

To: General Purposes Licensing Sub-Committee
Date: 3 November 2025
Report of: David Butler: Director of Planning and Regulation
Title of Report: Hellal Ahmed Street Trading Application

| Summary and recommendations | |
|------------------------------|---|
| Decision being taken: | To determine a street trading application from Hellal Ahmed |
| Key decision: | No |
| Corporate Priority: | Enable an Inclusive Economy Support Thriving Communities |
| Policy Framework: | City of Oxford Street Trading Policy |

| Recommendation(s): |
|---|
| That the General Purposes Licensing Sub-Committee: |
| 1. Consider all the information before them, written and oral evidence, which relates to Maria Reyes Valencia's application. |
| 2. Determine from the options given in the report, the application to trade on the street in Oxford |

| Information Exempt from Publication |
|---|
| The report does not contain any information which is exempted from publication. |

| Appendix No. | Appendix Title | Exempt from Publication |
|--------------|--|-------------------------|
| Appendix 1 | Application for street trading and supplementary documentation | No |

| | | |
|-------------------|--------------------------|----|
| Appendix 2 | Response to consultation | No |
|-------------------|--------------------------|----|

Introduction

1. This is an application from Hellal Ahmed ('the applicant') for an established street trading location on private land to the front of Cowley Workers Sports and Social Club.
2. Street Trading Consent can only be granted by the Sub-committee.
3. Street Trading Consent is granted subject to the Council's standard conditions. The Sub-committee may amend or attach any additional conditions to a Street Trading Consent that it considers "reasonably necessary".
4. This location has previously been traded from by Mohib Ullah, who has sold the equipment to Hellal Ahmed. Street Trading Consents cannot be transferred, and so Mr Ahmed must make a new application.

Trading Location

5. The location of the application is on the front of Cowley Workers Sports and Social Club. Previously, with the same trading unit, Mr Ullah traded here for approximately five years.
6. The land is not in public ownership and so the applicant has secured the agreement of the landowner to position the trading unit on the land.

Trading Times

7. Previously Mr Ullah traded everyday 1100 – 1800, the new application represents a change in these hours. The application proposed trading between 1100 – 2200.

Consultation

8. The consultation exercise required by the Policy was carried out. Thames Valley Police responded to state they have no objections to the proposal.

Legislative Background

9. 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".

10. 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.

11. 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 it considers "reasonably necessary". In this case the Council determined that a set of Special Conditions were reasonably necessary and so they were attached to the consent.

12. Section 5 of the Oxford City Council Street Trading Policy 2024 describes the scheme of delegation for Street Trading Consents and gives the General Purposes Licensing Case Work Sub-committee responsibility for determination of cases referred by the Director of Planning and Regulation.

13. Street Trading regulatory matters are determined on behalf of the Director of Planning and Regulation by the Business Regulation Team (BRT).

14. A person Street trading without the necessary consent is liable upon summary conviction for each offence to a fine not exceeding level three on the standard scale. Level three is currently set at £1000.

Options

15. The options before the Sub-committee are:

- a. To grant the Street Trading Consent; or
- b. To grant the Street Trading Consent with the imposition of additional conditions other than those contained within the Policy; or
- c. To refuse the application for a Street Trading Consent.

Financial implications

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

Legal issues

17. 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 challenge and if the refusal is held to be unreasonable or unlawful then the Court could award damages to the applicant.

18. 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. A consent should not be revoked or altered arbitrarily and without clear reason.

Policy Considerations

19. The following Policy points are of relevance in this matter:

- a. *8.1: When determining an application for the grant or renewal of a Consent, the council will consider all relevant information relating to the suitability of the applicant and any employees*
- b. *8.2: The Business Regulation Team aims to work closely with other enforcement authorities to regulate relevant legislation where necessary.*
- c. *11.3: At renewal, the Council may take into consideration any relevant information about the trading operation*

- d. 11.4: *Where a renewal application has been made and there have been complaints or enforcement issues or fees have not been paid on time, then the application may be referred to the General Purposes Licensing Casework Sub-Committee.*
- e. 19.1: *The Council may revoke a Street Trading Consent at any time, on any reasonable grounds. This may be for a variety of reasons including breach of conditions, non-payment of fees or when the site location is no longer suitable/accessible e.g. due to emergency repairs in the street or construction /redevelopment work.*
- f. 18.5: *Failure to comply with one or more of the standard conditions of Consent may lead to suspension, variation, revocation or non-renewal of Street Trading Consent. The Consent Holder may also be prosecuted where a criminal offence has occurred*

Level of risk

20. The risks associated with this application are relatively low overall. The committee will consider the risks against those criteria identified in the Policy but the most relevant factor in this case is probably:

21. Public nuisance, the later hours may increase the impact of people gathering around the unit. However, it is already outside of an entertainment premises and trading finishes at 2200.

Equalities impact

22. The Council has a Public Sector Equality Duty (PSED) under the Equality Act 2010 to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between people who share a relevant protected characteristic and those who don't share it;
- Foster good relations between people who share a relevant protected characteristic and those who do not (which involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

23. It is not considered that there will be any adverse impact on persons with protected characteristics.

| | |
|----------------------------|--|
| Report author | Matt Stead |
| Job title | Supervising Senior Licensing Officer |
| Service area or department | Miscellaneous Licensing: Business Regulation Team |
| Telephone | 01865 335771 |
| e-mail | Mstead@oxford.gov.uk |

| | |
|---------------------------|---|
| Background Papers: | |
| 1 | Oxford City Council Street Trading Policy, which can be accessed here: Street Trading Policy Oxford City Council |

This page is intentionally left blank