

NORTH LINCOLNSHIRE COUNCIL

LICENSING (MISCELLANEOUS) SUB COMMITTEE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**APPLICATION FOR GRANT OF STREET TRADING CONSENT
FOR THE NIPPY CHIPPY**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request the Sub Committee determines an application for a Street Trading Consent for Richard Dennis.

2. BACKGROUND INFORMATION

- 2.1 This Licensing (Miscellaneous) Sub-Committee is authorised to determine applications for the grant, transfer, renewal or revocation of Street Trading Consents.
- 2.2 An application for a Street Trading Consent was received from Richard Dennis on 10 September 2012. A copy of the application is shown as Appendix A to this report.
- 2.3 The site in which the applicant wishes to trade is located at Greengate Lane, South Killingholme. An area location plan is attached to this report as Appendix B.
- 2.4 The applicant wishes to trade from a purpose built mobile unit on a Tuesday from 16:00 hrs until 19:00 hrs and a Friday from 15:30 hrs until 17:00 hrs, selling fish and chips.
- 2.5 An objection has been made by a local resident on the grounds of nuisance and annoyance. A copy of this objection is attached to this report at Appendix C.
- 2.6 Due to the concerns raised by the objector regarding the application, the application is to be determined by the Licensing (Miscellaneous) Sub-Committee.
- 2.7 The legislation also allows the Licensing Authority to attach Conditions to a Street Trading Consent.
- 2.8 Reports will be updated at the meeting if necessary to take account of any additional relevant information received after publication.

2.9 Members should not allow themselves to pre-determine or to be prejudiced in favour of or opposed to the application until they have had an opportunity to consider all the pertinent facts.

3. OPTIONS FOR CONSIDERATION

3.1 The options available to the Committee under the Local Government (Miscellaneous Provisions) Act 1982 when considering such applications are as follows:

3.1.2 Option 1 – To grant the application for a Street Trading Consent as applied for with no additional conditions.

3.2.2 Option 2 – To grant the application for a Street Trading Consent subject to different terms, conditions or restrictions.

3.2.3 Option 3 – To refuse the application for a Street Trading Consent.

4. ANALYSIS OF OPTIONS

4.1 Option 1 – To grant the application for a street trading consent may cause issues as raised

4.2 Option 2 – Granting the application subject to alternative conditions may not address the issues raised.

4.3 Option 3 – To refuse the application in view of the issues raised.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 There are no resource implications.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Local Government (Miscellaneous Provisions) Act 1982.

7. OUTCOMES OF CONSULTATION

7.1 The table below provides details of any comments received:

Responsible Authority	Comment
Humberside Police – Casualty Reduction Officer	No objections on the grounds of road safety
Highways	No response
Planning	No response
Tourism	No response
Interested Parties	One objection has been received and is considered relevant on the grounds of nuisance and annoyance

8. RECOMMENDATIONS

- 8.1 That the application be determined in accordance with the options outlined at paragraph 3.1 and the analysis at paragraph 4 above, taking into account information received as shown as Appendix C to this report.

DIRECTOR OF PLACES

Civic Centre
Ashby Road
North Lincolnshire

Author: Linda Marshall
Date: 2 October 2012

Background Papers used in the preparation of this report: -
Application file.

Consultation Ends 1/10/12

RECEIVED
10 SEP 2012

APPENDIX A



NORTH LINCOLNSHIRE COUNCIL
APPLICATION FOR (GRANT/RENEWAL) OF STREET TRADING CONSENT
OR COLLECTIVE STREET TRADING CONSENT

"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 within this authority for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes."

I (name): **RICHARD DENNIS**
 Of (address): **85 PILGRIM AVENUE, IMMINGHAM**
 Postcode: **DN40 10J**
 Home Telephone: **01469 578679** Work Telephone: **07875875348**
 Trading Name: **THE NIPPY CHIPPY**

RECEIVED

HEREBY MAKE APPLICATION for the (Grant) of a Street Trading Consent in accordance with the Local Government (Miscellaneous Provisions) Act 1982, part III, schedule 4.

Area applied for
 The street/area in which I intend to trade: **Area: SOUTH KILLINGHOLME Street: GREENGATE LANE LAYBY**

Name of the event you are to be a part of (if relevant) **Event Name:** **Allocated No:-**

(Static sites only – you must clearly identify each site where trading is proposed, enclose a site plan clearly giving details of position, layout, street names, distance from permanent structures etc)

I wish to operate on the following days, between the stated hours.

DAY	TIME	DAY	TIME
MON		FRI	15:30 - 17:00
TUE	16:00 - 19:00	SAT	
WED		SUN	
THUR			

Date or event or period in months and date of commencement: **Date of event:** **Period:** **To commence:**

The articles I wish to trade in are: **FISH AND CHIPS**

Details of Vehicle or structure to be used: (i.e., trailer, portacabin, other) **VAN - LDV - 3.5 TONNE**

Maximum external dimensions : Length: **15ft** Height: **9.3ft** Width: **7.4ft** Weight: **3.5 TONNE**

Vehicle Details
 Make: **LDV** Model: **CONVOY 160** Colour: **BLUE**
 Registration No: **HN52 LJE** First registered: **24.12.2002**

Name & address of registered keeper (if different from above)
AS ABOVE

Disposal of waste Arrangement for disposal of liquid waste/foul water: **WASHING UP WATER REMOVED DAILY AND GOES INTO HOUSEHOLD WASTE**

Arrangements for disposal of solid waste/litter/rubbish: **I REMOVE WASTE DAILY AND IT GOES INTO MY COMMERCIAL WASTE**

A copy of the contract agreement for the disposal of Commercial Waste shall accompany this application.

733666. 142 10/9/12 G:\Standards\Commercial\Street Trading\STAPP 2011-2012.doc

19195
 Ends 1/10/2012

PUBLIC LIABILITY INSURANCE

North Lincolnshire Council shall not be liable to the holder of any street trading consent for any personal injury damage, loss or inconvenience howsoever or wheresoever caused to the consent holders, or to any goods or chattels of theirs, it being the intention of and agreed between the parties that the street trading consent holders shall perform the aforementioned activity at their own risk. The holders of any street trading consent shall agree to indemnify North Lincolnshire Council against all such claims to the satisfaction of North Lincolnshire Council and to produce to North Lincolnshire Council the policy of insurance and the receipts for all premiums issued thereunder. There shall be a minimum of £2,000,000 public liability insurance cover.
 (As a non-food trader, under a Collective Consent you may be covered by the insurance arranged by the event organiser, you will need to check with them)

Name of Insurance Company

AXA

Premium details:

£360.20

Level of insurance cover:

5,000,000

Policy Number:

550.005.959

(A copy of such public liability insurance and relevant receipts shall accompany this application)

Declaration

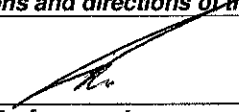
I declare that I am over 17 years of age and that permission to use the site stated overleaf has been granted by the landowner/Authority.

Please note:

Making a false statement in connection with any application is punishable on summary conviction by a fine. North Lincolnshire Council Licensing Division accept no liability for road closures, maintenance work or restricted access to any site.

Holders of Street Trading Consents must also be aware they are required to comply with traffic regulation orders, waiting restrictions and directions of the Police and must not cause an obstruction on any part of the highway.

Signed:



Date:

4.9.12

(The appropriate fee must accompany the application)

Fees for Street Trading Consent:

(One-day events ORGANISED by a registered charity are exempt from the requirement of a fee in respect of Street Trading Consent – See Policy Para 18)

Category One – any stall, kiosk, tow able trailer or other trading premises less than 2 Metres long that is removed at the end of each trading day.

Category Two - any stall, kiosk, van or other trading premises or vehicle more than 2 Metres long, removed at the end of each trading day (including ice cream vans, converted buses etc)

Category Three - semi-static premises which are not removed at the end of each trading day.

Annual	Category 1		Category 2		Category 3	
	ANNUALLY	QUARTERLY	ANNUALLY	QUARTERLY	ANNUALLY	QUARTERLY
Hot Food	£310.00	£96.50	£460.00	£142.50	£615.00	£194.00
Cold Food	£152.00	£49.00	£227.00	£72.50	£301.50	£96.50
Other – Non Food	£75.50	N/A	£152.00	N/A	£227.00	N/A
Collective Events	£50.50	(1-10 stalls)	£75.50	(11-19 stalls)	£101.00	(20+ stalls)
Occasional (Daily)	£22		£27.50			
Scunthorpe Pedestrian	£1890 Annual	£525 Quarter	£189.00 Monthly	£31.50 Daily		

Duplicate Licences

£15.75

PLEASE RETURN TO: The Licensing Division, Neighbourhood & Environmental Services, North Lincolnshire Council, PO Box 42, Church Square House, Scunthorpe, North Lincolnshire, DN15 6XQ.

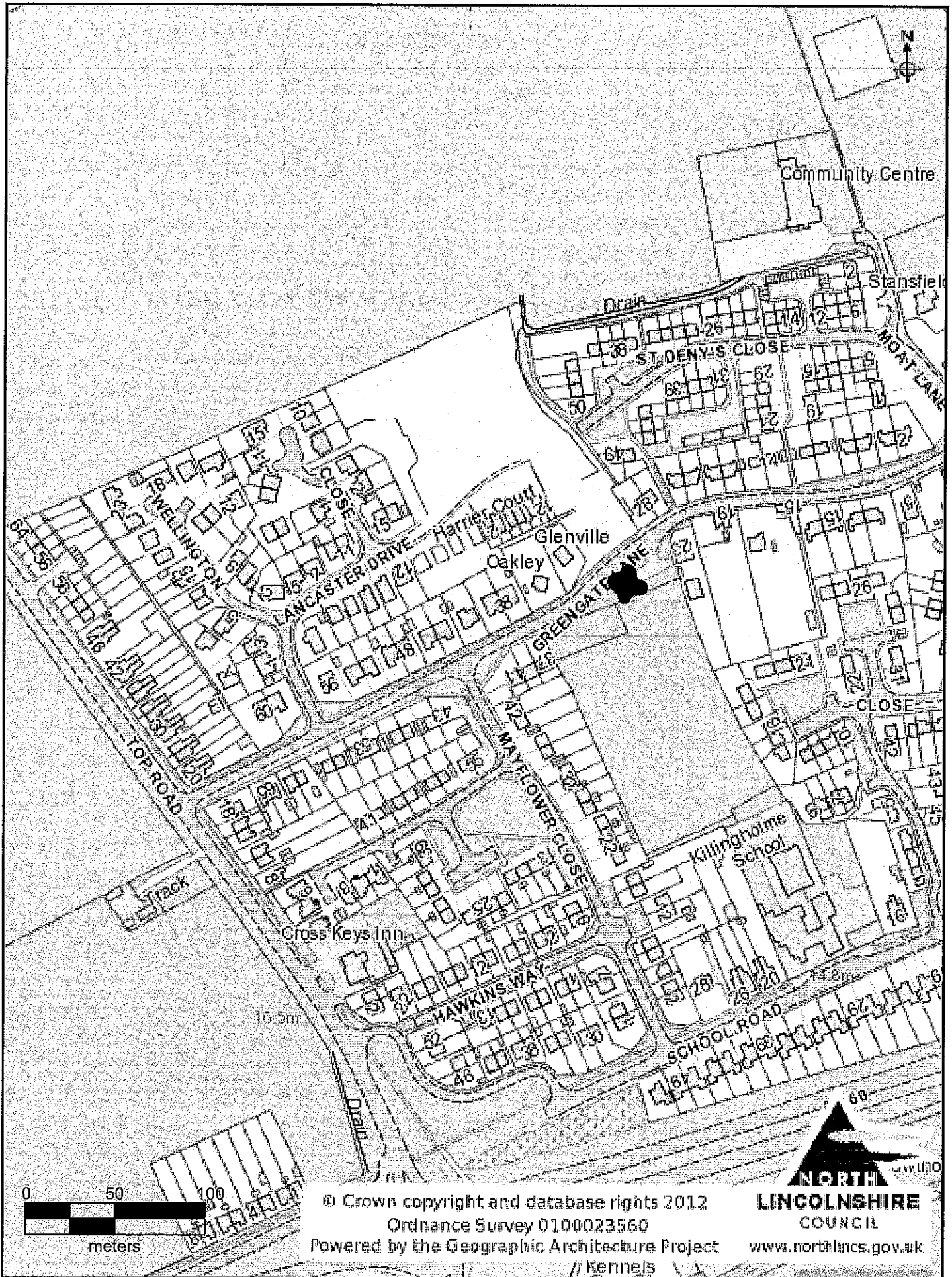
For Office Use Only:


Receipt No 733666

Fee: £ 142-

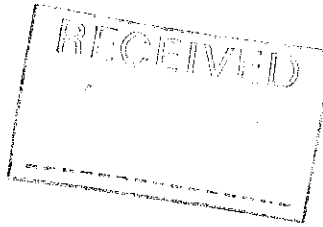
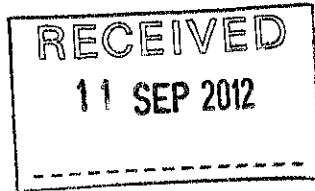
Date Paid: 10/9/12

Cost Centre	NEL001	Income Code	9002	Job Code	LICHHP3
Highways		Planning		Food & Safety	
Parish/Town Council		Police/Fire		Waste	
Town Centre				Prop. Servs	



Title: NIPPY CHIPPY SITE 
 Drawn By: generic_NLC
 Scale: @ A4 1:2694

Timestamp: 2012-10-02 15:26:03



CM Creswell
44 Greengate Lane
South Killingholme
North Lincs
DN40 3HD

04th Sept 2012

North Lincs Council
Licensing Office
PO BOX 40
BRIGG DN20 8XB

CONCERNS OVER PERMISSION BEING GIVEN TO MOBILE CHIP SHOP TO TRADE

I am writing to voice my concerns over the possible approval of a mobile chip shop called the Nippy Chippy being given a permit to trade in our road Greengate Lane.

Since the mobile van started using our street to trade, the Children get chips from the van and dump the rubbish on and around the park area close to my house. The small bin provided next to the van is not used as the children take their meal away from the van which is parked on the road and congregate on the park area.

There have been numerous complaints about the standard of food being supplied by the van and it's mainly chips that are being purchased and only by children.

The mess created by the dumping of wrappers covered in sauces are a health hazard as they are attracting vermin, not to mention the unsightly state of the area.

We have a perfectly good Fish and Chip Shop in the Village and don't need a mobile Chip Shop, I would appreciate it if you would investigate the problems this van is causing before you issue a permit allowing this van to trade.

Yours Sincerely

CM Creswell

A handwritten signature in black ink, appearing to be "CM Creswell".