

**Report of: Jan Hart – Service Director – Public Protection**

Meeting of:	Date	Agenda item	Ward(s)
Licensing Regulatory Committee	01 December 2011		Bunhill

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**SUBJECT: APPLICATION TO DESIGNATE THE AREA BY 398 GOSWELL ROAD EC1V 7LQ FOR STREET TRADING PURPOSES**

**1. Synopsis**

- 1.1 This report deals with an application by the Council's street trading team to designate for the purpose of street trading an area near the clock tower on the triangle at the Angel adjacent to 398 Goswell Road EC1V 7LQ (herein after referred to as "the location"). (Appendix 1)

**2. Recommendation**

- 2.1 To pass the resolution as set out in the public notice published in the local newspaper. (Appendix 2).

**Background**

- 2.2 Mr Sean Lally of Cycle Systems, 51 Eagle Wharf Road, N1 7ER, approached the Street Trading team towards the end of 2010 with the idea of providing a repair and parts sales service at the location for cyclists travelling to and from work.
- 3.2 After satisfying the Street Trading team that this idea was viable at the location, a temporary licence was issued to Mr Lally on the understanding that the trading activities and any complaints would be monitored. Mr Lally has been trading on this pitch since March 2011 and there have been no concerns raised or complaints received.
- 3.3 Mr Lally submitted a formal application to designate the location for the purposes of street trading on 19<sup>th</sup> July 2011 with references of support. (Appendix 3)
- 3.4 Formal consultations commenced with ward councillors, police, cleansing services and Transport for

London. (Appendix 4). (a, b + c)

- 3.5 On 20<sup>th</sup> October 2011 a public notice was published in the local newspaper for two consecutive weeks, stating the Council's intentions to designate the location for the purpose of street trading (Appendix 2). At the same time copies of the council's intention were also attached to lampposts and railings near the location.
- 3.6 The Street Trading team can report that they have received no objections as a result of the consultation process. If the application is granted, Mr. Lally will be issued with a licence (under officer delegated authority) to trade on a pitch at the location.

### **3. Implications**

#### **3.1 Financial implications:**

The Street Trading Account should break even each year and any shortfall would be met from compensatory savings within this account.

The fees received as a result of the approval of this designation and the issue of the licence would help offset the additional costs incurred by the council in connection with cleansing, administration and enforcement of Part 111 of the provisions of the London Local authorities Act 1990 (as amended).

#### **3.2 Legal Implications:**

Section 24 of the London Local Authorities Act 1990 (as amended) set out the procedure to be applied for a local authority to designate a street or part of a street, for street trading purposes.

If a borough council pass a designating resolution the designation of the street shall take effect on the day specified in the resolution (which must not be before the expiration of the period of one month beginning with the day on which the resolution is passed). (section 24, (3))

The borough council shall publish notice of the passing of such a resolution in a local newspaper circulating in their area on two consecutive weeks, the first publication being no later than 28 days of the date the designation takes effect.

#### **4.3 Environmental Implications**

An environmental impact scoping exercise has been carried out and it was identified that the proposals in this report would have minimal impacts on the following:

- Energy use and carbon emissions
- Use of natural resources
- Travel and transportation
- Waste and recycling
- Climate change adaptation
- Biodiversity
- Pollution

#### **4.4 Equality Impact Assessment:**

The Council must, in carrying out its functions, have due regard to the need to eliminate unlawful discrimination and harassment and to promote equality of opportunity in relation to disability, race and gender and the need to take steps to take account of disabilities, even where that involves treating the disabled more favourably than others (section 49A Disability Discrimination Act 1995; section 71 Race Relations Act 1976; section 76A Sex Discrimination Act 1975.)

An equalities impact assessment (EIA) on this proposal was carried out on 14 November 2011. The EIA identified that there would be no differential impacts on different groups in Islington and no negative consequences for community cohesion. This conclusion was drawn because this report is dealing with a particular individual who has applied for a street trading licence.

### **4. Conclusion and reasons for recommendations**

4.1 The London Local Authorities Act 1990 (as amended) allows for designation of a street or a part of the street for street trading purposes. Applications of this nature are considered on their merits. If granted, income generated from the rental of the site is credited to the street trading account.

**Appendices**

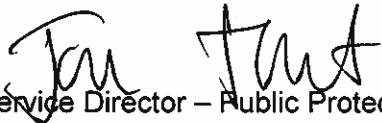
- Appendix 1
- Appendix 2
- Appendix 3
- Appendix 4 (a, b, & c).

**Background papers:**

- London Local Authorities Act 1990 (as amended)

Final report clearance:

**Signed by:**



Service Director – Public Protection

Date

21.11.11

**Received by:**

Head of Democratic Services

Date

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