

## Regulatory Services and Community Safety

St Aldate's Chambers, 109 St. Aldate's, Oxford OX1DS

Switchboard: 01865 249811

Fax: 01865 252344



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

Oxford City Council grant Street Trading Consent to:

Consent Holder: Michael Hall

Consent Number: 21/00636/STREET

Consent Issued: 31<sup>st</sup> March 2021

Valid For: 1st April 2021 to 30th September 2021 and 1st March 2022 to 31st March 2022

Fee: £840.00

Vehicle/Stall Details: K244 UKR Ford Transit Van

Ward Areas: Blackbird Leys, Iffley Fields, Cowley Marsh, St. Mary's, Hinksey

Permitted Trading Days and Hours - Monday to Sunday 12:00 hours to 21:00 hours

Articles Sold: Ice Cream, Soft Drinks and Sweets

**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.

A handwritten signature in black ink, appearing to read 'Ian Wright', written over a horizontal line.

Ian Wright  
Head of Regulatory Services and Community Safety

## General Conditions for Street Trading Consents

1. Street trading must only take place between the dates specified on the Certificate of Street Trading Consent.
2. Street trading must only take place during the operational hours specified on the Certificate of Street Trading Consent.
3. The Street Trading Consent relates only to the area/site vehicle or stall specified on the Certificate of Street Trading Consent.
4. The Street Trading Consent relates only to the vehicle or stall specified on the Certificate of Street Trading Consent.
5. Any significant changes to or replacement of a stall or vehicle must be approved by the Responsible Head of Service.
6. The vehicle or stall must be removed from the site at the end of each day's trading.
7. The Consent Holder's vehicle/stall must 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.
8. The Consent Holder's vehicle must be maintained in a roadworthy condition, taxed, insured and with a current MOT Certificate. Vehicle movements must be carried out legally and must not present a risk to people and structures. The Consent Holder shall not drive or park a vehicle on any part of a footway.
9. The Consent Holder must 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.
10. If a Consent Holder or operator/assistant is requested to move the vehicle/stall by an authorised Council Officer or Police Officer they must immediately comply with that request.
11. For Weekly Street Traders on Cornmarket Street, the Consent Holder's stall must not exceed 2.3 metres in height nor occupy an area greater than 2.3 metres x 1.4 metres.
12. The Consent Holder must comply with all statutes, statutory instruments and byelaws currently in force. Consent Holders must pay particular attention to the requirements of the Health & Safety at Work etc. Act, 1974 and the Food Safety and Hygiene (England) Regulations 2013 (where relevant). Advice on these requirements is available from the Business Regulation Team.
13. The Consent Holder must conduct their business in a professional manner and in a way that minimises risks to employees and others.
14. The Consent Holder must take reasonable precautions to prevent the risk of fire at the stall or vehicle. All hot food vans/trailers are required to comply with current legislation on fire safety. A serviceable fire blanket and a suitable fire extinguisher shall be provided in all vehicles selling hot food.

15. Reasonable steps must be taken to ensure gas safety where gas appliances are used on a stall or vehicle. Gas appliances must be maintained and serviced as per manufacturer's instructions. Gas appliances and systems must be checked for safety by a competent Gas Safe engineer at least annually. Any faults or concerns in relation to gas safety must be appropriately investigated and made safe by a competent Gas Safe engineer as soon as possible.
16. The Consent Holder must not cause any nuisance or annoyance to any other user of the highway or the occupier of any land or building. In particular, Consent Holders must prevent excessive noise.
17. The Environmental Protection Act 1990 (as amended) places a duty of care on businesses to dispose of their trade waste in an appropriate manner. Trade waste must be stored appropriately and be disposed of by a licensed waste carrier. No water or waste material shall be discharged on to the highway or any adjacent property. The Consent holder shall take reasonable steps to ensure that litter arising from their own trade is minimised as far as possible, for example by making a bin available for customers to use.
18. A Street Trading Consent must not be transferred or sold to another person except that the Consent may be transferred to a member of the Consent Holder's immediate family in the event of the Consent Holder's death or incapacity on payment of a fee. The subletting of a consent site is prohibited.
19. 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 Council of the name and address of that person. An administration fee will be payable.
20. Anyone who operates a stall/vehicle other than the Consent Holder must be authorised by the Council.
21. Consent holders must make adequate provisions to ensure access for wheelchair users or customers with disabilities.
22. A copy of the Consent must be displayed by the operator when trading and must be produced on demand to a Council Officer or Police Officer.
23. Consent Holders must have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £5,000,000 and shall cover the operator's vehicle, or stall and any additional equipment under their control. If food is sold the insurance must specifically include cover against food poisoning to the same amount. Proof of cover must be produced to an officer of Oxford City Council on application and as required.
24. Annual Street Trading Consent fee installments are required quarterly, in advance. The first installment must be paid in advance of the issue of Consent. The remaining fee can be paid in installments on the following dates 1<sup>st</sup> July, 1<sup>st</sup> October and 2<sup>nd</sup> January. Alternatively, annual fees may be paid in full in advance.
25. 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 are listed on the Consent Certificate. These Special Conditions must also be complied with.
26. Consent holders must make full use of their Consent.

### **Conditions Specific to Food Traders**

27. All packaging and utensils for use by customers shall be made of recycled or part recycled materials.
28. Food businesses must achieve and maintain a minimum Food Hygiene Rating of '3 – Generally Satisfactory'. The Hygiene Rating must be displayed prominently on the stall or vehicle.
29. Food handlers must hold a current Level 2 Award in Food Safety in Catering accredited by The Chartered Institute of Environmental Health or The Royal Institute for Public Health.
30. Food businesses must be registered as a food business with the Local Authority where the van/stall is kept overnight. Food businesses registered outside of the Oxford City Council area must be able to demonstrate food business registration, e.g. by written confirmation from the relevant local authority or by providing a copy of the latest inspection letter or report. Any changes in registration details must be notified to the relevant Local Authority.
31. All hot food vans/trailers are required to carry a basic first aid kit and have the means to contact the emergency services if necessary.

### **Conditions Specific to Peripatetic Traders**

32. The Consent holder is required to comply with the Code of Practice on Noise from Ice-Cream Van Chimes Etc. in England 2013 or any modification or re-enactment thereof.
33. The vehicle must not trade within 100 metres of the boundary of any school or college between the hours of 07:30 and 18:00 (without formal invitation from the establishment).
34. The vehicle must not wait in one location for more than twenty minutes.

### **Conditions Specific to Weekly Street Traders**

35. Weekly Street Trading Consents fees must be paid two weeks in advance before trading commences. This is to allow sufficient time to process the application and receive the consent. Traders must be in possession of their Consents before they can trade.
36. The items to be sold must be agreed before a Weekly Consent will be issued.
37. The sale of food and/or drink is not permitted by Weekly Street Traders.

### **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.

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

Oxford City Council grant Street Trading Consent to:

Consent Holder: Michael Hall

Consent Number: 20/00931/STREET

Consent Issued: 31<sup>st</sup> March 2020

Valid For: 1st April 2020 to 30th September 2020 and 1st March 2021 to 31st March 2021

Fee: £840.00

Vehicle/Stall Details: K244 UKR Ford Transit Van

Ward Areas: Blackbird Leys, Iffley Fields, Cowley Marsh, St. Mary's, Hinksey


Permitted Trading Days and Hours - Monday to Sunday 12:00 hours to 21:00 hours

Articles Sold: Ice Cream, Soft Drinks and Sweets

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\_\_\_\_\_  
Authorised Officer

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Fax: 01865 252344



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

Oxford City Council grant a Street Trading Consent to:

Licence Holder: Mr Michael Hall

Consent Number: 21/00634/STREET

Consent Issued: 1<sup>st</sup> April 2021

Valid From: 1st May 2021

Valid To: 31st August 2021

Fee: £2,760.00

Vehicle/Stall Details: YP56 VVA Ford Transit Van

Area/Site: Street Trading Site 2, St Aldate's End, Pembroke Square, Oxford

Permitted Trading Days and Hours: Trading only between the hours of 12:00 and 18:00  
Monday – Sunday

Articles Sold: Ice Cream and Soft Drinks

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## SIDDLE Claire

---

**From:** [REDACTED]  
**Sent:** 31 March 2021 13:29  
**To:** street\_trading  
**Subject:** Ice cream vendor outside Oxford Spires Academy  
**Attachments:** IMG\_20210329\_152202.jpg; IMG\_20210329\_143606.jpg  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,  
following up on the call I had with Clare today, I am writing about the ice cream vendor trading daily outside Oxford Spires Academy.

Their registration number is K244 UKR - Clare has given me confirmation that they do hold a valid street trader's license.

However, they are breaching the [Oxford city council street vendor policies](#) on two separate counts since they are:

\* Not meant to park within 100m of the school - unless it has the explicit invitation of the school. It is parked right outside the school gates (see attached photos), and I have received written confirmation from the school that they have not extended the vendor a formal invitation - see below.

\* Not meant to stay in one place for more than 20 minutes. Daily, it arrives at 2:30 and leaves at 3:30. I have attached photos showing it idling right outside the school gates; the timestamps in the file name (and the metadata within the files) show that they were taken at 14:36 and 15:22 on the same day.

The sound and air pollution caused by the truck idling virtually outside our windows is highly irritating to residents of 36 Glanville Road (I am writing on behalf of, and with support from, the freeholders). I hope this email provides sufficient evidence to help you prevent them from trading in breach of the policy in future.

I look forward to hearing about the progress of this.

Thank you,  
[REDACTED]

I have e-mailed Oxford Spires Academy ([principal@spires.anthemtrust.uk](mailto:principal@spires.anthemtrust.uk)) to enquire about whether they had extended a formal invitation to the ice cream vendor and received the following response:

Dear [REDACTED]

Ms Blake has asked me to reply to you to say that we have not given permission and that she would be happy to forward her concerns also.

Kind regards

[REDACTED]  
Principal's PA

--

This email was Malware checked by UTM 9. <http://www.sophos.com>







See all photos + Add to

File info

Filename  
IMG\_20210329\_143606.jpg

Date taken  

29	March	2021
14		36

Size  
5 MB

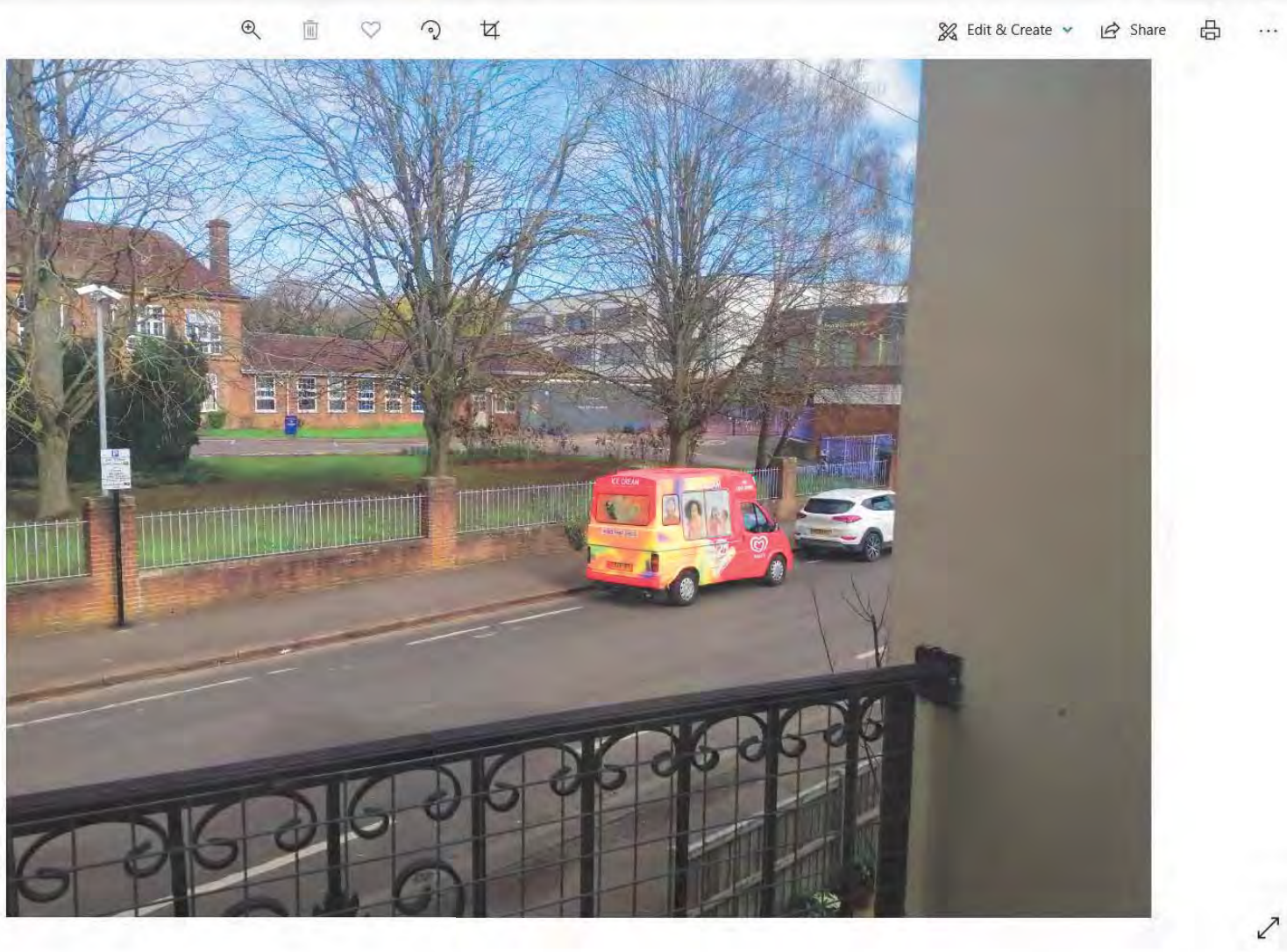
Dimensions  
4160 x 3120

Shot  
1/800 sec. f/1.8 3.6 mm

ISO  
50

Device  
HRY-LX1

Source  
This PC









See all photos + Add to

File info

Filename  
IMG\_20210329\_152202.jpg

Date taken

29	March	2021
15		22

Size  
4.2 MB

Dimensions  
4916 x 3910

Shot  
1/1600 sec. f/1.8 3.6 mm

ISO  
50

Device  
HRY-LX1

Source  
This PC





**From:** [REDACTED]  
**To:** [SIDDLE Claire](#)  
**Cc:** [WATSON Michael](#)  
**Subject:** Re: Ice cream vendor outside Oxford Spires Academy  
**Date:** 19 April 2021 14:40:56  
**Attachments:** [image001.jpg](#)

---

Good afternoon,

I was waiting until school resumed today to see if they would be back; and indeed they drove up and are parked exactly in the same spot as in the photos above - at 2:35. I can send more photos if necessary but thought I wouldn't since it's just the same as the above.

I will keep a diary of future such breaches but I can confirm that during the previous term before the break, it was here every single school day from approximately 2:30 till 3:30. I anticipate it will continue doing so unless told otherwise by the council.

Looking forward to hearing about the outcome of this,  
[REDACTED]

On Wed, Apr 7, 2021 at 4:18 PM SIDDLE Claire <[CSIDDLE@oxford.gov.uk](mailto:CSIDDLE@oxford.gov.uk)> wrote:

Dear [REDACTED],

Thank you for your email and the photographs.

I have cc'd Michael Watson, who is the Council Licencing Officer. Michael and I will be conducting an investigation into the actions of this trader.

Could I please ask that you keep a diary (on notepaper, or even on your phone) of any other dates and times you witness any breaches. The more information, including pictures, the better.

Michael and I will inform you of the outcome of the investigation in due course.

Best wishes,

Claire

**Claire Siddle**

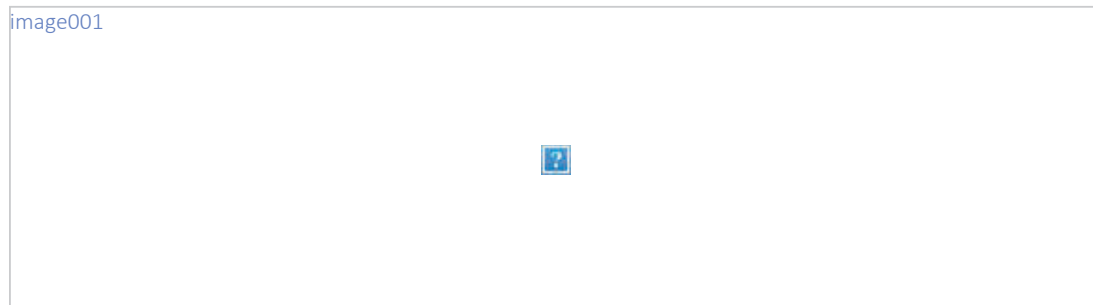
**Business Regulation Compliance Assistant**

Regulatory Services and Community Safety | Environmental Health SA3.2D | Oxford City Council |  
St Aldate's Chambers, 109 -113 St Aldate's | Oxford | OX1 1DS.

Telephone: [REDACTED] | Email: [REDACTED]

Website: [www.oxford.gov.uk](http://www.oxford.gov.uk) | Follow us on Twitter: [www.twitter.com/OxfordCity](https://twitter.com/OxfordCity) | Like us on Facebook:  
[www.facebook.com/OxfordCityCouncil](https://www.facebook.com/OxfordCityCouncil)

**[Click here to find out more about how the National Lockdown may affect you](#)**



**Stopping the spread of local coronavirus outbreaks** - Confirmed cases of coronavirus in  
Oxfordshire: <https://www.oxfordshire.gov.uk/council/coronavirus-covid-19/controlling-local-coronavirus-outbreaks/stopping-spread>

For information on COVID-19 visit [www.gov.uk/coronavirus](http://www.gov.uk/coronavirus)

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** 31 March 2021 13:29  
**To:** street\_trading <[street\\_trading@oxford.gov.uk](mailto:street_trading@oxford.gov.uk)>  
**Subject:** Ice cream vendor outside Oxford Spires Academy

Hello,

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However, they are breaching the [Oxford city council street vendor policies](#) on two separate counts since they are:

\* Not meant to park within 100m of the school - unless it has the explicit invitation of the school. It is parked right outside the school gates (see attached photos), and I have

received written confirmation from the school that they have not extended the vendor a formal invitation - see below.

\* Not meant to stay in one place for more than 20 minutes. Daily, it arrives at 2:30 and leaves at 3:30. I have attached photos showing it idling right outside the school gates; the timestamps in the file name (and the metadata within the files) show that they were taken at 14:36 and 15:22 on the same day.

The sound and air pollution caused by the truck idling virtually outside our windows is highly irritating to residents of 36 Glanville Road (I am writing on behalf of, and with support from, the freeholders). I hope this email provides sufficient evidence to help you prevent them from trading in breach of the policy in future.

I look forward to hearing about the progress of this.

Thank you,

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Kind regards

[REDACTED]

Principal's PA

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This email was Malware checked by UTM 9. <http://www.sophos.com>

**From:** [REDACTED]  
**To:** [SIDDLE Claire](#)  
**Cc:** [WATSON Michael](#)  
**Subject:** Re: Ice cream vendor outside Oxford Spires Academy  
**Date:** 30 April 2021 14:37:48  
**Attachments:** [image001.jpg](#)  
[IMG\\_20210430\\_143152.jpg](#)  
[IMG\\_20210422\\_143825.jpg](#)

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Hello, two weeks since term started and I can confirm that the ice cream van was here every weekday except this Wednesday (when it was raining), from 2:30 until 3:30. As before, I can send photos as I've taken one each day shortly after it arrived.

The noise and pollution it creates error pointlessly idling for 40 minutes until school ends, and the fact that it should not be parking within 100m of the school entrance but does this every time, are getting incredibly irritating for me and the other residents, as I can't even keep my windows open while working.

I hope you will take action against them soon.

[REDACTED]

On Mon, 19 Apr 2021, 14:40 [REDACTED], <[REDACTED]> wrote:  
Good afternoon,

I was waiting until school resumed today to see if they would be back; and indeed they drove up and are parked exactly in the same spot as in the photos above - at 2:35. I can send more photos if necessary but thought I wouldn't since it's just the same as the above.

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Best wishes,

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**Claire Siddle**

**Business Regulation Compliance Assistant**

Regulatory Services and Community Safety | Environmental Health SA3.2D | Oxford City Council |  
St Aldate's Chambers, 109 -113 St Aldate's | Oxford | OX1 1DS.

Telephone: [REDACTED] | Email: [csiddle@oxford.gov.uk](mailto:csiddle@oxford.gov.uk)

Website: [www.oxford.gov.uk](http://www.oxford.gov.uk) | Follow us on Twitter: [www.twitter.com/OxfordCity](https://www.twitter.com/OxfordCity) | Like us on Facebook:  
[www.facebook.com/OxfordCityCouncil](https://www.facebook.com/OxfordCityCouncil)

**[Click here to find out more about how the National Lockdown may affect you](#)**

image001



**Stopping the spread of local coronavirus outbreaks** - Confirmed cases of coronavirus in  
Oxfordshire: <https://www.oxfordshire.gov.uk/council/coronavirus-covid-19/controlling-local-coronavirus-outbreaks/stopping-spread>

For information on COVID-19 visit [www.gov.uk/coronavirus](http://www.gov.uk/coronavirus)

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Thank you,

[REDACTED]

I have e-mailed Oxford Spires Academy ([principal@spires.anthemtrust.uk](mailto:principal@spires.anthemtrust.uk)) to enquire about whether they had extended a formal invitation to the ice cream vendor and received the following response:

Dear [REDACTED]

Ms Blake has asked me to reply to you to say that we have not given permission and that she would be happy to forward her concerns also.

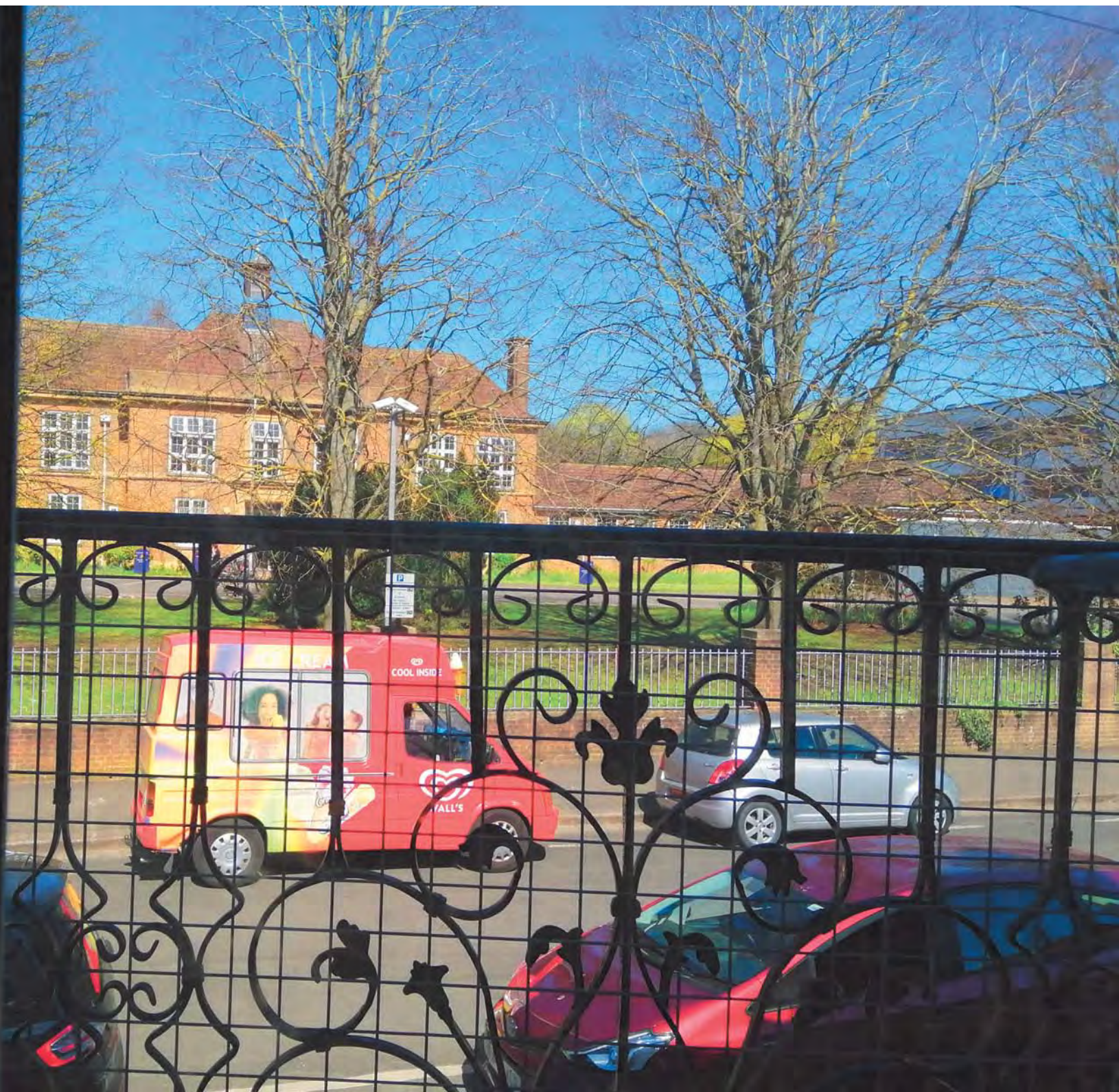
Kind regards

  
Principal's PA


--

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 See all photos

+ Add to

File info

Filename

IMG\_20210422\_143825 (002).jpg

Date taken

22	April	2021
14		38

Size

4.7 MB

Dimensions

4160 x 3120

Shot

1/1600 sec f/1.8 3.6 mm

ISO










50

Device

HRV-LX1

Source

This PC

      Edit & Create  Share  



See all photos + Add to

File info

Filename  
IMG\_20210430\_143152 (002).jpg

Date taken

30	April	2021
14	31	

Size  
2.8 MB

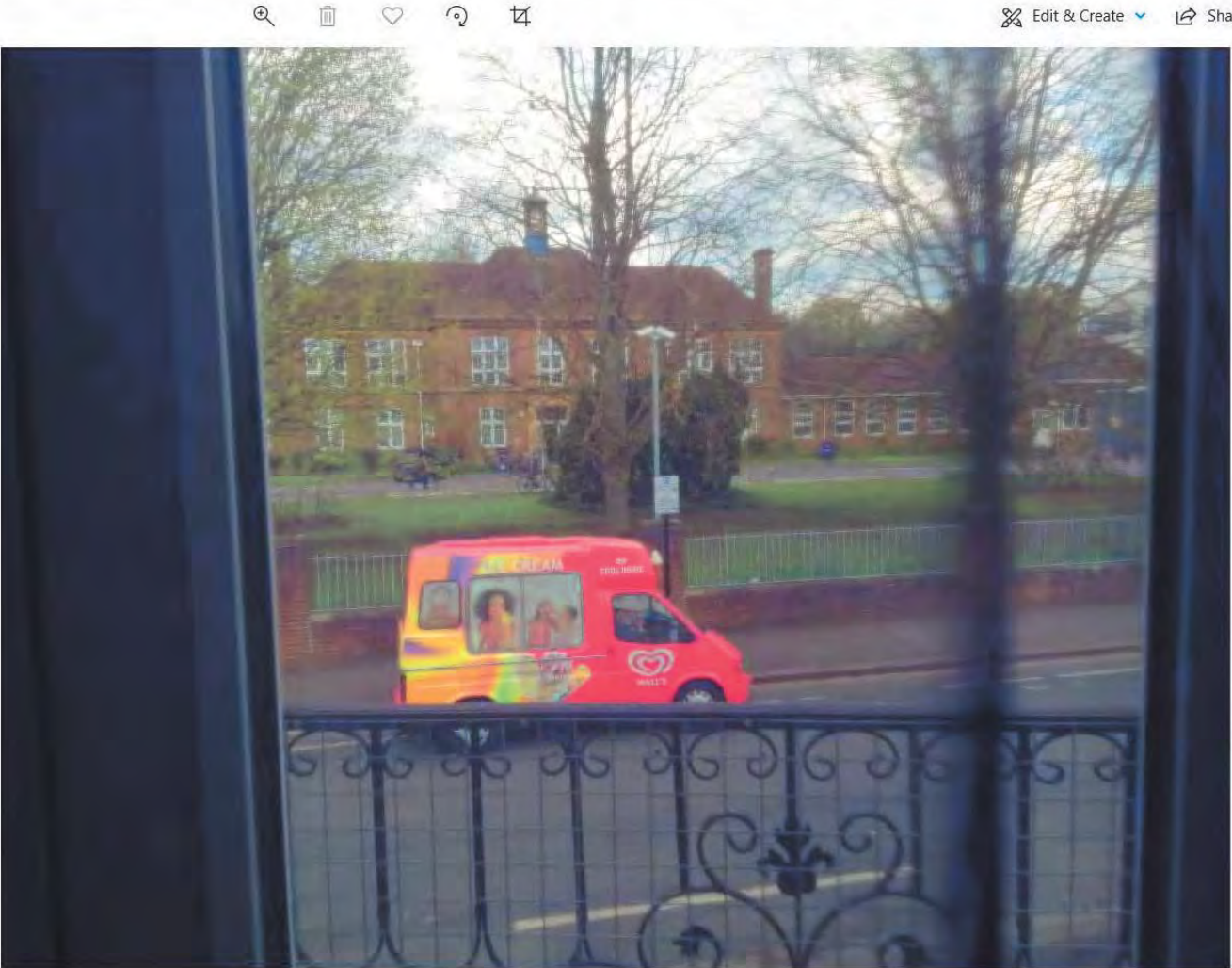
Dimensions  
4160 x 3100

Shot  
1/320 sec. f/1.8 3.6 mm

ISO  
50

Device  
HRY-LX1

Source  
This PC







**From:** [REDACTED]  
**To:** [WATSON Michael](#)  
**Subject:** RE: Ice Cream Van  
**Date:** 24 June 2021 14:51:26  
**Attachments:** [ice cream van.jpg](#)

---

Dear Michael,

Thank you for updating us with the relevant permissions the ice cream van outside of Oxford Spires Academy should have.

The Ice cream van is frequently present. We have noted on many occasions this week that the van is not 100 meters from either of our school gates, please see the attached photos proving this, at best it is 25 meters from the outside gate and even if we counted from the inside gates it is still well within the 100 meters.

In regards to the timings, it is often here much longer than it's allowed 20 minutes. Again, please see attached photo, this is from 23<sup>rd</sup> June 2021. The ice cream van arrived at 2:40 and left at 3:25, this is significantly over the 20 minutes it should have, per the information supplied. This is a regular occurrence and certainly one we would like an end to.

Yours Sincerely,

[REDACTED]

---

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Registered Office: Highbridge House, 16-18 Duke Street, Reading, RG1 4RU.  
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<http://www.anthemtrust.uk>

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**From:** [WATSON Michael](#)  
**To:** [street trading](#)  
**Subject:** FW: Ice Cream Van  
**Date:** 28 June 2021 16:17:58

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**From:** [REDACTED] (Spires) [mailto:[REDACTED]@spires.anthemtrust.uk]  
**Sent:** 28 June 2021 15:43  
**To:** WATSON Michael <MWATSON@oxford.gov.uk>  
**Cc:** [REDACTED] (Spires) <[REDACTED]@spires.anthemtrust.uk>  
**Subject:** Ice Cream Van

Dear Michael,

Hope this Email finds you well , I have been asked by the Principle Ms Blake to liaise with yourself if you have any update on the Ice cream Van ?  
She is still here every day from 2.40pm to 3.30pm .  
way over the 20 minutes time limit she is allowed to be and within the 25 meters of our school gates .  
We are keeping a time sheet with video evidence of this.  
Is it possible for someone from the city council to come and observe her?

Kind regards

[REDACTED]  
[REDACTED]  
Oxford Spires Academy  
[REDACTED]

---

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**ORGANISATION:** Anthem Schools Trust is a charity and a company limited by guarantee.  
Registered in England & Wales. Company No. 7468210.  
Registered Office: Highbridge House, 16-18 Duke Street, Reading, RG1 4RU.  
Company name changed from "CfBT Schools Trust" in July 2019.  
<http://www.anthemtrust.uk>

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, updated August 2017 Part 16

Uniform Ref:

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Statement of: Michael Watson

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Licensing

This statement (consisting of ..... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:  Date: 5<sup>th</sup> July 2021

I am a licensing officer employed in the Business Regulation Team (BRT) at Oxford City Council. My responsibilities include the licensing and compliance enforcement of street trading consents amongst other licensable activities.

At 14:44 hours on 10th June 2021 I began observations in Barracks Lane with my colleague, Claire SIDDLE. The purpose of our observations was in response to a member of the public who had complained about an ice cream van trading outside the Oxford Spires Academy School.

I parked my vehicle on the south side of Barracks Lane just west of the junction with Glanville Road. I immediately notice an ice cream van index K244 UKR parked no more than 50 metres east from the Oxford Spires Academy School gates on the north side of Barracks Lane. I had a clear and unobstructed view of the ice cream van at all times during the observation.

I know vehicle index K244 UKR to be the ice cream van specified on the street trading consent reference 21/00636/STREET for Michael HALL.

I noticed several people purchasing ice creams within minutes of commencing the observations. I took time and date stamped photographs during the observation and produce these as exhibit MEW/1. They are attached as an appendix (1) to this statement.

At 15:10 hours I left my vehicle and walked to the ice cream van. As I approached, I saw a female purchasing two ice creams for her children. I spoke to the sole occupant of the ice cream van, an IC1 female approximately 60 years old. I now know this female to be Kim Louisa PAYN. I identified her from the photograph on the copy of a passport supplied with her employee form for renewal of the street trading consent 21/00636/STREET for Michael HALL. I asked for a bottle of water and was she

Signature:  Signature witnessed by: .....

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, updated August 2017 Part 16

Continuation Statement of: Michael Watson .....

told me she had no water and only had cans of Tango or cola. I asked for a can of Tango, and she said the price was 90 pence. I handed her a £10 note and was given a £5 note, 2 x £2 coins and a 10 pence piece in change.

I returned to my vehicle and continued to observe the ice cream van and take time and date stamped photographs.

At 15:15 hours the street became very busy with school children leaving Oxford Spires Academy School. Many of the school children made purchases from the ice cream van. At 15:17 hours there were approximately 20 children crowded at the ice cream van.

I ended the observation at 15:20 hours.

At 14:30 hours on 24th June 2021 I again visited Barracks Lane with my colleague, Claire SIDDLE. I parked my vehicle on the north side of Barracks Lane just west of the junction with Glanville Road. I had a clear and unobstructed view of the ice cream van at all times during the observation.

The ice cream van vehicle index K244 UKR was parked outside Oxford Spires Academy School in the same location, no more than 50 metres east from the Oxford Spires Academy School gates on the north side of Barracks Lane. I observed the vehicle until 15:00 hours. I took three time and date stamped photographs during the observation and produce these as exhibit MEW/2. They are attached as an appendix (2) to this statement.

Throughout the observations my colleague Claire SIDDLE made contemporaneous notes in her notebook. I have seen these notes and confirm they are a true and correct record of what I observed.

There was clear evidence from the observations that there were breaches of conditions of the street trading consent 21/00636/STREET, specifically:-

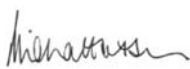
**Condition 33.**

*The vehicle must not trade within 100 metres of the boundary of any school or college between the hours of 07:30 and 18:00 (without formal invitation from the establishment).*

**Condition 34.**

*The vehicle must not wait in one location for more than twenty minutes.*

Signature: .....



Signature witnessed by: .....









10 Jun, 2021 14:48





10 Jun, 2021 14:48









10 Jun, 2021 14:52













10 Jun, 2021 14:52





















10 Jun, 2021 15:08





10 Jun, 2021 15:08





10 Jun, 2021 15:09













10 Jun, 2021 15:18









10 Jun, 2021 15:19















**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, updated August 2017 Part 16

Uniform Ref:

	/		/	
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Statement of:

Claire SIDDLE

Age if under 18:

Over 18


(if over 18 insert 'over 18')

Occupation:

Compliance Assistant

This statement (consisting of \_\_\_\_\_ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:



Date:

6<sup>th</sup> July 2021

I am Claire SIDDLE, and I am employed as a Compliance Assistant in the Business Regulation Team at Oxford City Council. I have been employed in this role since August 2020. My responsibilities include the licencing and enforcement of the Local Government (Miscellaneous Provisions) Act 1982, including schedule 4 which relates to Street Trading. At 14:44 hours on Thursday 10th June 2021 I began observations in Barracks Lane with my colleague, Michael WATSON. The purpose of our observation was in response to a member of the public who had complained about an ice cream van trading directly outside the Oxford Spires Academy School, Glanville Road, Oxford.

Upon turning left onto Barracks Lane, from Glanville Road, I immediately notice an ice cream van with the registration mark K244 UKR parked no more than 25 metres east from the Oxford Spires Academy School gates on the north side of Barracks Lane. Michael turned the vehicle we were travelling in, and proceeded to park on the south side of Barracks Lane just west of the junction with Glanville Road. I had a clear and unobstructed view of the ice cream van at all times during the observation.

I know vehicle index K244 UKR to be the ice cream van specified on the street trading consent for Michael HALL 21/00636/STREET. I observed several people purchase ice creams within minutes of commencing the observations. Michael WATSON took time and date stamped photographs during the observation, which he has produced as exhibit MEW/1 alongside his statement.

At 15:10 hours I remained in our vehicle, whilst Michael WATSON exited in order to approach the ice cream van. I witnessed him purchase a drink and then return to the driver's side of our parked vehicle.

At 15:15 hours the street became very busy with children leaving Oxford Spires Academy School. Many of the school children made purchases from the ice cream van. At 15:17 hours there were approximately 20 children crowded at the ice cream van. The observation ended at 15:20 hours. Throughout the observation my colleague Michael WATSON

Signature:



Signature witnessed by:



WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, updated August 2017 Part 16

Continuation Statement of: Claire Siddle .....

made notes at the time in his notebook. I have seen these notes and confirm they are a true and correct record of what I observed.

There was clear evidence from the observation that there were breaches of condition of the street trading consent 21/00636/STREET, namely:-

**Condition 33.**

*The vehicle must not trade within 100 metres of the boundary of any school or college between the hours of 07:30 and 18:00 (without formal invitation from the establishment).*

**Condition 34.**

*The vehicle must not wait in one location for more than twenty minutes.*

The observation ended at 15:20 hours.

At 14:30 hours on Thursday 24th June 2021 I again visited in Barracks Lane with my colleague, Michael WATSON. Michael WATSON parked the vehicle we were in on the North side of Barracks Lane, West of the junction with Glanville Road. At 14:30 hours, I witness the ice cream van with the registration mark K244 UKR turn right from Glanville Road, into Barracks Lane and proceed to park no more than 25 metres east from the Oxford Spires Academy School gates on the north side of Barracks Lane. I had a clear and unobstructed view of the ice cream van at all times during the observation.

I know vehicle index K244 UKR to be the ice cream van specified on the street trading consent for Michael HALL 21/00636/STREET.

Michael WATSON took time and date stamped photographs during the observation, which he has produced as exhibit MEW/2 alongside his statement.

The observation ended at 15:00 hours. Throughout the observation my colleague Michael WATSON made notes at the time in his notebook. I have seen these notes and confirm they are a true and correct record of what I observed.

There was clear evidence from the observation that there were breaches of condition of the street trading consent 21/00636/STREET, namely:-

**Condition 33.**

*The vehicle must not trade within 100 metres of the boundary of any school or college between the hours of 07:30 and 18:00 (without formal invitation from the establishment).*

**Condition 34.**

*The vehicle must not wait in one location for more than twenty minutes.*

Signature: \_\_\_\_\_

Siddle

Signature witnessed by: \_\_\_\_\_



**From:** [REDACTED]  
**To:** [SIDDLE Claire](#); [WATSON Michael](#); [street trading](#)  
**Subject:** Re: Problem ice cream van on Port Meadow  
**Date:** 08 April 2021 10:05:45  
**Attachments:** [image001.jpg](#)

---

Hello Claire and Michael,

Thank you for your support and understanding. The vendor in question over the years has caused lots of problems for your predecessors and many other vendors, including not moving every 20 minutes and trading outside their consented hours and areas. Given their performance and record, I would be surprised if they had been given any sort of consent to trade anywhere in Oxford this year or in the future. They previously had a consent to trade in Jericho but the boundaries for Jericho stop short of Port Meadow, which is in Walton Manor ward.

I look forward to to hearing from you soon.

Kind regards,  
[REDACTED]

On Wed, 7 Apr 2021 at 15:48, SIDDLE Claire <[CSIDDLE@oxford.gov.uk](mailto:CSIDDLE@oxford.gov.uk)> wrote:

Hi [REDACTED],

Thank you for your email and the photographs.

I'm sorry to hear you are experiencing these issues. Michael who is the new Licensing Officer (cc'd) and myself will be conducting an investigation into the conduct of this trader.

Please keep us updated on any further issues, sending over dates, times and photographs where possible (if it is safe to do so). If they are abusive again please report this to Police on the non-emergency 101 telephone number or by reporting it online via their website.

Michael and I will inform you of the outcome of the investigation in due course.

Best wishes,

Claire

**Claire Siddle**

**Business Regulation Compliance Assistant**

Regulatory Services and Community Safety | Environmental Health SA3.2D | Oxford City Council | St Aldate's Chambers, 109 -113 St Aldate's | Oxford | OX1 1DS.

Telephone: 01865 252910 | Email: [csiddle@oxford.gov.uk](mailto:csiddle@oxford.gov.uk)

Website: [www.oxford.gov.uk](http://www.oxford.gov.uk) | Follow us on Twitter: [www.twitter.com/OxfordCity](https://www.twitter.com/OxfordCity) | Like us on Facebook: [www.facebook.com/OxfordCityCouncil](https://www.facebook.com/OxfordCityCouncil)

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image001



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**From:** [REDACTED] [mailto:[REDACTED]]

**Sent:** 07 April 2021 12:20

**To:** SIDDLE Claire <[CSIDDLE@oxford.gov.uk](mailto:CSIDDLE@oxford.gov.uk)>

**Subject:** Problem ice cream van on Port Meadow

Dear Claire, I hope that you are well. Unfortunately I'm already having problems another vendor, I think it is Adams ice cream. They were on my pitch throughout this Easter Weekend. They stayed stationary and did not move for hours on end and I have photos of the van for both Friday and Saturday, I was away Sunday and Monday but had reports of them being there the entire time. The last exchange I had with this vendor was not pleasant, and in fact they were abusive towards me, as a result I did not challenge them. Please can you take immediate action against them as they caused me, and others considerable trouble over these last few years.

Kind regards,

[REDACTED]

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**From:** [REDACTED]  
**To:** [SIDDLE Claire](#)  
**Subject:** Photos  
**Date:** 07 April 2021 12:21:31  
**Attachments:** [IMG\\_0014.jpg](#)  
[IMG\\_0023.jpg](#)

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, updated August 2017 Part 16

Uniform Ref:

	/		/	
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Statement of: Claire SIDDLE

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Compliance Assistant

This statement (consisting of \_\_\_\_\_ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:  Date: 6<sup>th</sup> July 2021

I am Claire SIDDLE, and I am employed as a Compliance Assistant in the Business Regulation Team at Oxford City Council. I have been employed in this role since August 2020. My responsibilities include the licensing and enforcement of the Local Government (Miscellaneous Provisions) Act 1982, including schedule 4 which relates to Street Trading. At 14:35 hours on Monday 14<sup>th</sup> June 2021 I was stood at the H4 bus stop on the East side of St Aldate's, Oxford. I looked South East towards Pembroke Square and immediately notice an ice cream van with the registration mark K244 UKR. The van parked on the North side of Pembroke Square, facing onto St Aldate's. I had a clear and unobstructed view of the ice cream van at all times.

I know vehicle index K244 UKR to be the ice cream van specified on the Street Trading Consent for Michael HALL 21/00636/STREET. This Street Trading Consent permits Michael HALL to trade from the vehicle K244 UKR in Blackbird Leys, Iffley Fields, Cowley Mark, St Mary's and Hinksey.

I also know that Michael HALL holds a second Street Trading Consent with the reference 21/00634/STREET, for van YP56 VVA. This Street Trading Consent permits Michael HALL to trade exclusively from the van with the index YP56 VVA at Pembroke Square.

There was clear evidence from my observation that there were breaches of conditions of the Street Trading Consents 21/00636/STREET and 21/00634/STREET, namely:-

**Condition 3.**

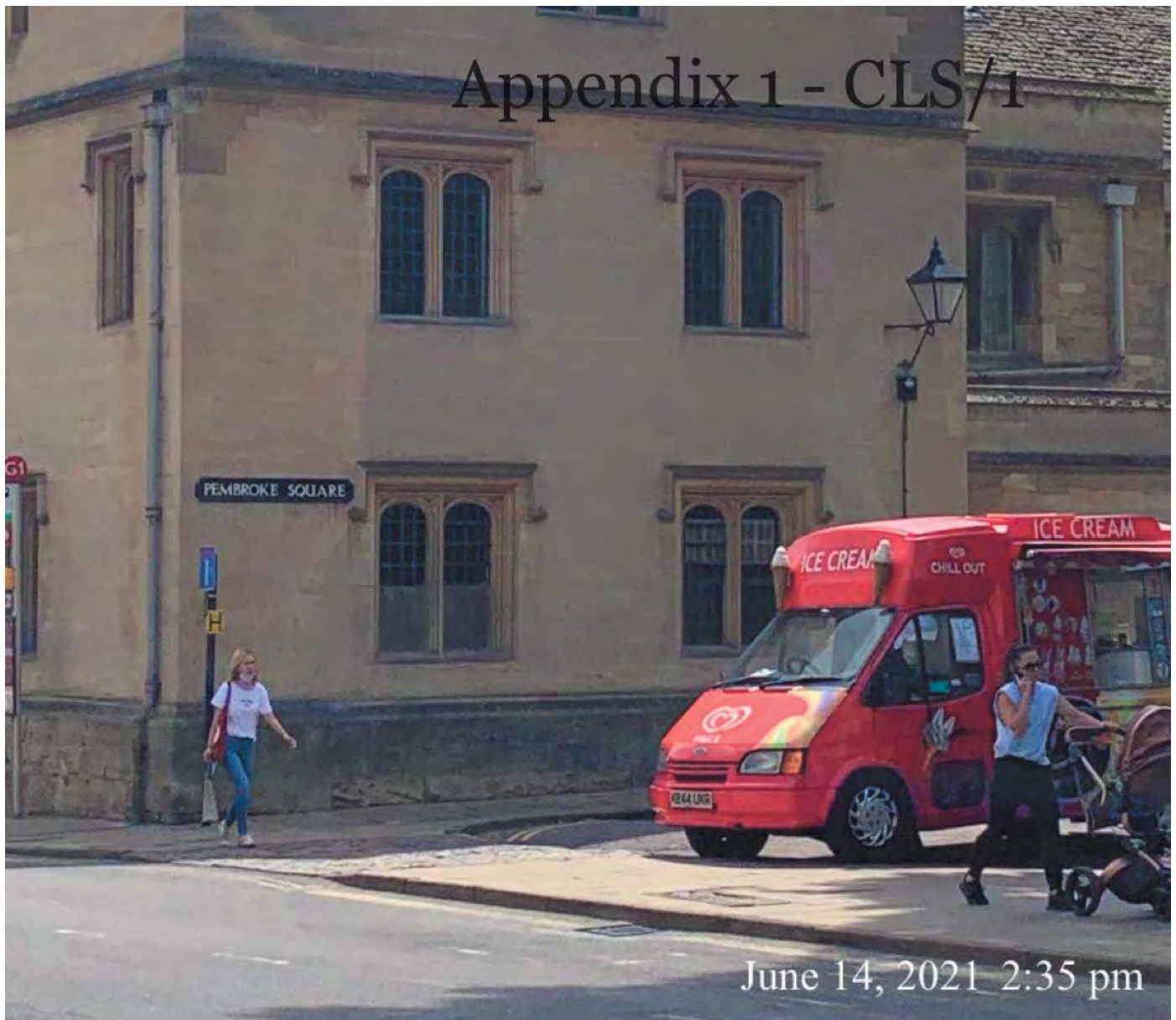
The Street Trading Consent relates only to the area/site vehicle or stall specified on the Certificate of Street Trading Consent.

**Condition 4.**

4. The Street Trading Consent relates only to the vehicle or stall specified on the Certificate of Street Trading Consent. The observation ended at 14:45.

Signature:  Signature witnessed by: \_\_\_\_\_

# Appendix 1 - CLS/1







**Minutes of a meeting of the  
GENERAL PURPOSES LICENSING CASEWORK  
SUB-COMMITTEE  
on Wednesday 30 May 2018**



**Committee members:**

Councillor Clarkson (Chair)

Councillor Lygo

**Officers:**

Daniel Smith, Lawyer

Lesley Rennie, Business Regulation Team Manager

Samantha Broome, Licensing Officer

Joshua Curnow, Licensing Compliance Officer

John Mitchell, Committee and Member Services Officer

**1. Apologies for Absence**

Apologies received from Councillor Landell-Mills.

**2. Declarations of Interest**

None.

**3. Procedure to be followed at the meeting**

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

**4. Minutes**

The Sub-Committee resolved to APPROVE the minutes of the meeting held on 16 April 2018 as a true and accurate record.

**5. Breach of Street Trading Conditions**

The Head of Planning, Sustainable Development and Regulatory Services had submitted a report seeking the Sub-Committee's view about what action to take in the light of Mr Hall's breach of the conditions of his Street Trading Consent.

The Chair confirmed that Mr Hall had received the paperwork associated with this item and that he had been alerted in advance to the fact that, on this occasion, the Sub-Committee would comprise two City Councillors.

The Licensing Officer spoke to the report. Mr Hall holds a Street Trading Consent for his ice cream van which permits him to trade on a peripatetic basis at specified times in designated areas. The matter had been referred to the Sub Committee following two complaints regarding trading from his van in Rose Lane. On both occasions the van was parked on double yellow lines obstructing the footpath and road. Oxfordshire County Council confirmed that parking fines had been issued on both occasions.



Prior to the breaches, on 14 March 2018, Mr Hall attended a meeting with the licensing officer when he had been reminded of previous advice and a verbal warning he had received in 2017 regarding trading in Rose Lane. It was explained to Mr Hall that immediate enforcement action would be taken if further complaints were received.

Mr Hall's Consent does not include Rose Lane or allow him to trade for longer than 20 minutes in one location. On both occasions there was trading from the van for longer than 20 minutes. Mr Hall was therefore in breach of the Consent.

Following receipt of the complaints, Mr Hall attended a further meeting with the licensing officer when it was explained that the matter would be put before the Sub-Committee.

Mr Hall explained that at the time of both incidents described his sister was driving the van and he was not present. He had sold ice creams in Oxford from a vehicle for 20 years. Ice creams had not been sold from anywhere other than permitted sites since the second incident.

The Licensing Officer confirmed that Mr Hall was the owner of the ice cream van and the person to whom the Consent had been granted and that Mr Hall's sister was recognised as an authorised employee for the concession. The meetings referred to in the report had been held with Mr Hall and not his sister as he was the Consent holder.

Mr Hall and the licensing officers left the room while the Sub-Committee considered the points raised.

The Sub-Committee was concerned that despite the warning given to Mr Hall on 14 March 2018, the two breaches described in the report occurred just a few weeks later. Taking account of all the circumstances described, the Committee agreed that the breaches would not warrant revocation of the consent at this point but were clear that a further breach would require the Sub-Committee to reconsider the position

Mr Hall returned to the room. The Chair explained the Sub-Committee's concerns to Mr Hall.

The Sub-Committee resolved to:

**Confirm** that Mr Hall should keep his Street Trading Consent but that another breach would necessitate his appearance before a further meeting of the Sub-Committee.

[REDACTED]

**From:** [WATSON Michael](#)  
**To:** "Mick"  
**Cc:** [street\\_trading](#)  
**Subject:** Breach of Street Trading Consents  
**Date:** 08 July 2021 16:11:23  
**Attachments:** [Hall - Compliance Letter 08.07.21.pdf](#)  
[image001.png](#)  
**Importance:** High

---

Dear Mr Hall,

Please see attached letter and acknowledge receipt.

Kind regards,

**Michael Watson**

**Interim Licensing Officer – Business Regulation Team**

Regulatory Services and Community Safety | Environmental Health SA3.2D | Oxford City Council  
| St Aldate's Chambers, 109 -113 St Aldate's | Oxford | OX1 1DS.

DD Telephone: 01865 252909 | Email: [mwatson@oxford.gov.uk](mailto:mwatson@oxford.gov.uk)

Website: [www.oxford.gov.uk](http://www.oxford.gov.uk) | Follow us on Twitter: [www.twitter.com/OxfordCity](https://www.twitter.com/OxfordCity) | Like us on Facebook:  
[www.facebook.com/OxfordCityCouncil](https://www.facebook.com/OxfordCityCouncil)



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Mr Michael Hall  
38 Kestrel Crescent  
Oxford  
Oxfordshire  
OX4 6DY

Date: 8<sup>th</sup> July 2021

Dear Mr Hall,

**Local Government (Miscellaneous Provisions) Act 1982 Schedule 4**  
**Breach of Street Trading Consent Conditions by Ice Cream Van K244 UKR**  
**21/00636/STREET and Ice Cream Van YP56 VVA 21/00634/STREET**

The Council received information that you are trading in breach of the conditions of your Street Trading Consent.

We received reports and photographic evidence which suggests the ice cream van index K244 UKR has been trading no more than 25 metres away from the gates of Oxford Spire Academy, Glanville Road, Oxford without invitation from the School and for periods of up to an hour at a time. Further investigation, and observations, by Council officers corroborated the allegations.

Oxford City Council's Street Trading Conditions clearly state:

*'33. The vehicle must not trade within 100 metres of the boundary of any school or college between the hours of 07:30 and 18:00 (without formal invitation from the establishment).'*

*'34. The vehicle must not wait in one location for more than twenty minutes.'*

We have received a further allegation that your vehicle ice cream van K244 UKR was trading from Port Meadow on 2nd April 2021 and 3rd April 2021.

Oxford City Council's Street Trading Conditions clearly state:

*'3. The Street Trading Consent relates only to the area/site vehicle or stall specified on the Certificate of Street Trading Consent.'*

A Council Officer also witnessed your vehicle ice cream van K244 UKR trading from Pembroke Square on Monday 14<sup>th</sup> June 2021.

Oxford City Council's Street Trading Conditions clearly state:

*'3. The Street Trading Consent relates only to the area/site vehicle or stall specified on the Certificate of Street Trading Consent.'*

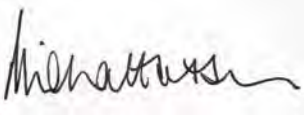
*'4. The Street Trading Consent relates only to the vehicle or stall specified on the Certificate of Street Trading Consent.'*

You have previously received verbal and written warnings from a Licensing Officer in relation to breaching the conditions of your Consent. On 30<sup>th</sup> May 2018 you attended the General Purposes Licensing Casework Sub-Committee, where you were allowed to retain your Consent but advised that a further breach would result in you appearing before another meeting.

Therefore, In accordance with Oxford City Council's Street Trading Policy, I am referring your Street Trading Consents 21/00636/STREET - Ice Cream Van K244 UKR and 21/00634/STREET – Ice Cream Van YP56 VVA to the General Purposes Licensing Casework Committee. The Committee will determine what action to take in relation to these breaches. You will receive a letter in due course confirming the date of the meeting and a copy of the report which will contain the evidence to be put before the Committee for their consideration.

If you require any further information, please do not hesitate to contact me.

Yours sincerely,



Michael Watson  
Interim Licensing Officer  
Business Regulation Team





**From:** [Mick](#)  
**To:** [street trading](#)  
**Subject:** City Ices breach of trading conditions.  
**Date:** 12 July 2021 15:10:06

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Dear Mr Watson,

I am writing to you to help explain the reasons for the breach of trading conditions outlined in your letter of 8th July 2021. As I'm sure you are aware the last year has been incredibly tough for my business to survive. Oxford has seen a massive reduction in tourists who make up a large percentage of my customers and also students who I employ as operatives. The pandemic has made me very busy in covering staff and trying to make ends meet. I admit to the breaches but below is a small paragraph on now the breach came about and mitigating circumstances.

Oxford Spires Academy

I hold my hands up for the offence because I know that due to a lack of communication on my employees were not of the trading restrictions outside the school. Due to staff issues and additional work load I reduced my staff supervisory role and left the employees to trade in what I thought was the approved location. For your information prior to the pandemic we held weekly team meetings where we run through all aspects of health and safety and contractual legalities. I decided to stop these meetings in light of additional workload and the risk of face to face interaction with staff. Thinking of it I should have set up a virtual meeting but never got round to it. I admit we are in the wrong and I have now but corrective actions in place.

Port Meadow

In April I wrote several emails to Mr Watson regarding trading at Port Meadow. On the dates mentioned I trialled the site and had hoped to have agreement to add this location to my trading consent. I still hope to be able to trade here one day and would like a reply to my request.

Pembroke Square

On the day mentioned my vehicle K244 UKR was being used to cover for my normal van YP56 VVA which was having refrigeration issues and I deemed it unsafe to trade. The van was off road for a couple of days and now fully repaired.

I do hope the above helps to explain but I would like to note that I've been a street trader with Oxford City Council since 1986 and in those 35 years we've had very few issues with me, my employees and my company.

I look forward to working with the Council as we start to come out of these tough times.

With kind regards

Michael Hall

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