

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 misconstrue 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