

**Environmental Development**

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**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  
CERTIFICATE OF STREET TRADING CONSENT**

Oxford City Council grant a Street Trading Consent to:

Licence Holder: Miss Arzu De Jesus Neves

Consent Number: 12/00944/STREET

Consent Issued: 27<sup>th</sup> June 2012

Valid From: 27<sup>th</sup> June 2012

Valid To: 31st March 2013

Fee: £5591

Vehicle/Stall Details: Towability Trailer

Area/Site: Street Trading Site 5 Junction with New Inn Hall Street and Queen Street Oxford

Permitted Trading Days and Hours: Monday - Sunday trading between 18:30 to 03:00

Articles Sold: Hot Food and Soft Drinks

Special Conditions:

**This certificate of Street Trading Consent is issued subject to the standard street trading conditions and any other additional conditions attached to this certificate.**

**Possession of this document does not guarantee that the consent is in force. Its validity may be established by referring to the Councils Licensing Department.**

**Conditions of Consent are attached to this certificate.**

Authorised Officer

  
Head of Environmental Development  
AP



STCONS

John Copley  
Head of Service

### **General Conditions for Annual Street Trading Consents**

1. No trading to which the attached consent relates shall take place except between the dates of: 2<sup>7</sup><sup>th</sup> June 2012 to 31<sup>st</sup> March 2013.
2. The operational hours shall be:  
Between the hours of 18:30 and 03:00 on Mondays  
Between the hours of 18:30 and 03:00 on Tuesdays  
Between the hours of 18:30 and 03:00 on Wednesdays  
Between the hours of 18:30 and 03:00 on Thursdays  
Between the hours of 18:30 and 03:00 on Fridays  
Between the hours of 18:30 and 03:00 on Saturdays  
Between the hours of 18:30 and 03:00 on Sundays
3. The street trading consent relates to the following area/site only: Street Trading Site 5 Junction with New Inn Hall Street and Queen Street
4. The street trading consent relates to the following vehicle/stall only: Towability Trailer
5. Street trading can only be carried out from the stall or vehicle authorised under the conditions of the consent. Any changes to or replacement of the stall or vehicle must be approved by the Head of Environmental Development.
6. 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 Act, 1974, the Food Safety (General Food Hygiene) Regulations 1995. Advice on these requirements is available from the Environmental Health Department. The Consent Holder shall not drive or park a vehicle on any part of a footway. (It is an offence to drive other than on a road)
7. 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 positive action to prevent excessive noise.
8. The Environmental Protection Act 1990 places a duty of care on businesses to dispose of waste originating from their trade in a certain manner. The Consent holder shall ensure refuse originating from their trade is disposed of by a licensed waste carrier and shall leave the site clear of refuse at the completion of trading. No water or waste material shall be discharged on to the highway or any adjacent property. The Consent Holder shall ensure that the area in the vicinity of the stall/vehicle is kept clear of all refuse at all times.
9. 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.
10. The Consent Holder's vehicle shall be maintained in a roadworthy condition, taxed, insured and with a current MOT Certificate.
  11. 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 authorised Council Officer or Police Officer they shall immediately comply with that request.
  12. The Consent Holder's stall shall not exceed 2.3 metres in height nor occupy an area greater than 2 metres x 1 metre.
  13. The Consent Holder must take adequate 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. Where gas cylinders are used an annual gas safety certificate is required to ensure the safety of all gas cooking and heating equipment. A serviceable fire blanket and a foam fire extinguisher shall be provided in all vehicles selling hot food.
  14. All hot food vans/trailers are required to carry a basic first aid kit. The Consent Holder and others operators should know how to give first aid to treat victims of burns and cuts. All hot food vans should have access to a minimum of one mobile phone that must be serviceable at all times.
  15. All staff involved in the preparation of food shall hold a current Level 2 food safety certificate that is accredited by the Chartered Institute of Environmental Health, or the Royal Society of Health, or the Royal Institute of Public Health and Hygiene.
  16. 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 sub letting of a pitch is prohibited.
  17. 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 Environmental Development of the name and address of that person. An administration fee will be payable.
  18. Anyone who operates a stall/vehicle other than the Consent Holder must be authorised by the Head of Environmental Development.
  19. A Consent Holder may terminate a Street Trading Consent by written notice to the Head of Environmental Development. 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.
  20. Consent holders shall ensure that disabled people and wheelchair users can be adequately served. This may involve serving persons from outside the vehicle.

21. A copy of the Consent shall be carried by the operator when trading and must be produced on demand to a Council Officer or Police Officer.
22. Consent Holders shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £10,000,000 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. The insurance certificate or cover note shall be produced to the City Environmental Health Officer before the Street Trading Consent is issued. Proof of cover must be produced to an officer of Oxford City Council as required.
23. 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.
24. Instalments are required quarterly, in advance. On or before the following dates 1st April, 1st July, 1st October and 2nd January. Annual fees may be paid in advance.

#### **Special Conditions**

##### **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 INSPECTION

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Street Trading Site:		5, Queen Street / Bonn Square
		Comments / Actions
1	Street Trading Consent Holder <i>If not on site, who is in charge and are they a registered employee with Oxford City Council?</i>	Adrian Babei Marek Mirochna. Two males working on the van not registered.
2	Street Trading Consent on Display and Street Trader ID Cards Available	street trading consent available. NO ID cards available.
3	Premises Licence Summary on Display <i>If applicable</i>	NO
4	Full Premises Licence Available <i>If applicable</i>	NO
5	Condition of Vehicle/ Stall <i>Clean, safe, well maintained &amp; presentable</i>	Issues flagged regarding temp recording, food storage, food training & overclothing.
6	Vehicle/ Stall within Allocated Site	Yes
7	Basic First Aid Kit Available	Yes
8	Fire Blanket and Foam Fire Extinguisher Available <i>Vehicles selling hot food</i>	Yes & Yes
9	Any Additional Comments	Miss Neves not present. Few issues with food storage, see points 5. Main concerns about unregistered workers that do not know who Miss De Jesus Neves is.

Signed:

Licensing Officer

Name:

S. Howell

Signed:

N/A

Consent Holder/ Employee

Name:

N/A - Follow up with Miss De Jesus Neves

Time:

01:00

Date:

20/09/2012

## Contact Details:

Licensing & Development  
Environmental Development  
St Aldates Chambers  
109 St Aldates  
Oxford  
OX1 1DS  
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Email: street\_trading@oxford.gov.uk

**Oxford City Council**

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

**Hearing to determine an application for renewal of a street trading consent under Schedule 4 of the Act.**

**Applicant:** Miss Arzu De Jesus Neves

**Premises:** Street trading site 5, Junction of New Inn Hall St and Queen St, Oxford

**Date of Hearing:** 17<sup>th</sup> April 2012

**Hearing before the Licensing and Registration Sub Committee**

The Sub Committee heard from:

- Dawn Cox (Licensing Authority)
  - Miss De Jesus Neves (Applicant)
- (As set out in the minutes to the meeting)

The Sub Committee also considered a report from Head of Environmental Development.

**Decision and reasons of the Licensing Registration Sub Committee**

The Sub Committee took into account all evidence before it, both written and oral.

The Sub Committee were satisfied that the evidence showed Miss Neves had failed to take up and trade from the allocated site, which is a prime location for street trading. The Sub Committee also heard that there had been a history of food hygiene breaches. The Sub Committee were therefore satisfied that the circumstances were contrary to the Council's corporate priority of promoting a vibrant and sustainable economy and also indicated concerns over public safety in relation to poor food hygiene

However, the Sub Committee accepted Miss Neve's evidence that she had recently achieved a level 3 food hygiene certificate and expected to be in position to begin trading from a refurbished van in the near future. The Sub Committee found that Miss Neves should be given a final opportunity to trade from the site.

The Sub Committee found that Miss Neves consent should be renewed for a further 12 months, but that the Head of Environmental Development should be authorised to revoke the consent without further reference to the Sub Committee in the event that she had not commenced trading by 30<sup>th</sup> June 2012.

**Decision:**

The Application for renewal of street trading consent is **granted for a period of 12 months** with delegation to the Head of Environmental Development to revoke the consent without further reference to the Sub Committee in the event the consent holder has not commenced trading, to the satisfaction of the Head of Environmental Development, by 30<sup>th</sup> June 2012.

The consent is granted subject to the Oxford City Council general conditions applicable to street trading consents.

Signed:

*Clark Brundin*

Councillor Clark Brundin (Chair)

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