

LOCAL GOVERNMENT  
(MISCELLANEOUS PROVISIONS) ACT 1982: PART III

APPLICATION FOR STREET TRADING  
IN A DESIGNATED 'CONSENT' STREET  
(Renewal)



Neighbourhoods

In accordance with Section 3 of the Local Government (Miscellaneous Provisions) Act 1982

I Peter Sports  
(Please give full name):

of: Deben Trades Association  
26 The Broadway, Broughton Post Code: IG10 3ST

hereby apply for a Street Trading Consent to sell: Skills for Market selling mixed  
(Description of goods): Goods including hot + cold food + drinks - No Alcohol sold

At (Location): DEBEN BROADWAY STREET MARKET  
in each week on: - IG10

Mondays	from	<u>8am</u>	to	<u>5pm</u>
Tuesdays	from	<u>8am</u>	to	<u>5pm</u>
Wednesdays	from	<u>8am</u>	to	<u>5pm</u>
Thursdays	from	<u>8am</u>	to	<u>5pm</u>
Fridays	from	<u>8am</u>	to	<u>5pm</u>
Saturdays	from	<u>8am</u>	to	<u>5pm</u>
Sundays	from	<u>10am</u>	to	<u>4pm</u>

I wish to trade from a stationary:  
(Delete as applicable):

TYPE of VEHICLE	SIZE
VAN <input checked="" type="checkbox"/>	<u>Varied</u>
CART <input checked="" type="checkbox"/>	<u>Varied</u>
BARROW <input checked="" type="checkbox"/>	<u>Varied</u>
OTHER	

I am over the age of 17 years. I understand that the fee does not include any element in respect of the collection of refuse by the Council; therefore, I undertake to remove refuse and cleanse the street during and on completion of each day's trading and comply with all conditions attached to a Consent.

Signed: [Signature] Date: 6 Oct 2020

"The authority is under a duty to protect public funds it administers, and to this end may use information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes"

REF # ES/DH / L43  
Application for Renewal

1000

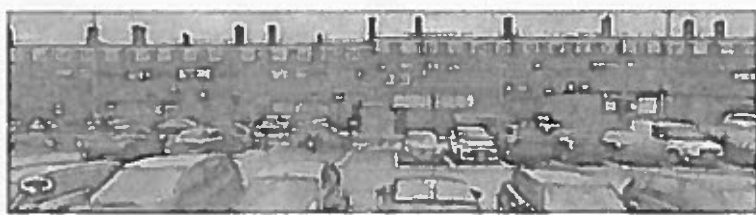
# Google Maps IG10 3ST



Map data ©2018 Google 50 m



**IG10 3ST**  
The Broadway  
Loughton  
Postcode











Imagery ©2020 Bluesky, Getmapping plc, Infoterra Ltd & Bluesky, Maxar Technologies, The GeoInformation Group, Map data ©2020 50 m



## The Broadway

Loughton



Directions



Save



Nearby

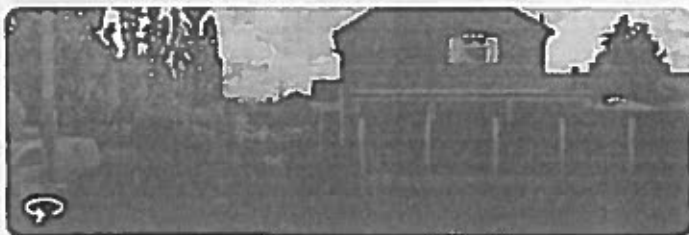


Send to your  
phone



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## Photos







To whom it may concern,

I am Emily Smith owner of Emily Grace Florist, 51 The Broadway appealing against the renewal of the licence of the plant stall situated outside P Sparks, 26 The Broadway.

Firstly, I am still yet to get a response from Mrs Tuckey, Licencing manager about whether the stall is a market stall or part of Peter Sparks shop, I have asked twice for clarification but still no answer could someone please reply to this question?

This is the first year that this stall selling plants has been out, normally over many years Peter Sparks has not put such a large display out just a table outside the front of his shop selling a few plants. For many years the stall outside P Sparks has only had one table with a few plants but since the first lockdown there are; tables, hanging basket stands, multiple trestles, large signs attached to lampposts with what looks like duct tape and barriers. It seems to be that Mr Sparks has put on a larger show than usual knowing that his profits will increase due to all other non-essential shops being forced to close. With all the tables, trestles and other various stands this made it impossible for the 2 metre social distancing- but more importantly it makes it incredibly difficult for disabled, vulnerable and parents with prams. I noticed a lady having to cross into the road as her pram wouldn't fit, as there was no clear route through. Again, it is still unclear whether it is a market stall- which is non-essential and is illegal to be currently trading, or if it belongs to Peter Sparks in which case shouldn't be allowed to have so many tables outside his own and the neighbouring shops shop fronts. (Images attached)

Can I please draw your attention to another point which I personally think is important, I don't mind healthy competition but when I received a leaflet that was given to all shop owners by Mr Peter Sparks (image attached) the third bullet point reads "What stalls would you like to invite that would not jeopardise our own shopkeepers" why would he write a leaflet asking for a market that will not affect any existing businesses by not selling the same goods but in fact he is doing precisely that by selling plants when there is a florist across the road. In previous times when I have politely approached both Peter and Derek to discuss the matter, I was spoken too appallingly and in such an aggressive manner by both men that a lady passing by stopped by in my shop after the incident to check if I was okay and that she was going to call and complain about their behaviour. Peter threatened me saying if I'm not careful he will start selling fresh flower bouquets, what a hypocrite! From speaking to other people within the Debden community it is apparent that I'm not the only one that they have spoken to in that manner, this is not acceptable for any human especially a shop/stall owner. I firmly believe that Peter Sparks sublets his stall to Derek Killigrew as Derek Killigrew does not appear on Mr Peter Sparks' website within the staff section. Derek Killigrew and what seems to be family members are at the stall every single day, if he is Peter Sparks's employee does he have pay slips to prove it? How could Peter like it if there was a fruit stall out six days a week, apparently he wouldn't as in this leaflet it would jeopardise his business. Never has this stall displayed who owns it, contact details of who to complain to or any insurance details.

Even after he has packed up his stall at around 5pm, there are either plastic trays, price labels or plant wrappings left along the pavement which is both hazardous and unpleasant. It's as if he expects the road cleaner to clean up his mess daily which is very disrespectful in itself. Moreover, His large van is constantly parked on the pavement when it clearly states no parking at any times, this causes obstruction especially to those who are visually impaired, disabled or vulnerable. Does this stall have public insurance as there is no indication on the stall that they have?

Lastly, I have kept checking on lampposts on The Broadway for a renewal notice for Peter Sparks stall and to date there is still no sign of one. Surely, this needs to be done so members of the public if they wish can oppose to the stall, up until now, how can people oppose the stall if there is no sign of the renewal details? Is this a ploy so Peter Sparks can renew the licence without any objection? As the head of the Debden Traders Association he should be complying with all protocols, it's not fair for myself and the public to not be aware of the renewal.

I think you in anticipation of your kind assistance and help.

I look forward to hearing the outcome.

Kindest regards,

Emily Smith

Emily Grace Florist

51 The Broadway

Loughton

IG10 3SP

CC: Dame Eleanor Laing

# Debden Broadway

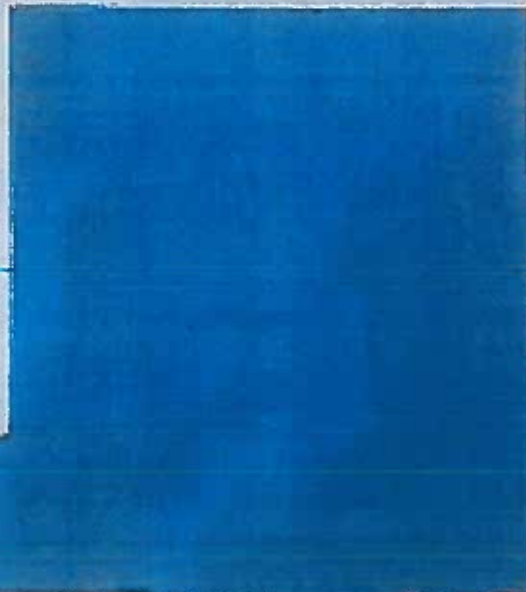
What's your opinion on having a 2  
day market on Thursday's &  
Saturdays?

Would you like a stall selling the  
same as you are picked up on a  
weekender?

What stalls would you like to  
invite that would not jeopardise  
our own shopkeepers?

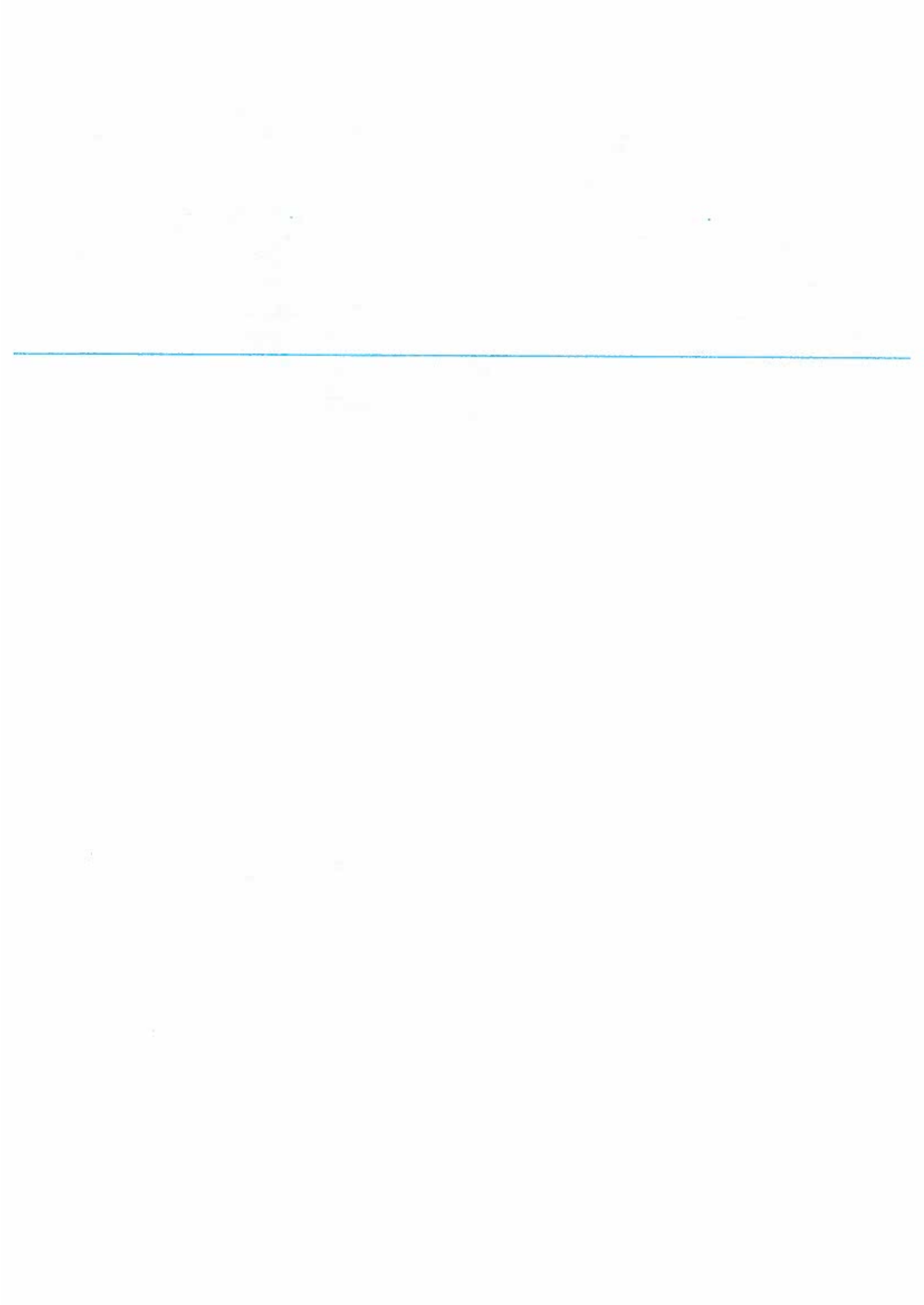
PLEASE RETURN TO  
COUNCIL TO THE COUNCIL  
BY  
SUNDAY THE 26TH AUGUST  
AUGUST 2020

Shopkeepers Association

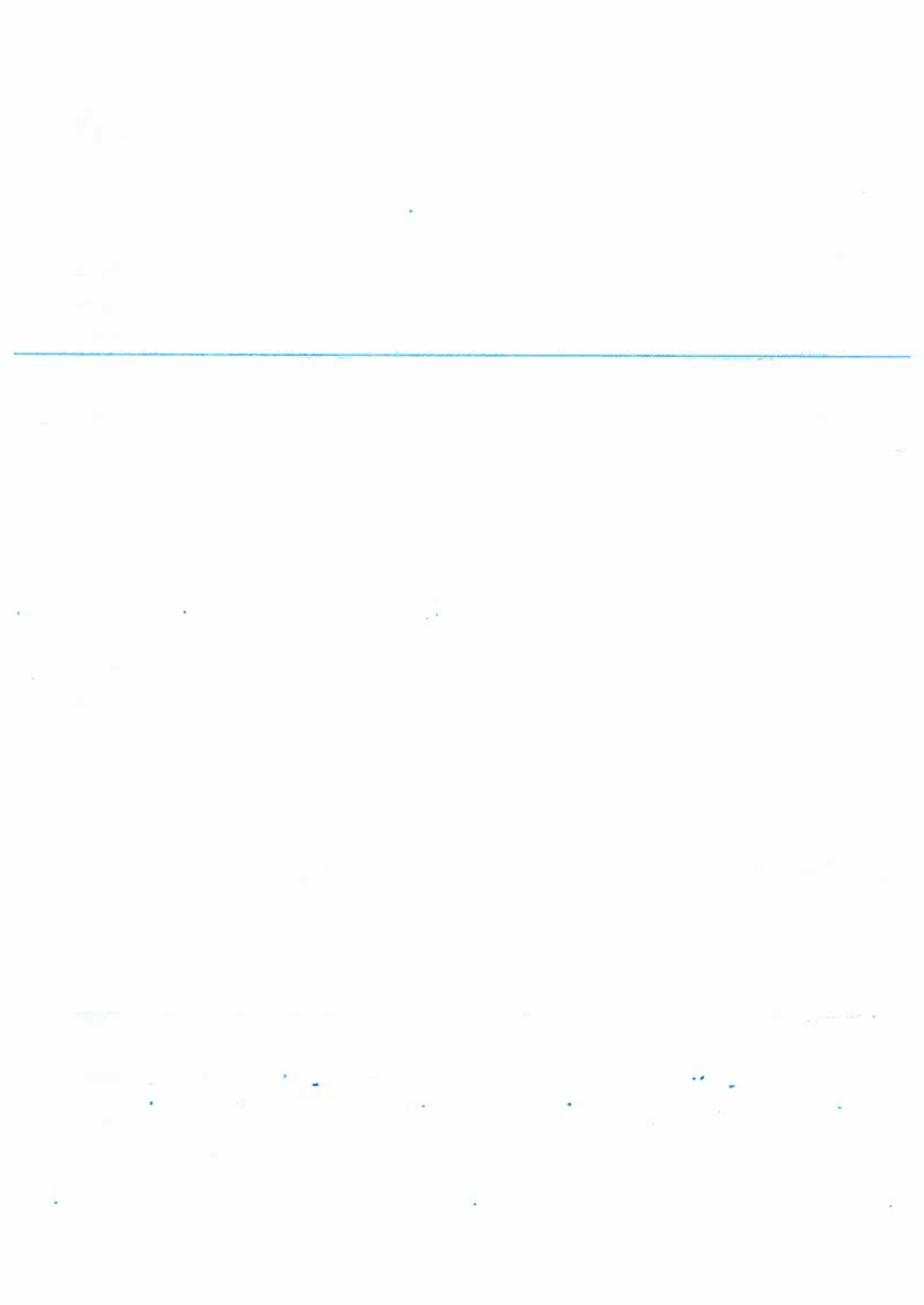




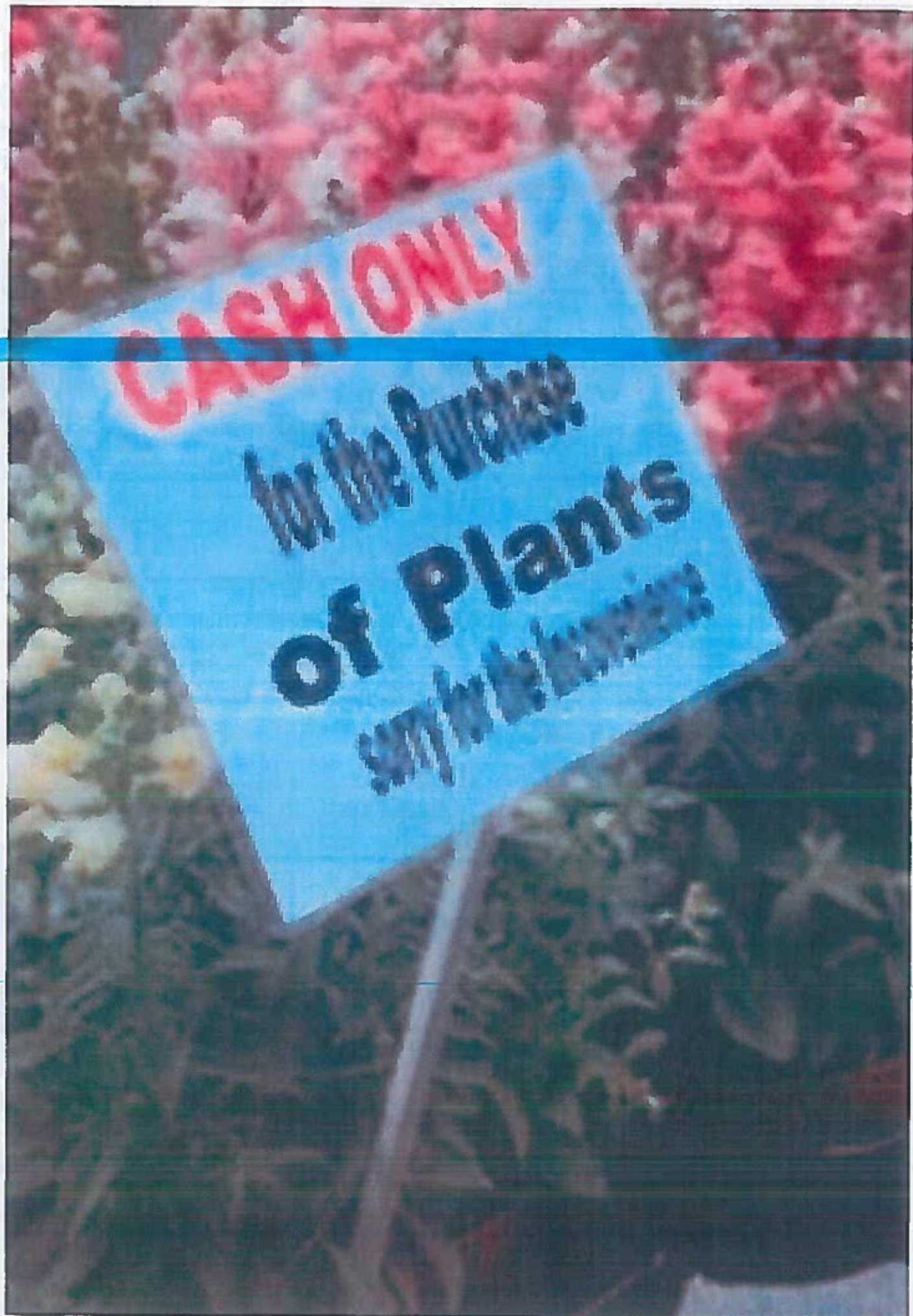












**CASH ONLY**

**Minimum  
of plants**

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LOCAL GOVERNMENT  
(MISCELLANEOUS PROVISIONS) ACT 1982

**STREET TRADING CONSENT**  
LN/000001218



1. **CONSENT HOLDER:** Debden Traders Association

2. **LOCATION:** ~~Debden Broadway Street Market, The Broadway,~~  
Loughton, Essex, IG10

3. **DESCRIPTION OF FOOD:** Provision of stalls for small market selling mixed goods including Hot & Cold Food & Drinks. No Alcohol Sales

4. **DURATION:** Monday to Saturday 07.00 – 17.00, Sunday 10.00 – 16.00

5. **COUNCIL ON BEHALF OF THE COUNCIL** \_\_\_\_\_

\_\_\_\_\_

1. This Consent is valid from 8<sup>th</sup> October 2019 to 7<sup>th</sup> October 2020 and no right to its renewal by the Council can be assumed or is implied.

2. The Consent Holder shall at all times comply with the law. Particular attention should be paid to the requirements of the Health and Safety at Work Act 1974 The Food Safety (General Food Hygiene) Regulations 1985 and the Food Safety Act 1990.

3. The Consent Holder shall not cause any nuisance.

4. No recorded or amplified music or radio, shall be played by the Consent Holder or any employee at the stall to the annoyance of any member of the public, local resident or occupier of nearby premises, except in the case of ice-cream vans who may use amplified chimes during permitted hours.

5. No water, rubbish or waste material shall be discharged or deposited on the highway or any adjacent property or into any surface water inspection chamber or gully.

6. The Consent Holder's stall shall be kept in a clean, safe and well maintained condition, to the satisfaction of the Council and its authorised Officers.

7. The Consent Holder shall provide and maintain, at his own expense, adequate refuse receptacles for litter and waste and its disposal.

8. A notice stating the name of the Consent Holder and an address for complaints, shall be displayed in a conspicuous position on the stall at all times when trading is being carried on at the stall.

9. If the Consent Holder or any employee is requested to move the stall by an authorised Council Officer or a Police Officer, he/she shall immediately comply with that request.
10. The Consent Holder shall ensure that disable people can be served at the stall.
11. Failure to comply with these conditions will put the Consent Holder at risk of having the Consent revoked and/or of prosecution.
12. The Consent Holder shall take out and maintain at all times third party insurance cover with a maximum liability of at least £1,000,000.
13. 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.
14. No business other than that of the sale of food and drink shall be carried on at the stall.
15. Litter and trade waste arising from the activities of the consent holder in and around the stall, shall be removed from the site on a daily basis and disposed of in an approved manner
16. The consent holder shall ensure adequate provision for pest control.

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**THE CONSENT DOES NOT:**

1. Permit trading outside the terms of Consent.
  2. Indicate that planning permission is not required.
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**Please note:**

- That the requirement to obtain planning permission applies to all streets, whether they have been designated Consent Streets or not.
- That the grant of one or more Street Trading Consents does not give the trader immunity from control.
- Indicate that the unit is exempt from business rates.
- Over ride parking restrictions or any other traffic regulations.

➤ Imply approval from the Highway Authority or any other person or Authority.

➤  
➤







Debden Traders Association  
26 The Broadway  
Loughton  
Essex  
IG10 3ST

Civic Offices  
High Street  
Epping  
Essex  
CM16 4BZ

Our Ref ES/DH      /L43/  
Your Ref:

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**Local Government (Miscellaneous Provisions) Act 1986  
Street Trading Consent**

Dear Debden Traders Association,

Please find enclosed your Street Trading Consent, the application for renewal was received over 4 months late, it is due to expire in October of this year, EFDC licensing department had a lot of chasing to do to get the renewal completed

If the consent is not renewed on or before the date of expiry then you will have no consent to continue.

Yours sincerely

Licensing Unit  
01992) 01992 564034  
email: [licensing@eppingforestdc.gov.uk](mailto:licensing@eppingforestdc.gov.uk)



To whom it may concern,

I refer to my telephone conversation with Debbie Houghton of licensing. I am raising these issues regarding the plant stalls that are located outside P. Sparks, 26 The Broadway, Loughton. The stalls consists of approximately; 10 large trestles, hanging basket stands, metal trollies, large advertising banners which are roughly 10FT tall- which are tied dangerously to bent street signs, barriers across the pavements and large lorries unloading plants daily on the pavement which constitutes to illegal parking (which anyone else would get a ticket for) and plants all over the pavement leaving no space to walk, as the pavement on that particular part of the street is much more narrow. The stalls go from P. Sparks, the Fish and Chip shop, Merlin Carpets and sometimes outside Superdrug. With so many plants and all of the above items strewn all over the pavement how can this be safe for pedestrians especially those with disabilities, wheelchairs, prams, mobility scooters and especially blind pedestrians. From the beginning of this lockdown back in March there was so much on this pavement that it made it impossible for social distancing of 2 metres as the pavement is narrow and all these people were told to be cautious. I know for a fact after speaking to numerous operators at Epping Forest District Council I was made aware that there was so many complaints regarding this stall. I have had many customers who have come into my shop and told me that they have complained time and time again and nothing has been done. If the council has taken the decision to work from home and closed their high street offices for the safety of their staff from COVID-19, why was it not taken seriously regarding the social distancing for the safety of the public regarding this stall, surely this should've been his first and constant care? Having this type of stall selling this amount of plants, enticing the public out to buy unessential items, is putting the public at risk of catching and passing on the virus. I have witnessed this myself and been told by friends, relatives and customers that there is/was crowds of people constantly passing, standing and purchasing from the stall, all browsing and standing next to one another and not in a queue allowing 2 metres apart (images available if needed). Furthermore, not allowing one person at a time to look at the stall and purchase as there are no social distancing markings anywhere on the pavement, surely this was the responsibility of the stall holder. I believe this was done purely out of greed to earn money at a time when the responsibility of a stall owner would be to protect the public, this certainly was not the case with this stall. Supermarkets and shops only allow a safe number of people at one time to enter to shop, to allow the public to remain safe and to be assured they have the required 2 metre distance between each other. Garden centres, Market stalls, Florists and all non- essential shops had to close for the safety of all public and staff following the correct government guidelines. This plant stall- I needn't make any clearer is classed as a non-essential business and should have had to stop operating from the very start of lockdown, when the government announced the closure of ALL non-essential businesses.

Moreover, businesses have been advised to take card payments where possible to reduce the risk of spreading Covid-19, but as a market stall he is still only accepting cash payments (photo attached) instead of investing in a wireless card machine for the wellbeing of himself and for his customers- again, greed over safety. I would also like to bring to your attention that members of staff from Epping Forest District Council and the Public Safety officers have visited the stall on numerous occasions after a lot of complaints and deemed the stall to be safe and operating within the government guidelines, but how can this be so if there isn't a 2 metre gap, No tape markings on the floor and no; masks, gloves or even an antibacterial dispenser for himself and the customers to use after handling the cash. I have also noticed that the stall has no information on who to complain to if need be. I have been told by the

council that a number of complaints had been made to Councillors in Debden who then contacted other members of the council to investigate this matter. I have been informed by someone in the council that all complaints was overruled as the market is licenced to sell flowers. This brings me to my other point.

On another note, I would like you to consider that when I took my 12 year lease out in May 2019, I was 22 years old. I took over the Florist at 51 The Broadway, Formally known as Flower Elegance. Kevin Milligan, who I converse with over matters gave me a temporary lease to prove that I am able to make my rent payments on time to prove that I can make it successful. I was then given the chance to take on a full lease as all my rent payments up to March when I was forced to close, have always been up to date and on time. I have and am still working extremely hard to build up my business and to make a successful career for myself, I have completely refurbished my shop inside and out to enhance the appearance of the Broadway itself. Unbeknownst to me, a market trader is allowed to trade with as many vessels as needed/wanted with a licence to sell anything- even if it is a conflict of interest to other businesses on the same road. I have been made aware that market traders can operate their stall Mondays to Saturdays 7AM-4PM. Please could you kindly tell me why I was never informed or made aware that I was entitled to a market stall to sell any items- regardless if a business nearby already sells them, as this stall can do just this. I feel hugely gutted that I pay nearly £20,000 rent to you all along with all my other costs to open the doors to my shop (Electric, Water, Phone & Internet, Accountants, Website bills) that a market stall doesn't have to pay. The stall pays practically nothing to sell the same goods as I do. Because this stall has no overheads they can sell and do sell their plants and hugely discounted prices and undercut me, I am having to throw all my plants away. When I approached Derek, Peter Sparks came out and they both stated they knew I was struggling and cockily said "If you're lucky we will let you buy your stock from us" (voice recording available if needed). I have since found out that Peter Sparks runs the Debden Traders Association and if anyone requires a stall, they are to go to him. In December 2018 Peter Sparks started stocking Door wreaths and Cemetery wreaths (I have worked for Flower Elegance for 5 years, I started as an entered apprentice and he never ever stocked anything like that before) he obviously saw me stocking them and the price I was selling them for. He then proceeded to sell them at half the cost of mine, meaning he was taking my business away- I had each wreath up for £5 to entice people in as It was my first Christmas trading. Peter then went on to sell his wreaths at half the price of mine which meant he was taking my business away as people will obviously buy something where it is cheaper (I had to throw most of my stock away). I approached Peter Sparks in a polite manner and asked him kindly if he could match my prices with his own that way his customers can buy from him, and mine, can buy from me. He responded in an aggressive manner and sharp tone that I felt bullied out of his shop by him repeatedly saying "You should've done your homework before taking over a shop"... but I did and he has only ever had a small prop with around 10 plants on there, this I never had an issue with. What sort of attitude is this from not only another shop owner, but someone who is associated with the council- my landlords. I have also been made aware that Peter requested there to be no other businesses in the same nature as his- which I agree with and wholeheartedly back, this is why I feel so upset about this plant stall. If I approached Peter and asked for a fruit and veg stall on the Broadway I can guarantee it will be refused, so how is that fair for him to allow a stall that sells what I sell 6 days a week?

Derek Killigrew who used to own the greengrocers opposite P. Sparks is constantly with his family serving on this stall has told everyone that he has given up his own market stalls elsewhere as the one in Debden is cheaper, this makes me feel even more aggrieved that he is hardly paying anything to sell plants and such items. I have since approached both Peter and the stall holder recently, to discuss this matter, and instead of it being a civil discussion Peter told me that he does not care about what happens to any other shop as long as he is successful and doesn't care if I go out of business because of the stall located outside of his shop. They also stated which I took as a threat is the mentioning of selling fresh flower bouquets (voice recording also available). This is a very very nasty and malicious act on Peter's behalf, I believe he is acting in this manner as he believes fully he has the safety net and backing of being on the council and abusing his power.

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Moving onto highways, which I have tried to make a complaint to, but it's closed. Where this stall is located- on the edge of the pavement, the placement of the tables makes it impossible for anyone parked in the bays outside the Fish and Chip shop, Merlin carpets and Peter Sparks to exit their car and onto the pavement safely, they have to walk into the road and around other parked cars until they reach an empty entrance of the pavement and vice versa to get back to their car. (Video recording available upon request)

Please can someone clarify whether this is a market stall or part of the Greengrocers? As customers have informed me that you are unable to pay for the plants within the shop but can only pay cash with Derek or one of his family members. Throughout the Lockdown, customers and family members was in touch with the council and they said because Peter sells fruit and veg he is also licenced to sell flowers that was why the stall was allowed to operate as it was Peters shop- not a market stall. However, I have been later informed that Derek runs his own market stall which at the time through government guidelines was illegal.

I have recently been given a leaflet from Peter Sparks (copy enclosed) the leaflet was asking shop owners their opinion on having a two day market stall on Thursdays and Saturdays. The plant stall already located outside P. Sparks on Debden Broadway, why is he allowed to trade 6 days a week 7AM-4PM whereas the leaflet is only giving other stall holders a chance to trade only two days a week? There is no clear indication whether this plant stall is independent or part of P Sparks, could you please tell me if Derek is employed by Peter or if he is an independent market stall?

Moreover, a family member called the council on a number of occasions and the council stated it was part of P Sparks and Derek was employed by Peter, they was told that the reason they moved the ONE stall from outside of P. Sparks was because there was not enough room to social distance, however, once the Public Health officer told him to move his one stall, all of a sudden it became a whole market stall with many tables/trestles (Picture enclosed). Why was no other shop allowed to take up so much space in the lockdown on the pavements? Or is it a market stall and Derek has a trading market licence? Which in this case he illegally traded throughout the whole of lockdown. Many complaints were made to a Councillor Pond but no action was taken.

In Paragraph 3 Peter Sparks himself is asking what stalls us shop owners would like to invite onto the Broadway that would not jeopardise our own shops/businesses by the market stalls selling the same goods. Why is it fair that he accepted a stall to sell the same goods as myself? Would he allow a huge fruit and veg stall on the Broadway undercutting him 6 days a week?. He is allowing my business to be jeopardised. I feel victimised as I am young as he thinks he has the right to bully me.

The overall reason for my letter is because I am worried that if his plant stall carries on trading, selling the same goods as me I will struggle to pay my rent, bills and to keep my business open.

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I thank you in anticipation of your kind assistance in this matter.

Yours faithfully,

Emily Smith

Emily Grace Florist

51 The Broadway

Loughton

IG10 3SP

02085085107

CC: Dame Eleanor Laing

Cllr John Mahoney

Cllr Stella Murphy

Cllr Jayna Jogia

Epping Forest District Council

Licencing- EFDC