

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 **17 February 2021**

Due to government guidance on social-distancing and COVID-19 virus the Licensing Sub-Committee on 17 February 2021 will be held virtually online. Arrangements have been made for the press and public to watch the meeting live via the Council's online webcast channel at www.thurrock.gov.uk/webcast

Membership:

Councillors Qaisar Abbas (Chair), Ben Maney and Sue Shinnick

Agenda

Open to Public and Press

	Page
1. Apologies for Absence	
2. Items of Urgent Business	
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.	
3. Declarations of Interests	
4. New Application for a Street Trading Consent	5 - 50

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

Agenda published on: **9 February 2021**

This page is intentionally left blank

Information for members of the public and councillors

Access to Information and Meetings

Due to current government guidance on social-distancing and the COVID-19 virus, council meetings will not be open for members of the public to physically attend. Arrangements have been made for the press and public to watch council meetings live via the Council's online webcast channel: www.thurrock.gov.uk/webcast

Members of the public 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 will be live streamed and recorded with the video recording being published via the Council's online webcast channel: www.thurrock.gov.uk/webcast

If you have any queries regarding this, please contact Democratic Services at 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.

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

17 February 2021	ITEM: 4
Licensing Sub-Committee	
New Application for a Street Trading Consent	
Wards and communities affected: Chafford and North Stifford	Key Decision: Non-key
Report of: Elizabeth Cox, Licensing Officer	
Accountable Assistant Director: Leigh Nicholson, Assistant Director Planning, Transport and Public Protection	
Accountable Director: Andrew Millard, Director of Place	
This report is public	

Executive Summary

Mr Terence Hedges 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 Terence Hedges of Bonner Walk, Chafford Hundred, RM16 6PW submitted an application for a new Street Trading Consent on 17 December 2020. A copy of this application and supporting documents and photographs is attached at **Appendix 1**.
- 2.2 The application is for a converted London style taxi to sell speciality coffee and cold food Monday – Sunday 08:00 – 18:00, to be located on Highways land adjacent to All Saints Church, Drake Road, Chafford Hundred. A location map is attached at **Appendix 2**.

- 2.3 During the consultation period 15 representations were received against the application. Four representations were received in support of the application. Copies of these emails are attached at **Appendix 3**.
- 2.4 No representations were received from any other consultees, which included Highways, 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.

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: **Laura Last**
Senior Management Accountant

There are no financial implications associated with the report

7.2 Legal

Implications verified by: **Simon Scrowther**
Litigation Lawyer

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 Scanlon**
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 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.

Application details

Type of application	New
Applicant's full name	Terence Patrick Hedges
Applicant's permanent address	10 Bonner Walk, Chafford Hundred, Grays, Essex RM16 6PW
Phone number	07766334446
Email address	t.hedges@btinternet.com

Trading details

Site address for trading	Highway land adjacent all saints church, drake road, chafford hundred grays, essex
--------------------------	--

During which hours do you intend to trade on each day?	Monday 8am - 6pm	Tuesday 8am - 6pm
	Wednesday 8am - 6pm	Thursday 8am - 6pm
	Friday 8am - 6pm	
	Saturday 8am - 6pm	Sunday 8am - 6pm

Articles to be sold	Specialist coffee and cold foods
---------------------	----------------------------------

Vehicle details

Make and model London Taxi	London Black Taxi
----------------------------	-------------------

International, TXII	
Registration number LR06USP	
Will the vehicle be moved between trading periods?	No

Enclosed with this application

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

Photograph of the applicant	yes
Photograph of the vehicle	yes
Site location plan, for Category A traders only – see guidance notes	
Consent from the land owner - paperwork emailed to Paula	yes
Copy of the vehicle's current MOT certificate	yes
Copies of electrical and gas safety records, as applicable - as discussed with Paula Parrott	
Public liability insurance – see guidance notes - as discussed with Paula Parrott	
Correct fee, if paying by cheque – see guidance notes - telephone payment	yes

Guidance notes can be found at 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.

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	TERENCE PATRICK HEDGES
Date	16th December 2020

Form to be returned to:

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

MOT test certificate

① Vehicle identification number
SCRT3A6ME6C160619

② Registration number **LR06USP** ③ Country of registration
GB

Make and model
LONDON TAXIS INT TX II

⑤ Vehicle category
M1

④ Mileage
424,639 miles

Mileage history
413,116 miles 29.10.2019
401,107 miles 03.05.2019
385,459 miles 30.10.2018

Pass

⑥ Date of the test
17.08.2020

⑧ Expiry date
16.08.2021

To preserve the anniversary of the expiry date, the earliest you can present your vehicle for test is 17.07.2021.

③a Location of the test
UNIT 1, 280 OXLOW LANE, DAGENHAM, RM10 8LP

⑨ Testing organisation and inspector name
**V103583 A1 AUTOCENTRE LTD
T. Mitchell**

MOT test number
2251 6522 6869

Check that this document is genuine by visiting www.gov.uk/check-mot-history

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

Receive a free annual MOT reminder by subscribing at www.gov.uk/mot-reminder or by telephone on 0300 1239000.



Driver & Vehicle
Standards
Agency

Issuer signature

This page is intentionally left blank

Highways Response

To:- Development Management

From: Highways Development Control

This matter is being dealt with by: Neil Wakeling

Date: 9th November 2020

Application No. 20/00979/FUL

Address: Highway Land Adjacent All Saints Church, Drake Road,
Chafford Hundred, Grays, Essex,

Proposal: The placement of a mobile converted london taxi with the use
of a cold food and coffee business

RECOMMENDATION: No Objections

The applicant has submitted further evidence to show that this proposal will not cause an obstruction where it is located. Therefore, there are no objections from a road safety point of view. However, this is subject to statutory utilities being satisfied with its location and that it doesn't interfere with any of their assets.

Regards: Neil Wakeling
Date: 9 November 2020

This page is intentionally left blank



DELEGATED REPORT

Reference: 20/00979/FUL	Site: Highway Land Adjacent All Saints Church Drake Road Chafford Hundred Grays Essex
Ward: Chafford And North Stifford	Proposal: The placement of a mobile converted London taxi to be used as hot drinks and cold food business

Plan Number(s):		
Reference	Name	Received
1359 - 01	Existing Site Layout	29th September 2020
1359 - 02	Proposed Site Layout	29th September 2020

The application is also accompanied by: - Planning Statement	
Applicant: Mr Terence Hedges	Validated: 1 October 2020 Date of expiry: 17 December 2020 (Extension agreed with applicant)
Case Officer: Kasey-Rae Prince	

1.0 DESCRIPTION OF PROPOSAL

This application seeks the stationing of a converted London Taxi Cab during the daytime, to sell hot drinks, mainly coffee, and cold food.

2.0 SITE DESCRIPTION

The converted London Taxi Cab is to be stationed upon a triangular piece of hard landscaping that is located between the highway known as Drake Road and Warren Gorge Car Park. The area of land is separated from the car park by two trees, the site is located within a residential area which is also nearby commercial

facilities.

3.0 RELEVANT HISTORY

None relevant

4.0 CONSULTATIONS AND REPRESENTATIONS

Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: www.thurrock.gov.uk/planning

PUBLICITY:

This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. There have been 8 letters in support of the proposal and 4 who object. A summary of the objections received can be found below;

- The proposal is to be located upon a bend in the Highway, therefore creating a hazard to pedestrians and vehicles.
- The proposal may create a visual obstruction to cars exiting the car park
- The proposal may result in additional traffic
- There will be an increase in litter at the site
- There may be an increase in noise and smells at the site
- The proposal would have a negative impact upon the nearby Café which already provides a similar service
- Would create overlooking into nearby properties
- Out of character
- Would create additional pollution

HIGHWAYS:

No Objections subject to the use not interfering with the statutory utilities which might need to access the site.

ASSETS:

No Objections from Corporate Property as land is owned by Highways.

ENVIRONMENTAL HEALTH:

No Objections subject to owner registering the business with the Thurrock Council Food Team

5.0 POLICY CONTEXT

National Planning Policy Framework

The NPPF was published on 27 March 2012 and amended on 24 July 2018 and again on 19 February 2019. Paragraph 10 of the Framework sets out a presumption

in favour of sustainable development. Paragraph 2 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 11 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

2. Achieving sustainable development
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
11. Making effective use of land

Planning Policy Guidance

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Determining a planning application
- Ensuring the vitality of town centres
- Use of Planning Conditions

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

The Council adopted the "Core Strategy and Policies for the Management of Development Plan Document" in (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

Thematic Policies:

- CSTP22 - Thurrock Design
- CSTP23 - Thurrock Character and Distinctiveness

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)

- PMD2 (Design and Layout)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)

Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

6.0 ASSESSMENT

Principle of Development

The application seeks permission for the use of land for the siting of a converted London Taxi Cab, to provide hot drinks and cold food. The scale of the proposal would not conflict with the objectives of the predominantly residential area which has some local amenities in the close vicinity. The proposal would not be objectionable in principle subject to compliance with Development Management Policies.

Design and amenity

The application site would introduce a converted London Taxi Cab to be stationed on a currently vacant piece of hard landscaping adjacent to Drake Road; the Taxi would be present during the hours of 08:00 to 18:00 Mondays to Sundays. Whilst the Taxi would internally be converted, it would retain the overall appearance of a Taxi Cab.

Located both adjacent and opposite on the other side of Drake Road are two parking areas to facilitate the parade of shops and surrounding amenities. Whilst the use of a converted taxi may appear somewhat out of character, given its high visibility, and it would appear somewhat isolated upon the piece of land, the scale and mobile nature of the facility would be such that the proposals would not appear significantly out of character or represent an overly dominant feature given its surrounding context.

Given the location of the proposal, such that it would be relatively sited away from any surrounding properties or buildings and on the basis of the responses from

consultees, it is considered that there would be no detrimental impacts to neighbouring properties and buildings in accordance with policy PMD1. Nonetheless, it is recommended that a condition be imposed in relation to opening hours to prevent any harm from arising.

Parking and highways issues

The Corporate property team was contacted in relation to the proposal, given that the Taxi is to be sited upon Highways owned land. The Council's Highways team were formally served noticed in regards to the proposal. No objections were received.

The land in which the Taxi Cab is to be stationed is located within close proximity to a bend in Drake Road, there were concerns that the proposal could result in an obstruction in visibility, customers parking may obstruct the bend and that the area of hardstanding may not be accessible. Information has been provided addressing these concerns, as a result the council's Highways officer raised no objections to the proposal and does not consider there would be any adverse impact on the free flow of traffic and pedestrian movements in and around the site. This is due to the fact the Taxi Cab would be well set back from the Highway, in regards to customer parking there is various parking areas within close proximity to the site which would provide adequate off street parking. An existing dropped kerb is to be used in order to provide access. The application is therefore considered to comply with Policies PMD8 and PMD9.

Noise, Air Quality and Litter

The Council's Environmental Health Officer has advised that the applicant to contact the Council's Food Team for advice and register as a food handler. The applicant has indicated that there would be no hot food prepared or sold, hot drinks are to be prepared at the site, and as such no extraction details were required. It was also indicated by the applicant, that once stationed at the site, the vehicle engine will be switched off, as such no additional pollution will be created than that of other vehicles using the nearby car park. The cold foods sold would be predominantly incidental to the main use of the vehicle for the sale of hot drinks, mainly coffee.

It is acknowledged that the proposal would generate waste, therefore there are concerns in regards to litter at the site. However, the applicant has confirmed that they will maintain the surrounding area and that waste and litter will be disposed of correctly. Therefore, there is no objection regarding the proposal.

Other matters

The planning application does not include advert consent, as such the display of the sign is not considered with this application. If the applicant intends to display an advertisement that requires consent, they would have to apply for separate advertisement consent.

It was also highlighted that the proposal, may result in a negative impact upon the nearby café given a similar service is to be provided. However, upon consideration the existing café provides hot food and indoor seating, therefore the service and use it provided differs significantly from the predominantly coffee provider proposed within this current application. On balance the proposal should not create a significantly

detrimental impact upon custom to the café and there would be no planning reason to refuse this application on the basis of competition.

7.0 RECOMMENDATION

Approve, subject to the following conditions:

TIME LIMIT

- 1 The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Act 2004.

PLANS

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):		
Reference	Name	Received
1359 - 01	Existing Site Layout	29th September 2020
1359 - 02	Proposed Site Layout	29th September 2020

Reason: For the avoidance of doubt and the interest of proper planning.

USE

- 3 The converted London Taxi Cab shall only be used for the purposes of selling hot drinks and incidental cold foods to take away only and for no other purposes.

Reason: In order to define the scope of the planning permission and in the interests of neighbour and local amenities and to ensure that the development remains integrated with it's immediate as required by policies PMD1, PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

HOURS OF OPERATION

- 4 The London Taxi Cab coffee facility shall only be open to customers during the following times 0800 hours and 1800 hours Mondays to Sundays. The converted London Taxi Cab shall be brought to the site no more than 30 minutes prior to these operating times, and shall remain on the site for no longer than 1 hour beyond its permitted operating times. Any times outside of these periods the converted London Taxi Cab shall not be parked or left on the application site.

Reason: In the interests of neighbour and visual amenities, and to ensure that the development remains integrated with its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Informatives:

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. The applicant's attention is drawn to the fact that no consideration, consent or permission has been granted for any advertisement, banners or lighting associated with the proposed use which may require separate permission or consent for the Local Planning Authority.
3. The applicant's attention is drawn to the response from the Environmental Health officer dated 18/11/202 which advised that the business should be registered with the Thurrock Council Food Team.
4. The applicant's attention is drawn to the Highways consultation responses dated 9/11/2020 which advised that whilst it has no objections to the proposed use, this is subject to statutory utilities being satisfied with its location and that it does not interfere with any of their assets.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.thurrock.gov.uk/planning

	Report Author	Checked	Sign off
Initials	KPA	NJH	NJH
Date	15/12/2020	15.12.20	15.12.20

This page is intentionally left blank



TOWN AND COUNTRY PLANNING ACT 1990
(as amended) Town and Country Planning
(Development Management Procedure) (England) Order 2010

Applicant: Mr Terence Hedges
10 Bonner Walk
Chafford Hundred
Grays
RM166PW
United Kingdom

Application Ref: 20/00979/FUL
Date Accepted: 1st October 2020

Date of Decision: 15th December
2020

Grant of Full Planning Permission

Development at: Highway Land Adjacent All Saints Church Drake Road Chafford
Hundred Grays Essex

Proposal: The placement of a mobile converted London taxi to be used as hot drinks and cold food business

Planning permission is granted in accordance with the approved plans and specifications and subject to the condition(s) set out below:

TIME LIMIT

- 1 The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Act 2004.

PLANS

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):

Reference	Name	Received
1359 - 01	Existing Site Layout	29th September 2020
1359 - 02	Proposed Site Layout	29th September 2020

Reason: For the avoidance of doubt and the interest of proper planning.

USE

- 3 The converted London Taxi Cab shall only be used for the purposes of selling hot drinks and incidental cold foods to take away only and for no other purposes.

Reason: In order to define the scope of the planning permission and in the interests of neighbour and local amenities and to ensure that the development remains integrated with its immediate surroundings as required by policies PMD1, PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

HOURS OF OPERATION

- 4 The London Taxi Cab coffee facility shall only be open to customers during the following times 0800 hours and 1800 hours Mondays to Sundays. The converted London Taxi Cab shall be brought to the site no more than 30 minutes prior to these operating times, and shall remain on the site for no longer than 1 hour beyond its permitted operating times. Any times outside of these periods the converted London Taxi Cab shall not be parked or left on the application site.

Reason: In the interests of neighbour and visual amenities, and to ensure that the development remains integrated with its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Reasons for Granting Consent:

In granting consent the Council has taken into account all relevant planning considerations and matters arising from comments from statutory consultees and public representations.

Policies that were taken into consideration when determining this application:

CSTP22 - Thurrock Design
CSTP23 - Thurrock Character and Distinctiveness
PMD1 - Minimising Pollution and Impacts on Amenity
PMD2 - Design and Layout
PMD8 - Parking Standards
PMD9 - Road Network Hierarchy



Assistant Director Planning,
Transport And Public Protection

Date: 15th December 2020

Informative(s):-

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and

subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 2 The applicant's attention is drawn to the fact that no consideration, consent or permission has been granted for any advertisement, banners or lighting associated with the proposed use which may require separate permission or consent for the Local Planning Authority.
- 3 The applicant's attention is drawn to the response from the Environmental Health officer dated 18/11/202 which advised that the business should be registered with the Thurrock Council Food Team.
- 4 The applicant's attention is drawn to the Highways consultation responses dated 9/11/2020 which advised that whilst it has no objections to the proposed use, this is subject to statutory utilities being satisfied with its location and that it does not interfere with any of their assets.

Important Information

1. This notice relates only to the requirements for planning permission under the Town and Country Planning Act 1990 (as amended). You may require consent from other statutory regulators before commencing with this development. **In particular you may require permission under the Building regulations. You must therefore contact the Building Control Division at this Council as soon as possible**
2. The applicant is reminded that under the Wildlife and Countryside Act 1981 (section 1) it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. The RSPB publish a booklet "Wild Bird and the Law". English Nature also produce Guidance Notes relating to Local Planning and Wildlife Law – both of which are useful.

BUILDING CONTROL

You have been granted Planning permission for your project, but what next?

You may need to complete your project in line with the Building Regulations. Building control is the process which checks that this is carried out and that your finished project is safe, sound and energy efficient.

Who needs building control and why?

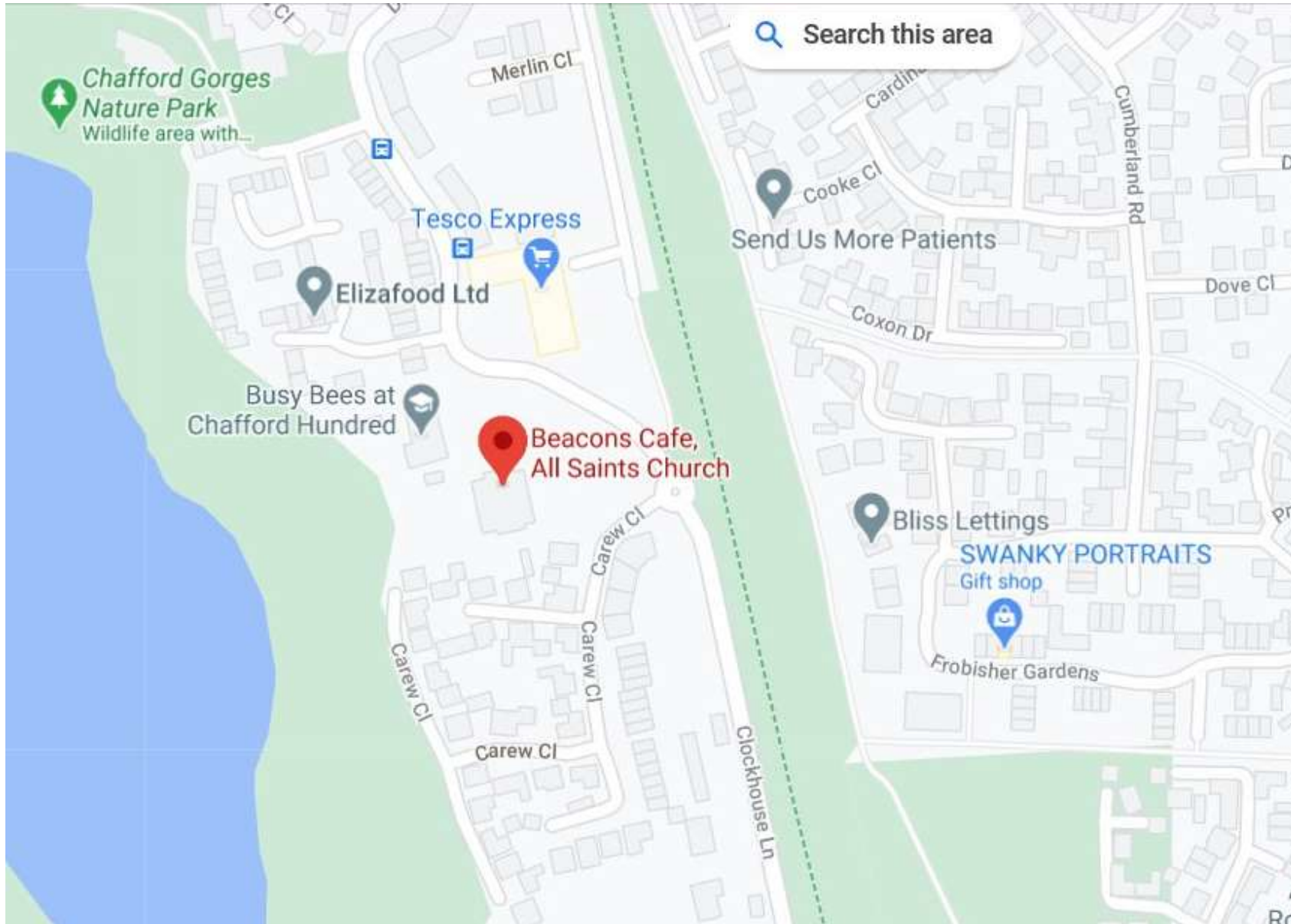
We will work with you to ensure you meet regulations and on completion of works, we will issue a completion certificate which you will need when you come to sell your home. If you are not sure if you need Building Regulations approval then please contact us on the details below.

Website: <https://www.thurrock.gov.uk/buildingcontrol>

E-mail: Building.control@Thurrock.gov.uk

Phone: 01375 652655

This page is intentionally left blank



This page is intentionally left blank

Chafford Hundred Street Trader Comments Received:

1	<p>Good Morning, Hope you have had a good Christmas and New years! I'm emailing my support for the business that is setting up adjacent All Saints Church. I feel this will be a handy edition to the businesses there, offering another service to a large community with limited outlets at alternative times. Also helping with extra employment opportunities for our community. I look forward to seeing it soon. Many thanks</p>
2	<p>As a resident of Cumberland Road Chafford hundred, with a young family who are now confined to our home...my sanity is to leave my home office for a daily walk.</p> <p>To be able to grab a coffee and a healthy snack, would immensely improve my mental health as I'm sure it would encourage others to do whom find themselves in my position, what a brilliant addition to the local area.</p> <p>Please approve this application.</p> <p>Regards</p>
3	<p>To whom it may concern In relation to the street trading application for trading by Highway Land Adj All Saints Church Chafford hundred I would like to say that this is a fabulous idea and much needed in Chafford hundred. Locally we are very limited for such choices and especially now with lockdown and getting the family out and about for walks along this route it will be a welcome incentive to get the kids active.</p>
4	<p>As a local business owner myself who has had years of feed back from my own clientele about a massive lack of amenities and choice on the Chafford hundred estate...Chafford hundred is very multicultural in terms of its community many of whom don't feel comfortable entering a church generally full of children for an adult coffee, so I think it's a great idea, there's a huge community on Chafford hundred and plenty of residents to serve both the cafe and takeaway coffee bar, completely different clientele Regards</p>

1	<p>To Whom may concern</p> <p>I would like to add some comments to the application: street trading on Drake Road, adj. All Saints' Church</p> <ul style="list-style-type: none"> • The proposed site is near a rather sharp bend on Drake Road and very close to the exit from the car park of the church. Any vehicles parked on the pavement restrict the view of the road and it can be dangerous. • When considering 'suitability of the trading unit' I cannot see how it 'adds quality to the street scene'.
---	--

	<ul style="list-style-type: none"> • In the immediate area of the proposed sight we have a similar small business(Angel café) that provides takeaways and this might have a negative impact on their business. • Drake Road is the main road through Chafford and I am surprised to see that it is not viewed as one of the prohibited(for trading) streets in Thurrock. • There is no pedestrian crossing to slow down traffic for safe crossing from the Armada car park. <p>Kind regards,</p>
2	<p>Further to a notice for 'Authorised Street Trading' at the Highway Land adjacent to All Saints Church. I would like send my objections for this trader (coffee van parking there).</p> <p>Firstly, they are in direct completion with the Angel Café – the only community hub on Chafford where people can meet for a coffee and a snack. The Angel Café is already struggling with the current Covid restrictions and this will surely take away business from them and then the café will close and there will be no community hub on Chafford which will be really disappointing.</p> <p>Secondly, it's difficult enough when exiting the car park to see traffic coming and I feel that it will be really dangerous and will cause a serious accident.</p> <p>Regards</p>
3	<p>I would like to say how disappointed I am that you are considering giving consent to a street trader on land adjacent to the Angel Cafe. This cafe is so important to the locals of Chafford Hundred, it is used by young Mums and their children, elderly friends who all meet up here as there is nothing else like it. I do hope you will look closely at your decision.</p>
4	<p>I am emailing in response to a 'street trader application' for a 8am-6pm 7 days a week coffee and snack van to be parked almost directly outside the Angel Café (the Beacon Centre) by the bench/rubbish bin. The Angel café is a great community hub, we don't have many places like this on Chafford, and this coffee van will really affect the trade that goes in to the Café. The Angel Café is already struggling with all the restrictions in place and if this trader is granted a licence the café could close for good, which is totally unfair. I'm all for a bit of healthy competition but putting the van right outside the café is just not on. Frankly, it's not needed there and I'm baffled as to why anyone would want to trade there when it's clearly in direct competition to the Angel Cafe. Being mobile I'm sure there are plenty of alternative pitches to apply for without trying to take the business from the owners of the much loved Café!</p> <p>Also, with the van parked by the bench (if that's the exact location), it will be very difficult when pulling out of the car park as the van will block the view of the traffic coming around the corner and potentially dangerous.</p> <p>I'm very surprised and disappointed that the council is even considering this application especially during these difficult times when an existing business is trying to stay afloat.</p> <p>I strongly object to this proposal and urge you to please reject the application.</p>

	Regards.
5	Please do not licence a van to sell drinks outside the Chafford church Angel cafe is the hub of Chafford and this will put them out of business
6	<p>Good Morning</p> <p>I'm writing to oppose the plan for a coffee/snack van to be parked in the car park outside the Beacon Centre on Drake Road Chafford Hundred Essex RM16 We currently have The Angel Cafe operating from there and this is a great place for our community to meet with friends etc for good food and a chat This place has struggled in the pandemic so to even think of letting a coffee van set up right outside is in my view a disgrace As you will be taking away a vital part of the community</p> <p>I am asking you to please DO NOT consider this coffee van we love our cafe</p> <p>Yours sincerely</p>
7	<p>Hi,</p> <p>I am concerned about an application a license to trade on the pavement adjacent All Saints Church. There is no parking for another coffee outlet. There is a cafe inside the church. And the parking belongs to the church. Where this is proposed, it causes a hazard. Because it is on an SBend, it will cause a visual hazard for traffic pulling in and out of the carpark. Also, for pedestrians. Even Highways objected for this reason. It is also the main road through Chafford. And by your own guide lines (eg. Lodge lane) you should not allow street trading. There is the issue of extra rubbish. Where is his rubbish disposal. He says he will dispose of it, but it is takeaway only. Also, toilets. There are no public facilities in the area.</p> <p>Thank you.</p>
8	<p>I understand that there is a 'street trader application' for a coffee and snack van to be parked outside the Angel Cafe, Chafford Hundred, beside the bench/rubbish bin. If I had been asked to suggest the most inappropriate location for a coffee and snack van to be sited I can honestly say that outside The Angel Cafe would head the list. I can't even begin to comprehend why you would even consider granting a licence for a coffee and snack van when The Angel and Tesco * opposite are already providing this. This would definitely be overkill in such a small area and not really beneficial to either party.</p> <p>The Angel is the very hub of the Chafford community and is the only sit-down café we have in this area. It provides such a very worthwhile service for people to meet and chat or hold meetings etc., which is vital in these harrowing times we find ourselves in. It is an actual life line for many vulnerable and lonely people in our community.</p>

	<p>Litter: Already there is a major problem with litter in Chafford. A coffee and snack van, despite all efforts, has a proven history of increasing the amount of litter in their vicinity. Cuts dictate that the litter will not be collected.</p> <p>Hours: the application is for a 10-hour opening. This is an open invitation for noise, mass gatherings and all that go with them.</p> <p>Traffic and Parking Nuisance: the increase in traffic simply cannot be visualised, with the area quickly becoming a magnet for commercial drivers - particularly with free parking! Car parking will be for eaters, not for residents. The car parking is vital for visitors to the existing Café, shops, Pharmacy, hairdressers, Vets etc. It will be a magnet for cars to stop and create traffic jam at the busiest of times when people are dropping kids off at the nursery school beside the cafe. Another major concern of mine is that with the van parked by the bench, it will be very difficult to see oncoming traffic when pulling out of the car park as the van will block the view of the traffic coming around the corner and will potentially be very dangerous.</p> <p>Public Order: Chafford already has a bad reputation for drug-dealing, nitrogen oxygen sniffing, car chasing etc. I feel having a van parked there will also encourage 'kids' to 'hang' around it causing trouble which will result in fights, even more rubbish and will only increase the numbers of such incidents.</p> <p>Due to the pandemic, I understand The Angel Cafe like most hospitality venues are already struggling and if this trader is granted a licence the Cafe could close for good, which would be really sad and a huge loss to our community. I fully support a bit of healthy competition but putting the van right outside the café is just not fair when there are plenty of other places in Chafford he could put it!</p> <p>I would also like to point out that the Angel Café is the only place that allows you to take your dogs inside. I feel that being able to do this provides such a valuable contribution to the community as a whole. For so many people living alone with a dog being able to take them there to meet people for a coffee and a chat is vital to their mental health. Many people, particularly the elderly do not like to leave their dogs alone at all. As The Angel is situated right beside the Gorge where people walk their dogs it also provides the perfect service for them to come to and enjoy a nice drink & snack after a long walk.</p> <p>I firmly believe that the granting of such a licence would be so damaging to their business that they would have to shut down. Please don't allow this to happen. It would be as harmful to the Chafford community as The Angel Café as it is a refuge for so many people. In conclusion I therefore object in the strongest possible terms to this application for a coffee and snack van outlet of any type to be licensed.</p>
11	<p>Dear Sir/Madam</p> <p>I think it's unacceptable that a coffee van is going to be placed by the Chafford Hundred Church where the Angel Cafe is.</p> <p>Lots of local and not so local residents use this cafe.</p>

	<p>They are struggling at the moment because of Covid restrictions.</p> <p>They are very friendly, offer lovely cream tea, cakes, baguettes and toasties. Plus drinks.</p> <p>I am absolutely dumbfounded that you would grant a license right outside the cafe-madness!</p> <p>Surely the station would be a better situation.</p>
12	<p>Hi</p> <p>I am emailing to apose a coffee stall at the above area. We have a community cafe in the church which is a lovely place where lots of my friends and I meet up. If this gentleman wishes to have a stall would it not be better outside the station. The angel cafe is a lovely community area where people can meet up.</p> <p>Also where it is proposed would cause a restriction on driving out of the car parks.</p>
13	<p>Dear Sir/Madam</p> <p>I am writing to oppose the issue of a licence to the coffee/ snack van which is to be situated near to the Angel Cafe. I am not against the van but against where it will be situated. It will take a lot of trade away from the cafe which provides an important social meeting place for the community. I feel it would be more beneficial to have the van positioned near the station where it would benefit from the passing trade.</p> <p>Yours faithfully</p>
14	<p>I notice that an application has been made for a street trader to be situated in front of The Angel Cafe, at the Beacon Centre, Chafford 100. Unfortunately I don't think that this location is suitable as there is already a good value for money, cafe that offers a great service, especially during this pandemic. The proprietor has adhered to strict COVID-19 guidelines, with 'track and trace,' in place, allotted seating areas, multiple hand sanitizers, one entry system etc., along with a good quality service serving excellent food. I think this business would be greatly affected. Surely the trader would benefit from having his van nearer to the train station and Lakeside Shopping Centre, where the footfall, would be much higher. It's a shame that a good business, providing an excellent service, situated as part of the community hub, may suffer, due to a bad decision. Also drivers may have difficulty in driving in the car park, as vision is greatly affected.</p> <p>Please take my concerns into consideration, when reviewing this application.</p> <p>Regards</p>
15	<p>TO WHOM IT MAY CONCERN</p> <p>Dear Sir or Madam,</p> <p>We are writing to strongly object to the above application, which I understand to be a coffee/snack van. My reasons are as follows :-</p> <ol style="list-style-type: none"> 1. There is already a cafe in All Saints Church who also offer a take away option. The cafe is a great community hub and If this were to go ahead it would seriously affect the Angel Cafe trade who are already struggling with the current restrictions due to Corona virus. It is good to have competition but surely not right on their doorstep. 2. There is a Costa coffee machine inside Tesco at the Armada Centre.

3. If the van is parked by the bench it will obstruct the view of cars coming round the corner and could well cause an accident. It would also be very difficult when pulling out of the car park as the van could well block the view of the traffic coming round the corner.

4. We already have an issue with litter in the are and this I feel would exacerbate the situation.

5. There is currently insufficient parking spaces in this area and this would undoubtedly make matters worse.

Yours faithfully

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,
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

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/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

		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.

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.

This page is intentionally left blank