

To: General Purposes Licensing Casework Sub Committee

Date: 02 September 2024

Report of: Head of Planning & Regulatory Services

Title of Report: Street Trading application (Lucy Hedges: Full of Beans)

Summary and recommendations	
Purpose of report:	To inform the determination of a street trading application
Corporate Priority:	Enable an inclusive economy Support thriving communities
Policy Framework:	Street trading Policy 2024 Council Strategy 2020-2024
Recommendation(s): That the General Purposes Licensing Casework Sub-Committee resolves to:	
1.	Determine the applications, taking into account the details in this report and any representations made at this Sub-Committee meeting.

Introduction and background

1. In 1986 the Council resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 the Council can manage street trading by designating streets as “consent streets”, “licence streets” or “prohibited streets”. All streets within Oxford are currently designated “consent streets” and any trading requires the grant of a street trading consent. Street trading consent may be granted as the Council “thinks fit”. When exercising the power to grant and enforce consents the Sub Committee should only take into account relevant considerations; must give each applicant or consent holder a fair hearing and should give reasons for their decisions.
2. Street trading consent is granted subject to the Council’s standard conditions. The Sub Committee may amend or attach any additional conditions to a Consent that it considers “reasonably necessary”.
3. The application (appendix one) is for a mode of street trading which has not previously been considered at this authority.

4. This being the case, the manner of trading does not comply with the trading model outlined in the Policy and requires the examination of this committee to determine whether they wish to make an exception(s) in this case.
5. The application proposes trading in five locations, as can be seen in appendix 2 below. Briefly, the locations are:
 - a. Grandpoint Recreation Ground near the Pavilion
 - i. Saturday Mornings during the football season (September – May)
 - ii. Note: for around half the matches catering is provided in the pavilion.
 - b. Hinksey Park Playground and football pitch (grass area by the car park or next to the toilets)
 - i. Saturday Mornings during the football season (September – May)
 - ii. Stopping for only 20 mins
 - c. Hinksey Lake and Pool entrance against the fence near pool entrance or under the trees
 - i. Weekends for one hour during pool operational months, April – October
 - ii. The Pool is operated by More Leisure and there is a café concession run by Viny within the pool grounds, and in the pool reception there is a coffee machine operated directly by More Leisure.
 - d. Redbridge Park and Ride to the rear of the terminal building or in front of unused parking machines.
 - i. Weekday mornings for two hours.
 - e. Meadow Lane Skatepark (grass area outside skatepark)
 - i. Sunday mornings (Easter – October) during skate coaching sessions.
 - ii. For two hours to cover both coaching sessions.
6. There haven't been a traders on these spots previously.
7. The proposed trading unit is a purpose built converted tricycle with a coffee machine on (see picture in appendixes).
8. The application doesn't fit within the definition of a peripatetic trader as the proposal is that in some of the locations the period of trading exceeds 20 minutes (up to two hours)
9. The applicant is proposing static trading across a number of different sites for up to two hours at any one time.

Determination of Applications for Consent

10. Prior to a Consent being granted or refused, the application is subject to a 14 day consultation period with stakeholders being given the opportunity to share observations and concerns. Our stakeholders include Oxfordshire County Council Highways Authority, Thames Valley Police, Oxford City Council Planning Service, Oxford City Council Environmental Health Services (Commercial Pollution and Food

Safety) and Ward Councillors. All comments received are taken into consideration when determining the grant of a Consent.

11. The Street Trading Policy 2023 requires new Street Trading applications to be referred to the Council's General Purposes Licensing Casework Sub-Committee who will use the criteria listed in the Policy in their determination of the application. A range of Criteria are listed, with each case being assessed on its merits and individual circumstances, where appropriate, may be taken into consideration. When there are representations relating to public safety, the Responsible Head of Service acting under delegated powers may refuse an application.

Reason for referral to Licensing Sub Committee

12. The application is referred to the Licensing Sub Committee as per the point above. The application and relevant supporting documents can be found in the appendix to this report.
13. Comments made in response to the consultation process have been include in appendix 4.
14. Any consent granted will be subject to the satisfactory receipt of all of the required documentation listed in section 6.1 of the Street Trading Policy.
15. Any consent granted will be issued to expire on 31 March 2025 in line with the Council policy of having a single renewal date. The successful applicant would need to submit a renewal application to the Council prior to 1 February 2025 should they wish to continue trading after 31 March 2025.
16. The committee should determine whether or not to issue a street trading consent, and if so:
 - a. Whether or not to consider this trader peripatetic and which of the proposed trading sites (if any) the trader might be allowed to trade from
 - b. Whether or not to allow the trader to trade for longer than the time allowed by the policy (20 mins)
 - c. Whether or not to allow the trader to trade for the proposed times and dates.
17. In doing so the committee can add or amend any conditions it thinks reasonable to achieve the aims detailed in the policy considerations below.

Policy Considerations

18. The Policy requires that when determining an application for the grant or renewal of a Consent, the Council will consider the following factors, as per section 6.8 of the Policy:

(a) Public safety

Whether the street trading activity represents, or is likely to represent, a substantial risk to the public. Factors taken into account will include: 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) Avoidance of public nuisance

Whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance to the public, particularly in residential areas.

(d) Appearance of the stall or vehicle

The stall or vehicle must be maintained in good condition, be of smart appearance and meet the 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. The general appearance of the vehicle or stall will also be considered in order to determine that the unit will not detract from the appearance of the surrounding area.

(e) Needs of the area

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

(f) Environmental sustainability

Measures to minimise the impact of the proposed operation on the local environment including street surfaces and materials, power supply, carbon footprint, supply chain, packaging, waste minimisation, recycling and waste disposal.

(g) Food safety and food offer

Applicants to trade in hot or cold food must be able to demonstrate a good understanding of food safety and be registered as a food business with the relevant local authority. As a minimum, 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. Consideration will be given to applicant's ability to meet SUGAR SMART Oxford criteria (see Annex 3 for guidance).

(h) Highway safety 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.

19. The application has been assessed against the required criteria and is considered to be valid.

Financial implications

20. The Council collects fees for Street Trading Consents. Predicted income from Consent fees are included in the Council's budget.

Legal issues

21. The Sub Committee may grant a Street Trading Consent if it 'thinks fit'. 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.

22. 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

23. Article 1 of the first Protocol of the European Convention on Human Rights provides that every person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law. However a street trading consent is not generally considered to be a possession in law and the protection in Article 1 is therefore not directly engaged.

Report author	Matthew Stead
Job title	Senior Licensing Officer
Service area or department	Regulatory Services & Community Safety
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e-mail	mstead@oxford.gov.uk

Appendices	
Appendix 1	Application form
Appendix 2	Proposed trading locations
Appendix 3	Picture of proposed trading unit
Appendix 4	Comments received from consultation

Appendix 1: Application Pack

Application for 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 2018. Information about how Oxford City Council will handle this data can be found at www.ico.gov.uk and also on www.oxford.gov.uk.


Note: Please refer to the checklist attached before you send in your application form – if any of the supporting documentation is missing, your application will NOT be processed.

Part 1 – Your Details	
Full Name	Lucy Hedges
Address	[REDACTED]
Postcode	[REDACTED]
Telephone Numbers	Home: [REDACTED] Mobile:
Email address	[REDACTED]
National Insurance Number	[REDACTED]
Date of Birth	[REDACTED]
Nationality	[REDACTED]
Part 2 – Convictions	
Do you have any current criminal convictions (unspent under the Rehabilitation of Offenders Act 1974)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

If **yes**, please give details including date of conviction, court, **offence** and penalty/sentence (continue on separate sheet if necessary) Please refer to Oxford City Council Street Trading Policy, Annex 4 for further information.

Part 3 – What goods/items will you be selling

Proposed Trading Name	Full of Beans	
Type of goods to be sold – <i>Please specify all items to be sold</i>	Locally roasted speciality coffee, tea , hot chocolate, iced coffee, cakes and cookies, local pastries, cold drinks	
If you intend to sell hot/cold food which Local Authority are you registered with	Oxford City Council ref [REDACTED]	
If you have been inspected by Environmental Health what is your current Food Hygiene Rating and what date was it awarded	Food Hygiene Rating	Date awarded
Details of recyclable or biodegradable packaging you intend to use	Recyclable cardboard cups and lids, wooden stirrers, sugar in paper wrapping, paper bags for pastries.	
Proposed days and times of trading	Days: Monday - Sunday Within the hours of 7am - 5pm for approximately 4 hours at a time. Times: ✦ Not in Hinksey park when farmers market and community cafe are open.	
Full details of the site, sites or peripatetic route you are applying for	https://www.google.com/maps/d/u/0/edit?mid=11JCuTr5nTkBQZavGAGahAZ5lmRqblAo&usp=sharing	

Vehicle registration number	Its a bike	
Vehicle make and model	-	
Revenue Weight of vehicle as on V5C (logbook)	-	
Address where the vehicle/trailer will be stored when not in use	[REDACTED]	
Please read page 5, paragraphs 5.9 of the Street Trading Policy and describe how you are going to meet the following factors in boxes (a)-(h) below		
Public Safety	(a)	The coffee bike is very low risk to the public, it is a slow moving tricycle, only 1 metre wide so won't block pathways or have any access issues. The coffee machine is gas powered with a safety certificate, but has no naked flames. It has an onboard sink and built in bin. It will be kept in a clean hygienic state. All hot drinks will be served with a biodegradable lid for safety and to keep the drink hot.
Public Order	(b)	There is no risk to public order. It will be open during day times for customers to enjoy in the park.
The avoidance of public nuisance	(c)	The bike is powered by electric and pedal power and is ZeroEmission compliant. There is no noisy diesel engine or generator. Some occasional low level noise from the coffee grinder, which you won't be able to hear unless stood next to the bike. It is the quietest, most environmentally friendly mobile catering option available. I will stop in a suitable place which allows room for a queue if one forms. The will stop in safe areas away from busy pedestrian and vehicle routes
Appearance of the stall or vehicle	(d)	The bike is a very attractive made of sustainably sourced mahogany with a black frame and canopy. It is a very classy looking and sympathetic to Oxford's cycling heritage. The dimensions are 3m x 1m. 
Needs of the area	(e)	My proposed route is through parks where there are no cafe options, plus Redbridge park and ride which desperately needs some refreshments . I plan not to be in Hinksey park when the Farmers market is on, or on Tuesdays and Thursday when the community cafe is open. I am a local resident of Hinksey Park and am aware of the needs of the area. The recent closure of the Akiport cafe on Abingdon road and White House pub has further reduced food and beverage provision in the area.
Environmental Credentials	(f)	The coffee bike is as eco friendly as it could possibly be. It can operate totally off grid through the onboard batteries and gas supply . The bike moves by pedal power with electric assistance, so is carbon neutral. All packaging is 100% biodegradable and all waste will be taken with me. All coffee is supplied from local businesses who responsibly source their beans from independent farmers minimising carbon impacts associated with corporate supply chains. Coffee grounds are used for composting.

Food Traders	(g) All operators are level 2 in food safety and hygiene. I am aiming to have all snacks as low sugar options. There will be no fizzy drinks, crisps or bars of chocolate
Highway	(h) I will to make use of cycle paths and LTN routes and only stopping where I won't be blocking any access or thoroughfare.
Will you be the sole operator of the vehicle or stall?	Yes or No Yes If the answer is No please complete an Employee Form for each member of staff.
Do you agree to comply with the Street Trading policy?	Yes or No Yes


DECLARATION

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

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: 23 / 06 / 24

Checklist and Notes for New Applicants

Please tick

<p>A copy of your passport and/or right to work in the UK documentation</p> <p>Non UK Nationals must demonstrate that they have the right to work in the UK. You can do this by providing copies of documents or by sharing a right to work code - https://www.gov.uk/prove-right-to-work</p>	<p>✓</p>
<p>Disclosure and Barring Service (DBS) Check</p> <p>Note: A current DBS check dated no more than 30 days prior to the date of application, must be submitted in conjunction with your application if you are operating in the night time economy (late nights) or trade primarily to children (ice cream traders)</p>	<p>✓</p>
<p>Public Liability Insurance.</p> <p>Note: Consent Holders shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £5,000,000 and shall cover the operators vehicle, or stall and any additional equipment under your control. If food is sold the insurance shall specifically include cover against food poisoning to the same amount.</p>	<p>Will be provided, when consent is received.</p>
<p>Photograph or detailed sketch of the proposed vehicle/stall with dimensions.</p>	<p>✓</p>
<p>If you are applying for a static street trading site, sites or a peripatetic route please attached a map and images of the proposed site(s) or route in as much detail as possible.</p>	<p>✓</p>
<p>Copy of a map showing all streets and other public areas within a radius of 500 metres from the proposed location of the street trading site(s).</p> <p>Note: The map should be to a scale of 1:2500 and clearly indicate the location of the site in the centre of the map and the locations of the other street traders and outlets trading in similar commodities to those proposed.</p>	<p>Peripatetic route applied for</p>
<p>Waste Transfer Agreement</p> <p>Note: You must provide a valid in date Waste Transfer Agreement that details your waste collection arrangements.</p>	<p>Provided after consent received</p>
<p>Necessary application fee.</p> <p>Note: Cheques made payable to 'Oxford City Council'. Alternatively you can pay by card over the telephone.</p>	<p>✓</p>
<p>Copies of an up to date Food Hygiene Training certificate of level 2 or higher for you and ALL those who handle food</p> <p>Note: Your Certificate must be no more than 3 years old, accredited by The Chartered Institute of Environmental Health or The Royal Institute for Public Health.</p>	<p>✓</p>
<p>Gas safety certificate.</p> <p>Note: If you sell hot food from a vehicle or trailer and use gas, you are required to have the gas equipment checked annually by a qualified gas engineer. This is to ensure public safety and that the equipment is safe to use.</p>	<p>Provided after consent received and bike purchased</p>
<p>Note:</p> <ul style="list-style-type: none"> • A serviceable fire blanket and foam extinguisher must be provided in all vehicles selling hot food. 	

Appendix 2

Mobile Coffee Vending Bike Proposal

Contact: Lucy Hedges

Mob: [REDACTED]

Email: [REDACTED]

Objective:

Establish a sustainable and flexible mobile coffee business catering to underserved areas in Oxford, aligning with the city's cycling heritage and Low Transport Network (LTN) and Zero Emission Zone (ZEZ) policies.

Potential Coffee route stops.

Grandpont Recreation Ground

- **Timing:** Saturday mornings during the football season (September - May).
- **Location:** Space around the Pavilion, away from football pitches.
- **Current Setup:** Catering provided in Pavilion for half the matches.
- **Opportunity:** Serve spectators and players, enhancing match-day experience.



During football season only, there are matches at Grandpont recreation ground on a Saturday morning. There is space around the Pavillion, away from the football pitches to roll up. For around half of the matches, catering is provided in the Pavilion.

Hinksey Park playground and football pitch.

Timing: Saturday mornings during football season (September - May).

Location: Grass area next to the car park or by the toilets.

Footfall: Moderate; playground not busy enough for extended stops.

Opportunity: Quick 20-minute stops to serve football attendees.



The football pitch is used for a couple of hours on Saturday mornings during football season, September - May. The playground is generally not busy enough to justify stopping for longer than 20 minutes. There is plenty of space to pull up, out of the way, either on the grass next to the car park, or in the corner by the toilets.

Hinksey lake/ pool entrance,

Timing: Seasonal; weekends during pool operational months (April - October).

Location: Under trees, against the fence near the entrance.

Footfall: High during summer; pool and lake visitors.

Opportunity: Serve weekend visitors for 1-hour intervals.



Against the fence and under the trees, there is space for the coffee bike. This is a very seasonal spot, the pool is only open for 6 months of the year and the lake is busier in the summer months. It would be great to stop here for an hour or so on a weekend morning.

Redbridge Park and ride:

Timing: Weekday mornings, busy for approximately 2 hours.

Location: Back of the waiting area facing the car park or in front of unused parking machines.

Footfall: Consistent; commuters using park and ride.

Opportunity: Morning coffee service for commuters.



Busy for approximately 2 hours in the mornings. There is a suitable spot at the back of the waiting area facing the car park, also an undercover spot in front of the unused parking machines. Both locations have plenty of space around them.

Proposal for Licensing

Given the temporary and varied nature of demand at each location, we propose a hybrid licensing option allowing us to operate for up to 2 hours at each stop. This flexibility will enable us to cater to the specific needs of each site while maintaining efficient operations.

By focusing on underserved areas and adhering to sustainable practices, we aim to provide a valuable service to the community while supporting Oxford's environmental goals. We believe this approach will establish a successful and appreciated small business within the city.

Appendix 3



Appendix 4

From: [Bloomfield, Alex \(C0714\)](#)
To: [STEAD Matthew](#)
Subject: FW: New Street Trader Application [CONSULTATION]
Date: 26 July 2024 09:39:36
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image005.png](#)
[image010.png](#)
[image011.png](#)
[Street Trading Application Consultation Full of Beans.pdf](#)
[Potential Coffee route stoos Redacted.pdf](#)
[Picture of coffee bike.png](#)

To The Licensing Authority-Oxford City Council.

Having regard to both the departure from the current statement on street traders licensing policy and the proposed business model itself, the local Oxford area police having been consulted, do not anticipate any obvious issues posed by the application.

Yours Sincerely

Alex



C0714 Alex Bloomfield
Licensing Officer
Policing Strategy Unit
Alex.bloomfield@thamesvalley.police.uk
licensing@thamesvalley.police.uk
www.thamesvalley.police.uk

From: [Councillor Emily Kerr](#)
To: [STEAD Matthew](#)
Subject: Re: New Street Trader Application [CONSULTATION]
Date: 27 July 2024 22:04:43
Attachments: [image001.png](#)
[image002.png](#)

I would support this application (unless there are any good reasons given by any of the statutory consultees as to why not). It seems to me a pragmatic and sensible approach to getting fresh coffee in places that customers are likely to want it, with limited impact on other nearby trading (for example, there isn't fresh coffee available near Redbridge, and parents watching hinksey park footballers are unlikely to walk to the pubs as they are too far when watching children play football). I would add that my only concern is around damage to the grass, it would be helpful if permission could be given on a trial basis (say 12 months) to ensure that this doesn't happen. Other than that, I really support the sustainable transport of coffee by bicycle and think it seems like a good and innovative idea!

From: [PATEL, Niles](#)
To: [STEAD, Matthew](#)
Subject: Re: New Street Trader Application [CONSULTATION]
Date: 08 August 2024 21:59:33
Attachments: [image004.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)

Hello Matthew

I would also like to add that we have received several requests from residents and councillors to open a food and drinks service over the last two years since the EV charging hub opened.

When the EV charging hub at Redbridge was due to open in 2022, the Innovation Team at the City Council went through a nearly year-long procurement to find a vendor. We received an incredibly strong bid, where they met most of the requirements we were looking for. The leases and Heads of Terms were agreed upon and eventually drawn up. However, the company pulled out of the arrangement at the last minute. A tremendous amount of resource went into getting to that point. We, alongside several other stakeholders, were severely disappointed that we didn't have a cafe at the end of the lengthy process.

This would be a fantastic opportunity and a great platform to test the demand for food and drink at the various sites.

Thanks
Niles

Niles Patel
Innovation Project officer
Oxford City Council | Environmental Sustainability | Innovation Team | Oxford Town
Hall | St Aldate's | Oxford | OX1 1BX |
M: 07483010236

From: [Robins Vikki](#)
To: [STEAD Matthew](#)
Cc: [PATEL Nilesy](#); [MOULD Tina](#)
Subject: RE: New Street Trader Application [CONSULTATION]
Date: 31 July 2024 11:24:04
Attachments: [image004.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)

Hello Matthew

We support this application and would suggest there is flex for the coffee bike to extend its hours at Redbridge if the EV charging areas provide sufficient income for the owner to do so.

Should the suggested location be deemed unsuitable, we would work with the vendor and ODS to find an alternative at the Redbridge location as such services are desperately needed there.

If this application is successful, please do pass our details onto the vendor as we can support with comms for Redbridge if helpful.

Best wishes

Vikki

Vikki Robins | Sustainable Innovation Team Manager | Environmental Sustainability Team |
Oxford City Council | Town Hall | St. Aldate's | Oxford | OX1 1BX | Mobile: +44 7483 010650

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