

STREET TRADING CONSENT

Consent No: 123

Under the Local Government (Miscellaneous Provisions) Act 1982,

Thurrock Council grants consent to:

John Bonar

Of



For street trading at:

Aveley, Purfleet, South Ockendon (two rounds)

For the following days and times:

Monday	10:00 - 19:00
Tuesday	10:00 - 19:00
Wednesday	10:00 - 19:00
Thursday	10:00 - 19:00
Friday	10:00 - 19:00
Saturday	10:00 - 19:00
Sunday	10:00 - 19:00

For the following articles to be sold:

Ice Creams, Lollies and Soft Drinks

From the following vehicle/unit:

Reg : FC16 DDK or JB10 LLY or 10LLY or 99 JOB or 99 WPY or PWH 11P or PWH 1P

Licence Expiry Date: 25th May 2023

Subject to the conditions attached.

Authorised Officer
For and on behalf of Thurrock Council

Date of issue: 29th June 2022

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.

This consent is for a Mobile vehicle that must not remain on any one site for less than one hour in any 24-hour period.

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.

Trading site and public safety

Trading at the site defined in the Consent to Trade must not cause any risk to public safety. This will include the safety of road users and pedestrians.

The vehicle, equipment and activities associated with the trading mobile vehicle/stall/barrow must not cause a statutory nuisance to residents or businesses from noise, odour or fumes, including noise from customers on or leaving the site, noise of generators, motors etc.

Traffic orders such as waiting restrictions must at all times be complied with. The fact that the trading vehicle has been given permission to trade from a specific site does not give staff or customers permission to park or use the road in breach of any waiting or traffic restrictions. If you have chosen a site close to double yellow lines, you, your staff and customers will need to park their vehicles legally elsewhere and walk to your Consent vehicle.

Possession of a street trading consent does not, in any way, override parking restrictions or other traffic regulations.

If new traffic restrictions are applied to your trading site, during the period of your Street Trading Consent, you will be given prior notice when possible. Traffic restrictions will always take precedence over your Street Trading Consent. If new traffic restrictions (such as waiting/parking limits) are introduced, you may apply to the Public Protection Department to have your Trading Consent transferred to a new site.

If road works or other repairs are needed to the site where you are trading, you may apply for permission to move to another specified site for the time period that the repairs/works are being carried out.

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.

Please note that the hours permitted in the Street Trading Consent over-ride the hours given in any Late-Night Refreshment Licence. You must only trade within the times permitted in your Street Trading Consent.

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 landowner for the land where the stall/vehicle is to trade from and be stored when not trading.

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.

Change of vehicle

The consent holder must inform the council of a change of vehicle during the period of the consent and apply for a transfer of the consent to the new vehicle.

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 has the Consent removed or otherwise ceases to trade in Thurrock.

If the trading unit identification plate has been issued that covers more than one vehicle, the plate must be displayed in the vehicle that is being used at that time under the authority of this consent and no other vehicle shall be used at the same time under this authority.

Failure to display the trading unit identification plate may result in the revocation of this consent for that reason alone.

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.

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 new annual Consent at least 14 days prior to the date of the current consent's expiry. If an application for a new Consent 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.

The Consent may not be renewed for the following reasons:

1. There is an outstanding unpaid Street Trading Consent invoice at the time of application for a renewal.
2. The Consent Holder has sold products other than those detailed in the current Consent.

3. The Consent Holder has traded outside the hours specified in the current Consent.
4. The Consent Holder has traded in a vehicle not identified in the current Consent.
5. The behaviour of the Consent Holder or a member of his staff has not complied with the standards of behaviour specified in the Consent conditions.
6. The vehicle has not been made available for inspection for food safety and/or health and safety during the period of the current Consent.
7. The standard/s of food safety and health and safety in the vehicle have not complied with the Food Hygiene (England) Regulations 2006 and/or the Health and Safety at Work (etc) Act 1974
8. The trading location has not complied with parking restrictions or other traffic regulations.
9. The Consent Holder has on application or during the period of the Consent, made a false statement which he knows to be false in any material respect or which he believes to be untrue.

If the following has occurred during the course of the current consent, a new Consent may be refused, but the Consent Holder will be permitted to make an application for a new site:

1. Traffic restrictions for the Consent site changed during the period of the consent.
2. Customers to the vehicle have caused a nuisance or risk to public safety.
3. Trading at the current site has caused a nuisance or risk to public safety, which was not due to the behaviour or actions of the Consent Holder.
4. Planning permission is necessary for the current trading site but is not agreed by the Planning department.

General

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.

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