

# 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.



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.**