month Consent.
8. The application is to sell gourmet food to eat on the go. Mr Page intends to sell a range of simple healthy bistro style dishes and hot drinks served in bio degradable containers.
9. Mr Page wishes to trade from the area as per Appendix A on the pavement outside number 65 St Giles, Monday to Sunday 0700 to 1700.
10. Upon receiving the application, Miscellaneous Licensing carried out a consultation with Thames Valley Police, Oxfordshire County Council Highways Authority, Environmental Health, Planning and Ward Councillors.
11. During the 14 day consultation comments were received from officers of Oxfordshire County Council Highways Authority and Thames Valley Police. Thames Valley Police and Oxfordshire County Council Highways Authority had no objections to the application.

### **Financial Implications**

12. The Council collects fees for the Street Trading function. Predicted income from licence fees are included in the Council's budget.

## **Legal Implications**

13. The Sub Committee may grant a Street Trading Consent if it 'thinks fit', see paragraph 3 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). However, any decision to refuse an application or terminate Street Trading Consents may be subject to a judicial review and if held to be unreasonable then compensation may result.
14. Any determination of an application for Consent must be proportionate taking into account all relevant circumstances and the Consent holder's right to a fair hearing. An application should not be refused arbitrarily and without clear reason.

## **Human Rights Act Considerations**

15. Article 6 of the European Convention on Human Rights provides that every person is entitled to a fair hearing in determination of a civil right or obligation. Applicants should be given a fair opportunity to present their case and respond to any representation against them.

**Name and contact details of author:** Samantha Howell  
Tel: 01865 252558  
Email: [sjhowell@oxford.gov.uk](mailto:sjhowell@oxford.gov.uk)

## **Background papers:**

Appendix A – Application from Mr Anthony Page

**Version number:** 2



# StrEAT Cuisine Street Trading Application

www.oxford.gov.uk



**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.lco.gov.uk](http://www.lco.gov.uk) and also on [www.oxford.gov.uk](http://www.oxford.gov.uk).

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

Full Name	Mr Anthony PAGE
Trading Name (if any)	Street Cuisine
Home Address	
Postcode	
Telephone Numbers	Home: Mobile:
Email address	
Date of Birth	
Country of Birth	
Applicants National Insurance number	
Description of articles to be sold	Gourmet food to eat "on the go" Simple healthy Bistro style dishes and hot drinks served in 100% Bio degradable containers, using ingredients from around the U.K - directly from farms markets and local sources.

## StrEAT Cuisine Street Trading Application

	<p>Super, Fresh and tasty. No Burgers, Kebabs, Chips or Pizza!</p>
<p>If you intend to sell food &amp; drink what is the address where the vehicle/trailer will be stored when not in use</p>	<p>I have three potential sites but do not want to commit until consent approved.</p>
<p>Is this an existing site?  If Yes please state site No.  If the answer is No please provide a map in accordance with the checklist (see attached)</p>	<p>Yes or <input checked="" type="radio"/> No  St. Giles - please see attached photos, maps and plans.</p>
<p>Proposed days and times of trading</p>	<p>Days: Monday - Sunday Times: 7am - 5pm (see point 2)</p>
<p>Vehicle registration number, make and model - if applicable</p>	
<p>Will you be the sole operator of the vehicle or stall? If the answer is No please complete an employee form for each member of staff (see attached)</p>	<p>Yes or <input checked="" type="radio"/> No I plan to employ two or three people which will be recruited once consent is given.</p>
<p>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</p>	
<p>Public Safety</p>	<p>(a) My business has minimal risk to public safety. The pavement is significantly wider than most and the main thoroughfare is not restricted. (please see point 3)</p>
<p>Public Order</p>	<p>(b) The business is not likely to represent a <del>substantial</del> risk to Public Order.</p>
<p>The avoidance of public nuisance</p>	<p>(c) There is no substantial risk of Public nuisance.</p>

## StrEAT Cuisine Street Trading Application

Appearance of the stall or vehicle	(d) The trailer I plan to use is 100% made in the U.K. It is Retro in style (Please see point 5)
Needs of the area	(e) Street food is going through a rapid growth around the U.K. Major cities are embracing "street sites". The food offered is fresh and locally sourced and will enhance the area, attracting students, visitors, shoppers and locals. (please see point 1)
Environmental Credentials	(f) I will only use 100% recycled and biodegradable packaging. (please see point 4)
Food Traders	(g) I currently hold a level 2 hygiene certificate. (please point 3)
Highway	(h) There will be no obstruction to the main part of the highway. There will be easy access for all emergency vehicles. The highway can be maintained at all times.
What is your Premises Licence reference number? <b>Note:</b> If you are providing hot food or drink between 23:00 and 05:00 this will apply.	
Do you agree to comply with the Street Trading policy?	<input checked="" type="radio"/> Yes or No

# StrEAT Cuisine Street Trading Application

## 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>.

The data you provide will assist in preventing crime and ensuring public safety. When you sign this application you are consenting to the sharing of this data with other Government Agencies in their efforts to combat crime.

*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.

Signed  (The declaration must be signed by the applicant)

Date: 19 / 11 / 2013

# StrEAT Cuisine Street Trading Application

## 1 NEEDS OF THE AREA

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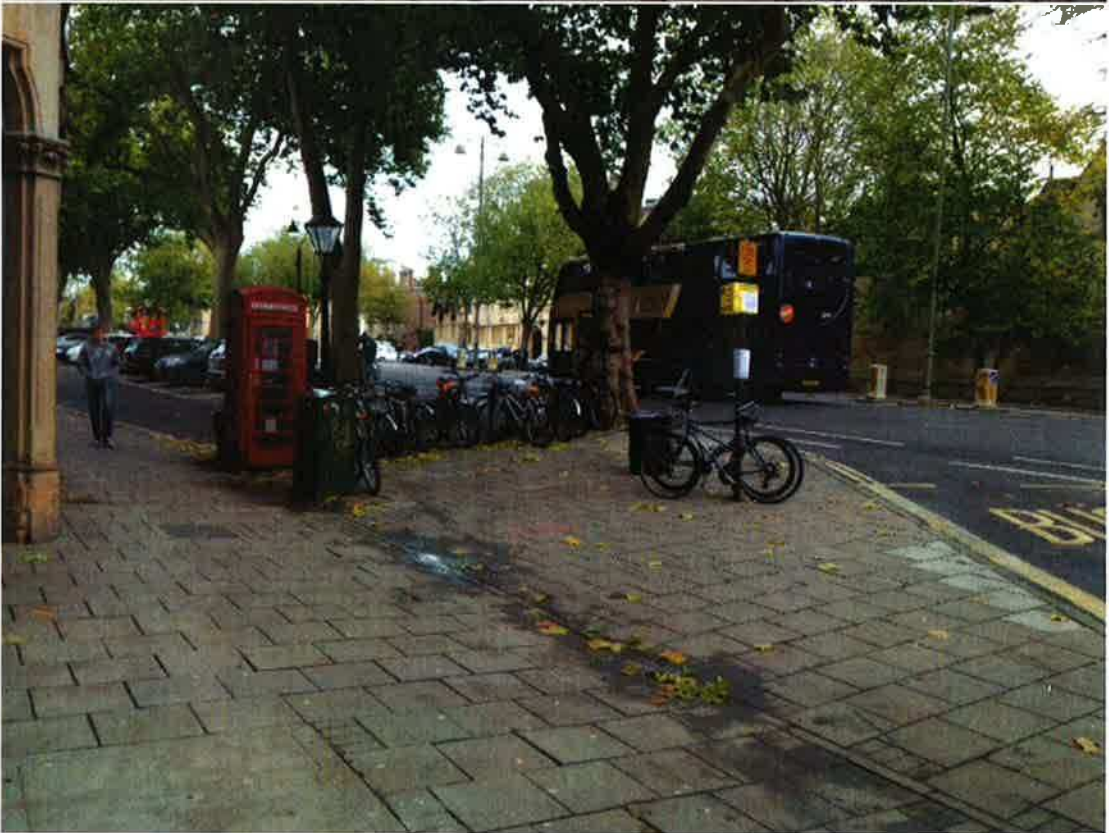
- The street food scene is growing throughout the UK, following the craze in the US. Cities around the UK have taken well to the new style of eating good quality restaurant style food “on the go”. London being no exception. The trend in London has grown rapidly over the last couple of years. Oxford itself is vibrant, modern and bustling and I believe an ideal venue for street food in Oxford is St Giles. With its eclectic mix of tourists, visitors, students, local workers and shoppers, my street food operation would benefit both St Giles and Oxford.
- Street foods have an important socio-economic role...Street food represent a significant part of urban food consumption for millions of low and middle income consumers. Street food may be the least expensive and accessible means of obtaining a nutritional based meal outside of the home for many people.
- St Giles is a wide street for pedestrians, drivers and street parking. Throughout the year it already holds various events, including the St Giles Fair and the Christmas Lights event.
- For the last five years I have worked as Operations Manager for a successful large independent food and deli retailer in Oxford, so I know and understand the city well. I now wish to bring my vision of fresh, locally sourced food to market.



Proposed Site 1



## StrEAT Cuisine Street Trading Application



# StrEAT Cuisine Street Trading Application

## 2 PROPOSED DAYS AND TIMES OF TRADING

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- Monday to Sunday, 7am – 5pm. Initial trading hours will be Monday to Friday for both breakfast and lunch sales.
- There will be some time before and after to set up and clear down the trailer.
- I envisage having 2-3 employees working with me. I will be the main operator and I will be there 5 days per week.
- All employees will hold a minimum, level 2 food safety certificate.
- I am happy to suspend trading when any official approved events take place throughout the year. i.e; St Giles fair, Christmas lights night.

## 3 PUBLIC AND FOOD SAFETY

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- As a seasoned professional with a rich and varied background in kitchen and food management, I strive to deliver the highest standards of food and hygiene.
- I am a fully trained chef. During the past 25 years I have worked for a number of large organizations within kitchens, managed numerous food operations and ran my own catering business.
- I currently hold Food Hygiene Certificate Level 2 in Food Safety and regularly liaise with EHO's and councils to uphold the latest food and safety regulations.
- I fully understand HACCP controls and procedures. I wrote all the current HACCP system files for the food and deli retail operation in Oxford and will conform to all the latest controls and systems within my new business.

## 4 ENVIRONMENTAL CREDENTIALS – FOOD & PACKAGING

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- My philosophy is to respect the food and the environment from which it comes.
- I intend to source local and seasonal produce, not only helping to reduce my carbon footprint, but also have a field to fork traceability.
- Fresh Food will be sourced locally where possible and from producers that guarantee higher environmental standards themselves.
- Suppliers will be chosen based on their level of commitment to socially and environmentally responsible practices.
- Meat will be local, free range and organic where possible and fish will be from sustainable resources.
- Vegetables will be seasonal where possible and from local farmers.

## StrEAT Cuisine Street Trading Application

- All packaging will be 100% recycled and biodegradable. This includes all take away food containers for main dishes, coffee cups and soups.
- The take away packaging I will be using has the following credentials:
  - ✓ 100% Eco-Friendly
  - ✓ 100% Food Safe
  - ✓ 100% Biodegradable in just 90 days
  - ✓ 100% non-wood fibre
  - ✓ 100% suitable for hot and cold foods
  - ✓ 100% No pollution to the environment
  - ✓ 100% no waste on production
- The packaging used will be compostable with any food waste and I intend to work closely with the Food Waste Network Group to have zero food waste.



- The above images show a comparative food packaging product that I intend to use and how in just 90 days it biodegrades to a natural soil fertilizer with the help of food waste.
- The advanced production process ensures that the only by-product is steam. No harsh chemicals are used and each product is UV pasteurized ensuring the highest standards of quality and hygiene.
- Landfill is the most expensive place to send waste. Recycling a tonne of food waste in 2013 costs at least £52 less than sending it to landfill. Landfill sites are filling up fast.
- Breaking down in landfill, food waste can produce methane – A greenhouse gas 20 times more potent than CO<sub>2</sub> – and a liquid, called leachate (bin juice), which can contaminate water supplies in the local area.
- Using food waste as a source of renewable energy is my intention. Food waste can be used to produce biofertiliser, returning nutrients to the soil. It can also produce renewable energy, heat and biofuel.
- Working with the Food Waste Network Group will help boost my business' sustainability and help boost my green credentials.



# StrEAT Cuisine Street Trading Application

## 5 ENVIRONMENTAL CREDENTIALS – STREET VENDING TRAILER

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- The trailer that I plan to use is 100% hand made in the UK.
- Retro in style, reproducing the classic eye-catching look.
- It is made from the highest quality UK materials and ecofriendly, reducing the carbon footprint.
- The outer layer is made from Tig welded British stainless steel for strength and lightness. Simply polished with a protective aluminium coating to prevent corrosion and also graffiti proof.
- The internal wall and floor insulation is made from 100% UK sheep's wool. Eco friendly and non-allergenic.
- The interior is clad in pvc food grade standard.
- All inside lighting are LED's to reduce glare and also reduce emissions and power.
- The majority of equipment inside will be gas powered and sourced from within the UK.
- The windows are premier quality marine strength with powder coated frames used in the automotive trade.
- The trailer will be VCA approval tested for the road.

Images below of proposed trailer. Vehicle to tow trailer will be parked elsewhere.



Inside layout of proposed trailer.

Internal length 14ft

Internal height 2010mm



# StrEAT Cuisine Street Trading Application

## Outside look of Trailer

External Length 18ft

External Height 2710mm

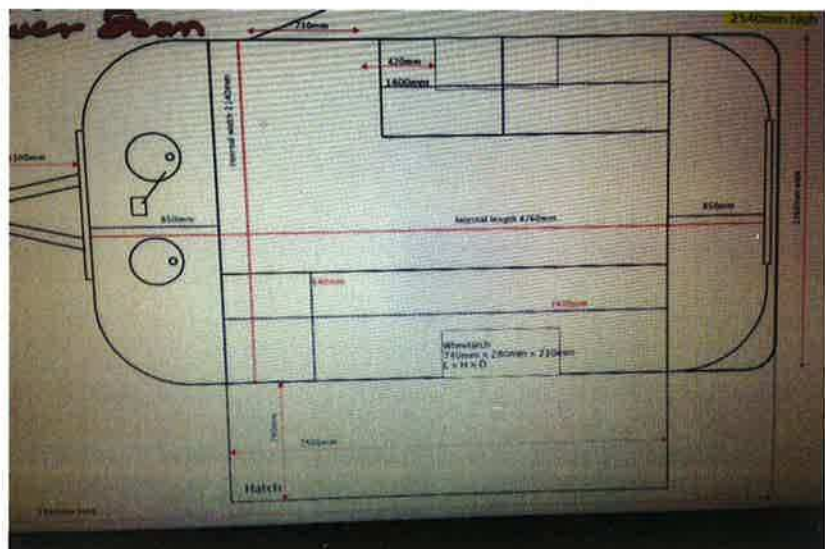
External Width 2285mm



## Interior Fitout Look



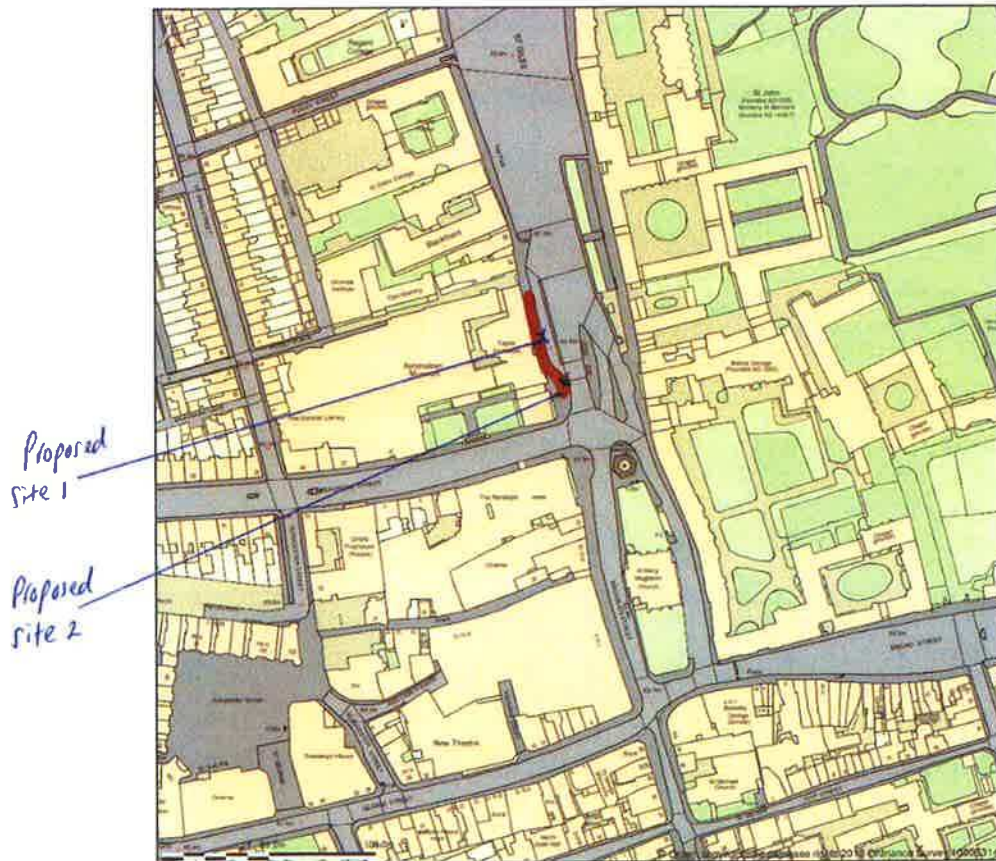
## Trailer Design



# StrEAT Cuisine Street Trading Application



St Giles', Oxford, OX1 3NA



Site Plan shows area bounded by: 451024.640625.206339 34375 451424.640625.206739 34375 (at a scale of 1:2500) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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# StrEAT Cuisine Street Trading Application

**Safer Food** handler  
Food Hygiene Certificate Level 2



## Certificate of Achievement

This is to certify that

**Tony Page**

has been awarded

**Level 2 Award in Food Safety in Catering**

Awarded: ~~April 12 2012~~

Centre Number: **EGB03032011**

Course reference: ~~6712~~

Learner reference: **16F2579F**

**Jason Goodyear**  
Chief Executive  
Qualifi Ltd



The **Safer Food** **Ofqual**  
Group



**To:** Licensing & Registration Sub Committee

**Date:** 10<sup>th</sup> February 2014 **Item No:**

**Report of:** Head of Environmental Development

**Title of Report:** Application for a new street trading site – Mr Huseyin Cacan.

### Summary and Recommendations

**Purpose of report:** To seek determination of an application proposing a new street trading location.

**Report Approved by:**

**Finance:** Emma Burson

**Legal:** Daniel Smith

**Policy Framework:** Street Trading Policy  
A vibrant and sustainable economy

**Recommendation(s):**

Licensing and Registration Sub Committee is recommended to determine the application received and decide whether to grant a Street Trading Consent, taking into account the details in this report and any representations made at this Sub Committee meeting.

### **The Application**

1. The Miscellaneous Licensing Team have received an application for Street Trading Consent from Mr Huseyin Cacan. Mr Cacan has applied to trade from a new proposed site on the highway outside 42/44 High Street, Oxford.
2. A full copy of Mr Cacan's application can be found at Appendix A of this report. Mr Cacan has attached photograph of the proposed site, a draft menu and examples of writing to be used on the vehicle.

## **Legislative Background/Legal Framework**

3. In 1986 the Council resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 of the Act the Council can manage street trading by designating streets as “consent streets”, “licence streets” or “prohibited streets”. All streets within Oxford are currently designated as “consent streets”. The Sub-Committee may grant a Consent if it “thinks fit”. When exercising this general power Members should only take into account relevant considerations; must give each applicant a fair hearing and should give reasons for their decision.
4. The Sub Committee may attach any conditions to a Consent that it considers “reasonably necessary”.

## **Policy Considerations**

5. The Street Trading Policy was adopted by Council in July 2010 and came into force on 1<sup>st</sup> January 2011 for existing traders. Delegation is laid out in the Council’s Constitution. Paragraph 5.2 of the Policy states that the General Purposes Licensing Committee appoints a Licensing and Registration Sub Committee to decide street trading applications that are longer than three months.

6. Paragraph 5.4 of the Street Trading Policy states:

“5.4 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."

**Reason for Referral to Licensing & Registration Sub Committee**

7. This matter has been referred to Licensing & Registration Sub Committee as Mr Cacan has approached the Council with a new site proposal. Mr Cacan has applied for a 12 month Consent.
8. The application is to sell a range of hot and cold foods including jacket potatoes, salad dishes, wraps, grilled chicken dishes, steak baguettes and a range of cold drinks. A full draft menu can be found at Appendix A.
9. Mr Cacan wishes to trade from the area as per Appendix A on the highway outside number 42/44 High Street, Sunday to Thursday 1830 to 0300 Friday to Saturday 1830 to 0400.
10. Upon receiving the application, Miscellaneous Licensing carried out a consultation with Thames Valley Police, Oxfordshire County Council Highways Authority, Environmental Health, Planning and Ward Councillors.
11. During the 14 day consultation comments were received from officers of Oxfordshire County Council Highways Authority and Thames Valley Police. Oxfordshire County Council Highways Authority had no objections to the application. Thames Valley Police commented that Oxford already has a number of hot food vans on the High Street at night and also that an increased number of hot food vans would create a negative visual impact on the High Street and Oxford City Centre.

## **Financial Implications**

12. The Council collects fees for the Street Trading function. Predicted income from licence fees are included in the Council's budget.

## **Legal Implications**

13. The Sub Committee may grant a Street Trading Consent if it 'thinks fit', see paragraph 3 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). However, any decision to refuse an application or terminate Street Trading Consents may be subject to a judicial review and if held to be unreasonable then compensation may result.
14. Any determination of an application for Consent must be proportionate taking into account all relevant circumstances and the Consent holder's right to a fair hearing. An application should not be refused arbitrarily and without clear reason.

## **Human Rights Act Considerations**

15. Article 6 of the European Convention on Human Rights provides that every person is entitled to a fair hearing in determination of a civil right or obligation. Applicants should be given a fair opportunity to present their case and respond to any representation against them.

**Name and contact details of author:** Samantha Howell  
Tel: 01865 252558  
Email: [sjhowell@oxford.gov.uk](mailto:sjhowell@oxford.gov.uk)

## **Background papers:**

Appendix A – Application from Mr Huseyin Cacan

**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](http://www.ico.gov.uk) and also on [www.oxford.gov.uk](http://www.oxford.gov.uk).

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

Full Name	Huseyin Cacan
Trading Name (if any)	To be decided. Ideas include: (a) <i>High Street Grilled Food</i> (b) <i>Dreaming Spires Food</i> (c) <i>Brusk's Grilled Food</i> (d) <i>Grilled Baked Specials</i>
Home Address	
Postcode	
Telephone Numbers	
Email address	
Date of Birth	
Country of Birth	
Applicants National Insurance number	
Description of articles to be sold	Draft menu includes: <ul style="list-style-type: none"> <li>• Jacket potatoes with various fillings</li> <li>• Grilled chicken dishes</li> <li>• Steak baguette</li> <li>• Tortilla wraps</li> <li>• Organic salad dishes</li> <li>• Hot dogs, chicken nuggets, burgers</li> <li>• Drinks including smoothies, water, and healthy juices</li> </ul>

If you intend to sell food & drink what is the address where the vehicle/trailer will be stored when not in use	
Is this an existing site? If Yes please state site No. If the answer is No please provide a map in accordance with the checklist (see attached)	No. I wish to trade from opposite 42/44 High Street as located on attached maps
Proposed days and times of trading	Days: Sun – Thur: 18.30-03.00 hrs Fri-Sat: 18.30- 0300, or 04.00 hrs if allowed
Vehicle registration number, make and model – if applicable	
Will you be the sole operator of the vehicle or stall? If the answer is No please complete an employee form for each member of staff (see attached)	No, an additional person will be employed in accordance with the Street Trading Policy.
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) Fire blanket and foam fire extinguisher installed as per manufacturer instructions. Gas equipment LFG GasSafe certified. Fuel for generator stored safely away from sources of ignition.
Public Order	(b) I am well-mannered & experienced in politely communicating with customers. Mobile phone within van to call Police if public order matters witnessed. CCTV in vehicle, recording. Food prepared for quick service reducing any customer build-up Location of vehicle not near pubs or nightclubs
The avoidance of public nuisance	(c) Vehicle will be powered by a Modern Honda quiet generator. Further option of enclosing generator in 20mm marine plywood internally insulated with 50mm rockwool.  Quiet extraction unit within van to remove and filter odour.  Customers served quickly to prevent customer build-up.

Appearance of the stall or vehicle	(d) Existing vehicle is approx 15ft long x 7.3ft wide, purpose built. Though the size is similar to other mobile traders, if either OCC or Highways are not happy with the size, I can change it for a smaller one. I can confirm the existing vehicle is in good condition, and will have professional sign-writing. The name of the vehicle, design of writing, and vehicle colour to be agreed with Oxford City Council if consent is given as I wish to maintain Oxford's appealing visual amenity.
Needs of the area	(e) Oxford High Street has a high footfall at all hours especially from people travelling to and from St. Clements, Cowley Road and Iffley Road. In addition there are large numbers of students residing nearby including those attending St Edmunds Hall, Magdalen College and Merton College.  It is recognised that numerous people will be conscious of what they eat and may want healthy and/or vegetarian choices. As such one aim is to provide alternatives to the foods sold by other High Street mobile traders. The menu was considered on the following:  <ul style="list-style-type: none"> <li>• Provide foods reduced in saturated fat and sugar</li> <li>• Provide foods containing reduced salt</li> <li>• Reduced fizzy drinks, and provide fruit juice, vegetable juice, smoothies and bottled water</li> </ul> Please see attached draft menu for details
Environmental Credentials	(f) Biodegradable or recyclable packaging will be used. A notice displayed reminding customers to dispose of waste correctly with bin provided. During and at the end of trade, the area will be checked and discarded items picked up and placed with business waste for correct disposal in accordance with the Environmental Protection Act 1990.
Food Traders	(g) Food safety system documented with monitoring sheets. Level 2 food hygiene trained. There will be allergy signs at point of sale.
Highway	(h) Location and operating times strictly adhered to at all times
What is your Premises Licence reference number? <b>Note:</b> If you are providing hot food or drink between 23:00 and 05:00 this will apply.	
Do you agree to comply with the Street Trading policy?	Yes

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

Careful consideration has been given to possible concerns of the Council, Police and Highways. For example, the location of the vehicle has been chosen so that:

- a) It is not located near any nightclub or pub to avoid causing dispersal problems;
- b) The location is not a crime hot spot for relevant crimes i.e. antisocial behaviour, violence etc. This was checked via the Police Crime Map;
- c) The pavement is 15.5 foot in width resulting in no obstructions being caused when customers are waiting for food;
- d) The road is wide so a parked vehicle will not cause any obstruction for passing traffic. In addition the location is currently a single yellow line allowing parking from 18.30hrs to 06.00hrs.

I believe I would benefit the Oxford community including visitors and students, by making available a variety of nice food choices which includes healthy options, and caters for vegetarians. I would really be grateful for the opportunity to operate a new evening business from Oxford High Street.

#### Documents submitted

- Application form
- Vehicle writing examples
- Map and photo of location
- Draft menu
- Food hygiene training
- Passport and driving licence
- Photos of applicant

## 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/websitertools/privacy.cfm>.

The data you provide will assist in preventing crime and ensuring public safety. When you sign this application you are consenting to the sharing of this data with other Government Agencies in their efforts to combat crime.

*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.

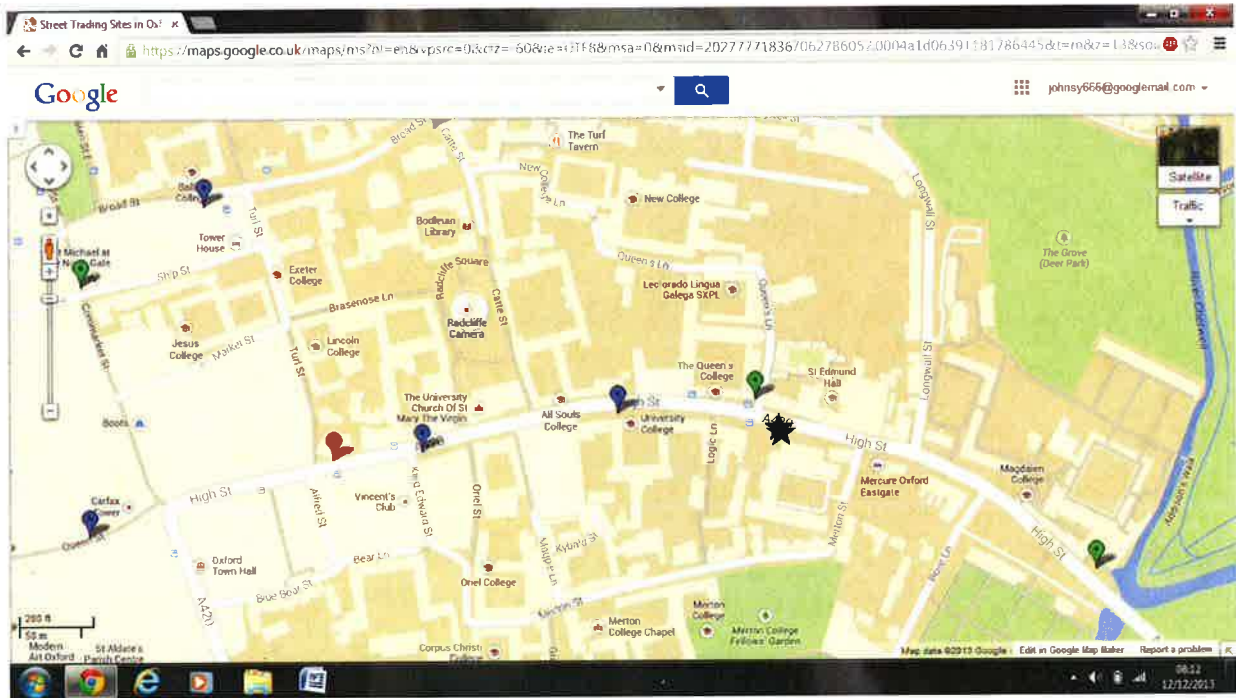
A handwritten signature in black ink, appearing to be 'J. M.', written over a horizontal line.

Signed:

(The declaration must be signed by the applicant)

Date: 6<sup>th</sup> January 2014

Mr Huseyin application, proposed location 



White marking estimated



Draft Menu for  
**High Street Grilled Food**

**Jacket potato**

*Perfect crispy skin and fluffy middle, cooked in our special jacket potato oven, served with one or more of our filling suggestions:*

- *Spiced chickpea*
- *Ricotta cheese and tomato*
- *Caramelised onion and mushrooms*
- *Grilled vegetable (courgette, mushroom, sweetcorn, peppers & aubergine)*
- *Coronation chicken*
- *Beef chilli*
- *Tuna mayonnaise*
- *Prawn mayonnaise*
- *Smoked mackerel*

**Salad dishes**

*All our salads are organic and sourced locally. All our salads come with lettuce, tomato and cucumber as standard. We can also add olives, feta or other cheese, sweetcorn, celery, red onions or avocado. We have a variety of sauces and Mediterranean olive oil:*

- *Falafel with houmous, salad of your choice*
- *Cobb salad – chicken, egg, tomato, cheese and avocado*
- *Tuna salad*
- *Prawn salad*
- *Bean salad*
- *Grilled vegetable salad*

**Oxford Wraps**

*A rolled up tortilla wrap containing a generous helping of a meat or non meat product, salad of your choice, topped with either low fat mayonnaise, garlic mayonnaise, sweet chilli sauce, salad cream, or other sauce:*

- *Spiced chickpea,*
- *Cheese (Feta, ricotta or smoked cheddar)*
- *Grilled vegetable*
- *Tuna mayonnaise*
- *Prawn mayonnaise*
- *Beef chilli*
- *Grilled chicken and avocado*

**Grilled Chicken Dishes**

*Sourced from reputable suppliers. Choice of large or regular, served with organic salad & sauce of your choice. Brown or white pitta bread or tortilla wrap*

**Chicken skewers**

*Whole, boneless chicken legs or thighs with skin-on, seasoned with Cajun herbs*

**Peri Peri wings**

*Skewered chicken wings in sweet chilli sauce*

Chicken burgers

*2oz breaded chicken burger, grilled, served in sesame seed brown or white bun*

Chicken Fillet burger.....

Chicken nuggets (6)

*Fried in light olive oil which has the same beneficial monounsaturated fat as regular olive oil. The fine filtration process results in little of the olive oil taste & fragrance*

### **Burgers**

*Cooked on grill, served in sesame seed brown or white bun, choice of salad and sauces*

Beef burger (1.2kg)

*Well trimmed beef, lightly seasoned*

Spicy bean burger (100g)

*Soya beans, rice, kidney beans combined with vegetables and spices*

### **Steak Baguette**

*UK sourced Rump steak, served in rustic baguette with organic salad, onion and mushrooms*

### **Hot dog sausage**

*UK sourced, 100% beef sausage, served in brown or white finger bread roll, with organic onions*

*Meat free sausage, lightly seasoned with herbs and spices, served as above*

### **Chips**

*Cooked in light olive oil. It has the same amount of beneficial monounsaturated fat as regular olive oil. The extremely fine filtration process results in little of the olive oil taste & fragrance, & a higher smoke point, making it a good choice for high-heat cooking*

**Students will get either discounted food, or a free product**



Examples of writing to be used on vehicle:

1. *High Street Grilled Food*
2. *High Street Grilled Food*
3. *High Street Grilled Food*
4. *High Street Grilled Food*
5. *High Street Grilled Food*
6. *High Street Grilled Food*



Chartered  
Institute of  
Environmental  
Health

# Level 2 Award in Food Safety in Catering

1 credit

*Huseyin Cacan*

has successfully completed a programme of training  
and an assessment which concluded the course



Course Director



Chief Executive  
Graham Jukes  
Chartered Institute of Environmental Health

Examination Date: 05 November 2012

CIEH recommends you refresh your training by 05 November 2015.

Centre number: 50510

Certificate number: 8061791

Original Issue Date: 13 November 2012

Issue number: 1

# PASS

Qualification accreditation number - 500/S476/4  
Accredited only for England, Wales and Northern Ireland

Ofqual  
REGULATED

  
Wales Assembly Government

  
CEA  
Reversing Learning

**To:** Licensing & Registration Sub Committee

**Date:** 10<sup>th</sup> February 2014 **Item No:**

**Report of:** Head of Environmental Development

**Title of Report:** Application for a new street trading site – Mr Dan Betterton.

## Summary and Recommendations

**Purpose of report:** To seek determination of an application proposing a new street trading location.

**Report Approved by:**

**Finance:** Emma Burson

**Legal:** Daniel Smith

**Policy Framework:** Street Trading Policy  
A vibrant and sustainable economy

**Recommendation(s):**

Licensing and Registration Sub Committee is recommended to determine the application received and decide whether to grant a Street Trading Consent, taking into account the details in this report and any representations made at this Sub Committee meeting.

## **The Application**

1. The Miscellaneous Licensing Team have received an application for Street Trading Consent from Mr Dan Betterton. Mr Betterton has applied to trade from a new proposed site on private land outside at Barclays Bank PLC, 105 London Road, Headington, Oxford.
2. A full copy of Mr Betterton's application can be found at Appendix A of this report. Mr Betterton has attached photographs of the proposed site and a letter containing supplementary information about Cultivate.

## **Legislative Background/Legal Framework**

3. In 1986 the Council resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 of the Act the Council can manage street trading by designating streets as “consent streets”, “licence streets” or “prohibited streets”. All streets within Oxford are currently designated as “consent streets”. The Sub-Committee may grant a Consent if it “thinks fit”. When exercising this general power Members should only take into account relevant considerations; must give each applicant a fair hearing and should give reasons for their decision.
4. The Sub Committee may attach any conditions to a Consent that it considers “reasonably necessary”.

## **Policy Considerations**

5. The Street Trading Policy was adopted by Council in July 2010 and came into force on 1<sup>st</sup> January 2011 for existing traders. Delegation is laid out in the Council’s Constitution. Paragraph 5.2 of the Policy states that the General Purposes Licensing Committee appoints a Licensing and Registration Sub Committee to decide street trading applications that are longer than three months.
6. Paragraph 5.4 of the Street Trading Policy states:

“5.4 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."

**Reason for Referral to Licensing & Registration Sub Committee**

7. This matter has been referred to Licensing & Registration Sub Committee as Mr Betterton has approached the Council with a new site proposal. Mr Betterton has applied for a 12 month Consent.
8. The application is to sell fresh fruit and vegetables which are locally grown and additional items such as jam, bread and eggs.
9. Mr Betterton wishes to trade from the area as per Appendix A on private land at Barclays Bank PLC, 105 London Road, Headington every Saturday 1000-1600.
10. Upon receiving the application, Miscellaneous Licensing carried out a consultation with Thames Valley Police, Environmental Health, Planning and Ward Councillors. Oxfordshire County Council Highways Authority was not consulted with as the application is for a site on private land but will be notified if the application is granted.
11. During the 14 day consultation comments were received from an officer of Thames Valley Police and a local Councillor. Thames Valley Police had no objections to the application and commented that it is a good and positive idea. The local Councillor had no objections to the application.

## **Financial Implications**

12. The Council collects fees for the Street Trading function. Predicted income from licence fees are included in the Council's budget.

## **Legal Implications**

13. The Sub Committee may grant a Street Trading Consent if it 'thinks fit', see paragraph 3 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). However, any decision to refuse an application or terminate Street Trading Consents may be subject to a judicial review and if held to be unreasonable then compensation may result.
14. Any determination of an application for Consent must be proportionate taking into account all relevant circumstances and the Consent holder's right to a fair hearing. An application should not be refused arbitrarily and without clear reason.

## **Human Rights Act Considerations**

15. Article 6 of the European Convention on Human Rights provides that every person is entitled to a fair hearing in determination of a civil right or obligation. Applicants should be given a fair opportunity to present their case and respond to any representation against them.

**Name and contact details of author:** Samantha Howell  
Tel: 01865 252558  
Email: [sjhowell@oxford.gov.uk](mailto:sjhowell@oxford.gov.uk)

## **Background papers:**

Appendix A – Application from Mr Dan Betterton

**Version number:** 2

www.oxford.gov.uk



**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	DAN BETTERTON
Trading Name (if any)	CULTIVATE OXFORD / THE VEGVAN
Home Address	
Postcode	
Telephone Numbers	Home: Mobile:
Email address	
Date of Birth	
Country of Birth	
Applicants National Insurance number	
Description of articles to be sold	FRESH FRUIT AND VEGETABLES LOCALLY GROWN / ORGANIC SOME ADDITIONAL ITEMS E.G. JAMS, BREAD, EGGS

If you intend to sell food & drink what is the address where the vehicle/trailer will be stored when not in use	
Is this an existing site? If Yes please state site No. If the answer is No please provide a map in accordance with the checklist (see attached)	Yes or <u>No</u> PLEASE SEE ATTACHED MAP. PROPOSED SITE IS LARGE PAVEMENT AREA OUTSIDE BARCLAYS BANK, 105 LONDON RD, OX3 9AH
Proposed days and times of trading	Days: SATURDAY Times: 10am - 4pm
Vehicle registration number, make and model - if applicable	LT 08 WVZ VAUXHALL MOVANO
Will you be the sole operator of the vehicle or stall? If the answer is No please complete an employee form for each member of staff (see attached)	<u>Yes</u> or No
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) A RISK ASSESSMENT HAS BEEN CARRIED OUT AND STEPS TAKEN TO MINIMISE RISKS E.G. NON-SLIP FLOOR / GRAB HANDLES. REGISTERED WITH FOOD HYGIENE. NO MEAT / DAIRY
Public Order	(b) NO KNOWN ISSUES
The avoidance of public nuisance	(c) NO KNOWN ISSUES. THE VEGVAN HAS BEEN TRADING IN SIMILAR SITES / AREAS FOR 18 MONTHS WITHOUT COMPLAINT.



Appearance of the stall or vehicle	(d) DIMENSIONS LENGTH 5.9m WIDTH 2m HEIGHT 2.7m VAN EXTERIOR COMMISSIONED AND HAND PAINTED BY LOCAL ARTIST (SEE ATTACHED VAN SPEC)
Needs of the area	(e) DEMAND FOR LOCAL FOOD IS GROWING, AND HIGHER THAN CURRENT SUPPLY. WE HAVE MANY MEMBERS, AND A STRONG POTENTIAL CUSTOMER BASE IN HEADINGTON
Environmental Credentials	(f) POWER USAGE VERY LOW. THE VAN REDUCES CARBON FOOTPRINT OF FOOD - MAJORITY OF PRODUCE IS GROWN WITHIN 20 MILES OF OXFORD, AND PROMOTES ECOLOGICAL FARMING. PACKAGING IS MINIMAL. FOOD WASTE IS COMPOSTED. WE ARE A LOW CARBON OXFORD PATHFINDER
Food Traders	(g) 5 STAR 'SCORES ON DOORS' RATING. STAFF HAVE RECEIVED FOOD HYGIENE TRAINING
Highway IN FACT, THE AREA IS ← ACTUALLY PART OF BARCLAYS PROPERTY BEHIND BOLLARDS SEPARATE FROM MAIN PAVEMENT	(h) THIS IS A VERY WIDE PAVEMENT AND THERE IS PLENTY OF ROOM FOR VAN. PROPERTY LEASEHOLDER (BARCLAYS, CLOSED ON SATURDAY) HAS GIVEN FULL SUPPORT. FOR ENTRY/EXIT, WE WILL HAVE SECOND STAFF MEMBER TO MARSHALL IN HIGH-VIS. (SEE ATTACHED MAP)
What is your Premises Licence reference number? <b>Note:</b> If you are providing hot food or drink between 23:00 and 05:00 this will apply.	N/A
Do you agree to comply with the Street Trading policy?	Yes or No

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

SEE ATTACHED LETTER


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>.

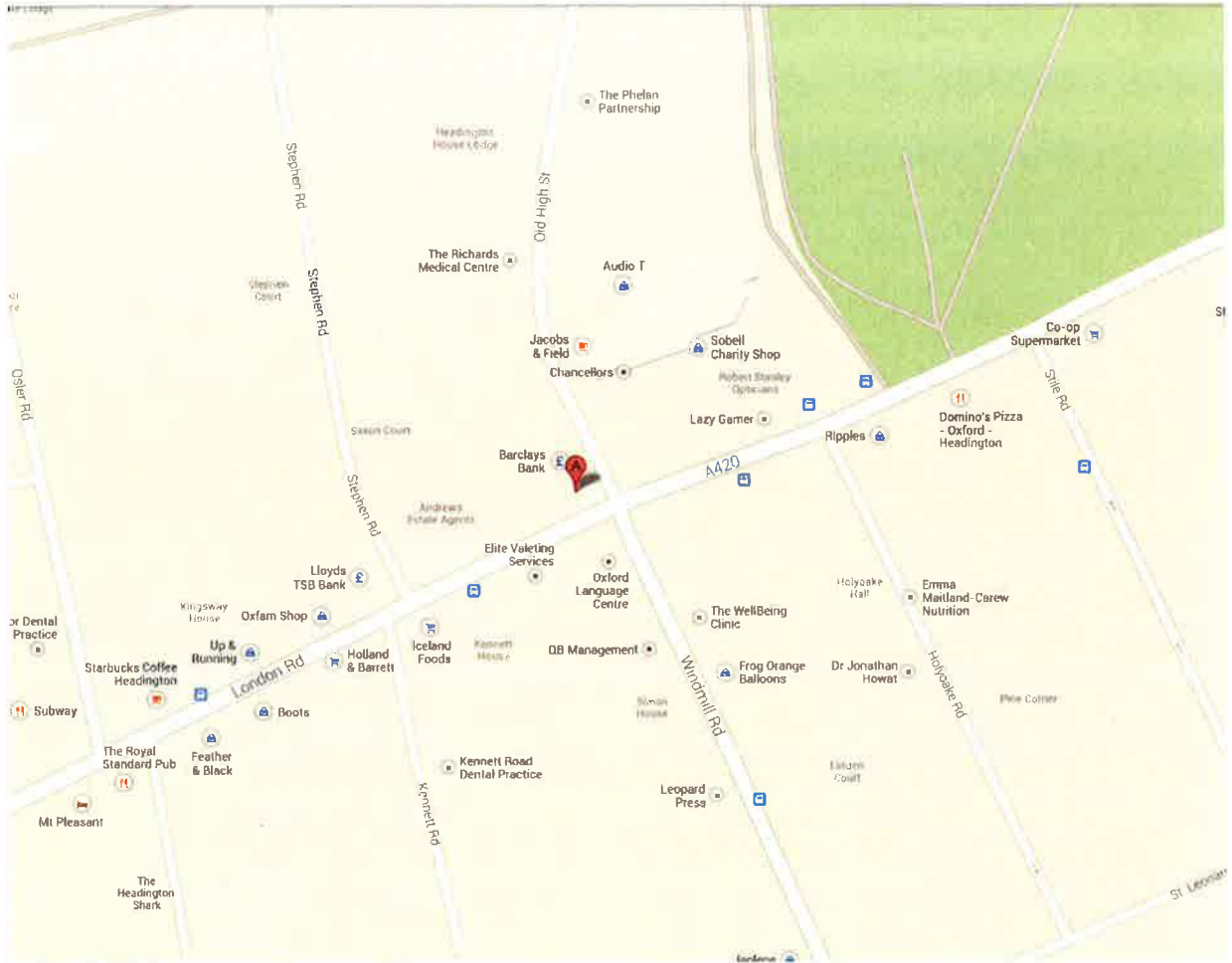
The data you provide will assist in preventing crime and ensuring public safety. When you sign this application you are consenting to the sharing of this data with other Government Agencies in their efforts to combat crime.

*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.

Signed  (The declaration must be signed by the applicant)

Date: 18/12/2013



CULTIVATE OXFORDSHIRE LTD  
14 Southdale Rd  
Oxford OX2 7SD  
01865 420624  
www.cultivateoxford.org



### Supplementary information on about Cultivate to support our street trading application

Cultivate Oxford ([www.cultivateoxford.org](http://www.cultivateoxford.org)) is a not-for-profit social enterprise owned by the community. Cultivate was set up to support local, sustainable food growing and to make local food more readily available to people in Oxfordshire. We currently do this in two ways:

1. We run a growing project on 5 acres at the Earth Trust in Little Wittenham, where we host volunteer days and are developing educational programmes.
2. We run the VegVan mobile shop, which currently has stops in Summertown, East Oxford, Oxford railway station and South Oxford Farmers' Market. The VegVan sells fresh produce from the Cultivate market garden project and up to 10 other small growers, providing a range of local produce unavailable anywhere apart from farmers markets.

Our street trading license has led to great success in Summertown. Local residents are very happy to see us there, we add diversity to the area, and we generate income to further the goals of our social enterprise (keeping money in the local food economy, reducing the environmental impact of our food system and engaging the public in our work). We do however need to expand our trading to reach financial sustainability – this is where a new trading spot in Headington comes in.

We would be grateful if the committee would take into account when considering this application that Cultivate is a non-profit organisation – all profits are re-invested towards its social aims; the unique nature of the project – there are only a handful of similar projects in the country; the need for local food; and the small number of trading hours requested.

In gauging whether the VegVan should be eligible for this kind of support, it may be worthy of note that Cultivate is currently supported by Oxfordshire County Council through the Community Action Group (CAG) Network, and South Oxfordshire District Council through the LEADER programme. We were recipients of Oxfordshire Community and Voluntary Action's (OCVA) Best Fundraising Award 2012 for our community-owned structure and we won the OCVA Best New Group Award in 2013.



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# Agenda Item 8

## LICENSING AND REGISTRATION SUB COMMITTEE

**Monday 16 December 2013**

**COUNCILLORS PRESENT:** Councillors Coulter, Clarkson and Goddard.

**OFFICERS PRESENT:** Lois Stock (Democratic and Electoral Services Officer), Daniel Smith (Law and Governance), Julian Alison (Licensing Team Leader) and Samantha Howell (Licensing Officer)

### **36. ELECTION OF CHAIR**

Resolved to elect Councillor Van Coulter as Chair of the Committee for this meeting only.

### **37. ELECTION OF VICE-CHAIR**

Resolved to defer this item to a future meeting.

### **38. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Royce (Councillor Goddard substituted), and Councillor Humberstone.

### **39. DECLARATIONS OF INTEREST**

None made

### **40. PROCEDURE TO BE FOLLOWED**

Resolved to note the procedure.

### **41. BREACH OF STREET TRADING CONSENT CONDITIONS - MR HAROON KHAN**

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning a breach of conditions attached to a Street Trading Consent.

Samantha Howell (Licensing Officer) presented the report to the Sub Committee. She confirmed that an application for extended trading hours had been received, but that this was still within the consultation period. Ms Howell also confirmed that she and other licensing officers had witnessed the purchase and serving of food after the permitted hours at Mr Khan's site.

Mr Haroon Khan (Consent Holder) attended the meeting to present his case, accompanied by Mr Hussain (Manager of the Street Trading Site). With the

consent of those present, Mr Khan submitted a letter concerning his recent ill health which the Sub Committee took into account during its deliberations.

**At this point the Sub-Committee withdrew to deliberate and make its decision in private, accompanied by its Legal Advisor and Committee Clerk.**

**The Sub-Committee then returned and having taken into account all of the evidence before it, both written and oral, Councillor Coulter issued Mr Khan with a Warning from the Sub Committee concerning his future conduct.**

Councillor Coulter stressed the need to observe the permitted hours for trading, and that Licensing Officers would be asked to monitor Mr Khan's street trading site in order to ensure that the permitted hours were fully observed. He warned Mr Khan that, should there be any further breaches of his street trading conditions, there was a strong likelihood that the Sub Committee would apply a sanction.

In making this decision, the Sub Committee was satisfied that there had been breaches of Mr Khan's permitted street trading hours, and that a warning from the Sub Committee was a necessary and proportionate response.

#### **42. SIMPLY PLEASURE COM - APPLICATION FOR THE RENEWAL OF A SEX SHOP LICENSE, 181 COWLEY ROAD, OXFORD, OX4 1UY**

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning the renewal of a Sex Shop licence for Simply Pleasure, 181 Cowley Road, Oxford.

Julian Alison (Licensing Team Leader) presented the report to the Sub Committee. Daniel Smith (Legal) reminded the Sub Committee that the only point within the letter from the Interested party that should be considered was the one related to the location of the premises, i.e., near to a supermarket. Other comments were unsubstantiated opinion.

**At this point the Sub-Committee withdrew to deliberate and make its decision in private, accompanied by its Legal Advisor and Committee Clerk.**

**The Sub-Committee then returned and having taken into account all of the evidence before it, both written and oral, Councillor Coulter informed the applicant that the renewal of the Sex Shop licence was granted, subject to the Council's standard conditions related to sex shops.**

In reaching this decision, the Sub Committee was mindful of the fact that the premises had existed in its current location for very many years and that there



had been no complaints made about its operation. It also took into account the fact that the Council inspected the premises three times every year, and that a licence with conditions enabled the Council to exercise a good degree of control over the premises. The Sub Committee gave weight to the fact that there had been no complaints or objections made by Thames Valley Police. The Sub Committee noted the concerns of the objector, but did not find any evidence that there had been any significant changes to the area, and that therefore there was no evidence for refusal on these grounds.

#### **43. MINUTES**

Resolved to confirm as a correct record the minutes of the meeting held on 26<sup>th</sup> November 2013.

#### **44. MATTERS EXEMPT FROM PUBLICATION**

There were no exempt matters, but in accordance with licensing procedures, the Sub Committee held its deliberations in private.

**The meeting started at 5.30 pm and ended at 6.25 pm**

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