

London Borough of Islington

LICENSING REGULATORY COMMITTEE – 21 JUNE 2012

Minutes of the meeting of the Licensing Regulatory Committee held at the Town Hall, Upper Street, London N1 2UD, on 21 June 2012, at 4.00 pm

Present: Councillors: Wally Burgess, Barry Edwards and Tracy Ismail

Councillor Wally Burgess (Vice-Chair of the Committee) in the Chair

019 APOLOGIES FOR ABSENCE (Item A1)

Received from Councillor Marian Spall

020 DECLARATION OF SUBSTITUTE MEMBERS (Item A2)

None.

021 DECLARATIONS OF INTEREST (Item A3)

None.

022 APPLICATION FOR A STREET TRADING LICENCE – WHITECROSS STREET : MR DERMOT RYAN (Item B1)

The Committee noted that Mr Ryan was not present and that the Street Trading Manager had attempted to contact him by telephone to check if he was intending to attend this meeting. The Committee noted that the Street Trading Manager had sent a letter confirming the date, time and venue for the meeting, which was followed up with an email dated 2 May 2012, from Mr Fordham to Mr Ryan, confirming the arrangements for this meeting (page 27 of the report).

The Committee was satisfied that due notice of the meeting had been given to Mr Ryan and that attempts had been made to contact him by telephone before the meeting convened.

The Street Trading Service Manager reported the general background to this case, highlighting the instances of complaints from local businesses and a Ward councillor about alleged illegal street trading by Mr Ryan, or persons working for him. He also highlighted the exchange between Mr Ryan and the Council's street trading inspectors on 6 March 2012, when Mr Ryan was described as "rude, uncooperative and refused to listen to reason" and the occasion on 27 March 2012 when Mr Ryan had turned up at the Council offices, without prior notice, demanding a street trading licence.

The Committee noted that, in addition, Mr Ryan had ignored the advice from the Street Trading Manager as to the type of goods to be sold in the market and continued to sell bric a brac, which was not in keeping with the strategy for Whitecross Street Market. The Street Trading Manager stated that he had no confidence that Mr Ryan would sell only the commodities he had applied to sell, nor would he utilise his pitch in accordance with the Council's conditions, or deal with the public appropriately, in light of his conduct with Council officers.

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RESOLVED:

That the application from Mr Dermot Ryan for a street trading licence in Islington be refused, on the grounds of his misconduct, which made him unsuitable to hold a licence.

Reason for decision

The Committee considered all of the written and oral evidence.

The Committee noted in particular the exchange between Mr Ryan and the Council's street trading inspectors on 6 March 2012 and the occasion on 27 March 2012 when Mr Ryan had turned up at the Council offices, without prior notice, demanding a street trading licence. In addition, Mr Ryan had ignored the advice from the Street Trading Manager as to the type of goods to be sold in the market and continued to sell bric a brac, which was not in keeping with the strategy for Whitecross Street Market. The behaviour exhibited by Mr Ryan on these occasions led the Committee to have no confidence that Mr Ryan would comply with the conditions attached to a street trading licence, if it had been issued.

023

APPLICATION TO REVOKE THE SPECIAL TREATMENT THERAPIST REGISTRATION OF MR E. GRIGALIUS, 49 HASSOCKS ROAD, SW16 5HA (Item C1)

The Committee noted that Mr Egidijus Grigalius was not present. In response to a question from the Vice-Chair as to whether there had been any recent communication with Mr Grigalius, the Licensing Officer confirmed that the Licensing Team had written to all the addresses held on record for Mr Grigalius to notify him of this meeting. Mr Grigalius had left his premises at Nag's Head market, following his appearance at Court on 12 April 2012.

The Licensing Officer introduced his report, setting out the general background to the application. He said that Mr Grigalius had not applied to renew his special treatment licence in April 2012 and that the premises from which he operated was now unlicensed. Islington Council prosecuted Mr Grigalius in April 2012 for breaches of his Special Treatments licence.

The Legal Officer confirmed that Mr Grigalius had attended Court and pleaded guilty to nineteen offences in total, relating to breach of licence conditions. A copy of the memorandum of conviction and sentence was circulated for members' information. The Legal Officer pointed out that the standard conditions for Special Treatment premises in Islington had not been attached to the Licensing Officer's report and that those were the conditions referred to in the memorandum of conviction from the Courts. A copy of the standard conditions for Special Treatment premises in Islington was circulated to members of the Committee for clarification.

The Licensing Officer explained that, if Mr Grigalius' registration was revoked at this meeting, he would inform the appropriate bodies and it would be for any local authority to whom Mr Grigalius applied to assess whether he was a fit person to be licensed for special treatments within their area. Furthermore, the Licensing Team

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would also write to all tattoo parlours in Islington to let them know that Mr Grigalius' registration was no longer valid.

The Licensing Officer confirmed that, although the copy of Mr Grigalius' registration attached to the report had not been signed and dated, he had a copy on his file which was both signed and dated, which was shown to the Committee.

RESOLVED:

That the special treatment therapist registration held by Mr Edigijus Grigalius be revoked.

Reason for decision

The Committee considered all of the written and oral evidence and noted, in particular, that Mr Grigalius had been prosecuted for breaches of his licence at Highbury Magistrates Court in April 2012 and the comments made when sentence was passed on him. The Court had serious concerns about his attitude towards compliance and that he had put people in danger by his cavalier attitude.

The Committee concurred in this view and came to the conclusion that he was not a fit and proper person to hold a registration as a Special Treatment Therapist.

The meeting closed at 4.40pm.

CHAIR