

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

## Licensing Sub-Committee

The meeting will be held at **7.00 pm** on **12 February 2020**

**Council Chamber, Civic Offices, New Road, Grays, Essex, RM17 6SL**

### Membership:

Councillors Qaisar Abbas (Chair), Fraser Massey and Shane Ralph

### Agenda

Open to Public and Press

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<b>1. Apologies for Absence</b>	
<b>2. Items of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>3. Declarations of Interests</b>	
<b>4. Application to renew a Street Trading Consent</b>	<b>5 - 122</b>

### Queries regarding this Agenda or notification of apologies:

Please contact Kenna Victoria Healey, Senior Democratic Services Officer by sending an email to [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

Agenda published on: **4 February 2020**

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## **Information for members of the public and councillors**

### **Access to Information and Meetings**

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### **Recording of meetings**

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Members of the public not wishing any speech or address to be recorded for publication to the Internet should contact Democratic Services to discuss any concerns.

If you have any queries regarding this, please contact Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

### **Guidelines on filming, photography, recording and use of social media at council and committee meetings**

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at [CommunicationsTeam@thurrock.gov.uk](mailto:CommunicationsTeam@thurrock.gov.uk) before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

Where members of the public use a laptop, tablet device, smart phone or similar devices to use social media, make recordings or take photographs these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

## Thurrock Council Wi-Fi

Wi-Fi is available throughout the Civic Offices. You can access Wi-Fi on your device by simply turning on the Wi-Fi on your laptop, Smartphone or tablet.

- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

The ICT department can offer support for council owned devices only.

## Evacuation Procedures

In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

## How to view this agenda on a tablet device



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- Enter your username and password

# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

## Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

## When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

### Non-pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

## Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
  
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
  
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

<b>12 February 2020</b>	<b>ITEM: 4</b>
<b>Licensing Sub-Committee</b>	
<b>Application to renew a Street Trading Consent</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Non-key
<b>Report of:</b> Elizabeth Cox, Licensing Officer	
<b>Accountable Assistant Director:</b> Leigh Nicholson, Interim Assistant Director, Planning, Transport and Public Protection	
<b>Accountable Director:</b> Andrew Millard, Director of Place	
<b>This report is public</b>	

## Executive Summary

Mr Mehmet Ceylan has applied to renew a Street Trading Consent. A number of local residents and a Ward Councillor have raised objection to the application therefore the matter is being referred to Sub-Committee for determination.

### 1. Recommendations:

#### 1.1 The Sub-Committee agrees:

- (a) To refuse the application; or
- (b) To grant the application; or
- (c) To grant the application attaching any additional conditions necessary.

### 2. Introduction and Background:

- 2.1 Mehmet Ceylan of Flat C 37 Navarino Road, Hackney, E8 1AD submitted an application to renew a Street Trading Consent on 13 December 2019. A copy of this application and supporting documents is attached at **Appendix 1**.
- 2.2 The application is for a mobile unit to sell hot and cold food and drinks Monday – Sunday 12:00 – 22:30, and located in a car park adjacent to 74a High Street, Aveley, RM15 4BX. A location map is attached at **Appendix 2**.
- 2.3 The initial application for a consent was heard by the Licensing Sub-Committee on 21 August 2019 and granted for a period of three months. The

Consent was issued on 16 October 2019, once the applicant had obtained public liability insurance and registered with Food Safety.

- 2.4 When the unit first commenced trading, there were complaints that it was being left in situ during the times it was not trading. Removal from site was not imposed as a condition of the licence and subsequent to the licensing hearing when it was advised that the vehicle was going to be removed from site each night Mr Ceylan had been given consent by the land owner to store the vehicle on site. Following discussion with Mr Ceylan, the unit was moved at the end of trading each day. No further complaints regarding the business were received into the Licensing Team.
- 2.5 During the consultation period 7 representations were received from local residents, and a representation from a ward councillor. These mainly relate to nuisance issues from noise, odours and litter as well as safety concerns. Copies of these letters are attached at **Appendix 3**.
- 2.6 Several of the letters refer to the previous hearing in August 2019. A copy of the report from this hearing is attached as **Appendix 4**, the decision notice as **Appendix 5** and the minutes as **Appendix 6**.
- 2.7 Licensing visited the premises at approx. 22:00 on 11 January 2020 to look at the concerns raised. At the time of the visit the unit was in the process of closing. We asked about the trailing cable residents had referred to and was shown where it goes as well as the cover that goes over it. There was a large amount of litter in the car park, however I could not determine where it had come from but some of the litter could not have related to a kebab van.
- 2.8 No representations were received from any other consultees, which included environmental health's noise and pollution team; and Essex Police. Food Safety are due to inspect the business prior to the hearing, and their findings will be made available at the Sub Committee.
- 2.9 The Council's Street Trading Policy and standard conditions are attached as **Appendix 7**. The policy provides under the prevention of public nuisance section that consideration will be given to measures taken to reduce the risk of nuisance from noise, refuse, vermin, fumes and odours. The policy also provides under the prevention of crime and disorder section that the proposed activity should not present a risk to public order. This is likely to be more of an issue in respect of applicants wishing to trade at later hours.

### **3. Issues, Options and Analysis of Options:**

- 3.1 Under Schedule 4, Local Government (Miscellaneous Provisions) Act 1982, the council may grant a consent if they think fit, and may attach such conditions to it as they consider reasonably necessary. This can include conditions to prevent obstruction of the street or danger to persons using it; or nuisance or annoyance (whether to persons using the street or otherwise).

3.2 The Sub-Committee must therefore decide whether the Street Trading Consent should be granted or refused, and if granted if any additional conditions need to be added to address the concerns raised in the representations.

#### **4. Reasons for Recommendation:**

4.1 These are the options available to the Sub-Committee.

#### **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 In accordance with the renewal process this application has been consulted on with the following: Essex Police, Essex Fire and Rescue Service, Highways England, ward councillors, our highways team and our food safety team.

#### **6. Impact on corporate policies, priorities, performance and community impact**

6.1 Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to do all that it can to prevent –

- (a) crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local community), and;
- (b) the misuse of drugs, alcohol and other substances in its areas.

In considering this application in relation to these duties the authority should have due regard to Section 61(1) (b) Local Government (Miscellaneous Provisions) Act 1976, Thurrock Council's guidelines on previous convictions or cautions and any submissions made by the applicant.

#### **7. Implications**

##### **7.1 Financial**

Implications verified by: **Rosie Hurst**  
**Interim Senior Management Accountant**

There are no financial implications associated with the report.

##### **7.2 Legal**

Implications verified by: **Simon Scrowther**  
**Principal Solicitor – Litigation and Employment**

1. Thurrock Council, as a Licensing Authority, has the legal discretion to determine matters of this nature.

2. Under Schedule 4, Local Government (Miscellaneous Provisions) Act 1982, the council may grant a consent if they think fit, and may attach such conditions to it as they consider reasonably necessary.
3. Thurrock Council as a Licensing Authority has a set of conditions which, in addition to the Local Government (Miscellaneous Provisions) Act 1982, as amended, regulates Street Trading Consents.
4. There is no right of appeal against this decision.

### 7.3 Diversity and Equality

Implications verified by: **Natalie Smith**  
**Strategic Lead, Community Development**

The Licensing Sub-Committee is of a quasi-judicial nature and whilst the Licensing Committee should ensure equality of treatment for all groups in the granting of licences, due regard should be given to its responsibility to promote the objectives of the licensing regime and its duties under Section 17 of the Crime and Disorder Act 1998. This includes full consideration of the need to prevent crime and disorder and the prevention of public. Where it finds that the need to comply with those duties is reasonably inferred, it must determine the application appropriate.

### 7.4 Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental

The implications of Section 17 of the Crime and Disorder Act 1998 have been considered and can be found in 6.1 above.

### 8. Background papers used in preparing the report:

- Local Government (Miscellaneous Provisions) Act 1982

### 9. Appendices to the report:

- Appendix 1 - Copy of application & supporting documents
- Appendix 2 – Location map
- Appendix 3 – Representations from 7 local residents & one Ward Councillor
- Appendix 4 – Copy of Sub-Committee report from 21 August 2019
- Appendix 5 – Copy of decision notice from 21 August 2019
- Appendix 6 – Copy of Minutes from 21 August 2019
- Appendix 7 – Street Trading Policy

### Report Author

Elizabeth Cox  
Licensing Officer

# Thurrock Council

## Application for street trading consent

### How we will use your information

We will use the information you supply to provide an appropriate, timely and effective service. We may share the personal information between our services and partner organisations, such as the police and other government bodies. We will do so when it is of benefit to individuals or for the purpose of preventing and detecting fraud. Read our privacy notice at [thurrock.gov.uk/privacy](http://thurrock.gov.uk/privacy).

### Application details

Type of application	<input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal
Applicant's full name	Mehmet Ceylan
Applicant's permanent address	37c navarino road, london, hackney, E8 1AD
Phone number	07491061616 07463767691
Email address	hoyrat1@gmail.com

### Trading details

Site address for trading	For renewals, this must be the existing site address: 74A Aveley high street, RM15 4BX, (car park behind the post office)
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During which hours do you intend to trade on each day?	Monday	12pm-10:30pm	Tuesday	12pm-10:30pm
	Wednesday	12pm-10:30pm	Thursday	12pm-10:30pm
	Friday	12pm-10:30pm		
	Saturday	12pm-10:30pm	Sunday	12pm-10:30pm

Articles to be sold	hot/cold foods & drinks
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### Vehicle details

Make and model	AJC 12 BY 7 FOOT TRAILER		
Registration number	YR55 KAO		
Will the vehicle be moved between trading periods?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

**Enclosed with this application**

The following **must** be enclosed with this application – please confirm each item is enclosed:

Photograph of the applicant		<input checked="" type="checkbox"/>
Photograph of the vehicle		<input checked="" type="checkbox"/>
Site location plan, for Category A traders only	– see guidance notes	<input checked="" type="checkbox"/>
Consent from the land owner		<input checked="" type="checkbox"/>
Copy of the vehicle's current MOT certificate		<input checked="" type="checkbox"/>
Copies of electrical and gas safety records, as applicable		<input checked="" type="checkbox"/>
Public liability insurance	– see guidance notes	<input checked="" type="checkbox"/>
Correct fee, if paying by cheque	– see guidance notes	<input checked="" type="checkbox"/>

Guidance notes can be found at [thurrock.gov.uk/street-trading-consent](http://thurrock.gov.uk/street-trading-consent).

**Incomplete applications will be returned and not processed.**

Street trading consents are **not** transferable and they cannot be sold or sublet. The hours of trading, location of trading and the products sold cannot be changed during the course of the consent. Consent is only valid for the applicant and vehicle specified in the application.

The applicant for consent must also be the food business operator.

**Declaration**

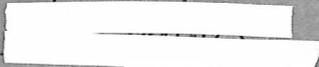
I agree to comply with the 'Conditions for Street Trading Consents' included within the 'Street Trading Policy' published at [thurrock.gov.uk/street-trading-consent](http://thurrock.gov.uk/street-trading-consent).

I have enclosed all required photographs and documents, as indicated above.

I agree that if I change vehicle during the course of this consent, I will notify the Thurrock Council's Licensing team and apply to transfer the consent to my new vehicle.

I understand that if I do not comply with the terms and conditions of any consent issued, the consent may be revoked or not renewed.

I understand that if any of the above factors change, my street trading consent will be revoked immediately and I may be prosecuted for trading without a valid consent.

Applicant's signature	
Print name	
Date	2/12/2019

Form to be returned to:

**Licensing team, Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL**

Serial No  
AAA 009134

# MOBILE CATERING VEHICLE/TRAILER SAFETY RECORD

This Safety Record can be used to document the outcomes of the checks and tests performed by The Gas Safety (Installation and Use) Regulations.  
Registered Business/engineer details can be checked at [www.gassafesafetyshop.co.uk](http://www.gassafesafetyshop.co.uk) or by calling 0800 100 5400



**Details of Registered Business**  
 Gas Safe Register No. 504 807  
 Registered Engineer's Name ATIYA ANTOR  
 Gas Safe Register Licence Number   
 Business MAX GAS LTD  
 Address 87 ERNINE ROAD  
 Postcode N15 6DE  
 Contact No 0784 6376 597

**Vehicle/Trailer Details**  
 Vehicle  or Trailer  (green check relevant box)  
 Chassis/Serial Number \_\_\_\_\_  
 or  
 Reg Number YR55 KAO  
 Trading Title AMELEY KEBAB WORLD

**Vehicle/Trailer Owner Details**  
 Name (Mr/Mrs/Miss/Ms) Mehmet Cihan  
 Address FLAT C, 37 NARBINO ROAD  
HECKNEY  
 Postcode E8 1AD  
 Contact No \_\_\_\_\_

Record Issued by:  
 Signature: \_\_\_\_\_  
 Print Name: A. ANTOR  
 Received By:  
 Signature: \_\_\_\_\_

Appliance Type	Manufacturer	Model	Type of flue	Operating pressure	Operation of safety device(s) ✓	Ventilation satisfactory ✓
1 WATER HEATER	RIDGEYARD GUANGZHOU	RSQ-10Y	DF	28 mbar	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2 POWER MACHINE	ARKWAY	POWER MACHINE	FL	20 mbar	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
3 HOT PLATE	ASC	HOT POT	FL	18 mbar	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
4 GRILL	MCM	FLAT GRILL	FL	20 mbar	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Visual condition of flue and termination ✓	Flue operation checks ✓	Appliance isolation valve fitted ✓	Is appliance secure ✓	Serviced ✓	Safe to use ✓
1 Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
2 Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
3 Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
4 Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			

**Gas installation details**  
 Is the LPG cylinder housing satisfactory? Yes  No  NA   
 Is the ECV accessible, labelled and operable? Yes  No   
 Is visible gas pipework including gas hoses satisfactory? Yes  No   
 Is the gas installation gas tight? Yes  No   
 LPG Regulator operating pressure \_\_\_\_\_  
 LPG Regulator lock-up pressure 30 mbar

**General safety**  
 Is there a fire extinguisher(s) provided? Yes  No   
 Is a fire blanket provided? Yes  No   
 Is the current safety record displayed? Yes  No   
 Is 'Safe use of LPG information' displayed? Yes  No

Any Defects Identified	GIUSP classification e.g. AR, ID	Warning/Advice Record insert form serial No.

**Remedial Action Taken**  
 \_\_\_\_\_  
 \_\_\_\_\_

**ATTENTION**  
 Next safety check due by:  
21/11/2019

Do not forget to re-order your pads using reference GSR MCVT PAD16 at [www.gassafetyshop.co.uk](http://www.gassafetyshop.co.uk)

Top Copy - Vehicle/Trailer Owner Green Copy - To Be Displayed Yellow Copy - Registered Business

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# MOT test certificate



Driver & Vehicle  
Standards  
Agency

1 Vehicle identification number  
**WAUZZZ8E76A085534**

2 Registration number      3 Country of registration  
**YR55KAO**                      **GB**

Make and model  
**AUDI A4**

4 Vehicle category      5 Mileage  
**M1**                              **212,075 miles**

Mileage history	
203,547 miles	24.11.2018
190,073 miles	02.12.2017
180,184 miles	03.12.2016

## 6 Pass

### Monitor and repair if necessary (advisories)

- Shock absorbers light misting of oil or has limited damping effect Nearside Front [5.3.2 (b)]

7 Date of the test      8 Expiry date  
**05.12.2019**                      **04.12.2020**

To preserve the anniversary of the expiry date, the earliest you can present your vehicle for test is 05.11.2020.

9 Location of the test  
**48 BELFAST ROAD, LONDON, N16 6UH**

10 Testing organisation and inspector name  
**0726A7 VEEKAY AUTO SERVICES  
A. ALAM**

MOT test number  
**3250 6995 7435**

Check that this document is genuine by visiting [www.gov.uk/check-mot-history](http://www.gov.uk/check-mot-history)

If any of the details are not correct, please contact DVSA by email at [enquiries@dvsa.gov.uk](mailto:enquiries@dvsa.gov.uk) or by telephone on 0300 1239000.

Receive a free annual MOT reminder by subscribing at [www.gov.uk/mot-reminder](http://www.gov.uk/mot-reminder) or by telephone on 0300 1239000.







## Certificate of Employers' Liability Insurance

In accordance with the requirement of regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998 as amended by regulation 2 of the Employers' Liability (Compulsory Insurance) Regulations 2008 (the Regulations), one or more copies of this certificate must be displayed at each place of business at which the policyholder employs persons covered by the policy. This requirement will be satisfied if the certificate is made available in electronic form and each relevant employee to whom it relates has reasonable access to it in that form.

**Policy number** AXBI2510319XB  
**The Insured** Mehmet Ceylan  
Trading As Aveley  
Kebab World  
**Inception date** 15/10/2019  
**Expiry date** 14/10/2020

We hereby certify that subject to paragraph 2 below

1. The Policy to which this certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland, the Isle of Man, the Isle of Jersey, the Island of Guernsey and the Island of Alderney
2. The minimum amount of cover provided by this policy is no less than £5 million  
Signed on behalf of AXA Insurance UK plc. (Authorised Insurer)

Claudio Glenal

Chief Executive of Axa Commercial Lines and Personal Intermediary

### Notes

This Certificate will only cover the individual or companies listed on our schedule. If you have any subsidiary companies that require cover for employees, please inform us. This will help ensure that you have the correct cover as an employer.

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Serial No

AAA 009138

# MOBILE CATERING VEHICLE/TRAILER SAFETY RECORD

This Safety Record can be used to document the outcomes of the checks and tests required by The Gas Safety (Installation and Use) Regulations. Registered Business/engineer details can be checked at [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk) or by calling 0800 408 5500.



Gas Safe is a registered trade mark of GSE and is used under licence.

**Details of Registered Business**  
 Gas Safe Register No 504 807  
 Registered Engineer's Name PATILLA ANTOR  
 Gas Safe Register Licence Number  
 Business MAX GAS LTD  
 Address 87 BRIMINE ROAD  
 Postcode N15 6DE  
 Contact No 07846376597

**Vehicle/Trailer Details**  
 Vehicle  or Trailer   
 Chassis/Serial Number  
 or  
 Reg Number YR 55 KAD  
 Trading Title AVELEY KEBAB WORLD

**Vehicle/Trailer Owner Details**  
 Name Mrs/Miss/Ms) MEHMET CEYLAN  
 Address FIATC 37 NAVARINO ROAD  
 Postcode E8 1AD  
 Contact No

Record issued by:  
 Signature: P. ANTON  
 Print Name:  
 Received By  
 Signature:

Appliance Type	Manufacturer	Model	Type of flue	Operating pressure	Operation of safety device(s)	Ventilation satisfactory
1 GRILL	LINCAT	GRILL	FL	28 mbar	Pass <input checked="" type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2				mbar	Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
3				mbar	Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
4				mbar	Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Visual condition of flue and termination	Flue operation checks	Appliance isolation valve fitted	Is appliance secure	Serviced	Safe to use
1 Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input checked="" type="checkbox"/>	Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
2 Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>			
3 Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>			
4 Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Pass <input type="checkbox"/> Fail <input type="checkbox"/> NA <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>			

**Gas installation details**  
 Is the LPG cylinder housing satisfactory? Yes  No  NA   
 Is the LPG accessible, labelled and operable? Yes  No   
 Is visible gas pipework including gas hoses satisfactory? Yes  No   
 Is the gas installation gas tight? Yes  No   
 LPG Regulator operating pressure 38 mbar  
 LPG Regulator lock-up pressure 50 mbar  
**General safety**  
 Is there a fire extinguisher(s) provided? Yes  No   
 Is there a fire blanket provided? Yes  No   
 Is the current safety record displayed? Yes  No   
 Is 'Safe use of LPG information' displayed? Yes  No

**Any Defects Identified**  
 GIUSP classification e.g. AR, ID  
 Warning/Advice Record insert form serial No.  
 Remedial Action Taken

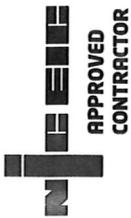
### ATTENTION

Next safety check due by:  
21/11/2010

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Do not forget to re-order your pads using reference GSR MCVT PAD16 at [www.gassafetystop.co.uk](http://www.gassafetystop.co.uk)

Top Copy - Vehicle/Trailer Owner Green Copy - To Be Displayed Yellow Copy - Registered Business



This report is not valid if the serial number has been defaced or altered

150742

IPR18

# ELECTRICAL INSTALLATION CONDITION REPORT

Issued in accordance with BS 7671: 2018 - Requirements for Electrical Installations

## PART 1 : DETAILS OF THE CONTRACTOR, CLIENT AND INSTALLATION

### DETAILS OF THE CONTRACTOR

Registration No: 044883  
Branch No: 0  
Trading Title: N B Electrics Ltd  
Address: 63 BROADLANDS AVANUE, ENFIELD, MIDDLESEX  
Postcode: EN3 5AQ  
Tel No: 07832342888

### DETAILS OF THE CLIENT

Contractor Reference Number (CRN): N/A  
Name: AVELEY,KEBAB, WORLD  
Address: 74A AVELEY HIGH STREET, AVELEY  
Postcode: RM15 4BX  
Tel No: 07491061616

### DETAILS OF THE INSTALLATION

Occupier: MR MEHMET CEYLAN  
Address: 74A AVELEY HIGH STREET, AVELEY  
Postcode: RM15 4BX  
Tel No: 07491061616

## PART 2 : PURPOSE OF THE REPORT

Purpose for which this report is required:  
ELECTRICAL SAFETY CHECK (PERIODIC)

(see additional page No. N/A)

Date(s) when inspection and testing was carried out: (01/02/2020)

Records available: (No ) Previous inspection report available: (No ) Previous report date: ( )

## PART 3 : SUMMARY OF THE CONDITION OF THE INSTALLATION

General condition of the installation (in terms of electrical safety):  
CATERING VAV IN GOOD CONDITION RCD PROTECTION USED  
GENERALLY GOOD

(see additional page No. N/A)

Estimated age of electrical installation: (10 ) years

Evidence of additions or alterations: (Yes )

Overall assessment of the installation is: **Satisfactory**

## PART 4 : DECLARATION

### INSPECTION AND TESTING

I, being the person responsible for the inspection and testing of the electrical installation, particulars of which are described in PART 7, having exercised reasonable skill and care when carrying out the inspection and testing of the existing installation, hereby CERTIFY that the information in this report, including the observations (page 2) and the attached schedules, provides an accurate assessment of the condition of the electrical installation taking into account the stated extent of the installation and the limitations on the inspection and testing.

Name (capitalis): mr.nazim.hazar

Signature:

Date: 01/02/2020

### REVIEWED BY THE REGISTERED QUALIFIED SUPERVISOR FOR THE APPROVED CONTRACTOR

Name (capitalis): mr.nazim.hazar

Signature:

Date: 01/02/2020

\*An unsatisfactory assessment indicates that dangerous (CODE C1) and/or potentially dangerous (CODE C2) conditions have been identified in PART 6, or that Further Investigation (CODE FI) without delay is required.

This report is based on the model forms shown in Appendix 6 of BS 7671  
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Warwick House, Houghton Hall Park, Houghton Regis, Dunstable, LU5 5ZX

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Please see the 'Notes for Recipient'

Page 1 of 9



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**Cox, Elizabeth**

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**From:** Cllr C Churchman  
**Sent:** 08 January 2020 14:13  
**To:** Adams, Paul; Cox, Elizabeth; MembersEnquiries@thurrock.gov.uk  
**Subject:** 74a Aveley High Street (Kebab Trailer)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon Paul,

Further to our telephone conversation on Tuesday 7th January 2020, please see below comments.

As the Ward Councillor for Aveley and Uplands and having received a number of complaints from Residents which were directed onto the Sub Licensing Committee, I wish to object to a further license being granted by Thurrock Council for the kebab trailer at the rear of 74a High Street Aveley.

As per the original hearing, a number of Residents objected to the position of the kebab trailer in the car park due to it's position is amongst the most vulnerable people living in sheltered housing (The New Maltings).

Residents living in sheltered housing are unable to have their windows open due to the smell from the kebab trailer and vehicle noise too.

In addition, the applicant of the kebab trailer has shown total disregard for safety of other Residents by running a power cable across the car park surface as electrical supply to the trailer causing a trip hazard for Residents living in the flats above J & R's Newsagents and other users of the car park.

In my vast experience of civil engineering, the rule was never put electrical cables at ground level where they could cause a trip hazard or access gained to and potentially cut.

Furthermore, photographs were taken by a Resident of the external socket installed for the kebab trailers use on the rear wall of J & R's Newsagents where running water was shown running over the socket again causing safety issues for others.

During the original hearing, Residents raised concerns regarding the trailer being left in position over night due to a previous kebab trailer being burnt out in the car park as a total loss in the early hours one morning.

The applicant detailed at the original hearing to alleviate this risk/hazard, he would find a local farm to move the vehicle off site after trading each night.

The above was also documented in the minutes from the original hearing on 21st August 2019.

I also understand that Liz Cox Licensing Officer confirmed in an email to a Resident that this is a condition of the license.

I believe that the Sub Licensing Committee were swayed into granting a license for just three months as the applicant had advised their actions to mitigate this risk.

However, the applicant did not abide by the conditions imposed on the license and did in fact leave the kebab trailer in situ almost up to the expiry date of the license granted (21st November 2019).

I also feel that the applicant has not carried out or abided by what he stated at the original hearing. He has finally moved the trailer after trading to a position just 15 metres across the road into an open public car park which does not mitigate the original risk detailed above.

I find that the applicant has merely provided lip service.

In view of the above and in addition to numerous emails complaining sent to Thurrock Council, I would like to request that this is brought back to the Sub Licensing Committee for them to review whether a further license should be granted.

I would respectfully ask that I have the opportunity to speak and represent my concerned Residents at the meeting.

Yours sincerely,

Councillor Churchman

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

Hall Crescent  
Aveley  
Essex

Essex

9<sup>th</sup> January 2020

FAO: Thurrock Council Licensing

### **LICENSE REVIEW KEBAB TRAILER IN THE CAR PARK SIDE OF 74A HIGH STREET AVELEY**

I would like to object to a further license being granted for the Kebab trailer as detailed above.

I would like to object for the same reasons originally presented at the Sub Licensing Committee meeting held on 21<sup>st</sup> August 2019 as detailed below, followed by additional reasons of objections.

I was elected as spokesperson on behalf of Residents at the above mentioned Sub Licensing Committee with regards to this application for a 14ft Trailer detailed as "Muzzy's Kebab" in the information pack provided at the meeting.

Currently the car park is on License to Thurrock Council whilst the Aveley Hub is being built on the old car park which was situated in the Aveley Recreation Ground. The old car park in the Aveley Recreation ground was some 40 parking spaces.

The car park in question where the 14ft Trailer kebab takeaway would be situated is a total of 16 spaces, the car park is heavily used by residents/visitors who often struggle to park in one of the 16 spaces.

To site a 14ft Trailer kebab takeaway in this car park would be at a loss of some of the parking spaces which would have an effect on the local shops and local economy. In fact, we are currently at a loss of 24 spaces.

There is a history with regards to the car park in question and in particular with regards to a kebab van being in situe. The previous kebab van had a fire whilst in situe in the car park and was completely burnt out.

This caused fear and distress, smoke pollution to local residents and in particular to those living in the sheltered housing complex named The New Maltings.

The New Maltings Sheltered Housing Complex borders the Car Park and residents living in this complex are most affected by the constant smell that is omitted from such a fast food trailer and as I understand their previous experience of having a kebab van operating from this car park, residents could not have their windows open due to the odour omitted.

Furthermore, the excessive noise, Anti-Social Behaviour from customers using the previous kebab van prevented residents from having their windows open too. ASB also extended to individuals in Aveley Recreation Ground climbing over the Rec boundary into the grounds of The New Maltings Sheltered Housing Complex, trespassing and then climbing over the boundary fence into the car park to use the kebab van.

There was noise from vehicles visiting the previous kebab van, in and out of the entrance to the car park which again borders The New Maltings Sheltered Housing Complex. This would be no different if you were to grant a license. The residents would experience the same and with the hours advised in the application being midday to midnight there would be some considerable disturbance to resident's sleep.

This 14ft Trailer kebab takeaway would also increase the litter in the surrounding area as the last one did and of course ASB.

Recently a Kebab van was removed from the car park of The Crown and Anchor Public House which is opposite the New Maltings Sheltered Housing Complex. Whilst this kebab van was trading, Residents were often disturbed by excessive noise from people frequenting this kebab van, the surrounding area was subjected to an increase in litter as a result.

Residents reported to me that the proprietors of this kebab van were witnessed using the adjacent telephone box to urinate in. There were no facilities on this van separate from food preparation to wash your hands.

There are no toilet facilities in the car park in question where this 14ft trailer kebab takeaway would be sited nor do I believe the vehicle would have a separate facility for hand washing.

There are 6 food outlets, a Bakers shop and supermarket also selling food in the High Street, which is already excessive for such a small area. One of the food outlets serves kebabs to the public and has adequate ventilation so that smells are not problematic to Residents.

A 14ft Trailer Kebab takeaway in this car park would not have adequate ventilation to remove smells and would be problematic to residents.

Finally, there is a car park which is due to be built in Aveley Rec just on the other side of the boundary of the car park where the 14ft Trailer kebab takeaway would be sited. Cars contain fuel and given that the previous kebab van had a fire and was completely burnt, a total loss, there would be more risk of fire spreading and intensifying.

This kebab van does not provide any value to the Aveley area in fact it is quite the opposite.

In addition to the above,

- Thurrock Council have recently paid to extend the original license agreement to rent the entire car park for parking for Residents and visitors to Aveley. This is where the kebab trailer is sited. Every day the car park is used to its capacity and at times.

The extension currently expires 31<sup>st</sup> January 2020. However, there may be a request from Thurrock Council to extend the license once more.

As detailed above the kebab van does take up more than one space and has been sited at times over multiple spaces at a loss to our community.

- The operator of the kebab trailer has disregard for Health and Safety and is happy to put others at risk. An electrical extension lead (internal quality) and not armoured core or appropriately protected from the elements, is the power supply to the kebab trailer. The electrical lead is running across the surface of the car park causing a hazard to pedestrians using the car park. Furthermore, the extension lead has been seen to run under parked vehicles and then into the kebab trailer when the trailer is unable to park close to the boundary of the car park at the rear of J & R's Newsagents. This has happened often as it is a heavily used car park. A household extension is not a suitable source of power externally, mixed with the risk of a trip hazard, weather i.e. rain, surface water (further detailed below) and fuel from vehicles where sited underneath vehicles.

an external plug socket was installed on the rear wall of J & R's Newsagent where the extension lead was plugged into. This electrical plug socket had running water from a failing overflow which was constantly dripping on the socket.

- Breach of Planning Regulation, signs were erected on the dates of the car park advertising the business without prior planning consent.
- Increase in waste in the vicinity since operating. (Please see the attached). There is no commercial waste agreement with Thurrock Council for this business.
- It has been reported that there is an increase in surface water since trading where the water is not draining away in the car park into the drain soakaway.
- The original application detailed a photograph of a trailer with CCTV with a sign above the trailer "Muzzy's Kebab". This sign was no illuminated. The trailer presented as part of the application is not the trailer used for trading. There is an illuminated sign above the full length of the trailer and no CCTV.
- The original application details on page 10 that "Copies of electrical and gas safety records, as applicable" the box is ticked indicating and an Electrical Equipment Test Report – Test Results is submitted with the application. Clearly, the electrical report provided by the applicant is for the kebab trailer detailed in the original application and not the actual kebab trailer being used. The fact that the applicant has provided both a photograph of a different trailer and associated electrical report i.e. of a different trailer, this is an act to deceive Thurrock Council Licensing, the Sub Licensing Committee and Residents alike and I would say is deemed as a fraudulent act.
- It was raised at the Sub Licensing Committee meeting (the original hearing) on 21<sup>st</sup> August 2019, the concern, fire risk and potential hazard to Residents in the adjoining Sheltered Housing Complex to the car park where the Kebab trailer is trading if the trailer was left in situ overnight. The applicant stated at this meeting that he would remove the kebab trailer every night and find a local farm to store the kebab trailer overnight. When the decision was detailed from the Councillor Gary Collins the Chair of the Sub Licensing Committee, it was detailed that the trailer would have to be removed each night as volunteered by the applicant. From when the kebab trailer first arrived in the car park, there was no attempt from the applicant to remove it. It was in situ for weeks. Finally, when the applicant started to remove the Kebab trailer, this is to a position opposite the car park in fact in another public car park just 20 meters across the road in the High Street adjacent to the Crown and Anchor Public House. This car park is not secure at any time during the day or night. Anyone can walk into the car park and is in fact opposite the front of the New Maltings Sheltered Housing Complex. Therefore, this does not mitigate the risk of fire and shows that the applicant has not done what he stated he would by finding a local farm to

store the kebab trailer overnight. I further understand that a previous kebab van had to vacate this car park when there was a change of ownership from Punch Taverns to Heineken where Heineken do not permit such vehicles on their premises.

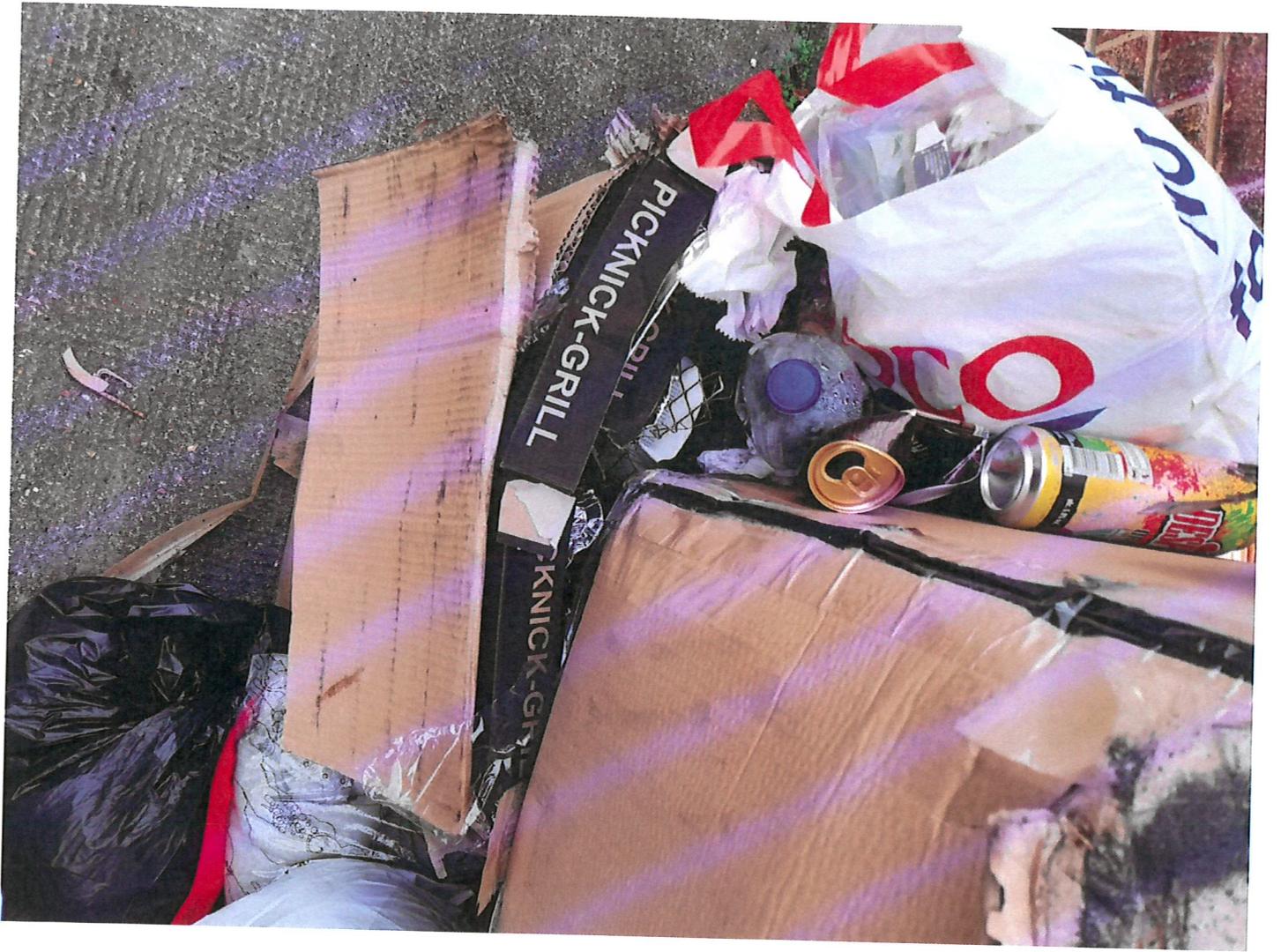
I find the applicant to be not trustworthy in fact his application alone demonstrates that he has been dishonest, does not display any duty of care to Residents or even his own Customers trading in this way.

Once again, I respectfully ask that a license is not granted.

Yours sincerely,







High Street  
Aveley  
Essex

9<sup>th</sup> January 2020

Dear Sir/Madam,

**RE: KEBAB TRAILER IN THE CAR PARK SIDE AND REAR OF J & R NEWSAGENTS OBJECTION TO A FURTHER LICENSE BEING PERMITTED.**

I am writing to object to the further application for a license for the kebab trailer in the car park as detailed above.

I originally wrote to Thurrock Council Licensing prior to the first hearing at the Sub Licensing Committee meeting which was held on 21<sup>st</sup> August 2019.

I wish that my original objections in my letter which you received on 21<sup>st</sup> June 2019, are used as objections to a further license being issued as they still stand.

In addition, I wish to raise the following objections:

- I understand that Thurrock Council are still renting the car park in it's entirety from the owner as parking for Residents and visitors to Aveley and not for the use of a mobile kebab trailer.
- There has been a considerable issue with discarded rubbish in the car park and surrounding area of rubbish which appears to be coming from the kebab trailer.
- There was an electrical cable running on the surface of the car park which also crosses the path of my access to the rear of my shop. This was a trip hazard and also a risk being on the surface which is subjected to weather conditions i.e. rain water. The cable was not protected in anyway from possible puncture and was not an external type cable more a internal domestic cable. A socket was installed as the power source on the outside of J & R Newsagents where water was seen running constantly over the socket causing a danger and a Health and Safety issue.
- Shortly after trading commenced, I noticed that surface rain water was not draining away as it has in the past. There is a rain water drain in the car park which enters a soakaway. The car park has recently been flooding to the extent that the water has been travelling as far as the rear door to my shop and quite deep too. In all the years I have traded from my shop I have never seen the water to be so problematic as it recently has been and it has been covering a large proportion of the car park. I have concerns over what is causing the water not to drain away as before.

Also, the mix of water and electrical cables are an accident waiting to happen.

Therefore, as detailed above, I wish to object to a license being issued.

Yours sincerely,

The Village Florist

The New Maltings  
High Street  
Aveley  
Essex

9<sup>th</sup> January 2020

Dear Sir/Madam,

**LICENSE OBJECTION KEBAB TRAILER IN THE CAR PARK THE SIDE OF J & R NEWSAGENTS/NEW  
MALTINGS SHELTERED HOUSING**

I live in the sheltered housing complex The New Maltings which borders the car park where the kebab trailer is situated.

When I heard that there was going to be a kebab trailer in the car park I complained to my Sheltered Housing Officer as I had various concerns.

I wish to object to a further license being issued.

Although a license was granted at a meeting held on 21<sup>st</sup> August 2019, the kebab van has only recently (a matter of weeks) been operating so I don't feel we have enough information or experience of all the issues this kebab trailer brings to the car park and how this will impact not just on myself but other Residents living in The New Maltings Sheltered Housing Complex and other Residents close by too.

The operators make no attempt to secure the car park i.e. close the gates once they stop trading. They only close the gates once they are ready to remove the trailer to park across the road opposite the New Maltings Sheltered Housing into another car park.

Also, to date I do note that since this kebab van has been operating, the car park is open late at night and heavily used not only for the kebab trailer but also for the shops open later. This has generated much more noise which I'm affected by.

There is an increase in rubbish in the car park since this kebab van has been operating.

I do believe that the noise from people coming in and out of the car park and using the kebab trailer will increase considerably in the Summer months and I will be unable to have my windows open in the summer due to the smell coming from the kebab trailer.

Therefore I object to a further license being issued.

Yours Sincerely \

The New Maltings  
High Street  
Aveley  
Essex

9<sup>th</sup> January 2020

Dear Sir/Madam,

**LICENSE OBJECTION KEBAB TRAILER IN THE CAR PARK THE SIDE OF J & R NEWSAGENTS/NEW MALTINGS SHELTERED HOUSING.**

I am writing to object to a further license being issued for the kebab trailer to trade in the car park at the side of J & R Newsagent and The New Maltings Sheltered Housing Complex.

I attended the original hearing for a license which was heard at the Sub Licensing Committee meeting held on 21<sup>st</sup> August 2019.

I previously submitted a letter of objection which was prior to the original meeting and I understand Thurrock Council has this letter on file.

I wish for my original letter to be used as my objections, along with my objections detailed below.

- A copy of the original application and the all relating documents including a photograph of the kebab trailer and it's associated Electrical Equipment Test Report. However, the trailer which has been trading in the car park, is not the trailer detailed in the original application. Therefore, the applicant has also submitted an Electrical Equipment Test Report for a trailer that is not being used to trade. As the kebab trailer is different to those submitted, and no Electrical Equipment Test Report has been submitted for the trailer which is being used to trade, is this license null and void? Leaving the applicant operating in fact without a license. The difference between the two trailers I can only describe as the difference between a house in Kew Gardens and a shed! The trailer submitted with the application has CCTV cameras, there is a sign above the trailer which is not illuminated and looking at the details submitted as part of the application the internal fixtures appear to be inline with a fast food operation. However, the trailer which is being used to trade and not submitted as part of the application, does not appear to be in the same condition as the trailer submitted. There is no CCTV, there is a large sign above the trailer which is completely illuminated. This trailer is the one that resembles a shed!
- I am concerned that the operator of the kebab trailer is not the applicant given that the trailer is different from the original application, and that perhaps a "sub contract" kind of agreement has been brokered between the original applicant/"Muzzy's Kebab" and the operator and trailer in situ.

- I note that since trading began which has only commenced recently and sometime after the original hearing, there is a noticeable increase in waste in and around the car park emanating from the kebab trailer.
- Thurrock Council have paid the owner of the car park to rent the car park for its designated use i.e. car parking as there is an issue with the lack of parking spaces in our local area. This did not include the use of some of the car park spaces to be used by a kebab trailer which is positioned at times over multiple spaces and of course the vehicle/s of the kebab trailer operator/s. Council tax payers money has been used to provide a facility for Residents and visitors to be able to park which is impeded by the above.
- From my property I do have direct view into the car park. I have witnessed operators from the kebab trailer, pouring the contents of approx. 30 litre plastic containers down the drain in the car park which is the rain water drain. I have noticed since this activity, the rain water does not drain away as it used to. It collects in pools of water laying on the car park surface.
- The use of an electric cable not designed for how it is being used is the main supply of electricity to the kebab trailer. This cable is running on the floor of the car park and when the operator is unable to position the kebab trailer in the closest spaces to the far right boundary of the car park, the kebab van is positioned at an angle in the next closet spaces. The operator then runs the electric cable using the shortest route to the kebab trailer using the floor of the car park and underneath parked cars which have fuel in them and not forgetting that these vehicles will also drive over the electric cable. In wet weather the risk of an incident with electricity, water and fuel is heightened. The cable is not protected from the elements.
- As detailed above, I attended the original hearing and I specifically heard the applicant say that he would remove the trailer each night to a local farm. This was as a result of the concerns and risk of fire given the past history of the previous kebab trailer in the same car park being burnt out in the early hours. When the license was granted, it was also said that the applicant would have to move the kebab trailer every night after ceasing trading at 10.30pm. However, when the kebab trailer originally arrived it stayed in its position in the car park for weeks without being moved. Eventually when this was moved it moved to just a few steps across the High Street opposite into a different public car park which is open 24 hours a day and not locked. The applicant has not mitigated the risk of fire.

- Some evenings the kebab trailer is not moved until after 11.30pm which causes a disturbance for myself and other Residents living in the The New Maltings Sheltered Housing Complex. Also, the gates to the car park are not closed after trading ceases. Furthermore, we have had an increase of vehicles frequenting the car park later in the evening where loud excessive music from these vehicles. I have also witnessed users of the kebab trailer parked up in their vehicles eating the food they have purchased with loud music expelling from their vehicles for the duration of their stay. This can also be heard inside my property without my windows open. This causes me further concern as we have yet to enter the Summer months when I would expect to be able to open my windows and have reasonable enjoyment of my property.

Therefore I confirm once again I wish to object to a further license being issued.

Yours Sincerely,

The New Maltings  
High Street  
Aveley  
Essex

9<sup>th</sup> January 2020

Dear Sir/Madam

**RE: OBJECTION TO A LICENSE FOR KEBAB TRAILER IN THE CAR PARK THE REAR OF J & R NEWSAGENTS.**

I understand that Thurrock Council are looking at issuing a further license to the above mentioned kebab trailer.

I write to object to a further license being issued.

I wish to object for the following reasons:

- Although the kebab trailer operates until 10.30 pm the applicant makes no attempt to secure the gates to the car park until such time he is ready to remove the trailer. Vehicles continue to use the car park until the gates are secured. My bedroom faces out onto the car park and I am disturbed late at night due to this vehicle movement.
- There is more rubbish in the car park due to people using the kebab trailer sitting and eating in their cars and discarding the rubbish in the car park the wrappings from the food.
- I am also disturbed from vehicles which visit the car park expelling loud music late in the evening. The noise can be heard without windows being open on my property and I have concerns that in the summer months this will become much worse.

I attended the Sub Licensing Committee meeting at Civic Offices on 21<sup>st</sup> August 2019. I also submitted a previous letter of objection to Thurrock Council prior to this meeting. Nothing has changed and I wish my original letter to stand now as reasons to object.

Yours Sincerely,

The New Maltings  
High Street  
Aveley  
Essex

9<sup>th</sup> January 2020

Dear Sir/Madam,

**LICENSE OBJECTION KEBAB TRAILER IN THE CAR PARK THE SIDE OF J & R NEWSAGENTS/NEW MALTINGS SHELTERED HOUSING.**

I wish to advise that I would like to object to a further license being issued to the applicant for the above mentioned kebab trailer.

I attended the Sub Committee Licensing Meeting held on 21<sup>st</sup> August 2019 and prior to this meeting I submitted an objection.

Nothing has changed since my original letter and I wish my original letter which Thurrock Council hold on file to form part of this objection.

In addition, attendees at this meeting were led to believe that a license was issued from 21<sup>st</sup> August 2019 the date of the hearing at the meeting.

I have since been advised that in fact Thurrock Council did not issue a license to the applicant until 16<sup>th</sup> October 2019 and trading from the kebab trailer did not commence until weeks after this date. I do believe that the kebab trailer has only been operating for six weeks. Therefore, I do not feel that there has been a fair amount of time to make an assessment in support of a license being permitted.

Since the kebab trailer has been operating, I have been disturbed by vehicles frequenting the car park, particularly later in the evening. On one occasion the noise was quite excessive from a vehicle with loud music to the point I opened my bathroom window which borders the car park and shouted to be heard to turn down the music.

The gates to the car park are not secured until the kebab trailer is removed which means that more vehicles are using the car park late at night which causes a noise nuisance.

There has also been an increase in rubbish in the car park since the kebab van has been trading.

There has always been a concern of fire i.e. the trailer being set alight just like the last kebab outlet in the car park and at the original hearing, the applicant stated that he would remove the kebab trailer every night and would find a farm locally to store. A member of the Committee confirmed too that the trailer would have to be removed from the car park each night.

However, when the kebab trailer did arrive in the car park, it was left overnight in the car park for weeks.

They now remove the trailer and drive it into the public car park opposite which is the side of the Crown and Anchor pub an open public car park. This doesn't take away the risk of fire and is opposite our sheltered housing complex.

I confirm again I wish to object to a license being issued.

Yours sincerely,

The Sycamores  
Dacre Avenue  
Aveley

9<sup>th</sup> January 2020

FAO: THURROCK COUNCIL LICENSING

Dear Sir/Madam,

RE: KEBAB TRAILER IN J & R'S NEWSAGENT'S CAR PARK OBJECTION TO A LICENSE BEING ISSUED

I previously wrote to Thurrock Council and I note that on a response from you, you have not advised my correct surname. You have recorded my complaint from \_\_\_\_\_ which should read

Once again I would like to advise you I wish to object to a further license being issued to the applicant of the Kebab Trailer as detailed above.

I did originally object and attended the Sub License Committee meeting which was held on 21<sup>st</sup> August 2019.

My original letter to you forms part of this objection as there is no change and you have a copy on your records.

Furthermore, I wish to object that the kebab trailer is not the trailer detailed in the original application, the one in use does not have CCTV as detailed in the application, there is an electrical power supply coming from the building in the rear of the car park, the cable is not secure and is a household electrical cable. This is very dangerous and in use in the wet weather.

I have noticed that there is an increase in rubbish in the surrounding area since trading commenced.

This trailer is taking up more than one parking space when in the car park, when we already do not have enough parking in Aveley and I understand that Thurrock Council currently rent this car park from its owner.

How can this be correct, a car park being rented and the owner receiving additional funds for car park spaces already rented.

I also feel that we already have an excess of food outlets in our very small High Street.

Yours Sincerely,

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Thurrock - An ambitious and collaborative community which is proud of its heritage  
and excited by its diverse opportunities and future

## APPENDIX 4

# Licensing Sub-Committee

The meeting will be held at **7.00 pm** on **21 August 2019**

**Council Chamber, Civic Offices, New Road, Grays, Essex, RM17 6SL.**

### Membership:

Councillors Gary Collins (Chair), Abbie Akinbohun and David Potter

### Agenda

Open to Public and Press

	Page
<b>1. Apologies for Absence</b>	
<b>2. Items of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>3. Declarations of Interests</b>	
<b>4. New Application for a Street Trading Consent</b>	<b>5 - 58</b>

### Queries regarding this Agenda or notification of apologies:

Please contact Kenna Victoria Healey, Senior Democratic Services Officer by sending an email to [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

Agenda published on: **13 August 2019**

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## **Information for members of the public and councillors**

### **Access to Information and Meetings**

Members of the public can attend all meetings of the council and its committees and have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

### **Recording of meetings**

This meeting may be recorded for transmission and publication on the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is to be recorded.

Members of the public not wishing any speech or address to be recorded for publication to the Internet should contact Democratic Services to discuss any concerns.

If you have any queries regarding this, please contact Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

### **Guidelines on filming, photography, recording and use of social media at council and committee meetings**

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at [CommunicationsTeam@thurrock.gov.uk](mailto:CommunicationsTeam@thurrock.gov.uk) before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

Where members of the public use a laptop, tablet device, smart phone or similar devices to use social media, make recordings or take photographs these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

## Thurrock Council Wi-Fi

Wi-Fi is available throughout the Civic Offices. You can access Wi-Fi on your device by simply turning on the Wi-Fi on your laptop, Smartphone or tablet.

- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

The ICT department can offer support for council owned devices only.

## Evacuation Procedures

In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

## How to view this agenda on a tablet device



You can view the agenda on your [iPad](#), [Android Device](#) or [Blackberry Playbook](#) with the free modern.gov app.

Members of the Council should ensure that their device is sufficiently charged, although a limited number of charging points will be available in Members Services.

To view any “exempt” information that may be included on the agenda for this meeting, Councillors should:

- Access the modern.gov app
- Enter your username and password

# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

## Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

## When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

### Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

## Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
  
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
  
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

<b>21 August 2019</b>	<b>ITEM: 4</b>
<b>Licensing Sub-Committee</b>	
<b>New Application for a Street Trading Consent</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Non-key
<b>Report of:</b> Elizabeth Cox, Licensing Officer	
<b>Accountable Head of Service:</b> Leigh Nicholson, Interim Assistant Director Planning, Transport and Public Protection	
<b>Accountable Director:</b> Andrew Millard, Interim Corporate Director of Place	
<b>This report is public</b>	

## Executive Summary

Mr Mehmet Ceylan has applied for a new Street Trading Consent. A number of local residents have objected to the application therefore the matter is being referred to committee for determination.

### 1. Recommendations:

#### 1.1 The Sub-Committee agrees:

- (a) To refuse the application; or
- (b) To grant the application; or
- (c) To grant the application attaching any additional conditions necessary.

### 2. Introduction and Background:

- 2.1 Mehmet Ceylan of Flat C 37 Navarino Road, Hackney, E8 1AD submitted an application for a new Street Trading Consent on 12<sup>th</sup> June 2019. A copy of this application and supporting documents is attached at **Appendix 1**.
- 2.2 The application is for a mobile unit to sell hot and cold food and drinks Monday – Sunday 12:00 – 23:00, and located in a car park adjacent to 74a High Street, Aveley, RM15 4BX. A location map is attached at **Appendix 2**.
- 2.3 During the consultation period 18 representations were received from 15 local residents. These mainly relate to possible nuisance issues from noise, odours and litter as well as anti-social behaviour. Copies of these letters are attached at **Appendix 3**.

- 2.4 No representations were received from any other consultees, which included environmental health's noise and pollution team; and Essex Police.
- 2.5 The Council's Street Trading Policy and standard conditions are attached as **Appendix 4**. The policy provides under the Prevention of public nuisance section that consideration will be given to measures taken to reduce the risk of nuisance from noise, refuse, vermin, fumes and odours. The policy also provides under the Prevention of crime and disorder section that the proposed activity should not present a risk to public order. This is likely to be more of an issue in respect of applicants wishing to trade at later hours

### **3. Issues, Options and Analysis of Options:**

- 3.1 Under Schedule 4, Local Government (Miscellaneous Provisions) Act 1982, the council may grant a consent if they think fit, and may attach such conditions to it as they consider reasonably necessary. This can include conditions to prevent obstruction of the street or danger to persons using it; or nuisance or annoyance (whether to persons using the street or otherwise).
- 3.2 The Sub-Committee must therefore decide whether the Street Trading Consent should be granted or refused, and if granted if any additional conditions need to be added to address the concerns raised in the representations.

### **4. Reasons for Recommendation:**

- 4.1 These are the options available to the Sub-Committee.

### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 This application has been consulted on with the following: Essex Police, Essex Fire and Rescue Service, Highways England, ward councillors, our highways team, our food safety team and by placing a public notice at the location.

### **6. Impact on corporate policies, priorities, performance and community impact**

- 6.1 Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to do all that it can to prevent –
- (a) Crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local community), and;
  - (b) The misuse of drugs, alcohol and other substances in its areas.

In considering this application in relation to these duties the authority should have due regard to Section 61(1) (b) Local Government (Miscellaneous Provisions) Act 1976, Thurrock Council's guidelines on previous convictions or cautions and any submissions made by the applicant.

## 7. Implications

### 7.1 Financial

Implications verified by: **Rosie Hurst**  
**Senior Management Accountant**

There are no financial implications associated with the report.

### 7.2 Legal

Implications verified by: **Simon Scrowther**  
**Senior Litigation Barrister**

1. Thurrock Council, as a Licensing Authority, has the legal discretion to determine matters of this nature.
2. Under Schedule 4, Local Government (Miscellaneous Provisions) Act 1982, the council may grant a consent if they think fit, and may attach such conditions to it as they consider reasonably necessary.
3. Thurrock Council as a Licensing Authority has a set of conditions which, in addition to the Local Government (Miscellaneous Provisions) Act 1982, as amended, regulates Street Trading Consents.
4. There is no right of appeal against this decision.

### 7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlan**  
**Community Engagement and Project**  
**Monitoring Officer**

The Licensing Sub-Committee is of a quasi-judicial nature and whilst the Licensing Committee should ensure equality of treatment for all groups in the granting of licences, due regard should be given to its responsibility to promote the objectives of the licensing regime and its duties under Section 17 of the Crime and Disorder Act 1998. This includes full consideration of the need to prevent crime and disorder and the prevention of public nuisance. Where it finds that the need to comply with those duties is reasonably inferred, it must determine the application appropriate.

### 7.4 Other implications (**where significant**) – i.e. **Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

The implications of Section 17 of the Crime and Disorder Act 1998 have been considered and can be found in 6.1 above.

## 8. Background papers used in preparing the report:

- Local Government (Miscellaneous Provisions) Act 1982

**9. Appendices to the report:**

- Appendix 1 - Copy of application & supporting documents
- Appendix 2 – Location map
- Appendix 3 – Representations from 15 local residents
- Appendix 4 – Street Trading Policy

**Report Author:** Elizabeth Cox  
Licensing Officer

# Thurrock Council

## Application for street trading consent

### How we will use your information

We will use the information you supply to provide an appropriate, timely and effective service. We may share the personal information between our services and partner organisations, such as the police and other government bodies. We will do so when it is of benefit to individuals or for the purpose of preventing and detecting fraud. Read our privacy notice at [thurrock.gov.uk/privacy](http://thurrock.gov.uk/privacy).

### Application details

Type of application	<input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal
Applicant's full name	MEHMET CEYLAN
Applicant's permanent address	FLAT C 37 NAVARINO ROAD HACKNEY LONDON E8 1AD
Phone number	07491061816 HOME 02038441506
Email address	HOURAT1@GMAIL.COM

### Trading details

Site address for trading	For renewals, this must be the existing site address: NEXT TO THE CAR PARK 74 A HIGH STREET AVELEY SOUTH OCKFORD RM15 4BX			
During which hours do you intend to trade on each day?	Monday	12 <sup>00</sup> - 24 <sup>00</sup>	Tuesday	12 <sup>00</sup> - 24 <sup>00</sup>
	Wednesday	12 <sup>00</sup> - 24 <sup>00</sup>	Thursday	12 <sup>00</sup> - 24 <sup>00</sup>
	Friday	12 <sup>00</sup> - 24 <sup>00</sup>		
	Saturday	12 <sup>00</sup> - 24 <sup>00</sup>	Sunday	12 <sup>00</sup> - 24 <sup>00</sup>
Articles to be sold	HOT AND COLD FOOD / DRINKS			

### Vehicle details

Make and model	14 FT TRAILER
Registration number	YR55 KAO
Will the vehicle be moved between trading periods?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

## Enclosed with this application

The following **must** be enclosed with this application – please confirm each item is enclosed:

Photograph of the applicant	<input checked="" type="checkbox"/>
Photograph of the vehicle	<input checked="" type="checkbox"/>
Site location plan, for Category A traders only	– see guidance notes <input checked="" type="checkbox"/>
Consent from the land owner	<input checked="" type="checkbox"/>
Copy of the vehicle's current MOT certificate	<input checked="" type="checkbox"/>
Copies of electrical and gas safety records, as applicable	<input checked="" type="checkbox"/>
Public liability insurance <i>when we get consent we will straight away sort out the public liability insurance.</i>	– see guidance notes <input type="checkbox"/>
Correct fee, if paying by cheque <i>I will pay by card.</i>	– see guidance notes <input type="checkbox"/>

Guidance notes can be found at [thurrock.gov.uk/street-trading-consent](http://thurrock.gov.uk/street-trading-consent).

### Incomplete applications will be returned and not processed.

Street trading consents are **not** transferable and they cannot be sold or sublet. The hours of trading, location of trading and the products sold cannot be changed during the course of the consent. Consent is only valid for the applicant and vehicle specified in the application.

The applicant for consent must also be the food business operator.

### Declaration

I agree to comply with the 'Conditions for Street Trading Consents' included within the 'Street Trading Policy' published at [thurrock.gov.uk/street-trading-consent](http://thurrock.gov.uk/street-trading-consent).

I have enclosed all required photographs and documents, as indicated above.

I agree that if I change vehicle during the course of this consent, I will notify the Thurrock Council's Licensing team and apply to transfer the consent to my new vehicle.

I understand that if I do not comply with the terms and conditions of any consent issued, the consent may be revoked or not renewed.

I understand that if any of the above factors change, my street trading consent will be revoked immediately and I may be prosecuted for trading without a valid consent.

Applicant's signature	<i>M. Ceylan</i>
Print name	MEHMET CEYLAN
Date	09 JUNE 2019

Form to be returned to:

Licensing team, Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL



eCERT

EUROSAFETY INTERNATIONAL®



This is to certify that

**MEHMET CEYLAN**

has successfully completed 25 hours of  
guided learning and has been awarded the

**INTERMEDIATE LEVEL 3  
CERTIFICATE IN FOOD SAFETY**

\* \* \* \* \*

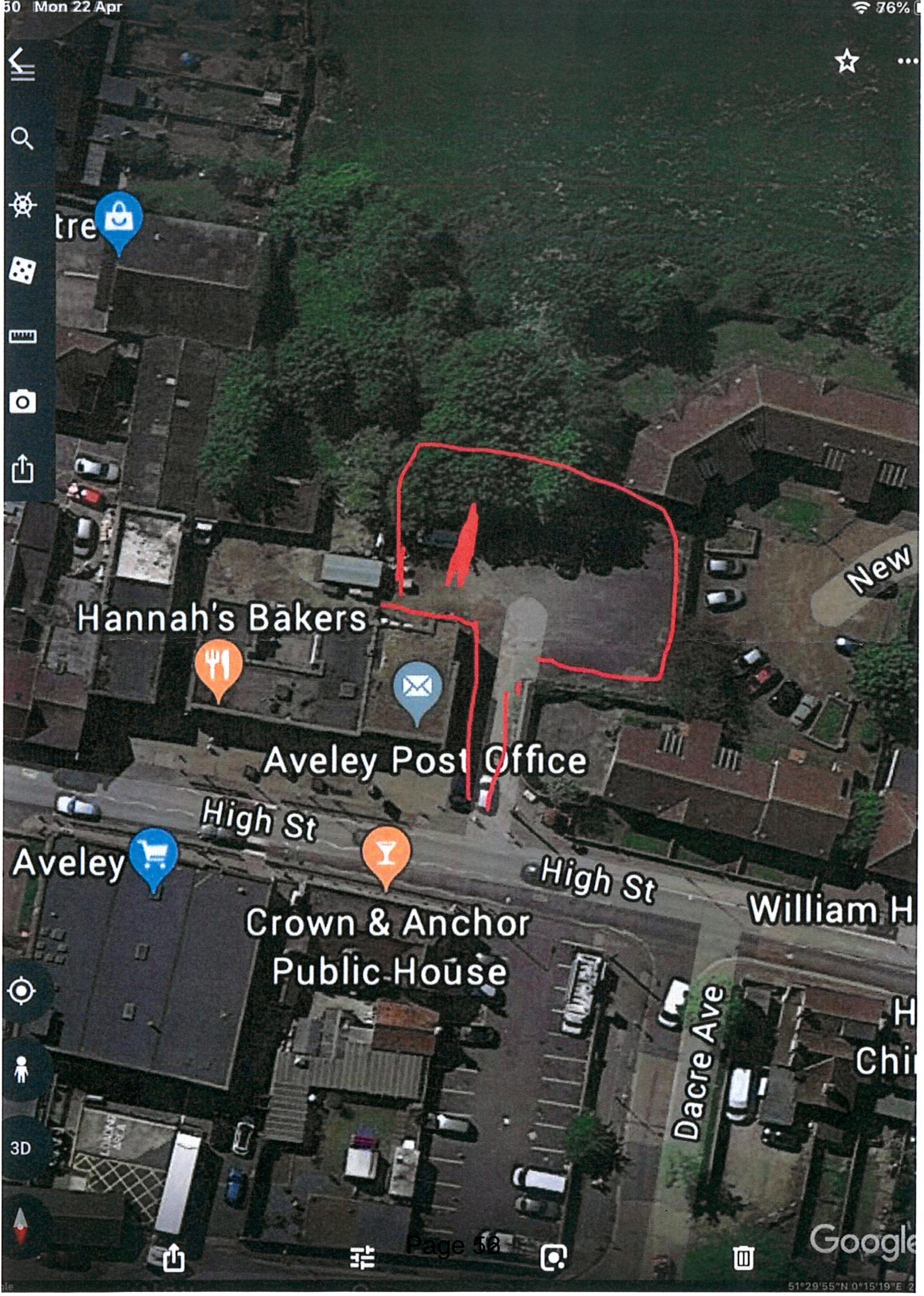
ISSUED on 22 MARCH 2017

ISSUE No. FS3/ 2012345

Dr Umit Avci (MD)  
Training Director  
Eurosafety International Ltd



tel + 44 (0) 20 8460 0606  
mob + 44 (0) 7786 308409  
www.eurosafetyinternational.co.uk



tre

New

Hannah's Bakers



Aveley Post Office

High St

High St

Aveley



Crown & Anchor  
Public House

William H

Dacre Ave

Chi



3D



Page 58



Google

4 of 4



# ELECTRICAL EQUIPMENT TEST REPORT - TEST RESULTS

Customer No.: MK    Inspect. rec. No.: 190404    Order No.: 190404

Appliance Description	ID	P/F	Retest date	V/visual Test	Earth Bond	Insulation	Isolation Probe	Subleak Probe	Subleak	Leakage	Touch Leakage	Clamp	Functional Test	PRCD	PDL
				(ohm)	(Ω)	(MΩ)	(MΩ)	(mA)	(mA)	(mA)	(mA)	(A)	(kVA)	(ms)	(ms)

<b>Mehmet Yilmaz</b>															
<b>28 Kimbolton Close</b>															
<b>SMS BRE</b>															
Interview Fridges / Cooler 13Amp															
User :															
Serial	10451163	P	04.04.2020	P	0.11 P	48.4 P		0.16 P							P
Waterpump 3Amp															
User :															
Serial	10451163	P	04.04.2020	P	3.98 P		0.73 P								P
Archway Kebab Grill 1.5Amp															
User :															
Serial	10451163	P	04.04.2020	P	6.31 P		0.13 P								P
Lamp / Light 3Amp															
User :															
Serial	10451163	P	04.04.2020	P	>200 P		0.01 P								P

1) Worst result is reported  
 2) Result of 1mA, 0 is reported, if any RCD result failed, a fail (F) is reported  
 3) Polarity  
 4) P\* appears if circuit is not completely finished

Signature: \_\_\_\_\_ Operator: F. Yilmaz

# MOT test certificate



Driver & Vehicle  
Standards  
Agency

Vehicle identification number  
**WAUZZZ8E76A085534**

Registration number      Country of registration  
**YR55KAO**                      **GB**

Make and model  
**AUDIA4 AVANT**

Vehicle category	Mileage	Mileage history
<b>M1</b>	<b>203,547 miles</b>	<b>190,073 miles</b> 02.12.2017
		<b>180,184 miles</b> 03.12.2016
		<b>155,251 miles</b> 02.10.2015

**Pass**

## Monitor and repair if necessary (advisories)

- Shock absorbers light misting of oil or has limited damping effect Nearside Front [5.3.2 (b)]
- Coil spring corroded Nearside Rear [5.3.1 (b) (i)]
- (engine and under covers fitted limiting full inspection of some areas)

Date of the test                      Expiry date  
**24.11.2018**                              **02.12.2019**

To preserve the anniversary of the expiry date, the earliest you can present your vehicle for test is  
03.11.2019.

Location of the test  
**FENGATE, PETERBOROUGH, PE1 5XB**

Testing organisation and inspector name  
**V100763 CENTRAL AUTO CARE LTD**  
**M. Shafique**

MOT test number  
**5028 3094 0124**

Check that this document is genuine by visiting [www.gov.uk/check-mot-history](http://www.gov.uk/check-mot-history)

If any of the details are not correct, please contact DVSA by email at  
[enquiries@dvs.gov.uk](mailto:enquiries@dvs.gov.uk) or by telephone on 0300 1239000.

Receive a free annual MOT reminder by subscribing  
at [www.gov.uk/mot-reminder](http://www.gov.uk/mot-reminder) or by telephone on 0300 1239000.

To who it may concern.

I, Mr Jay Patel, the land owner of 74 High Street Aveley South Ockendon RM15 4BX give permission to Mr Ceylan to trade in our car park behind our building and run his business, I have given my consent and I write to inform you of this.

If you would like any more information please contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Jay Patel', written over a faint, illegible printed name.

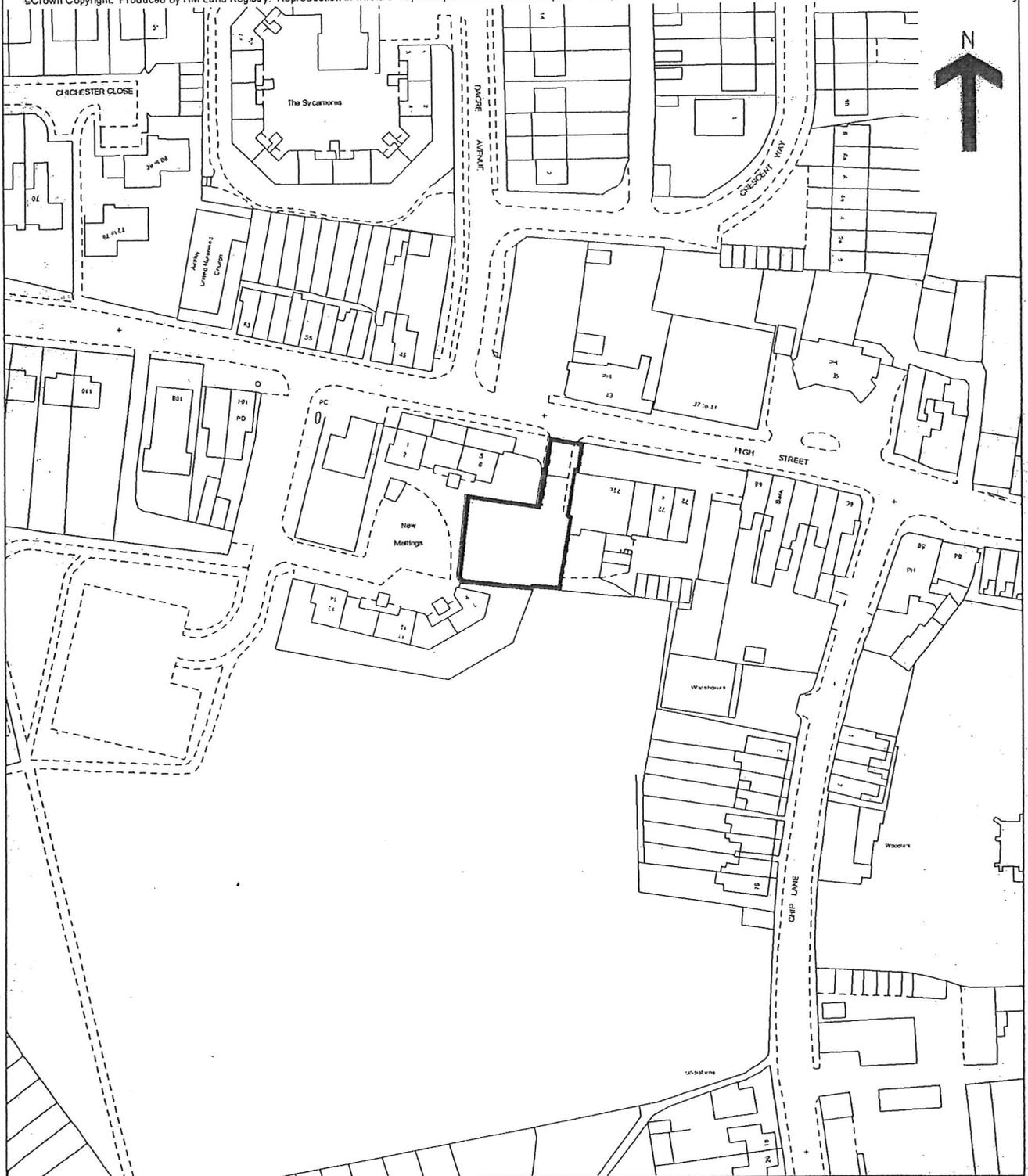
Jay Patel  
01708865148

Official copy of  
title plan

Scale 1:1250  
Administrative area Thurrock



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This official copy is incomplete without the preceding notes page.



1 of 12





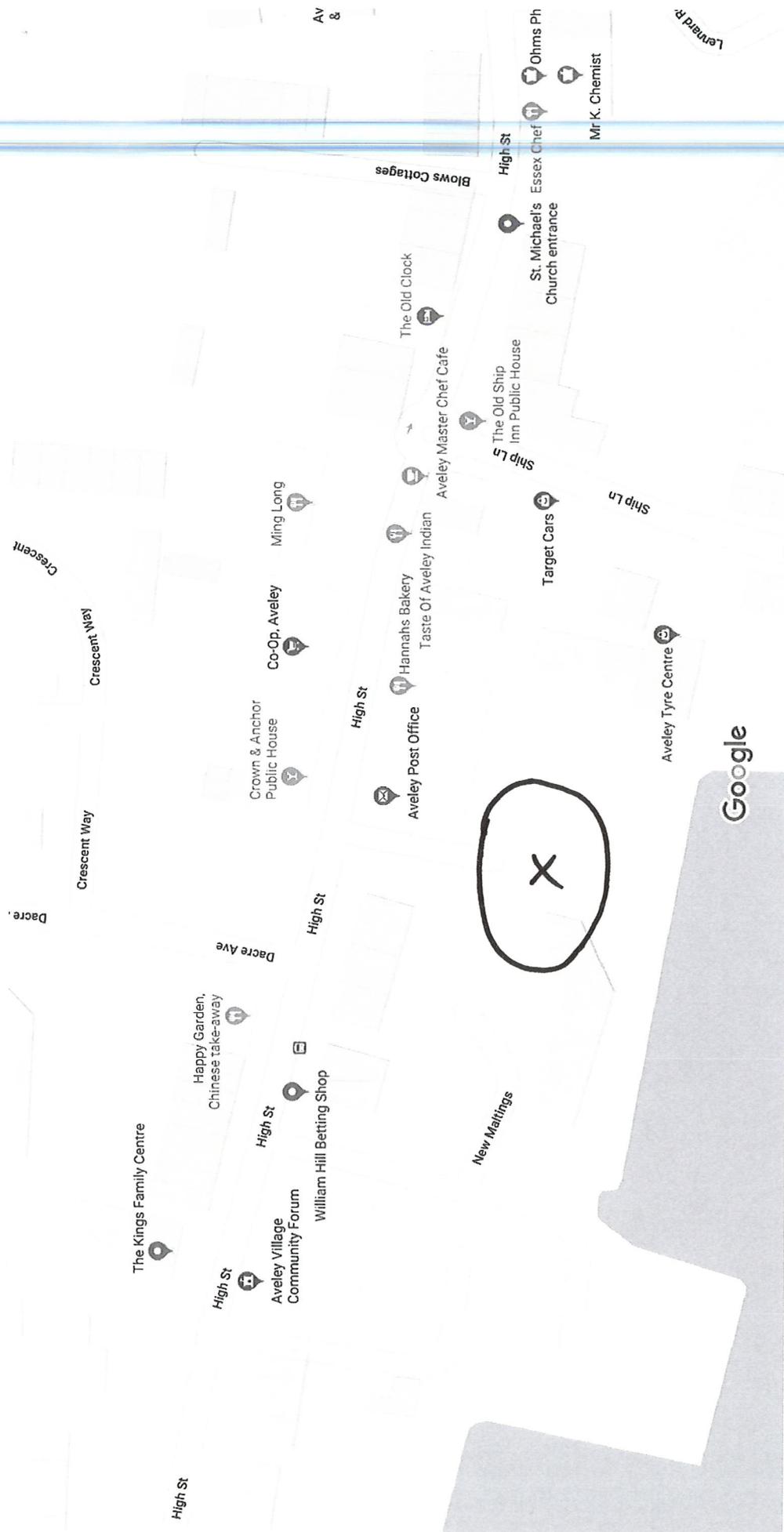
16:15 17°

4G 92%





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Map data ©2019 20 m

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HIGH STREET  
AVELEY  
ESSEX RM15 4BX

Re Application for Street Trading

AT 74 HIGH STREET

AVELEY  
ESSEX RM15 4BX

12.00 - 23.00

I am writing to object to application of  
the above

Reasons

Will be in close proximity to my business  
Backs onto housing for elderly  
Mess

It lessens security for my business which  
is adjacent, which will be working as car  
park will be open until 23.00 instead of  
mostly 18.00, and as there is a broken gate  
between my premises and car park to backs  
of businesses this will be a worry.

This car park was closed for a considerable  
time, but recently reopened after being refurbished  
by council to make spaces available  
while work is being done in recreation ground, by  
allowing this application to go forward, it will  
take away valuable spaces, which will affect  
shops in high street, which is already  
suffering from lack of free parking

Also last time this car park had street food  
on the premises, it was set fire twice  
endangering surrounding premises

Yours Sincerely.

RECEIVED  
21 JUN 2019

New Maltings  
High Street  
Aveley  
Essex RM15 4BY

Licences Dept  
Thurrock Council  
Civic Offices  
New Road  
Grays

20<sup>th</sup> June 2019

Dear Sir/Madam

Application for trading consent to trade at Car Park next to 74a High Street Aveley

I strongly object to the granting of this licence for the following reasons.

- 1: My Sheltered Housing flat overlooks this car park.
- 2: Noise and smell until late at night which will mean I have to keep my windows shut all year.
- 3: Noise from vehicles accessing the car park 24 hours a day instead of the limited time now.
- 4: We already have noise and anti-social behaviour problems with the Pub opposite the car park and this application will make matters worse.
- 5: The litter that will be created and does Aveley need another Fast Food outlet with the current concerns with obesity.
- 6: The Kebab Kiosk will take up valuable parking that was made worse in Aveley by Thurrock Council allowing the Aveley Forum to build on the previous car park in the recreational grounds. This lack of parking creates problems in the New Maltings with members of the public looking for somewhere to park.

I could add even more worries to this list that this licence will create for me and other local residents.

Yours

Tel:

DEAR THURROCK COUNCIL

---

I/WE WISH TO REGISTER AN OBJECTION TO THE PROPOSED "STREET TRADING CONSENT" WHICH HAS BEEN ERECTED IN THE LOCATION OF THE CAR PARK NEXT TO 74A HIGH STREET, AVELEY.

I/WE FEEL THAT THE BELOW POINTS ARE RELEVANT AND SUPPORT OUR OBJECTIONS TO THIS PROPOSAL. THE NEW MALTINGS SHELTERED HOUSING COMPLEX IS DIRECTLY NEXT TO THIS CAR PARK AND I/WE FEEL THAT IT WILL DIRECTLY AFFECT OUR ENVIRONMENT AND PEACE AND QUIET.

ALSO I/WE OBJECT TO POSSIBLE:

- ANTI SOCIAL BEHAVIOUR DURING AND AFTER TRADING HOURS
- NOISE NUISANCE
- SMELL FROM ANY VENDOR SELLING FOOD
- PARKING ISSUES WHICH MAY MEAN THAT OUR CAR PARK IS USED BY CUSTOMERS WHO WISH TO USE THIS VENDOR
- HISTORICAL HEALTH AND SAFETY ISSUES-THE LAST VENDOR'S VAN WAS SUBJECT TO ARSON

SIGNED:

DATE: 28/6/19

ADDRESS: NEW MALTINGS, HIGH STREET,  
AVELEY RM15 4BY

COMMENTS: THIS ADDS TO THE LETTER I SENT  
ON THE 20TH JUNE 2019

RECEIVED  
21 JUN 2019

HIGH STREET  
AVELEY  
ESSEX RM15 4BX

RE APPLICATION FOR STREET TRADING  
AT 74, HIGH STREET  
AVELEY  
RM15 4BX

I AM writing to object to application of the above  
REASONS.

- ① will be in close proximity to my home  
( )
- ② Backs onto homes occupied by  
Elderly
- ③ Mess,
- ④ Its lessens security to our homes  
& businesses in the vicinity as  
car park will now be open until 23.00  
instead of gates closed & locked at  
mostly 18.00

This car park was closed for a considerable  
amount of time due to disrepair,  
but recently reopened after being  
refurbished by Council, to make car  
parking available while work being  
constructed in recreation ground,  
This facility will reduce parking  
spaces in the car park considerably,  
spaces the village needs, to keep the  
shops alive in high street,

- ⑤ Also last time this car park had a  
street trading, it was set alight twice  
endangering surrounding properties



New Maltings  
High Street  
Aveley  
Essex RM15 4BY

Licences Dept  
Thurrock Council  
Civic Offices  
New Road  
Grays

20<sup>th</sup> June 2019

Dear Sir/Madam

Application for trading consent to trade at Car Park next to 74a High Street Aveley

I strongly object to the granting of this licence for the following reasons.

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and this application will make matters worse.
- 5: The litter that will be created and does Aveley need another Fast Food outlet with the current concerns with obesity.
- 6: The Kebab Kiosk will take up valuable parking that was made worse in Aveley by Thurrock Council  
allowing the Aveley Forum to build on the previous car park in the recreational grounds.  
This lack of parking creates problems in the New Maltings with members of the public looking for somewhere to park.

Yours

Tel:

DEAR THURROCK COUNCIL

I/WE WISH TO REGISTER AN OBJECTION TO THE PROPOSED "STREET TRADING CONSENT" WHICH HAS BEEN ERECTED IN THE LOCATION OF THE CAR PARK NEXT TO 74A HIGH STREET, AVELEY.

I/WE FEEL THAT THE BELOW POINTS ARE RELEVANT AND SUPPORT OUR OBJECTIONS TO THIS PROPOSAL. THE NEW MALTINGS SHELTERED HOUSING COMPLEX IS DIRECTLY NEXT TO THIS CAR PARK AND I/WE FEEL THAT IT WILL DIRECTLY AFFECT OUR ENVIRONMENT AND PEACE AND QUIET.

ALSO I/WE OBJECT TO POSSIBLE:

- ANTI SOCIAL BEHAVIOUR DURING AND AFTER TRADING HOURS
- NOISE NUISANCE
- SMELL FROM ANY VENDOR SELLING FOOD
- PARKING ISSUES WHICH MAY MEAN THAT OUR CAR PARK IS USED BY CUSTOMERS WHO WISH TO USE THIS VENDOR
- HISTORICAL HEALTH AND SAFETY ISSUES-THE LAST VENDOR'S VAN WAS SUBJECT TO ARSON

SIGNED:

DATE: 28-7-19.

ADDRESS:

NEW MALTINGS

COMMENTS:

more RUBBISH

24 JUN 2020

High Street  
Aveley  
Essex  
RM154BX

Email- \_\_\_\_\_

**Regarding the notice of a kebab Van being put up on 74 High Street**

Dear Sir/Madam,

Have reading the notice which is being put up on 74 High street, I reject the idea of the kebab being put up due to several reasons. One is although they say the gates will be shut at 11p.m, it will never happen on the weekends due to the pub which is opposite the premises and people will still come after 11 due to the pub shutting late. Second reason is that due to the anti social behaviour of some people it will be a disturbance to us and the neighbours who won't be able to have a quite sleep at night. The third reason is that there will be a huge amount of litter around the premises. There's enough of take away outlets round this area like the

- Cafe
- Mr. Pizza
- The Chinese Restaurant
- Fish and Chip shop which does kebabs too
- Indian Restaurant
- Chinese Takeaway Outlet

Therefore I strongly object having this kebab being put up, already having six food outlets with a range of different types of food is more than enough around this corner.

Sincerely,

PLEASE <sup>SEE</sup> BACK PAGE. 1-6 LOCATION IN HIGH STREET

YOU CAN REACH ME ON



NEW MALTINGS  
HIGH STREET  
AVLEY

SOUTH OCKENDON

TRY I HAVE TO PUT THIS LETTER ON TO YOUR SITE. ESSSEX RM154BY  
NO CAN DO

SEE

RE YOUR NOTICE ON THE GATES OF CAR PARK  
NEXT TO 741A, CAR PARK FOR PAPER SHOP AND OTHER SHOPS.

FOR AS I HAVE FOUND OUT IS TO BE A KEBAB TAKE AWAY FACILITY FOR THIS I HAVE A VERY STRONG OBJECTION.  
AS DO OTHERS WHO LIVE IN THE NEW MALTINGS 16 FLATS, WHICH IS A SHELTERED HOUSING COMPLEX, THE ABOVE CAR PARK COMES IN TO SAID HOUSING COMPLEX SEE ROUGH MAP. AS BEFORE WHEN A CARAVAN TYPE KEBAB VAN WAS HEARD BEFORE (WITH ENDS UP ON FIDE ONE NIGHT) THE NOISE WAS EVERY NIGHT. IN THE HIGH STREET IF YOUR LICENSING OFFICER DONT KNOW WE HAVE MORE THAN ENOUGH FOOD OUTLETS.

- 1 CAFE
- 2 CHINESE RESTAURANT WITH A TAKE AWAY SERVICE
- 3 INDIAN RESTAURANT WITH A TAKE AWAY SERVICE
- 4 FISH & CHIPS SHOP. ALL TAKE AWAY BERGERS ETC AND KEBABS
- 5 A CHINESE TAKE AWAY ONLY
- 6 A PIZZA AND LOTS MORE TAKE AWAY

THE HIGH STREET IS ABOUT 175 YARDS (SOUTH OLD SCHOOL) AND ALL ABOVE ARE WITHIN THIS 175 YARDS SO YOU CAN SEE I HAVE A VERY STRONG OBJECTION. AS OF TO DAY I AM WAITING FOR A

PHONE CALL, FRI 21/6/19 IN RESPECT OF ABOVE WHEN I MADE A PHONE CALL TO SEE IF I COULD SPEAK TO SOMEONE IN LICENSING. REF -

REF 19/13486 LISTAP, ALL SO I AM OTHER FROM THE MALTINGS WOULD LIKE TO ATTEND THE LICENSING MEETING - THANK YOU

SHOPS  
POST OFFICE  
74A

GATES  
TO  
CAR PARK  
ENTRENCE

POST OFFICE  
CAR PARK

|| NOW A CAR PARK

FOR THOROUGH COUNCIL  
FOR ONE YEAR, WHILE NEW  
COMPLEX IS BUILT  
ON RECK

WASHING  
DRYING  
AREA

1/6 NEW  
MALTINGS

1/1

WOODEN FENCE

GRASS AREA

GRASS AREA

NEW MALTINGS  
CAR PARK

SIDE ENTRANCE FOR NEW MALTINGS

BETTING  
SHOP

BETTING SHOP  
CAR PARK

NEW MALTING  
RATES NOT  
WORKING.

AN EMAIL  
TO  
CONFIRM  
THIS LETTER  
& MAP  
WOULD BE  
AN  
APPRECIATION  
EMAIL  
SIDE OVER

WASHING  
DRYING  
AREA

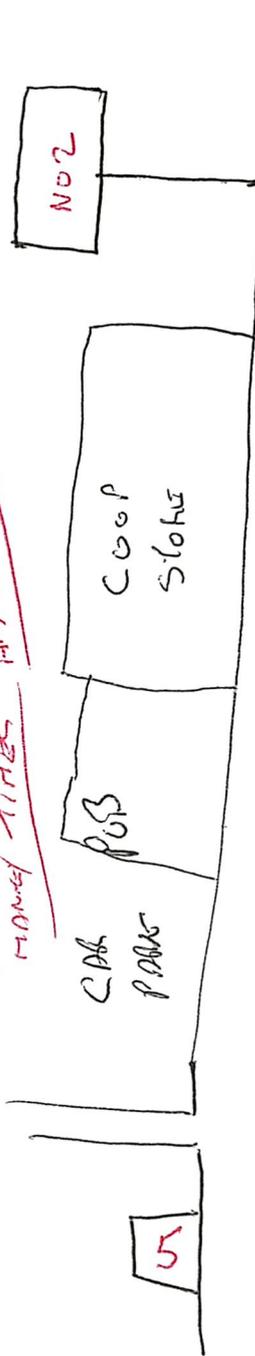
WOODEN FENCE  
K SIDE  
GATES

TO  
16 NEW  
MALTINGS

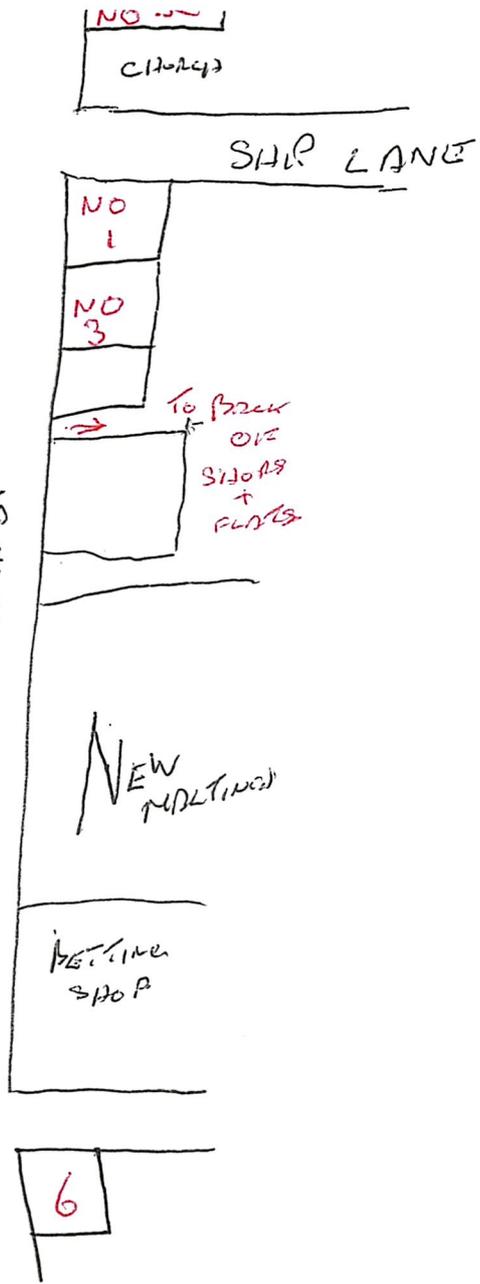
HIGH STREET

Res Pops

could ring up  
even full sat night  
about noise (as some done  
many times AM get no help



High St



DEAR THURROCK COUNCIL

I/~~WE~~ WISH TO REGISTER AN OBJECTION TO THE PROPOSED "STREET TRADING CONSENT" WHICH HAS BEEN ERECTED IN THE LOCATION OF THE CAR PARK NEXT TO 74A HIGH STREET, AVELEY.

I/WE FEEL THAT THE BELOW POINTS ARE RELEVANT AND SUPPORT OUR OBJECTIONS TO THIS PROPOSAL. THE NEW MALTINGS SHELTERED HOUSING COMPLEX IS DIRECTLY NEXT TO THIS CAR PARK AND I/WE FEEL THAT IT WILL DIRECTLY AFFECT OUR ENVIRONMENT AND PEACE AND QUIET.

ALSO I/WE OBJECT TO POSSIBLE:

- ANTI SOCIAL BEHAVIOUR DURING AND AFTER TRADING HOURS
- NOISE NUISANCE
- SMELL FROM ANY VENDOR SELLING FOOD
- PARKING ISSUES WHICH MAY MEAN THAT OUR CAR PARK IS USED BY CUSTOMERS WHO WISH TO USE THIS VENDOR
- HISTORICAL HEALTH AND SAFETY ISSUES-THE LAST VENDOR'S VAN WAS SUBJECT TO ARSON

SIGNED: \_\_\_\_\_

DATE:

11/7/19

ADDRESS:

NEW MALTINGS  
HIGH STREET  
AVELEY

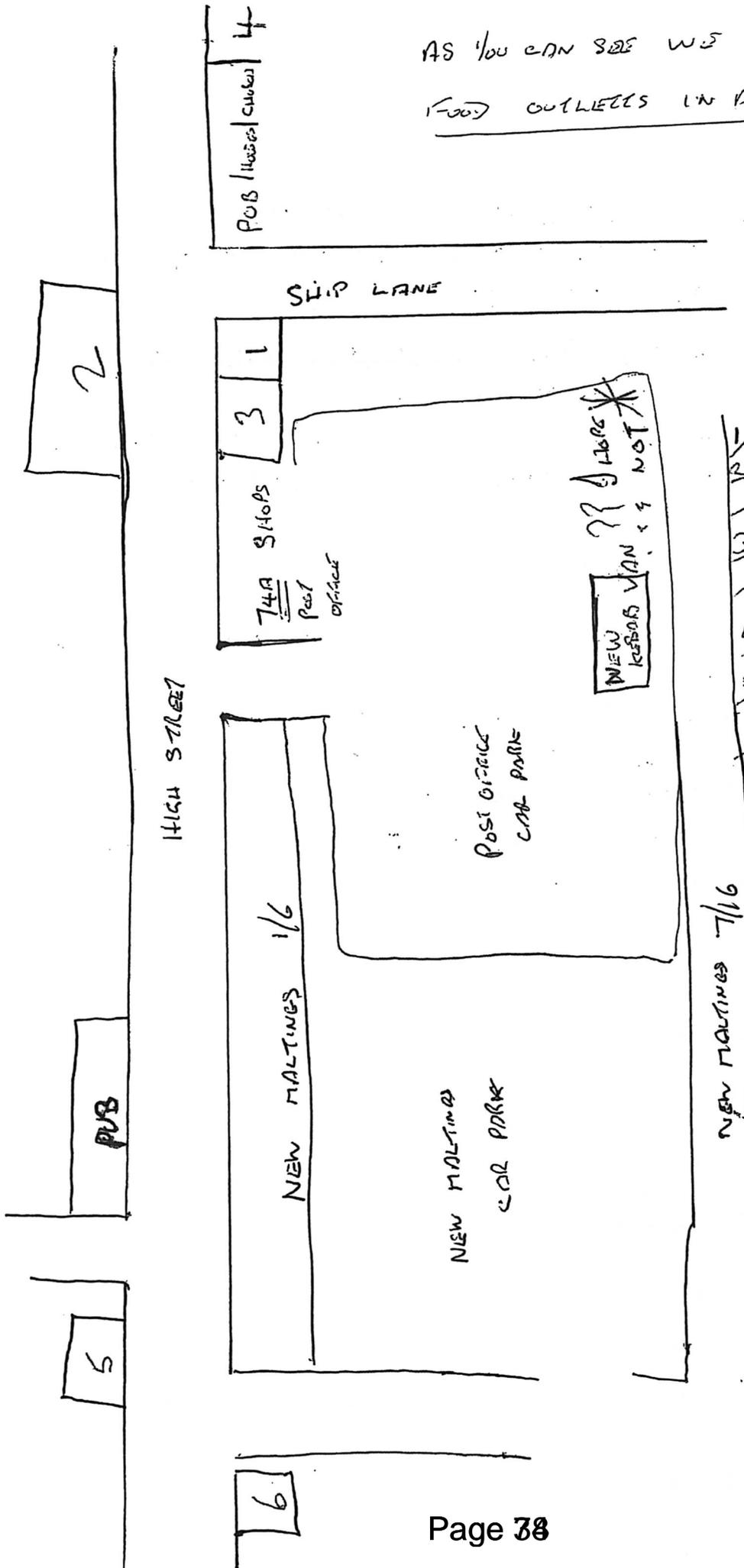
COMMENTS:

P. T. O.

AND CAN WE THAT MAKE  
AN OBJECTION APPEAR AT THE LICENSING MEETING  
TO VOICE OUR OBJECTION

AWAITING A REPLY THANK YOU

AS YOU CAN SEE WE THINK HAVE ENOUGH  
FOOD OUTLETS IN AUSLEY



- 1 CAFE
  - 2 CHINESE RESTAURANT WITH TAKE AWAY SERVICE
  - 3 INDIAN RESTAURANT WITH TAKE AWAY SERVICE.
  - 4 THIS ONE KEBAB CUKEN TAKE AWAY
  - 5 CHINESE TAKE AWAY
  - 6 PIZZA TAKE AWAY
- AND TWO PUBS  
+  
TOP HOUSE.



DEAR THURROCK COUNCIL

RE KABAB + OTHER FOOD VENDOR

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- HISTORICAL HEALTH AND SAFETY ISSUES-THE LAST VENDOR'S VAN WAS SUBJECT TO ARSON

Also when the hub is operating next year the car <sup>park</sup> will be located behind the fence at 74A High St.

SIGNED:

DATE:

3rd July 2019

ADDRESS:

The Sycamores  
Dacre Ave  
Aveley Essex RM15 4B

COMMENTS:

It will also ~~it~~ affect the people living in Dacre Ave, because when pub people come out & purchase from the above there will be untold litter. Also the last Van ~~Page 79~~ in that car park caught a fine.

DEAR THURROCK COUNCIL

---

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SIGNED:

DATE: 27-6-2019

ADDRESS: new maltings aveley

COMMENTS:

we get alot of Rubbish in complex as gates are broke. and i think we would get a lot more.

DEAR THURROCK COUNCIL

---

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- HISTORICAL HEALTH AND SAFETY ISSUES-THE LAST VENDOR'S VAN WAS SUBJECT TO ARSON

SIGNED:

DATE: 27/6/2019

ADDRESS: NEW MALTINGS, AVELEY

COMMENTS:

Our flat is only about 10' from the fence so we cannot open our bedroom window. A couple of years ago we had been ogers climbing over the fence and taking our garden chairs. So now we don't feel very safe.

DEAR THURROCK COUNCIL

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- HISTORICAL HEALTH AND SAFETY ISSUES-THE LAST VENDOR'S VAN WAS SUBJECT TO ARSON

~~\*~~ RUBBISH THROWN INTO GARDENS.

SIGNED:

DATE:

28/6/19.

ADDRESS:

NEW MALTINGS  
HIGH STREET  
AVELEY.

COMMENTS:

It will also affect my rights to put washing on the lines as the smoke and smell from it will attach itself to washing.

DEAR THURROCK COUNCIL

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- HISTORICAL HEALTH AND SAFETY ISSUES-THE LAST VENDOR'S VAN WAS SUBJECT TO ARSON

SIGNED:

DATE: 27.6.2019

ADDRESS: NEW MALTINGS

COMMENTS: shouldn't there be responsibility taken for people's health of eating appropriately. my property, especially my bedroom area, over looks directly onto the carpark and i fear i will be extremely disturbed by noise and nuisance behaviour.

Please take into account there are already 6 different fast food places available in the high street.

DEAR THURROCK COUNCIL

---

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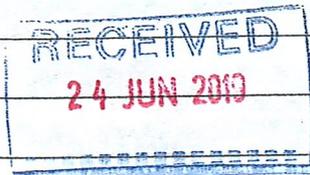
SIGNED:

DATE: 8/07/19

ADDRESS: NEW MALTINGS HIGH ST AVELEY R15 4B;

COMMENTS:

NEW MALTINGS HIGH ST AVELEY



CRESCENT WAY  
AVERLEY  
ESSEX RM15HTJ

DEAR SIR OR MADAM.

I AM WRITING WITH  
REFERENCE TO THE PROPOSED CITING OF A 'KABAB  
STALL' IN THE POST OFFICE IN AVERLEY VILLAGE.

I STRONGLY OPPOSE THE SAID STALL.

NO. 1. IT WOULD TAKE UP VALUABLE PARKING SPACES  
AS THE SPACES ARE LIMITED ANYWAY.

NO 2. THE HOURS PROPOSED ARE NOT CONJUGIVE  
WITH PEOPLE WHO LIVE IN THE FLATS, IN AND AROUND  
THE CAR PARK

NO 3. THE STALL THAT WAS IN 'CROWN ANCHORE' CAR  
PARK WAS ALWAYS IN A MESS AND ALMOST BURNT DOWN.

NO 4. THERE IS A KABAB SHOP 100YDS FROM PROPOSED  
SIGHT OF SAID 'STALL' WHICH SERVES THE PEOPLE  
OF AVERLEY ADEQUATELY

NO 5. WITH THE CAR PARK FULL AT NIGHT PARKING  
TO GET SERVED WOULD BE A HEADACHE TO ALL

NO 6. AS THEY WERE AT THE OTHER STALL, THERE WILL

P.T.O.

be trouble. AROUND. THIS SHALL AT NIGHT WITH  
THE REASONS I HAVE STATED.  
I STRONGLY OPPOSE THIS DEVELOPMENT.

WITH RESPECT I'm Yours.

09 JUL 2019

New MALTINGS  
HIGH STREET  
AUELEY  
RM15 4BY

Dear Sir/Madam

I am writing to object to the application for a Kebab van in the car park behind the post office and next to where I live. Below are reasons for the objection

1 As we already have 2 chinese food places an indian and a fish+chip/burger/Kebab shop in Aveley high street open 7 days a week why would we need a kebabs van as well? All open until 11pm!

2 The proposed site is next to an OAP/supported housing

complex. Most of the residents here have retired.

3 There will be noise (which we already have from the pub across the road and we don't need anymore) Rubbish thrown everywhere, as when people have been drinking they don't care where their rubbish is thrown

4 Also cars will park in the car park in the complex as there is limited public parking

Yours Faithfully

RECEIVED  
20 JUN 2019

NEW MALTING  
HIGH ST  
AVELEY  
ESSEX

Dear Sir/madam

I wish to raise  
an objection regarding the  
application for a Kebabs van  
next to 74A High Street  
Aveley.

We have to put up  
with enough from the  
pub opposite and when the  
public car park was open  
the youngsters in their cars  
playing music till 2/3 o'clock  
in the morning.

If you allow the

licence to be granted  
we will end up having the  
youngsters moving to that  
car park.

I feel we have enough  
food outlets already.

We have a fish & chips shop  
which sells kebabs a pizza  
shop selling kebabs a chinese  
restaurant a chinese takeaway  
an indian restaurant and a  
cafe.

For a small village like  
Aveley I feel we already  
have more than enough  
food outlets.

Regards

## **THURROCK COUNCIL STREET TRADING POLICY**

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Local Authorities (LAs) have a legal discretion to regulate street trading in their administrative area.

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### **Purpose of the policy**

This policy is to control street trading across the borough of Thurrock by means of a Street Trading Consent Scheme, whereby specific streets are prohibited from street trading at any time and the remaining streets are Consent Streets. Trading from Consent Streets is also prohibited unless the trader has applied for and received a written Consent to Trade from Thurrock Council. Any such Street Trading Consent will contain restrictions on the location and permitted times for trading, type of goods sold and contain clear rules which must be adhered to in order for the trader to obtain and retain the Street Trading Consent. The conditions are to protect public health and reduce nuisance to neighbouring properties and are clearly laid down in the Application and Guidance Pack given to applicants and attached to any Street Trading Consent given.

### **Definitions**

“**Street Trading**” is defined in paragraph 1 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 – hereinafter called “the Act” – as

“the selling or exposing or offering for sale of any article (including a living thing) in a street”.

**Street** The above Act defines the term “street” as including:

“any road, footway, beach or other area to which the public have access without payment”; and a service area as defined in section 329 of the Highways Act 1980”.

Any part of a street is a “street” for the purposes of the Act.

### **Exemptions:**

The Act at paragraph 1(2) of Schedule 4 states that the following types of trade are not street trading:

1. a pedlar trading under the authority of a pedlar’s certificate granted under the Pedlar’s Act 1871;
2. anything done in a market or fair, the right to hold which was acquired by virtue of a grant, enactment or order;
3. trading in a trunk road picnic area provided by the Secretary of State under section 112 of the Highways Act 1980;
4. trading as a news vendor;
5. trading carried out at premises used as a petrol filling station or used as a shop or in a street adjoining premises so used and as part of the business of that shop;
6. selling things or offering or exposing them for sale as a roundsman.

## Prohibited Streets

See Appendix 1 for the list of Prohibited Streets in Thurrock. It is a criminal offence for any person to engage in street trading in that street. Streets will be designated as prohibited where it is anticipated that such trading would cause:

- noise or nuisance to residents living in the locality,
- would reduce public safety to persons crossing or using the street or to road users.

## Consent Streets

If a street is designated as a "Consent Street" then street trading without a consent is a criminal offence under The Local Government (Miscellaneous Provisions) Act 1982.

When granting or renewing a consent, the council may attach any reasonable condition; furthermore the council can, at any time, vary the conditions attached to the consent. Any such variations will be notified in writing to the named person in receipt of the Consent to Trade and will take effect immediately or on the date of the notification letter.

There is no right of appeal against any council decision made in regard of a street trading consent. The consent cannot be granted for a period of time exceeding twelve months and can be revoked at any time.

## Considerations when assessing an application for a Street Trading Consent

Public safety – the proposed location of the activity should not present a risk to the public in terms of highway safety and obstruction. Where any proposed trading is within 50 metres of a school entrance, the council will seek the views of the school.

Prevention of crime and disorder – The proposed activity should not present a risk to public order. This is likely to be more of an issue in respect of applicants wishing to trade at later hours.

Prevention of public nuisance – Consideration will be given to measures taken to reduce the risk of nuisance from noise, refuse, vermin, fumes and odours.

Suitability of the trading unit – This should be of a good quality design, safe construction and add to the quality of the street scene. The unit shall comply in all respects with any legal requirement relating to the trading activity proposed and in particular with the following legislation and any consequent amendments:

- The Food Safety Act 1990
- The Food Hygiene (England) Regulations 2006
- Food safety requirements made under the European Communities Act 1972
- Health and Safety at Work etc. Act 1974 and any regulations made under it.
- Environmental Protection Act 1990
- Licensing Act 2003.

Suitability of the applicant – Previous failures, without reasonable excuse, to comply with the above legislation, failure or neglect in paying Consent to Trade fees may result in a Consent being refused, revoked or not renewed.

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### Number of Street Trading Consents

Consents may not be issued where Thurrock Council considers that sufficient traders already exist in that locality and that additional traders may cause risks to public safety or nuisance to the occupants of neighbouring properties.

### **Duration of Consents and fees**

Street Trading Consents will normally be issued for one of the following periods:

1. Daily
2. Quarterly
3. Annually

A Street Trading Consent cannot be issued for more than one year. Street Trading Consents issued for new sites (i.e. sites where Street Trading has not occurred in at least the previous 12 months) will only be issued for an initial 3 month period. If no significant objections relating to public safety or nuisance, have been raised by the police, Highways department or relevant authorised officer of Thurrock Council during the 3 month period, the Consent can be extended to a maximum of one year from the date of first issue.

All fees must be paid in advance.

If a Consent is surrendered by the Consent Holder, the unused portion of the fee will be refunded from the date that the Consent to Trade is surrendered and the Trading Plates are returned to the Licensing Team.

If the site used by the Mobile Trader requires cleaning or refuse removed due to the business of that Consent Holder, then the Council will charge the appropriate hourly rate for that service, plus the cost for taking the refuse to an authorised waste disposal site. This will be in addition to the standard charges for the Consent to Trade.

Failure to maintain payments may result in the Consent being revoked and will result in the Consent not being renewed.

**Conditions and enforcement** – Standard conditions (attached at appendix 2) will be attached to every Consent, detailing the holder's responsibility to maintain public safety, prevent nuisance and preserve the amenity of the locality. Additional conditions may also be attached limiting the days and hours when street trading is permitted, the goods which may be sold, the size of the trading unit or pitch or any other relevant matter. Failure to comply with these conditions may lead to revocation or non-renewal of the consent.

The following are offences under the above Local Government (Miscellaneous Provisions) Act 1982 and will be considered for prosecution:

1. Street trading in a prohibited street,
2. Street trading in a Consent street without a relevant Consent to Trade,
3. Street trading with a Consent to Trade, but not complying with the times or location stated within the Consent to Trade.

All decisions regarding enforcement action will be made in accordance with the Public Protection Department Enforcement Policy and the Enforcement Concordat adopted by Thurrock Council.

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## **PROHIBITED STREETS**

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### **STREETS PROHIBITED BY THURROCK COUNCIL**

- South Road, South Ockendon,
- Romford Road, Aveley,
- Lodge Lane, Grays,
- Stanford Road between the A128 and London Road, Stanford le Hope,
- A1306 westwards from the A1012,
- B1335 Stifford Road, South Ockendon,
- East Tilbury Road, Linford.

### **STREETS PROHIBITED (AND ENFORCED) BY THE HIGHWAYS AGENCY**

- A13 between Wennington (A1306) and the A1089 junction at Baker Street)
- A13 link roads between A282/M25 junctions 30 and 31 and A282 Canterbury Way ) Highways Agency roads and they do not allow roadside trading on their roads.
- A1089 between the A13 junction and the London Tilbury Cruise Terminal

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## **GENERAL CONDITIONS FOR STREET TRADING CONSENTS**

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The Council will not grant a Street Trading Consent to persons under the age of 17 years and no person employed by a Consent Holder to assist him/her in the street trading shall be under the age of 16 years.

**The consent granted is specific to the person it is issued to and is non-transferable.**

No trading stall, vehicle etc. is permitted to remain at the locality in question outside the permitted hours. It must be removed at the end of each trading day and not returned until the agreed trading commencement hours the following day.

### **Planning Permission**

The land from which you intend to trade may require planning permission for such use. It is your responsibility to check with the Council's planning department prior to applying for a Consent.

### **Location of static trading units**

Static units (Class A) must not trade from any area other than the site defined in their Consent to Trade. If the Consent Holder wishes to move the trading unit to another site he/she must apply for a new Consent to Trade.

### **Trading site**

Trading at the site defined in the Consent to Trade must not cause any risk to public safety and must comply with the conditions detailed in the section of the Application and Guidance pack called "Site Assessment".

### **Goods sold from the trading vehicle**

The Consent Holder can only sell goods identified in the Consent to Trade. If he/she wishes to sell different or additional goods, he/she must apply for a new Consent to Trade.

### **Trading Times**

The Consent Holder shall not trade within the borough of Thurrock outside the time and days permitted by the Consent.

### **Legal requirements of the trading unit**

The mobile vehicle, stall, barrow etc. must at all times comply with the requirements of the Food Safety Act 1990, Food Hygiene (England) Regulations 2006 and the Health and Safety at Work etc. Act 1974 and any other relevant public safety legislation. For further information, please read the "Mobile Food Traders" leaflet attached as appendix 4.

## **Sanitary Provision**

The Consent Holder when operating on a static site shall have access to suitable and sufficient sanitary (toilet) facilities for both the Consent Holder, and any persons employed in the street trading activity. If you are intending to use sanitary facilities belonging to a local business or domestic residence, you must provide written confirmation of that permission with your application form. The sanitary accommodation arrangements will be inspected by Thurrock Council.

## **Private and Thurrock Council land**

You must provide written confirmation of permission obtained from Thurrock Council's Lands department or the private land owner for the land where the stall/vehicle is to trade from and be stored when not trading.

Possession of a street trading consent does not, in any way, override parking restrictions or other traffic regulations for either the Consent Holder or his customers.

## **Change of home address**

The consent holder must inform the Council of a change in his/her home address during the period of the consent within seven days of such a change taking place.

## **Trading Unit Identification Plates**

All vehicles, stalls, carts or other devices used for street trading will be required whilst trading to display a trading unit identification plate. The plate is issued by the Council and remains the Council's property throughout the duration of the Consent. The plate should be displayed in a prominent position on the trading unit, so that it is clearly visible to members of the public using the trading unit.

The trading unit identification plate must be returned to the Council if the Consent Holder ceases to trade and surrenders his/her Consent.

## **Condition of the stall/vehicle**

The Consent Holder must ensure that the appearance of the stall/vehicle is of a high standard and the structure and procedures comply with all relevant legal requirements, in particular the Food Safety Act 1990, the Health and Safety at Work etc. Act 1974, the Food Hygiene (England) Regulations 2006, the Environmental Protection Act 1990 and associated regulations.

The Consent Holder shall not place on the street or in a public place any furniture or equipment other than as permitted by the Consent and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises.

## **Behaviour**

The consent holder shall at all times be clean and respectable in his dress and person and behave in a civil, orderly and courteous manner.

Trading shall not take place in such a manner as to cause nuisance or annoyance to persons whether using the street or otherwise.

## **Ice Cream Van Chimes**

The Consent Holder must comply with the provisions of the Code of Practice on Noise from Ice Cream Van Chimes etc. 1982, that is: it is an **offence** to sound the chimes so as to cause annoyance. Do NOT sound the chimes:

1. For longer than 4 seconds at a time – use an automatic cut out device.
2. More often than once every 3 minutes.
3. When the vehicle is stationary,
4. Except on approach to a selling point,
5. When in sight of another ice-cream van which is trading,
6. When within 50 metres of schools (during school hours), hospitals and places of worship (on Sundays and any other recognised days of worship),
7. More often than once every 2 hours in the same street,
8. Louder than 80 dB(A) at 7.5 metres distance from the vehicle,
9. As loudly in quiet areas or narrow streets as elsewhere.

It is also an Offence under the Control of Pollution Act 1974 to sound chimes:

1. Before 12 noon and after 1900 hours,
2. At any time, in a way which gives reasonable cause of annoyance.

## **Refuse**

The consent holder shall in no circumstances, deposit litter, rubbish or refuse in the street, but shall at all relevant times provide adequate and proper containers for the disposal of such refuse from his vehicle and customers and shall encourage his customers to use those containers. The consent holder shall tidy up, clear up and clean up all refuse, litter etc. before leaving the locality and take the refuse and containers with him/her.

The Consent Holder must ensure that waste liquids arising at the stall are not disposed of into any highway channel, gully or manhole or in any other manner likely to cause pollution of any surface water channel.

All refuse generated by the business must be taken to a licensed waste disposal site. Consent Holders must identify their method of waste disposal at the time of application and keep records of their waste arrangements, which must be made readily available to authorised officers from Thurrock Council on request.

## **Access by Council and Police Officers**

Consent Holders must allow access to Authorised Officers of the Council and Police Officers at all reasonable times.

## **Street Trading Consents**

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The conditions attached to all Street Trading Consents stipulate that a Consent Holder cannot assign, let, sell, rent or otherwise part with his interest or possession of a Street Trading Consent.

If a Consent Holder or his/her employee is requested to move the stall/vehicle by an authorised Council Officer, a Police Officer, an Officer of the Thurrock Fire or Ambulance Service, he/shall shall immediately comply with that request.

The Council may vary the Conditions attached to the Consent at any time.

### **Price List**

All Consent Holders must clearly display a price list for the foods on offer for sale.

### **Insurance**

All Consent Holders shall have and maintain an insurance policy against public liability and third party risks. A minimum insurance cover of £2 million shall be obtained by the Consent Holder and shall cover the operator's vehicle or stall and any additional equipment under his control such as generators etc. If food is sold, the insurance shall specifically cover against food poisoning to the same amount. The insurance certificate or cover note shall be produced to the Licensing Team before the Street Trading Consent is issued and at any other time on demand during the currency of the Consent.

### **Renewal**

The consent holder must apply to the Council for a renewal at least 14 days prior to the date of the current consent's expiry. If an application for renewal is not received by the expiry date, the consent will lapse. It is a criminal offence to engage in street trading without holding a current consent.

Prospective applicants are most strongly advised to seek the necessary permissions, consents and, where appropriate, planning permissions before making a commitment to any financial outlay and before applying for the Street Trading Consent.

## DRAFT CONSENT CLASSES AND FEES PAYABLE

### Consent Class A

For vehicles, stalls, barrows etc. which trade from one place for more than one hour before moving on.

The Consent may be given for either daytime trading i.e. between the hours of 07:00 to 17:00 or evening trading i.e. 17:00 to 02:00.

If you wish to trade between 23.00-24.00, you will also need to apply for a late night refreshment Premise Licence. The cost for this is £100 in additional to the Consent to Trade fee and requires additional documentation and approval.

### Consent Class B

For mobile food vehicles, carts etc. which trade in any one place for no longer than one hour in each trading period.

Regardless of where street trading takes place, holders of Class B Consents are restricted to trading from any one place for a maximum of one hour. After sixty minutes have elapsed, street trading may not take place within 500 yards of the site mentioned above and the applicant may not return to a place from which he has previously traded until the following trading day.

## FEES

		FEE/£
CLASS A	Static vehicle operating more than 3 days per week Operating hours include any time between 17:00 and 07:00.	£2,600 p.a. + £100 if trading between 23:00 and 02:00
CLASS A	Static vehicle operating hours 1-3 days per week. Operating hours include any time between 17:00 and 07:00. (e.g. seafood stalls)	1,545 p.a.
CLASS A	Static vehicle 1-7 days per week. Operating hours between 07:00 – 17:00	1,545 p.a.
CLASS A	Daily rate for street trading	100 per day
CLASS B	Mobile vehicle remaining on any one site for less than 1 hour in any 24 hour period.	1,000 p.a.

**Street Trading Consents for which fees are not payable.**

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The following Street Trading activities have been deemed by Thurrock Council to **not** require the payment of fees to the Council:

1. Non-commercial car boot sales,
2. Farmers markets
3. Fetes, carnivals and similar community based and run events.
4. Sales of articles by residential occupiers within the curtilage of their properties, or on land contiguous with it.
5. Within the curtilage of Tilbury, South Ockendon and Grays markets controlled by the relevant market authority.

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Civic Offices, New Road, Grays  
Essex, RM17 6SL

Licensing Department

Mehmet Ceylan  
Flat C 37 Navarino Road  
Hackney  
London  
E8 1AD

**Our Ref:** 19/00711/STREET  
**Phone:** 01375 652879  
**E-Mail:** [licensing@thurrock.gov.uk](mailto:licensing@thurrock.gov.uk)

27th August 2019

Dear Mehmet Ceylan

**RE: Muzzy's Kebab, Car Park, High Street, Aveley, Essex,**

Please find attached the decision notice in relation to the hearing on the 21st August 2019.

Please note there is no right of appeal against this decision.

If you have any questions about this, or would like to discuss it further, please contact me on the above number.

Yours sincerely



Paul Adams  
Principal Licensing Officer

We write further to your Application for a Street Trading Consent.

This matter was brought before Sub-Committee following a number of objections received from the local community wishing for the application not to be granted.

The Sub-Committee first heard from the Licencing Officer who outlined her report. No questions were put to the Licencing Officer from the Sub-Committee, complainant's representative or yourself.

The complainant's representative, Theresa, then expressed concerns regarding the 14-foot trailer being placed in the car park and selling food, which subsequently takes up parking spaces the community need and concerns were raised regarding noise nuisance, pollution, littering and anti-social behaviour. It was also expressed that this trailer would be in proximity of the sheltered accommodation area therefore would be inconsiderate to the elderly residents. It was of the resident's opinion that there were already enough food venues in the area and the kebab trailer was not needed. Hygiene concerns were raised regarding the ventilation of the van and toilet facilities. Concerns regarding previous vans trading in that area were aired and further concerns were raised.

Sub-Committee then heard from your representative who stated that the sole purpose of setting up your business was to earn a living and to provide an alternative variety of food to the area. Sub-Committee heard that assurances were given that litter and noise would be controlled by staff. Sub-Committee were informed that you would be taking steps to install a CCTV system. It was also stated that the trailer is new and has a hand washing facility therefore all areas of hygiene had been covered.

Councillor Collins then asked you to confirm the size of the trailer to which you replied between 10 and 12 foot.

Councillor Potter then asked if the trailer was going to be left in the car park over night or if it was going to be taken away to which you stated you had not yet applied for planning permission to leave the trailer in the car park during hours you are not going to be trading therefore, the trailer will be removed at the end of the shift each evening.

Theresa, complainant's representative then asked about the cleaning and hygiene of the van. You answered by saying that all equipment will be turned off 15-30 minutes before the end of the shift to allow time for staff to clean. You explained that fresh stock will be delivered daily and that you have appropriate storage facilities for that food.

You were then questioned about who would be locking the gate and securing the car park once your business was closed as currently the gate is locked at 7:00pm by post office staff. You informed Sub-Committee that should the application be granted you would take steps to obtain a spare gate key so that you can lock-up once you leave.

Each party then summed up their position and the Sub-Committee retired to consider its decision.

Whilst Sub-Committee were sympathetic to the concerns raised by the community, they felt that by imposing conditions to the licence they would be satisfied those

conditions met the objections when balanced against the licensing aims. Not all members agreed and therefore the decision was made on a majority decision and not unanimously.

In addition to granting the license it was suggested that the following conditions be added to the licence: -

- The application be granted on a quarterly basis.
- The consent is limited until 10:30pm each evening rather than 11:00pm as applied for.

The Committee would remind all parties that there is no right to appeal this decision.

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**Minutes of the Meeting of the Licensing Sub-Committee held on 21 August 2019 at 7.00 pm**

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<b>Present:</b>	Councillors Gary Collins (Chair), Abbie Akinbohun and David Potter
<b>In attendance:</b>	Mr M Ceylan, Applicant Ms T Webster, Residents Representative Councillor C Churchman, Ward Member Councillor D Van Day, Ward Member Elizabeth Cox, Licensing Officer Paula Parrot, Licensing Officer Lois Bland, Legal Representative Simon Scrowther, Legal Services Kenna-Victoria Healey, Senior Democratic Services Officer

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Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

**9. Items of Urgent Business**

There were no items of urgent business.

**10. Declarations of Interests**

There were no interests declared.

**11. New Application for a Street Trading Consent**

The Chair asked all parties if they had any requests, and it was noted that there were no requests.

The Licensing Officer introduced the report to Members of the Sub-Committee informing them, the report was for a new Street Trading Consent. Following a number of objections from local residents, it was decided that the application be referred to Committee for determination.

Members heard how Mr Ceylan submitted an application for a new Street Trading Consent on 12 June 2019. The application was for a mobile unit to sell hot and cold food and drinks Monday to Sunday 12:00 to 23:00 and would be located in a car park adjacent to 74a High Street, Aveley, RM15 4BX.

During the consultation period 18 representations were received from 15 local residents. These mainly related to possible nuisance issues from noise, odours and litter as well as anti-social behaviour.

The Licensing Officer confirmed that no representations had been received from any other consultees, which included environmental health's noise and pollution team; and Essex Police.

Licensing Officers continued to explain the Council's Street Trading Policy and standard conditions provided under the Prevention of public nuisance section, that consideration would be given to measures taken to reduce the risk of nuisance from noise, refuse, vermin, fumes and odours. The policy also provided under the Prevention of crime and disorder section that the proposed activity should not present a risk to public order

Members, the Residents' Representative and the applicant were provided the chance to ask questions of the Licensing Officer. There were none.

The Residents' Representative was asked to present their case, during which Ms Webster expressed concerns regarding the 14-foot trailer being placed in the car park and selling food, which subsequently took up parking spaces the community required; situated near the Aveley Recreation Ground.

She continued to raise concerns regarding noise nuisance, pollution, littering and anti-social behaviour, stating that in the car park in question, had previously housed a kebab van which was completely burnt out.

Members heard how the trailer would be in proximity of the sheltered accommodation area therefore would be inconsiderate to the elderly residents, as the car park bordered the complex. It was commented that from their previous experience of a kebab van, residents could not have their windows open due to the odour omitted.

Ms Webster remarked that the excessive noise and anti-social behaviour from customers using the previous kebab van prevented residents from having their windows open, as individuals in the Aveley Recreation Ground would climb over the boundary into the grounds of the New Maltings Sheltered Housing Complex, trespassing then climbing over their boundary fence into the car park to use the kebab van.

The Sub-Committee heard how it was of the residents' opinions that there were already enough food venues in the area and the kebab trailer was not needed, with hygiene concerns being raised regarding the ventilation of the van and toilet facilities.

Members, the Licensing Officer and the applicant were provided the chance to ask questions of the Residents' Representative. There were none.

Mr Ceylan was then provided with the opportunity to present his case, during which his representative explained the owners were trying to make a living as well as offer the residents of Aveley an alternative variety to food in the area.

Members heard how in relation to the litter and pollution, the owner would ensure the car park was cleaned and cleared at the end of each evenings. He

also informed the Sub-Committee that CCTV would be put in place, which would assist with logging any issues, if they occurred.

It was confirmed that washing facilities were available on the trailer, in addition the trailer was new and up to hygiene standards.

Members, the Licensing Officer and Residents' Representative were given an opportunity to ask questions to the applicant. There were none from the Licensing Officer.

The Chair of the Sub-Committee asked the applicant to confirm the size of the trailer to which he replied between 10 and 12 foot.

Members of the Sub-Committee queried as to whether the trailer was to be left in the car park overnight and stored there or would it be stored offsite. It was confirmed the trailer was to be stored offsite and would be removed each evening. Members heard that the applicant was to apply for planning permission of the car park in order to leave the trailer overnight. He continued to explain that CCTV was to be put in place in order to keep the car park safe. It was also stated they would be the only food outlet in the area, so the smell of food would not be solely from them.

The Residents' Representative enquired as the application stated an 11pm close time, would they be closing at 11pm, if there were still people to be served would they serve them. She further questioned as to when the trailer would be cleaned and whether it would be on or off site, as this would add to the noise nuisance.

The applicant advised they would stop serving food and taking orders half an hour before the closing time, therefore they would aim to have left the site by 11pm.

It was sought as to how the car park would be locked every evening, as the person who owned the car park, shop closed at 7pm and he had already stated he would not be locking the car park.

The applicant responded that the car park would be left secure, he would be seeking to get the spare key to lock or if he needed, could purchase a new lock. He assured residents that as he would be the last person on site that he would be locking the car park personally.

Following questions the Chair moved on to closing summaries.

The Licensing Officer provided a short summary to the Sub-Committee. She remarked that Members of the Sub-Committee had read the report and heard submissions from all parties, including the applicant; it was therefore their decision to decide whether the Street Trading Consent should be granted or refused.

Ms Webster as given the opportunity to summarise the case on behalf of the residents during which she stated that by granting the application would cause an increase in antisocial behaviour in the area, not to mention an increase in rubbish and litter along the High Street as not everyone used the bins provided.

She further stated that the residents at New Maltings deserved to be able to sleep at night and not have their evenings disturbed.

The applicant was asked to present a summary of their case to Members; his representative stated they appreciated resident's feedback, however they just wanted to make a living.

She continued to further commented, the applicant would keep on top of the noise and pollution aiming to keep both to a minimum and once a key was sought, the car park would be cleaned and locked each evening.

It was stated they hoped they could work together with residents in the future.

The Chair asked if there were any further questions, there were none.

However the Chair allowed one of the residents to speak, in doing he said there were no objections to people making a living, but there were at least five empty shops on the High Street that could be used.

The Sub-Committee adjourned at 7.38pm for deliberations and were accompanied by the Legal Advisor and the Democratic Services Officer.

The meeting reconvened at 8.03pm

#### **RESOLVED:**

**That the Sub-Committee agreed to grant the application on a quarterly basis with the consent being limited until 10:30pm**

**The meeting finished at 8.10 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

**Any queries regarding these Minutes, please contact  
Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**

## THURROCK COUNCIL STREET TRADING POLICY

Local Authorities (LAs) have a legal discretion to regulate street trading in their administrative area.

### **Purpose of the policy**

This policy is to control street trading across the borough of Thurrock by means of a Street Trading Consent Scheme, whereby specific streets are prohibited from street trading at any time and the remaining streets are Consent Streets. Trading from Consent Streets is also prohibited unless the trader has applied for and received a written Consent to Trade from Thurrock Council. Any such Street Trading Consent will contain restrictions on the location and permitted times for trading, type of goods sold and contain clear rules which must be adhered to in order for the trader to obtain and retain the Street Trading Consent. The conditions are to protect public health and reduce nuisance to neighbouring properties and are clearly laid down in the Application and Guidance Pack given to applicants and attached to any Street Trading Consent given.

### **Definitions**

“**Street Trading**” is defined in paragraph 1 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 – hereinafter called “the Act” – as

“the selling or exposing or offering for sale of any article (including a living thing) in a street”.

**Street** The above Act defines the term “street” as including:

“any road, footway, beach or other area to which the public have access without payment”; and a service area as defined in section 329 of the Highways Act 1980”.

Any part of a street is a “street” for the purposes of the Act.

### **Exemptions:**

The Act at paragraph 1(2) of Schedule 4 states that the following types of trade are not street trading:

1. a pedlar trading under the authority of a pedlar’s certificate granted under the Pedlar’s Act 1871;
2. anything done in a market or fair, the right to hold which was acquired by virtue of a grant, enactment or order;
3. trading in a trunk road picnic area provided by the Secretary of State under section 112 of the Highways Act 1980;
4. trading as a news vendor;
5. trading carried out at premises used as a petrol filling station or used as a shop or in a street adjoining premises so used and as part of the business of that shop;
6. selling things or offering or exposing them for sale as a roundsman.

## **Prohibited Streets**

See Appendix 1 for the list of Prohibited Streets in Thurrock. It is a criminal offence for any person to engage in street trading in that street. Streets will be designated as prohibited where it is anticipated that such trading would cause:

- noise or nuisance to residents living in the locality,
- would reduce public safety to persons crossing or using the street or to road users.

## **Consent Streets**

If a street is designated as a “Consent Street” then street trading without a consent is a criminal offence under The Local Government (Miscellaneous Provisions) Act 1982.

When granting or renewing a consent, the council may attach any reasonable condition; furthermore the council can, at any time, vary the conditions attached to the consent. Any such variations will be notified in writing to the named person in receipt of the Consent to Trade and will take effect immediately or on the date of the notification letter.

There is no right of appeal against any council decision made in regard of a street trading consent. The consent cannot be granted for a period of time exceeding twelve months and can be revoked at any time.

## **Considerations when assessing an application for a Street Trading Consent**

Public safety – the proposed location of the activity should not present a risk to the public in terms of highway safety and obstruction. Where any proposed trading is within 50 metres of a school entrance, the council will seek the views of the school.

Prevention of crime and disorder – The proposed activity should not present a risk to public order. This is likely to be more of an issue in respect of applicants wishing to trade at later hours.

Prevention of public nuisance – Consideration will be given to measures taken to reduce the risk of nuisance from noise, refuse, vermin, fumes and odours.

Suitability of the trading unit – This should be of a good quality design, safe construction and add to the quality of the street scene. The unit shall comply in all respects with any legal requirement relating to the trading activity proposed and in particular with the following legislation and any consequent amendments:

- The Food Safety Act 1990
- The Food Hygiene (England) Regulations 2006
- Food safety requirements made under the European Communities Act 1972
- Health and Safety at Work etc. Act 1974 and any regulations made under it.
- Environmental Protection Act 1990
- Licensing Act 2003.

Suitability of the applicant – Previous failures, without reasonable excuse, to comply with the above legislation, failure or neglect in paying Consent to Trade fees may result in a Consent being refused, revoked or not renewed.

### Number of Street Trading Consents

Consents may not be issued where Thurrock Council considers that sufficient traders already exist in that locality and that additional traders may cause risks to public safety or nuisance to the occupants of neighbouring properties.

### **Duration of Consents and fees**

Street Trading Consents will normally be issued for one of the following periods:

1. Daily
2. Quarterly
3. Annually

A Street Trading Consent cannot be issued for more than one year. Street Trading Consents issued for new sites (i.e. sites where Street Trading has not occurred in at least the previous 12 months) will only be issued for an initial 3 month period. If no significant objections relating to public safety or nuisance, have been raised by the police, Highways department or relevant authorised officer of Thurrock Council during the 3 month period, the Consent can be extended to a maximum of one year from the date of first issue.

All fees must be paid in advance.

If a Consent is surrendered by the Consent Holder, the unused portion of the fee will be refunded from the date that the Consent to Trade is surrendered and the Trading Plates are returned to the Licensing Team.

If the site used by the Mobile Trader requires cleaning or refuse removed due to the business of that Consent Holder, then the Council will charge the appropriate hourly rate for that service, plus the cost for taking the refuse to an authorised waste disposal site. This will be in addition to the standard charges for the Consent to Trade.

Failure to maintain payments may result in the Consent being revoked and will result in the Consent not being renewed.

**Conditions and enforcement** – Standard conditions (attached at appendix 2) will be attached to every Consent, detailing the holder's responsibility to maintain public safety, prevent nuisance and preserve the amenity of the locality. Additional conditions may also be attached limiting the days and hours when street trading is permitted, the goods which may be sold, the size of the trading unit or pitch or any other relevant matter. Failure to comply with these conditions may lead to revocation or non-renewal of the consent.

The following are offences under the above Local Government (Miscellaneous Provisions) Act 1982 and will be considered for prosecution:

1. Street trading in a prohibited street,
2. Street trading in a Consent street without a relevant Consent to Trade,
3. Street trading with a Consent to Trade, but not complying with the times or location stated within the Consent to Trade.

All decisions regarding enforcement action will be made in accordance with the Public Protection Department Enforcement Policy and the Enforcement Concordat adopted by Thurrock Council.

## **PROHIBITED STREETS**

### **STREETS PROHIBITED BY THURROCK COUNCIL**

- South Road, South Ockendon,
- Romford Road, Aveley,
- Lodge Lane, Grays,
- Stanford Road between the A128 and London Road, Stanford le Hope,
- A1306 westwards from the A1012,
- B1335 Stifford Road, South Ockendon,
- East Tilbury Road, Linford.

### **STREETS PROHIBITED (AND ENFORCED) BY THE HIGHWAYS AGENCY**

- A13 between Wennington (A1306) and the A1089 junction at Baker Street)
- A13 link roads between A282/M25 junctions 30 and 31 and A282 Canterbury Way ) Highways Agency roads and they do not allow roadside trading on their roads.
- A1089 between the A13 junction and the London Tilbury Cruise Terminal

Appendix 2.

## **GENERAL CONDITIONS FOR STREET TRADING CONSENTS**

The Council will not grant a Street Trading Consent to persons under the age of 17 years and no person employed by a Consent Holder to assist him/her in the street trading shall be under the age of 16 years.

**The consent granted is specific to the person it is issued to and is non-transferable.**

No trading stall, vehicle etc. is permitted to remain at the locality in question outside the permitted hours. It must be removed at the end of each trading day and not returned until the agreed trading commencement hours the following day.

### **Planning Permission**

The land from which you intend to trade may require planning permission for such use. It is your responsibility to check with the Council's planning department prior to applying for a Consent.

### **Location of static trading units**

Static units (Class A) must not trade from any area other than the site defined in their Consent to Trade. If the Consent Holder wishes to move the trading unit to another site he/she must apply for a new Consent to Trade.

### **Trading site**

Trading at the site defined in the Consent to Trade must not cause any risk to public safety and must comply with the conditions detailed in the section of the Application and Guidance pack called "Site Assessment".

### **Goods sold from the trading vehicle**

The Consent Holder can only sell goods identified in the Consent to Trade. If he/she wishes to sell different or additional goods, he/she must apply for a new Consent to Trade.

### **Trading Times**

The Consent Holder shall not trade within the borough of Thurrock outside the time and days permitted by the Consent.

### **Legal requirements of the trading unit**

The mobile vehicle, stall, barrow etc. must at all times comply with the requirements of the Food Safety Act 1990, Food Hygiene (England) Regulations 2006 and the Health and Safety at Work etc. Act 1974 and any other relevant public safety legislation. For further information, please read the "Mobile Food Traders" leaflet attached as appendix 4.

## **Sanitary Provision**

The Consent Holder when operating on a static site shall have access to suitable and sufficient sanitary (toilet) facilities for both the Consent Holder, and any persons employed in the street trading activity. If you are intending to use sanitary facilities belonging to a local business or domestic residence, you must provide written confirmation of that permission with your application form. The sanitary accommodation arrangements will be inspected by Thurrock Council.

## **Private and Thurrock Council land**

You must provide written confirmation of permission obtained from Thurrock Council's Lands department or the private land owner for the land where the stall/vehicle is to trade from and be stored when not trading.

Possession of a street trading consent does not, in any way, override parking restrictions or other traffic regulations for either the Consent Holder or his customers.

## **Change of home address**

The consent holder must inform the Council of a change in his/her home address during the period of the consent within seven days of such a change taking place.

## **Trading Unit Identification Plates**

All vehicles, stalls, carts or other devices used for street trading will be required whilst trading to display a trading unit identification plate. The plate is issued by the Council and remains the Council's property throughout the duration of the Consent. The plate should be displayed in a prominent position on the trading unit, so that it is clearly visible to members of the public using the trading unit.

The trading unit identification plate must be returned to the Council if the Consent Holder ceases to trade and surrenders his/her Consent.

## **Condition of the stall/vehicle**

The Consent Holder must ensure that the appearance of the stall/vehicle is of a high standard and the structure and procedures comply with all relevant legal requirements, in particular the Food Safety Act 1990, the Health and Safety at Work etc. Act 1974, the Food Hygiene (England) Regulations 2006, the Environmental Protection Act 1990 and associated regulations.

The Consent Holder shall not place on the street or in a public place any furniture or equipment other than as permitted by the Consent and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises.

## **Behaviour**

The consent holder shall at all times be clean and respectable in his dress and person and behave in a civil, orderly and courteous manner.

Trading shall not take place in such a manner as to cause nuisance or annoyance to persons whether using the street or otherwise.

## **Ice Cream Van Chimes**

The Consent Holder must comply with the provisions of the Code of Practice on Noise from Ice Cream Van Chimes etc. 1982, that is: it is an **offence** to sound the chimes so as to cause annoyance. Do NOT sound the chimes:

1. For longer than 4 seconds at a time – use an automatic cut out device.
2. More often than once every 3 minutes.
3. When the vehicle is stationary,
4. Except on approach to a selling point,
5. When in sight of another ice-cream van which is trading,
6. When within 50 metres of schools (during school hours), hospitals and places of worship (on Sundays and any other recognised days of worship),
7. More often than once every 2 hours in the same street,
8. Louder than 80 dB(A) at 7.5 metres distance from the vehicle,
9. As loudly in quiet areas or narrow streets as elsewhere.

It is also an Offence under the Control of Pollution Act 1974 to sound chimes:

1. Before 12 noon and after 1900 hours,
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The consent holder shall in no circumstances, deposit litter, rubbish or refuse in the street, but shall at all relevant times provide adequate and proper containers for the disposal of such refuse from his vehicle and customers and shall encourage his customers to use those containers. The consent holder shall tidy up, clear up and clean up all refuse, litter etc. before leaving the locality and take the refuse and containers with him/her.

The Consent Holder must ensure that waste liquids arising at the stall are not disposed of into any highway channel, gully or manhole or in any other manner likely to cause pollution of any surface water channel.

All refuse generated by the business must be taken to a licensed waste disposal site. Consent Holders must identify their method of waste disposal at the time of application and keep records of their waste arrangements, which must be made readily available to authorised officers from Thurrock Council on request.

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Consent Holders must allow access to Authorised Officers of the Council and Police Officers at all reasonable times.

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If a Consent Holder or his/her employee is requested to move the stall/vehicle by an authorised Council Officer, a Police Officer, an Officer of the Thurrock Fire or Ambulance Service, he/she shall immediately comply with that request.

The Council may vary the Conditions attached to the Consent at any time.

## **Price List**

All Consent Holders must clearly display a price list for the foods on offer for sale.

## **Insurance**

All Consent Holders shall have and maintain an insurance policy against public liability and third party risks. A minimum insurance cover of £2 million shall be obtained by the Consent Holder and shall cover the operator's vehicle or stall and any additional equipment under his control such as generators etc. If food is sold, the insurance shall specifically cover against food poisoning to the same amount. The insurance certificate or cover note shall be produced to the Licensing Team before the Street Trading Consent is issued and at any other time on demand during the currency of the Consent.

## **Renewal**

The consent holder must apply to the Council for a renewal at least 14 days prior to the date of the current consent's expiry. If an application for renewal is not received by the expiry date, the consent will lapse. It is a criminal offence to engage in street trading without holding a current consent.

Prospective applicants are most strongly advised to seek the necessary permissions, consents and, where appropriate, planning permissions before making a commitment to any financial outlay and before applying for the Street Trading Consent.

## DRAFT CONSENT CLASSES AND FEES PAYABLE

### Consent Class A

For vehicles, stalls, barrows etc. which trade from one place for more than one hour before moving on.

The Consent may be given for either daytime trading i.e. between the hours of 07:00 to 17:00 or evening trading i.e. 17:00 to 02:00.

If you wish to trade between 23.00-24.00, you will also need to apply for a late night refreshment Premise Licence. The cost for this is £100 in additional to the Consent to Trade fee and requires additional documentation and approval.

### Consent Class B

For mobile food vehicles, carts etc. which trade in any one place for no longer than one hour in each trading period.

Regardless of where street trading takes place, holders of Class B Consents are restricted to trading from any one place for a maximum of one hour. After sixty minutes have elapsed, street trading may not take place within 500 yards of the site mentioned above and the applicant may not return to a place from which he has previously traded until the following trading day.

## FEES

		<b>FEE/£</b>
CLASS A	Static vehicle operating more than 3 days per week Operating hours include any time between 17:00 and 07:00.	£2,600 p.a. + £100 if trading between 23:00 and 02:00
CLASS A	Static vehicle operating hours 1-3 days per week. Operating hours include any time between 17:00 and 07:00. (e.g. seafood stalls)	1,545 p.a.
CLASS A	Static vehicle 1-7 days per week. Operating hours between 07:00 – 17:00	1,545 p.a.
CLASS A	Daily rate for street trading	100 per day
CLASS B	Mobile vehicle remaining on any one site for less than 1 hour in any 24 hour period.	1,000 p.a.

### **Street Trading Consents for which fees are not payable.**

The following Street Trading activities have been deemed by Thurrock Council to **not** require the payment of fees to the Council:

1. Non-commercial car boot sales,
2. Farmers markets
3. Fetes, carnivals and similar community based and run events.
4. Sales of articles by residential occupiers within the curtilage of their properties, or on land contiguous with it.
5. Within the curtilage of Tilbury, South Ockendon and Grays markets controlled by the relevant market authority.

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