

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 **7.00pm** on **18 October 2023**

**Council Chamber, Civic Offices 3, New Road, Grays, Essex, RM17 6SL.**

### Membership:

Councillors Aaron Green, Cathy Kent and Graham Snell

### 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>	
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### 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: **10 October 2023**

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# 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>18 October 2023</b>	<b>ITEM: 4</b>
<b>Licensing Sub-Committee</b>	
<b>Determination of an application for a new Premises Licence</b>	
<b>Wards and communities affected:</b> Tilbury Riverside	<b>Key Decision:</b> Non-key
<b>Report of:</b> Elizabeth Cox, Licensing Officer	
<b>Accountable Assistance Director:</b> Michael Dineen, Assistant Director for Investigation, Enforcement and Community Protection & Safety (Incl. Emergency Planning and Resilience)	
<b>Accountable Director:</b> Claire Demmel, Interim Director of Public Realm	
<b>This report is public</b>	

## Executive Summary

An application has been received for a new premises licence 38 Dunlop Road, Tilbury, Essex, RM18 7BE. A Representation have been received from one local resident.

### 1. Recommendation(s)

#### 1.1 That the Sub-Committee

**a) Considers this report and appendices together with any oral submissions at the hearing and determines the application to grant the premises licence in line with the options open to the committee under the Licensing Act 2003.**

### 2. Introduction and Background

2.1 On 5 September 2023, an application for a new premises licence for 38 Dunlop Road, Tilbury, RM18 7BE was submitted by Rinku Ghai of 36 Minet Drive, Hayes, UB3 3JN.

2.2 The application is to authorise the supply of Alcohol for consumption off the premises Monday – Sunday 8am – 11pm. A copy of the full application and associated documentation is attached as **Appendix 1**. A location map is attached as **Appendix 2**

- 2.3 During the consultation period, a representation was received from one local resident. This is attached at **Appendix 3**.
- 2.4 Simon Barnes on behalf of Essex Police and Thurrock Council's Trading Standards Team both proposed conditions to the applicant which he agreed. The police conditions and acceptance are attached as **appendix 4** and Trading Standards as **appendix 5**.
- 2.5 Should the application be granted, the licence would be subject to the following conditions taken from the Police and Trading Standards proposals:
1. The premises shall have and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
    - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
    - b. CCTV shall cover all entrances, exits and the areas where alcohol sales take place;
    - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum term of 30 days;
    - d. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
  2. Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200mm x 148mm and clearly legible at all times when the premises conducts licensable activities.
  3. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name date of birth and either a holographic mark or ultraviolet feature) and is either a:
    - a. Proof of age card bearing the PASS hologram
    - b. Photocard driving licence;
    - c. Passport; or
    - d. Ministry of Defence identity card
  4. The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.
  5. A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and, in any event, within 4 hours of the refusal and the record must be made immediately available to police, Trading Standards or licensing authority staff upon reasonable request. The refusals record shall be

either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.

6. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.
7. Written training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months, or for the duration of a person's employment and at least six months after they leave employment and made immediately available to police, Trading Standards or licensing authority staff upon reasonable request. These should include signed and dated forms from employees that state they have received and understood the training.
8. No sale of alcohol will be made by any person who has not received training on age restricted products.
9. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence:
  - a. For a person under the age of 18 to buy or attempt to buy alcohol;
  - b. To buy or attempt to buy alcohol for a person under the age of 18
10. Where the till system allows, a system will be in operation on all electronic points of sale which prompts staff to verify the age of a purchaser when age restricted products are scanned. The Licence Holder will conduct checks at least once every six months to ensure the system is functioning properly and keep a record of these checks.

2.6 No representations were received from any other persons or Responsible Authorities.

2.7 Under the Licensing Act 2003 the licensing objectives are –

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

2.8 Any representation must relate to a particular premises and must be relevant to the promotion of one or more of the four licensing objectives.

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

3.1 The following options are available to the Licensing Sub-Committee:

- To grant the application as applied for;

- To grant the application subject to such conditions as are necessary and proportionate to promote the licensing objectives; or
  - To refuse the application.
- 3.2 In determining this application for a new premises licence, the Sub-Committee should have regard to the Council's Statement of Licensing Policy and to the guidance issued by the Secretary of State under s182 of the Licensing Act 2003.
- 3.3 Section 2 of the statutory guidance relates to the four licensing objectives and may be relevant to this application.
- 3.4 The Sub-Committee are advised that any individual, body or business is entitled to make representations to the licensing authority in relation to an application for the grant of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. The licensing authority, via the Sub-Committee, has a duty, in accordance with the rule of law, to behave fairly in the decision-making procedure. Representations from all parties both written and verbal will form part of matters that are to be considered. Findings on issues of fact should be on the balance of probability.
- 3.5 The Sub-Committee are advised that the final decision should be based on the individual merits of the application and findings of fact made at the hearing.
- 3.6 The application must be determined within 5 working days of the conclusion of the hearing, in accordance with paragraph 26 of the Licensing Act 2003 (Hearings) Regulations 2005.

#### **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 The application has been consulted on in accordance with the requirements in the Licensing Act 2003.

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

- 6.1 The Council has a duty under Section 17 of the Crime & Disorder Act 1998 to do all that it reasonably can to prevent:

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

In considering this duty the Sub-Committee should have due regard to the submissions made by the applicant and interested parties, the Licensing Act 2003, the Guidance issued by the Secretary of State under Section 182 of the Act and the Council's own Statement of Licensing Policy.

## **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**

Thurrock Council as Licensing Authority under the Licensing Act 2003 and subordinate legislation, is empowered to determine applications of this nature. Notice must be given of the Licensing Authority's decision on this matter. The decision could be subject to an appeal to a Magistrates Court, which can be instigated by either the applicant or the person who made the representation.

Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy.

Conditions attached to licences must be tailored to the individual type, location and characteristics of the premises concerned and be appropriate for the promotion of the licensing objectives in an individual case.

### **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 licensing objectives 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, ensure public safety, the prevention of public nuisance and the protection of children from harm. 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. Staff, Health Inequalities, Sustainability, Crime and Disorder and Impact on Looked After Children

The implications of Section 17 Crime and Disorder Act 1998 have been considered at 6.1 above.

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

- The Licensing Act 2003
- Guidance issued under Section 182 Licensing Act 2003
- Thurrock Council's Statement of Licensing Policy

**9. Appendices to the report:**

- Appendix 1/1a – Application form and accompanying documents
- Appendix 2 – Location map and photographs
- Appendix 3 – Representation from a local resident
- Appendix 4/4a – Agreed conditions from Essex Police
- Appendix 5 – Agreed conditions from Trading Standards

**Report Author:**

Elizabeth Cox, Licensing Officer



**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We RINKU GHAI

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
<u>DUNLOP ROAD STORES</u>			
<u>38 DUNLOP ROAD, TILBURY, RM18 7BE</u>			
<b>Post town</b>	<u>TILBURY</u>	<b>Postcode</b>	<u>RM18 7BE</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ <u>3650.00</u>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *                     | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *                |                                     |                             |
| i) as a limited company/limited liability partnership | <input type="checkbox"/>            | please complete section (B) |
| ii) as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii) as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
| iv) other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                                  | <input type="checkbox"/>            | please complete section (B) |

- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>GHAJ</b>			First names <b>RINKU</b>		
Date of birth	<b>[REDACTED]</b>	I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality <b>INDIAN</b>					
Current residential address if different from premises address		<b>36 MINET DRIVE, HAYES, ENGLAND UB3 3JN</b>			
Post town	<b>HAYES</b>			Postcode	<b>UB3 3JN</b>
Daytime contact telephone number		<b>[REDACTED]</b>			
E-mail address (optional)	<b>HNHGLOBALSTORES@GMAIL.COM</b>				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

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**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name
Address
Registered number (where applicable)



Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	09	2023

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Off licence & Convenience Stores.  
 Selling household items such as soft drinks, confectionery, alcohol, crisps, milk, bread, etc.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

f) recorded music (if ticking yes, fill in box F)

g) performances of dance (if ticking yes, fill in box G)

h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur					
			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					



**C**

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Tue					
			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)	
Mon				
Tue				
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)	
Thur				
Fri			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)	
Sat				
Sun				

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					



# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Tue					
			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					



J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00			
Fri	08.00	23.00			
Sat	08.00	23.00			
Sun	08.00	23.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	RINKU GHAI
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	LBHIL 4718
Issuing licensing authority (if known)	HILLINGDON COUNCIL



**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

**L**

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	8:00	23:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	8:00	23:00	
Wed	8:00	23:00	
Thur	8:00	23:00	
Fri	8:00	23:00	
Sat	8:00	23:00	
Sun	8:00	23:00	



## M

Describe the steps you intend to take to promote the four licensing objectives:

### a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The licensee will ensure that at all times, all licensable activities are adhered to by himself and trained staff. All staff will undertake training in relation to the sale of alcohol, mainly with regards to underage selling or drunkenness.

### b) The prevention of crime and disorder

- CCTV covering the whole shop premises. (incl. recordings).
- 30 Days of saved footage.
- Panic Button. (incl. alarm systems).
- providing clean quality CCTV footage.

### c) Public safety

- Appropriate fire safety in place incl. Fire Extinguishers, All fire exit signs, Smoke Detectors, LED lights for power saving, Emergency lights
- All Emergency exits should be free from obstructions at all times

### d) The prevention of public nuisance

- All the members of public & customers will be asked politely to leave with regards to the neighbours.
- A special attention will be paid to keep the premises clean & clear at all times.

### e) The protection of children from harm

- Refusal book will be kept at premises to keep a record of people attempting to make purchases.
- Training will be provided to employees to serve 25 Police i.e. serve only 25 above & challenge if in doubt.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**


**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her</li></ul>
--------------------	---



	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	26.08.2023
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

## Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and



(b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.
  15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

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9'5" x 10'1"

Hallway  
12'6" x 4'5"

WC  
5'11" x 5'2"

35'6" x 15'0"

THE PROPERTY PEOPLE  
GRIFFIN

Approximate total area<sup>(1)</sup>  
682.11 ft<sup>2</sup>

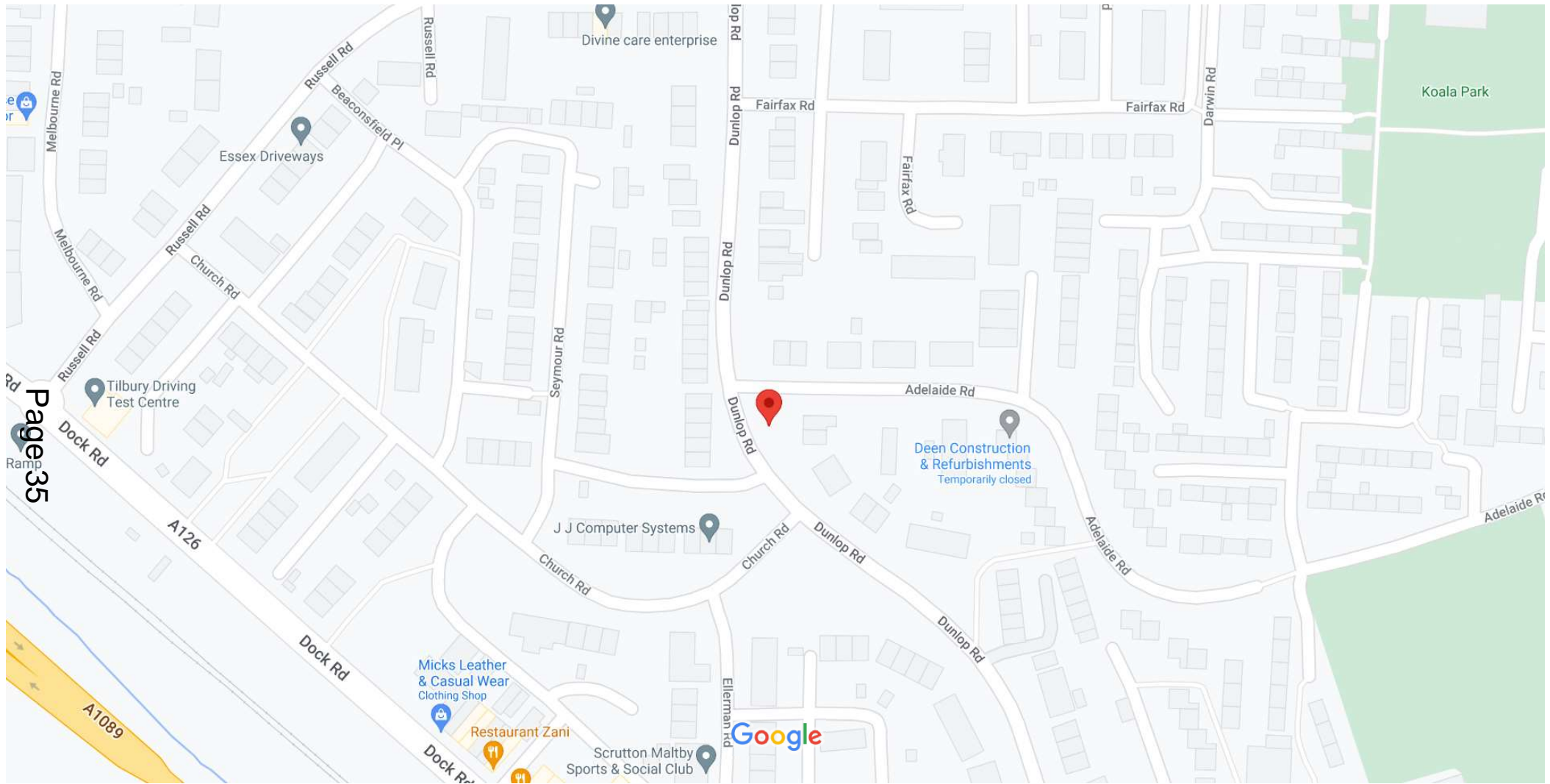
(1) Excluding balconies and terraces

While every attempt has been made to ensure accuracy, all measurements are approximate, not to scale. This floor plan is for illustrative purposes only.

GIRAFFE360

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[REDACTED]  
Tilbury

Essex

Rm18 [REDACTED]

8-9-2023

Dear Sir/Madam.

Re: Licensing Hours.

I am not against the sale of Alcohol on the premises of. Dunlop Stores 38, Dunlop Road.

I am ~~not~~ against it being sold upto the hours of 23.00hrs. Seven days a week.

I live [REDACTED] store and as a pensioner I do not wish to have the noise at this time of night with cars pulling up, banging of doors and drunks hanging about plus the mess of empty cans and bottles as the council has taken the bin away.

I believe there should be an

earlier time of stopping the sale of alcoholic drinks.

Please give this some consideration before granting the alcohol Licence  
Await your decision

Yours faithfully

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Licensing Authority  
Thurrock Council  
Civic Offices  
New Road  
Grays RM17 6SL

29<sup>th</sup> September 2023

### **Police Representation to an application for the grant of a premises licence**

On behalf of the Chief Officer of Police for the County of Essex and non-metropolitan districts of Southend-on-Sea and Thurrock I write to submit a representation in regard to an application for the granting of a new premises licence for a premises known as Dunlop Stores located at 38 on Dunlop Road in Tilbury.

The application seeks to create a licence on the site of a former store located at the same location that has been left vacant for a significant period of time, if granted it will allow the applicant to trade between 8am and 11pm all week. The applicant has supplied some conditions as part of their operating schedule in the application which have been considered in regard to the location of the premises, the type of operation being proposed and it is our position that if the application is granted in its current form there is a risk of the licensing objectives being undermined as the conditions given are not sufficiently detailed enough to enable enforcement.

Essex Police contacted the applicant on 12<sup>th</sup> September to clarify details of the application and a subsequent email on the 18<sup>th</sup> September sought to request differing conditions from the application which were:

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
  - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
  - b. CCTV cameras shall cover all entrances, exits and the areas where alcohol sales take place;
  - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 30 days;
  - d. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
2. Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.

3. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) and is either a:
  - a. Proof of age card bearing the PASS Hologram;
  - b. Photocard driving licence;
  - c. Passport; or
  - d. Ministry of Defence Identity Card.
4. The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.
5. A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and, in any event, within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request. The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
6. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The applicant has since confirmed that they will work within these conditions and have accepted the conditions proposed by Essex Police, a copy of this acceptance is attached to this representation.

In addition, Essex Police does have concerns regarding the premises plan being not in keeping with the likely structure of the premises, the applicant has given assurances that once the application is granted and the renovation works are underway that a minor variation application will be made to resolve this issue.

As the applicant has accepted our conditions and that these are approved at any subsequent hearing Essex Police are content for the granting of the application in these terms.

Yours faithfully,

Simon Barnes  
Police Licensing Officer – Brentwood & Thurrock

**From:** Rinku Ghai <hnhglobalstores@gmail.com>  
**Sent:** 18 September 2023 15:23  
**To:** Licensing Thurrock  
**Subject:** Re: EXTERNAL - Re: New Grant - Dunlop Road Stores - Police Enquiries  
**Attachments:** image001.jpg  
**Categories:** Need to Action

Dear Simon,

I hope this message finds you well. Thank you for your prompt response and for providing clarification on the conditions for my premises license application.

I want to emphasize that I am more than willing to comply with all the conditions outlined in your previous email. Specifically, I would like to highlight my commitment to the following key points:

**1. CCTV Surveillance:**

- I am fully prepared to install and maintain a closed-circuit television (CCTV) surveillance system that meets the specified requirements.
- The CCTV cameras will not only cover all entrances and exits but also **ensure comprehensive coverage in areas where alcohol sales take place.**
- I will ensure that all CCTV equipment is in good working order, correctly time and date stamped, and that recordings are retained for a **minimum period of 30 days.**
- I understand the importance of promptly providing viewable copies of recordings to the police or licensing authority staff within 48 hours upon reasonable request.
- I will ensure that signs notifying customers of CCTV operation, meeting the recommended size of 200 x 148 mm, are prominently displayed at all entrances at all times when the premises conducts licensable activities. I am already considering most reputed camera's for companies like **HikVision** & also trying to find the best deal on cameras in places like Costco.

**2. Challenge 25 Scheme:**

- The implementation and strict enforcement of a Challenge 25 scheme are a top priority for me. I will require age verification from anyone who appears to be under the age of 25.
- I am committed to accepting the specified forms of identification, including Proof of age cards with the **PASS Hologram, Photocard driving licenses, Passports, or Ministry of Defence Identity Cards.**
- Signs indicating the **Challenge 25** policy will be clearly displayed at each point of sale and in areas where alcohol is displayed, meeting the minimum size requirement of 200mm x 148mm.

**3. Refusals Record:**

- I understand the importance of maintaining a refusals record at the premises, documenting all refusals to sell alcohol. Entries will include the **date, time, and the name of the staff member responsible for the refusal.**

- Entries will be made promptly, within 4 hours of the refusal, and the record will be readily available to the relevant authorities upon request.
- I will ensure that the refusals **record is kept for a minimum of 12 months, whether in electronic form or a bound document.**

#### 4. Staff Training:

- Training for all staff involved in alcohol sales or supply will be provided to meet the highest standards of responsible service. This includes **training on child protection, recognizing signs of drunkenness, and the duty not to serve intoxicated individuals.**
- **Refresher training** will be conducted at least every six months, and comprehensive training records will be maintained on the premises for a minimum of 12 months, ensuring **immediate access for police, trading standards, or licensing authority staff upon request.**

I want to assure you that I take these conditions seriously and am fully committed to adhering to them in the operation of my premises. Please feel free to reach out if you require any further information or have additional instructions. Your guidance is greatly appreciated, and I look forward to proceeding with the necessary steps to ensure compliance.

Thank you for your understanding and support in this matter.

Kind Regards,

Rinku Ghai

On Mon, 18 Sept 2023 at 15:11, Licensing Thurrock <[licensing.thurrock@essex.police.uk](mailto:licensing.thurrock@essex.police.uk)> wrote:

Good Afternoon Rinku,

Thank you for the clarification.

I have now considered your application and would like to request the following conditions be considered by yourself, some are new others are re-wording/extensions of your supplied worded conditions:

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
  - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality {in all lighting conditions} particularly facial recognition;
  - b. CCTV cameras shall cover all entrances {and exits} and the areas where alcohol sales take place;
  - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 30 days;
  - d. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.

Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.

2. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) and is either a:
  - a. Proof of age card bearing the PASS Hologram;



- b. Photocard driving licence;
  - c. Passport; or
  - d. Ministry of Defence Identity Card.
3. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.
  4. A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request. The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
  5. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

Please consider carefully the above, if you have any concerns please get in touch so that we can discuss and reach an agreed position. If you are unsure you can of course seek independent legal advice from a licensing specialist.

In regards to your premises plan I must warn you that the current plan will need changing prior to any sales under any granted licence is undertaken, a premises plan must reflect all fixed structures within the premises and, at present, your plan only shows the outline of the premises and does not include your till structure. As such I must remind you that once the final design of your store is agreed you will need to undertake a minor variation to correct the plan prior to undertaking any alcohol sales under this licence.


Once you have considered the above please can you come back to me with any areas needing discussion and/or your agreement.


Kind Regards

**Simon Barnes (82011)**

Licensing Officer – Brentwood & Thurrock



 101 (Ext: 42082011)

 07773 935612

 [licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)

 [licensing.thurrock@essex.police.uk](mailto:licensing.thurrock@essex.police.uk)

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**From:** Rinku Ghai <[hnhglobalstores@gmail.com](mailto:hnhglobalstores@gmail.com)>

**Sent:** 12 September 2023 15:38

**To:** Licensing Thurrock <[licensing.thurrock@essex.police.uk](mailto:licensing.thurrock@essex.police.uk)>

**Subject:** EXTERNAL - Re: New Grant - Dunlop Road Stores - Police Enquiries

**CAUTION:** This email originated from outside of the organisation. DO NOT CLICK LINKS or OPEN ATTACHMENTS unless you recognise the sender and know the content is safe. It is not unusual to receive an email from someone for the first time but this can be a sign of phishing, so do please be vigilant.

Thank you for providing the clarification, Mr. Barnes,

I appreciate your prompt response and the additional information you've provided regarding the layout of your premises and the planned additions. This information will be valuable in our review process.

To summarize:

1. **Side Room Usage:** The side room will be utilized as a combined stock and staff room.
2. **Fixed Till Position:** A fixed till position will indeed be in place, as it was in the previous store.
3. **Fridges:** Four fridges will be added to the premises, with the following breakdown:

- 2 for Alcohol
- 1 for Soft Drinks
- 1 for Chilled/Dairy Products

This information will be taken into consideration as we evaluate your premises license application. If any further questions or concerns arise during the review process, we will be in touch with you promptly.

Thank you for your cooperation, and please feel free to reach out if you have any additional queries or if there's anything else we should be aware of.

Sincerely,

Rinku Ghai +447366389858

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/hyg/privacy/> or <https://www.essex.police.uk/hyg/privacy/>. Additionally for our Terms and Conditions please go to <https://www.kent.police.uk/hyg/terms-conditions/> or <https://www.essex.police.uk/hyg/terms-conditions/>

## Cox, Elizabeth

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**From:** Rothon, Christina  
**Sent:** 07 September 2023 08:54  
**To:** Licensing@thurrock.gov.uk  
**Cc:** Cox, Elizabeth  
**Subject:** RE: New Premises Application - 38 Dunlop Road, Tilbury

Hello,

Trading Standards have no concerns with this licence being granted. Please can you include the following terms on the licence which the applicant has accepted:

- 1. A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.  
All staff should be trained how to use it and the DPS or his appointed deputy will inspect and sign this at least once a week.  
The refusals record shall be either electronic or maintained in a bound document and retained for at least {12} months from the date of the last entry.*
- 2. A Challenge 25 policy will be adopted at the premises and all staff will be trained in its operation. Any person who appears to be under the age of 25 will be asked for ID and the sale will be refused if they are unable to provide valid identification. Signage will be prominently displayed within the premises to advertise the fact a Challenge 25 policy is in operation. The premises shall clearly display signs at each point of sale. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.*
- 3. The only acceptable forms of identification will be a photographic driving licence, passport or a "PASS" approved identification card.*
- 4. Written training records will be kept for all staff for the duration of their employment and for at least six months after the individual may leave employment. This should include signed and dated forms from employees that state they have received and understood the training.*
- 5. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.  
Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.*
- 6. No sale of alcohol will be made by any person who has not received training on age restricted products.*
- 7. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence:  
  
{for a person under the age of 18 to buy or attempt to buy alcohol}; or {buy, or attempt to buy, alcohol for a person under the age of 18}.*

In addition, if the electronic till system has the facility to add 'till prompts' when certain items are scanned, I would also request that the following condition is added:

8. A system will be in operation on all electronic points of sale which prompts staff to verify the age of a purchaser when age restricted products are scanned. The licensee will conduct checks at least once every six months to ensure the system is functioning properly and keep a record of these checks.

Kind regards

**Christina Rethon | Trading Standards Officer | Public Protection**  
Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL  
[www.thurrock.gov.uk](http://www.thurrock.gov.uk) | 07513 485105

Please note, Mondays and Fridays are my non-working days.

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**From:** Cox, Elizabeth <ECox@thurrock.gov.uk> **On Behalf Of** Licensing@thurrock.gov.uk  
**Sent:** 05 September 2023 14:30  
**To:** ChildrensSafeGuarding@thurrock.gov.uk; EPconsultations <EPconsultations@thurrock.gov.uk>; Fire <SouthWestGroupSDP@essex-fire.gov.uk>; healthandsafety@thurrock.gov.uk; Home Office (Immigration) <alcohol@homeoffice.gov.uk>; Development.Management <DevControl@thurrock.gov.uk>; Police Licensing (licensing.applications@essex.police.uk) <licensing.applications@essex.police.uk>; PublicHealth@Thurrock.gov.uk; Trading.Standards@thurrock.gov.uk  
**Subject:** New Premises Application - 38 Dunlop Road, Tilbury

Good afternoon,

Please find attached an application for a new Premises Licence for 38 Dunlop Road, Tilbury. Please make any representations in writing by **3 October 2023**

If you have any questions about this application please do not hesitate to get in touch.

Kind regards,

Liz

**Elizabeth Cox | Licensing Officer | Public Realm**  
[www.thurrock.gov.uk](http://www.thurrock.gov.uk) | [My account Thurrock](#)  
01375 652 879 | x64061 | 07795 826 951  
Thurrock Council, Civic Offices, New Road, Grays, Essex RM17 6SL

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<b>18 October 2023</b>	<b>ITEM: 5</b>
<b>Licensing Sub-Committee</b>	
<b>Application to review 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 Assistance Director:</b> Michael Dineen, Assistant Director for Investigation, Enforcement and Community Protection & Safety (Incl. Emergency Planning and Resilience)	
<b>Accountable Director:</b> Claire Demmel, Interim Director of Public Realm	
<b>This report is public</b>	

## Executive Summary

Mr John Bonar has a Street Trading Consent. A number of complaints have been received relating to the operation of the Street Trading Consent at Grays Beach and therefore the matter is being referred to Sub-Committee for determination.

### 1. Recommendations:

#### 1.1 The Sub-Committee agrees:

- (a) To take no action; or
- (b) To revoke the consent; or
- (c) To vary the terms of the consent by attaching any additional conditions necessary or changing the location(s) to which it relates.

### 2. Introduction and Background:

2.1 John Bonar (trading as Piccadilly Whip) of Great Warley Street, Brentwood submitted an application to renew a Street Trading Consent on 27 April 2023. As there were a number of complaints in relation to trading at Grays Beach, the application was determined by the Licensing Sub-Committee on 21 June 2023. The decision of the committee was to attach an additional condition:

- *'All parking regulations must be adhered to at all times. The consent holder must ensure that all operatives comply with the terms of the consent and to be mindful of traffic regulations in the area, with particular attention in the vicinity of Grays Beach'.*

A copy of the decision notice is attached as **Appendix 1** and a copy of the consent that was issued is attached as **Appendix 2**.

- 2.2 Piccadilly Whip have held Street Trading Consents since Thurrock Council adopted the legislation in 2011.
- 2.3 Since the consent was issued for Grays Beach, Licensing received two complaints in August 2023 and one in September 2023 regarding Piccadilly Whip vehicles trading on Thames Road at the entrance to Grays Beach not in accordance with the parking restrictions in place at the location. A further complaint regarding parking in July was supplied in September. Photographs are attached as **Appendix 3**.
- 2.4 The consent holder was contacted regarding the complaints and responded that the driver would be reminded of the conditions of the consent. A copy of this is attached as **Appendix 4**.
- 2.5 Thurrock Council's Enforcement team have not issued any penalty charge notices in relation to parking contraventions by Piccadilly Whip in this location in this period.
- 2.6 The Council's Street Trading Policy and standard conditions are attached as **Appendix 5**. The policy provides under public safety considerations that the proposed location of the activity should not present a risk to the public in terms of highway safety and obstruction. The policy also provides under the suitability of the location section that consideration should be given to whether there is sufficient space in the street for the applicant to engage in the trading in which he/she desires to engage without causing undue interference or inconvenience to persons using the street.

### **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 revoked, remain as previously issued or varied to address the issues raised.

### **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: **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: **Rebecca Lee**  
**Team Manager Community Development and**  
**Equalities Adults, Housing and Health**

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. Staff, Health Inequalities, Sustainability, Crime and Disorder and Impact on Looked After Children

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 decision notice from June 2023
- Appendix 2 – Copy of existing consent
- Appendix 3 – Photographs of alleged breaches
- Appendix 4 – Correspondence with Piccadilly Whip
- Appendix 5 – Street Trading Policy

### Report Author:

Elizabeth Cox, Licensing Officer

Dear Mr Bonar

We write further to your application to renew a Street Trading Consent.

This matter was brought before Sub-Committee for determination following a number of complaints received relating to the operation of the existing Street Trading Consent.

The Sub-Committee first heard from the Licencing Officer who outlined her report. Members of the Committee asked if any response was received from the multiple warning letters issued, they confirmed that letters had been acknowledged by Mr Bonar. Sub-Committee also asked the Licencing Officer to confirm the differences between the current consent and the renewal application consent to which they confirmed they are the same with the exception to Grays Beach and Blackshots. A question was put to the Licencing Officer in relation to Grays Beach and if there was anywhere that was permitted for parking to operate. The Licencing Officer stated that historically the yellow lines were not enforceable however since 2020/2021 the yellow lines were reinstated.

Members were concerned that within Mr Bonar's application, areas being applied for included "Thurrock" as a separate word which could be misconstrued as the whole Borough. Licencing confirmed that if this was granted at officer level, they would have only granted for Aveley not the whole of Thurrock.

The Sub-Committee then heard from you, the Consent Holder. You stated that you have been in the ice cream business for a long time, the company has received awards, you have a number of vans and trade in other areas such as Victoria Park and Tower Hill in London. You stated that you thought that Grays Beach was previously listed as an area to trade in the original consent and therefore thought that it carried over despite the Licencing Department having no record to confirm this. You stated that complaints were only received since the café at Grays Beach went under new management. When Police have attended the premises, you explained they did not raise any further concern. You ended by advising the company is generally run very well and you continue to try and run it correctly.

Sub-Committee asked why if you were receiving parking tickets when in the Grays Beach area, although you thought Grays Beach was an area consented to, did you continue to trade as the parking tickets themselves must have been an indication that you were not permitted to be there. You stated that on each occasion Enforcement Officers fined different vans and drivers on different dates and confirmed you would speak to all drivers regarding the parking regulations. You stated that no complaints had been received for a few weeks to which the Licencing Officer confirmed the last complaint received was on 14 May 2023. You stated in relation to trading at Lakeside Shopping centre you are licensed by the landowner the Licencing Department confirmed you would still need a street trading consent however, as this was going to be more than an hour a day this would be a separate application for you to make.

The Sub-Committee then asked you to confirm which areas you wished the consent to cover, and you responded South Ockendon, Aveley, Purfleet, Blackshots and Grays Beach however, you were happy to leave Grays Beach out considering the issues discussed.

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

Sub-Committee were concerned that the license holder had repeatedly, despite written warnings and fines, allowed operatives to encroach into areas not permitted by the current consent and continued to trade from bays and areas where parking of vehicles is not permitted. However, Sub-Committee were satisfied with your submissions to renew the Street Trading Consent sought with the addition to trading areas.

In addition to granting the renewal it was suggested that the following condition be added to the licence to ensure all aims of the policy were met: -

- All parking regulations must be adhered at all times. The Consent Holder must ensure that all operatives comply with the terms of the consent and to be mindful of traffic regulations in the area, with particular attention in the vicinity of Grays Beach.

To specify the consented areas are Aveley, Purfleet, South Ockendon, Grays Beach and Blackshots.

Sub-Committee warn that repeated fines are not the appropriate way to deal with the continued transgressions and that the next breach would likely result in prosecution.

This decision is made under Schedule 4 of the Local Government Miscellaneous Provisions Act 1982 therefore there is no right to appeal.

**Signed**

**Chair**

**Dated**

# STREET TRADING CONSENT

## Consent No: 123

Under the Local Government (Miscellaneous Provisions) Act 1982,

Thurrock Council grants consent to:

John Bonar (t/as Piccadilly Whip)

Of



For street trading at: Aveley, Purfleet, South Ockendon, Grays Beach and Blackshots

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 : 10LLY, 99 JOB, 99 WPY, PWH 11P, PWH 1P, BU23 ZDX, BU23 ZDZ

TWO of the above listed vehicles may operate at any one time

**Licence Expiry Date: 21st June 2024**

Subject to the conditions attached.

A handwritten signature in blue ink, appearing to read 'E. Hoar', positioned above a horizontal line.

Authorised Officer

For and on behalf of Thurrock Council

Date of issue: 21 June 2023



## **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 without the landowners written consent

### **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 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.

### **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.

Traders that are permitted to trade at any time between 11.00pm and 5.00am must also be licensed under the Licensing Act 2003 if providing late night refreshment.

## **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.

## **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.

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.

## Mobile Consents

A mobile vehicle shall not remain on any one site for more than one hour in any twenty-four-hour period.

## 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 goods 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. 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 30 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.

## **Additional condition from Licensing Sub-Committee**

All parking regulations must be adhered to at all times. The consent holder must ensure that all operatives comply with the terms of the consent and to be mindful of traffic regulations in the area, with particular attention in the vicinity of Grays Beach.

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

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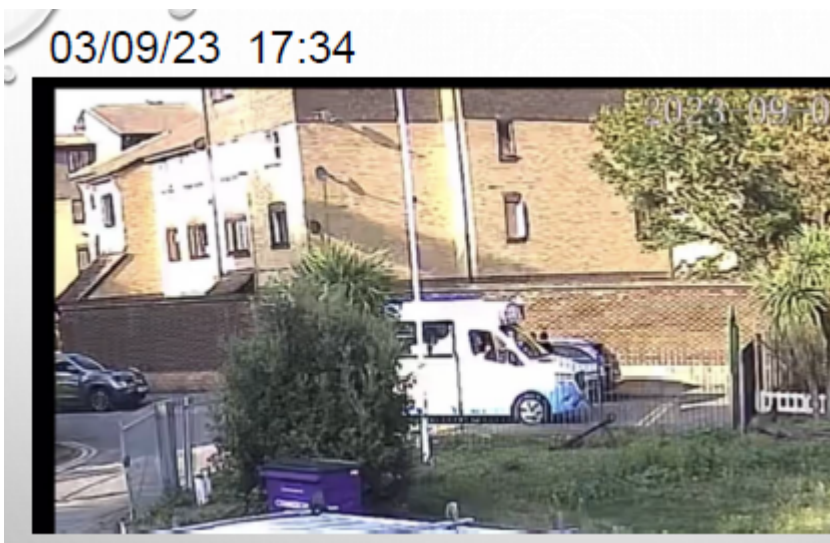
28/07/23 16:19



6 August 2023



24 August 2023



Cox, Elizabeth

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**From:** Info Piccadilly Whip <[REDACTED]>  
**Sent:** 31 August 2023 14:53  
**To:** Cox, Elizabeth  
**Subject:** RE: Grays Beach

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

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Good Afternoon Liz,

Many thanks for your email!

They are both the same, driver although they are different vans, John will speak with the driver this evening, which will not happen again, same as it hasn't happened all summer.

Please accept my sincere apologies.

Kind regards,

Mandy  
PA

---

**From:** Cox, Elizabeth <ECox@thurrock.gov.uk>  
**Sent:** Thursday, August 31, 2023 11:55 AM  
**To:** Info Piccadilly Whip <[REDACTED]>  
**Subject:** RE: Grays Beach

Good afternoon,

Please find the photographs attached. The first was 6 August at 12:27 (reg 10LLY), the second is from 25 August at 11:56 but does not show the registration number.

Kind regards,

Liz

Elizabeth Cox | Licensing Officer | Public Realm  
[www.thurrock.gov.uk](http://www.thurrock.gov.uk) | [My account Thurrock](#)  
01375 652 879 | x64061 | 07795 826 951  
Thurrock Council, Civic Offices, New Road, Grays, Essex RM17 6SL

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**From:** Info Piccadilly Whip [REDACTED]  
**Sent:** 30 August 2023 14:44  
**To:** Cox, Elizabeth <[ECox@thurrock.gov.uk](mailto:ECox@thurrock.gov.uk)>  
**Subject:** RE: Grays Beach

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Good Afternoon Liz,

Many thanks for your email!

I have liaised with John and he has spoken to the 2 drivers that would trade at Grays Beach, both are saying they have not been trading at Grays Beach, they are both fully aware they are not to park on double yellow lines and know to park in the bay, but if they see the bay empty it normally means there is no one at Grays Beach, so they don't trade there anyway. Could you please provide photographic evidence so we can look into this matter further?

Look forward to hearing back from you.

Kind regards,

Mandy  
PA

---

**From:** Cox, Elizabeth <[ECox@thurrock.gov.uk](mailto:ECox@thurrock.gov.uk)>  
**Sent:** Wednesday, August 30, 2023 1:36 PM  
**To:** Info Piccadilly Whip [REDACTED]  
**Subject:** Grays Beach

Good afternoon,

We have received two complaints this month regarding Piccadilly Whip vehicles trading outside Grays Beach, parked on double yellow lines and not in the area where you are permitted to park and trade.

At the Licensing Sub-Committee where your consent for Grays Beach was granted, the following condition was added: **All parking regulations must be adhered to at all times. The consent holder must ensure that all operatives comply with the terms of the consent and to be mindful of traffic regulations in the area, with particular attention in the vicinity of Grays Beach.**

Failure to comply with the conditions of your consent may result in it being referred back to sub-committee for action.

Please do not hesitate to contact me if you would like to discuss this matter further.

Kind regards,  
Liz

Elizabeth Cox | Licensing Officer | Public Realm  
[www.thurrock.gov.uk](http://www.thurrock.gov.uk) | My account Thurrock  
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# Thurrock Council

## Street Trading Policy

**Published:** 1 April 2023.

**To be reviewed by:** 28 July 2028.

Should you require further information, please contact the Licensing Team by:

- post: Licensing Team, Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL
- email: [licensing@thurrock.gov.uk](mailto:licensing@thurrock.gov.uk)

Local Authorities (LAs) have a legal discretion to regulate street trading in their administrative area. This Policy Statement takes effect on 1 April 2022, following adoption by the Licensing Committee on the 1 February 2023.

## Purpose of the policy

This policy is to control street trading across the borough of Thurrock by means of a of a Street Trading Consent Scheme, whereby specific streets will be prohibited from any street trading at any time and the remaining streets will become 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 conditions which must be adhered to in order for the trader to obtain and retain the Street Trading Consent. The conditions are to protect public safety, promote public health and reduce nuisance to neighbouring properties. These will be 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"** is defined by the above Act 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

## Designation

Thurrock Council has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 to designate the whole borough as Consent Streets for the purposes of Street Trading. The licensed area includes all forecourts, roads, footways, or other areas to which the public have access by fact and without payment.

From time to time, the Council may determine to resolve to designate other areas of the borough for the purpose of Street Trading, or to prohibit Street Trading in specified areas. In such cases details of these areas will be published on the Council website, advertised as required by legislation and included in this policy.

## 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
- 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 increase the risk of crime and disorder. This is likely to be more of an issue in respect of applicants wishing to trade at later hours.

## **Prevention of public nuisance**

The proposed activity should not increase the risk of nuisance from noise, refuse, vermin, fumes, and odours.

## **Suitability of the location**

That there is insufficient space in the street for the applicant to engage in the trading in which he/she desires to engage without causing undue interference or inconvenience to persons using the street.

Where the street trading may damage the structure or surface of the street.

Where the appearance or quality of the trading equipment or structure/stall in use is not compatible with the character of the area in which it is proposed to be situated.

## **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.

## **Number of Street Trading Consents issued**

Consents may not be issued where Thurrock Council considers that sufficient street traders already exist in that locality, particularly where there are already sufficient traders in the street from shops or other consent holders, particularly in the exact or significantly similar goods in which the applicant desires to trade.

Consents may not be issued where additional traders may cause risks to public safety or nuisance to the occupants of neighbouring properties.

## **Duration of Consents**

Street Trading Consents will normally be issued for one year from the date of grant for new applications or from the date of renewal for existing holders.

A Street Trading Consent cannot be issued for more than one year.

## **Types of Consent**

The following types of consent can be issued:

- Static Consent – Is for a trader that will trade from the same site on each occasion for the duration of the consent.
- Mobile Consent – Traders with a mobile consent must not trade from the vicinity of any one location for more than 1 hour in any 1 day.

## **Fees**

All fees must be paid in advance. A copy of the current fees can be found on the council's website.



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

- non-commercial car boot sales
- fetes, carnivals and similar community based not for profit run events
- within the curtilage of Tilbury, South Ockendon and Grays markets controlled by the relevant market authority

## Conditions

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.

## Enforcement

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.

The Council may at any time revoke a Street Trading Consent if they consider that:

- (a) owing to circumstances which have arisen since the grant or renewal of the Consent, there is not enough space in the street for the Consent holder to engage in the trading permitted by the Consent without causing undue interference or inconvenience to persons using the street
- (b) the Consent holder is unsuitable to hold the Consent by reason of having been convicted of an offence or for any other reason
- (c) since the Consent was granted the Consent holder has persistently refused or neglected to pay fees or charges due for the Consent or any associated services in his/her capacity as Consent-holder
- (d) since the grant or renewal of the Consent, the Consent holder has without reasonable excuse failed to avail him or herself of the Licence to a reasonable extent

If the council consider that they have grounds for revoking a Consent by virtue of sub-paragraph (a) or (d) above, they may, instead of revoking it, vary its principal terms by either:

- (a) reducing the number of days or the period in any one day during which the Consent holder is permitted to trade
- (b) restricting the descriptions of goods in which he is permitted to trade.

A Consent holder may at any time surrender his/her Consent to the council and it shall then cease to be valid.

## **Applications**

An application for a Street Trading Consent or the renewal of such a Consent shall be made in writing to Thurrock Council and shall be accompanied by all required documentation and the appropriate fee.

The applicant shall provide:

- fully completed application form
- copies of public liability insurance or evidence of the proposed insurance
- details of proposed vehicle, trailer or stall, including photographs where relevant
- any MOT, vehicle insurance etc or other documentation associated with vehicles used in association with the application

# Appendix 1 – 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 National Highways:**

- 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
- A1089 between the A13 junction and the London Tilbury Cruise Terminal

These are National Highways roads and they do not allow roadside trading on their roads.

## **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 without the landowners written consent

### **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 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.

### **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.

Traders that are permitted to trade at any time between 11pm and 5am must also be licensed under the Licensing Act 2003 if providing late night refreshment.

### **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.

## **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.

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.

## **Mobile Consents**

A mobile vehicle shall not remain on any one site for more than one hour in any twenty-four-hour period.

## **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 midday and after 7pm
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 Essex 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 goods 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 £2million 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.

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 30 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.

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