

**Environmental Development**

St. Aldate's Chambers, 109 St. Aldate's, Oxford OX1 1DS

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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: Mr Mehdi Karrouchi and Mrs Wadeya Karrouchi

Consent Number: 12/01255/STREET

Consent Issued: 2nd April 2012

Valid From: 2nd April 2012

Valid To: 31st March 2013

Fee: £7315

Vehicle/Stall Details: RX05 OFU

Area/Site: Street Trading Site High Street North Side outside Scrivens Opticians

Permitted Trading Days and Hours: Sunday - Thursday trading between 18:30 to 03:00  
Friday - Saturday trading between 18:30 to 04:00

Articles Sold: Hot Food and Soft Drinks

**Special Conditions:**

1. Any generator used by the Consent holder shall be a 'quiet' generator approved in writing by the Licensing Authority.
2. All materials shall be cleared away and the allocated space vacated no later than 30 minutes after the end of operational hours.
3. Clear signs shall be displayed at the point of sale reminding customers to remain quiet and respect local residents.

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



STCONS

### **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>nd</sup> April 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 04:00 on Fridays  
Between the hours of 18:30 and 04:00 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 High Street North Side outside Scrivens Opticians.
4. The street trading consent relates to the following vehicle/stall only: RX05 OFU
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**

1. Any generator used by the Consent holder shall be a 'quiet' generator approved in writing by the Licensing Authority.
2. All materials shall be cleared away and the allocated space vacated no later than 30 minutes after the end of operational hours.
3. Clear signs shall be displayed at the point of sale reminding customers to remain quiet and respect local residents.

#### **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**

Street Trading Site:		12/01255 / Street
		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>	Mr Hüseyin CACAN - Registered Employee Bilal Ali - Not registered to work on the van. Has not completed employee application form. Working for 1 month. Consent on display.
2	Street Trading Consent on Display and Street Trader ID Cards Available	
3	Premises Licence Summary on Display <i>If applicable</i>	Yes, on display.
4	Full Premises Licence Available <i>If applicable</i>	Only front page, not full licence Advice given.
5	Condition of Vehicle/ Stall <i>Clean, safe, well maintained &amp; presentable</i>	Looks dirty floor especially Mr Cacan showed me his fridge temp records in SEBB pack. He had pre filled
6	Vehicle/ Stall within Allocated Site	Yes out the temps for 15/11/2012.
7	Basic First Aid Kit Available	Yes, but stuff inside out of date.
8	Fire Blanket and Foam Fire Extinguisher Available <i>Vehicles selling hot food</i>	Yes fire blanket but in a cupboard, No fire extinguisher.
9	Any Additional Comments	Frozen chips stored on the floor, Cardboard being used on floor. Mehelis T-shirt worn, over platters apron put on whilst we were there.

Signed:

S. Howell Licensing Officer

Name:

S. Howell

Signed:

 Consent Holder/ Employee

Name:

Hüseyin CACAN

Time:

21:20

Date:

14/11/2012

**Contact Details:**

Licensing & Development  
Environmental Development  
St Aldates Chambers  
109 St Aldates  
Oxford  
OX1 1DS  
Telephone: 01865 252558  
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:** Mr Mehdi Karrouchi & Mrs Wadeya Karrouchi  
**Premises:** Street trading site 10, High Street (North), Oxford  
**Date of Hearing:** 20<sup>th</sup> March 2012

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

The Sub Committee heard from:

- Samantha Howell (Licensing Authority)
- Tony Payne (Licensing Authority)
- Mehdi Karrouchi (Applicant)
- Mr Hussain (in support of Applicant)
- Kendrick Bird (Oriol College - objector)
- Lauren Fletcher (Oriol College - objector)

(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 there had been a number of breaches of the conditions attached to consent no. 11/00026/STREET during the last year, specifically:

- Condition 11 - not positioned in allocated space.
- Condition 18 - unauthorised staff.
- Condition 7 - noise nuisance.
- Condition 8 - waste disposal.

## Appendix C

The breaches of condition were also contrary to objective c) *The Avoidance of Public Nuisance* and h) *No Highway obstruction* of the Council's Street Trading Policy.

Whilst the Applicant appeared to have taken steps to remedy the breaches regarding unauthorised staff and waste disposal the problems of noise nuisance and the vehicle not always being positioned in its allocated space continued to result in complaints.

The Sub Committee understood the Applicant's explanation that occasionally the allocated space was occupied by unauthorised vehicles. However, the Sub Committee has no control over unauthorised parking and whilst it was no doubt frustrating to the Applicant it was not a defence to trading outside his allocated space. Any trading which took place outside that space would not be covered by the Consent and would therefore be unlawful and could be subject to enforcement action.

The Sub Committee found that the primary causes of the Objector's complaints were noise nuisance from the Applicant's generator and the continuance of noise after the end of authorised trading hours.

In order to address the cause of the nuisance the Sub Committee found it necessary to attach the following further conditions to the renewed consent:

- 1. Any generator used by the Consent holder shall be a 'quiet' generator approved in writing by the Licensing Authority.**
- 2. All materials shall be cleared away and the allocated space vacated no later than 30 minutes after the end of operational hours.**
- 3. Clear signs shall be displayed at the point of sale reminding customers to remain quiet and respect local residents.**

The Sub Committee wished to remind the Applicant that even once renewed the Consent could be referred back to the Sub Committee at any time if conditions continued to be breached with the possibility of revocation of the Consent.

**Decision:** The Application for renewal of street trading consent is **granted for a period of 12 months**. The consent is granted subject to the Oxford City Council general conditions applicable to street trading consents and the additional conditions set out above.

Signed:



A handwritten signature in black ink that reads "Colin Cook". The signature is written in a cursive style and is underlined with a single horizontal line.

Councillor Colin Cook (Chair)



Environmental Development  
Direct Line: 01865 252558  
Fax: 01865-252344  
E-mail: [sjhowell@oxford.gov.uk](mailto:sjhowell@oxford.gov.uk)

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Mr M Karrouchi  
9 Sewell Close  
Abingdon  
OX14 3YJ

12 November 2012  
Our ref: 12/01255/STREET

Dear Mr Karrouchi

**Local Government (Miscellaneous Provisions) Act 1982  
Licensing and Registration Sub Committee Monday 29<sup>th</sup> October 2012**

Following Licensing and Registration Sub Committee held on Monday 29<sup>th</sup> October 2012,  
please find a copy of the decision notice relating to your Street Trading Consent.

If you have any queries regarding the decision notice, please do not hesitate to contact  
me.

Yours sincerely,

PP Samantha Howell  
Licensing Officer



## Oxford City Council

**Local Government (Miscellaneous Provisions) Act 1982  
Schedule 4.**

### Hearing to consider an alleged breach of a street trading consent.

**Consent holder: Mr Mehdi Karrouchi & Mrs Wadeya Karrouchi**  
**Premises: Street trading site 10, High Street (North), Oxford**  
**Date of Hearing: 29<sup>th</sup> October 2012**

### Hearing before the Licensing and Registration Sub Committee

The Sub Committee heard from:

- Samantha Howell (Licensing Authority)
- Lindsey Key (Environmental Health)
- Mehdi & Wadeya Karrouchi (holders)
- Mr Hussain (in support of holder)

(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 there had been a breach of conditions 6 and 9 of consent no. 11/00026/STREET in relation to food hygiene failures

The breaches of condition were also contrary to objective a) *Public Safety* of the Council's Street Trading Policy.

In the interests of ensuring public safety the Sub Committee decided that:

- 1. Before the end of November 2012 an inspection of Mr and Mrs Karrouchi's business shall take place. Should any breaches of condition be found the matter should be reported forthwith to the Licensing and**

**Registration Sub Committee for further consideration and determination.**

Signed:

A handwritten signature in black ink, appearing to read "Colin Cook", is written over a horizontal line.

Councillor Colin Cook (Chair)

**Environmental Development**  
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Mr M Karrouchi  
3 Oxford Road  
Farmoor  
Oxford  
OX2 9NN

12 November 2012  
Our ref: 12/01255/STREET

Dear Mrs Karrouchi,

**Local Government (Miscellaneous Provisions) Act 1982**  
**Licensing and Registration Sub Committee Monday 29<sup>th</sup> October 2012**

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*PH* Samantha Howell  
Licensing Officer



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