



Report of: **Service Director (Public Protection)**

Meeting of:	Date	Agenda item	Ward(s)
Licensing Regulatory	13 December 2017		

Delete as appropriate		Non Exempt
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SUBJECT: **LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED) SECTION 28 (1) BREACH OF STREET TRADING CONDITIONS - MRS ANN CARTER - LICENCE 798 FINSBURY SQUARE**

1. Synopsis

- 1.1 This report relates to the persistent breaches of street trading conditions by a licensed trader, Mrs Ann Carter and her husband Mr Peter Carter who is her authorised assistant; on pitch 798 outside 20 Finsbury Square, (incorrectly stated as Finsbury Pavement on the licence) EC2A, see *appendix 1 & 2 & 3*.
- 1.2 The breaches related to this report are found in Section 28 (1) (g) & (h) in the London Local Authorities Act 1990 (as amended)

2. Recommendation

- 2.1 To consider the revocation of the street trading licence of Mrs Ann Carter, licensed trader on pitch 798 outside 20 Finsbury Square.

3. Background

- 3.1 Mr and Mrs Carter have traded from a trailer type vehicle in Finsbury Square for approximately 22 years selling hot and cold food and drinks. Mrs Carter is the licensee and Mr Carter is her authorised assistant (the trader), see *appendix 1 & 2*.
- 3.2 All Street Trading licenses are subject to the Standard Street Trading Conditions. A copy of the current Standard Street Trading Conditions is attached, see *Appendix 3*
- 3.3 Street Trading condition 15 states "The trading area shall not be larger than the size stated on the licence and any stall limit marked on the ground unless agreed by the Council".

- 3.4 Street Trading condition 16 states “You shall only use receptacles approved by us. All goods and containers or other articles need to be contained within the licensed pitch area and not extend outside”
- 3.5 Street Trading condition 22 states “Once removed at the end of the trading day, stalls and other trading receptacles should not set up or placed in the market (pitch) again until the allowed setting up time for the following day”.
- 3.6 Street Trading condition 56 states “...unless specifically agreed in writing, stalls should not be put out 2 hours prior to commencement of trading “
- 3.7 Street Trading condition 57 states “The stall and goods are to be removed from the pitch to a nominated storage area, as stated on the application form”
- 3.8 2016 brought the completion of building works of a hotel that had been erected within close proximity of Mr and Mrs Carters’ designated pitch. This was the Montcalm Royal London House Hotel (“the Hotel”) in Finsbury Square, which first opened its’ doors to the public in October 2016. Pitch 798 is located in the carriageway directly outside the entrance to the Hotel.
- 3.9 Representatives of the Hotel contacted the Council to investigate the possibility of the removal and relocation of pitch 798 in order to facilitate a drop off pick up point for their clients. The Hotel stated that this was something that had been agreed with the Council and Transport for London, at the planning stage of the Hotel. It was evident that the traders pitch was not taken into account during the planning stage
- 3.10 Since November 2016 the Council has received numerous complaints from the solicitors who represent the Hotel regarding the trading practices of Mr and Mrs Carter. See appendix 4a,4b, 4c & 4d. Monitoring in the early part of 2017 by Council officers indicated that the trader was in breach of conditions 22, 56 & 57 by leaving their vehicle on the pitch outside the permitted times but no other breaches were reported, see appendix 5a & 5b. This was brought to the attention of the trader verbally and in writing who assured the Council that this had happened on rare occasions due to unforeseen circumstances but that a parking space had now been secured at the nearby NCP car park and that the problem would not re-occur.

The Hotel claimed that the trader was causing a noise, pollution and obstruction nuisances. In a letter by the Council to the solicitors of the Hotel sent in December 2016 the Hotel was advised that though the Council would monitor the trader’s activities the Hotel should contact the Council’s ASB team as follows:

“ if your clients are disturbed by any out of hours’ activities matters they should contact the councils Anti-Social Behaviour (ASB) team’s hotline reporting line 020 7527 7272 option; 2, even if they are not able to deal with the issue straight away; the matter will be logged and can be used as evidence”

The ASB team reports that the Hotel has made no calls to report any anti-social behaviour outside their premises due to the trader’s activities.

In June 2017 the Hotel informed the council that the vehicle used by the trader was out of tax and had no valid MOT. This matter was immediately investigated and confirmed. This breach was immediately raised with the trader via a telephone call and the licence was suspended until the matter was put right, see appendix 6c. This matter was rectified by the trader within a week.

Amongst other complaints the Hotel claimed the vehicle used as the trading receptacle was oversized for the pitch. Mr and Mrs Carter claim that they had been trading from the same vehicle for the past 14 years. The fact that the vehicle does overhang outside the pitch markings, may be in breach of conditions 15 16 and 20 of the standard street trading conditions but the Council had not considered this matter before as it was not an issue prior to the arrival of the Hotel.

- 3.11 Apart from warning the trader both verbally and in letters, no further action was taken on the above matters as Council officers were actively working with both the Hotel and the trader to relocate pitch

798 to another site; this would then accommodate both the needs of the trader (and the size of their vehicle) and the needs of the Hotel, **see appendix 6a, 6b & 6c.**

- 3.12 By July 2017 all possible relocation sites in Finsbury Square were exhausted. Due to insufficient independent evidence; the council were unable to refer the licence to the Licensing Regulatory Committee scheduled for August 2017 on the grounds previously considered under section 28 (1) (a); namely that there was not enough space in the street without causing undue interference or inconvenience to persons or vehicular traffic using the street.
- 3.13 Between July 2017 and September 2017, no further complaints were received and monitoring by council had stopped.
- 3.14 In early October 2017 the Council received further representations / complaints from the Hotel and the freeholder alleging that the trader continued to breach street trading conditions attached to the licence, **see appendix 4b.**
- 3.15 As a result of the further complaints officers from the Councils Compliance Team were tasked to monitor the traders trading activities. Monitoring exercises in October showed that the trader was continuing to breach specific conditions attached to the licence, see appendix 7. This monitoring instigated the referral of this matter to the Licensing Regulatory Committee.
- 3.16 A letter was sent to the trader on 1 November 2017 informing her that this matter would be heard at the Licensing Regulatory Committee on 13 December 2017, see appendix 8
- 3.17 Monitoring carried out by Council Officers since the 1 November 2017 shows that the trader appears to be complying with condition 22, 56 and 57, however, the trailer is still oversized, see appendix 7.

4. Implications

4.1 Financial implications

- 4.2 The current rental for this pitch is £79.00 per week. If the licence is revoked there would be a loss to the account of £4108.00 per annum. However, with current demand for pitches for the sale of take away type foods this pitch could be re assigned to another trader.

4.3 Legal implications

- 4.4 Section 27(3) of the London Local Authorities Act 1990 (as amended) provides that a borough Council may make regulations prescribing standard Conditions, which they may attach to the Licence on the occasion of its grant or renewal.
- 4.5 Section 28 (1) of the London Local Authorities Act 1990 (as amended) provides, amongst other things, that a borough Council may at any time revoke a licence if they are satisfied that:

- (g) that since the grant or renewal of the licence, the licence holders has persistently failed to remove to a place of storage the receptacles used by him/her for trading
- (h) that the licence holder has persistently failed to comply with any condition of his/her licence

- 4.6 In determining each case, the Council should act reasonably taking into account all relevant factors and ignoring all irrelevant factors.

The Human Rights Act 1998 makes it unlawful for the Council to act in a manner incompatible with Convention Rights. Convention Rights include the right to peaceful enjoyment of possessions (a licence has been held to be a person's possession). The licensee has the right to a fair hearing within a reasonable time by an independent and impartial tribunal. The actions of the Committee in attaching a condition to a licence must be based on the principle of proportionality and reasons should be given not only on refusing a licence but also on granting it.

4.7 If a licence is revoked, the trader has a right of appeal to the magistrate's court. Any appeal must be made in writing within 21 days of receiving written notice of the revocation.

5. Conclusion

5.1 A report considering the revocation of a licence is never taken lightly. The Street Trading Team always seek to try and resolve issues and always work with traders to find solutions prior to referring the case to Licensing Regulatory Committee. Officers have attempted to resolve the issues outlined in the report over a lengthy period of time with Mr and Mrs Carter but these efforts have, unfortunately, proved to be unsuccessful.

Background papers:

Standard Street Trading Conditions

Letters kept on file

Representations made by the Hotel

London Local Authorities Act 1990 (as amended)

Final report clearance:

Signed by:



1 December 2017

Service Director – Public Protection

Date

Received by:

Head of Democratic Services

Date

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ISLINGTON

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 Public Protection Division
 222 Upper Street
 London N1 1XR
 020 7527 3830
 street.trading@islington.gov.uk

STREET TRADING LICENCE

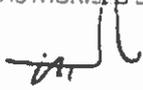
Valid from: 1st January 2017

This licence permits the person named to trade in the street as detailed below in accordance with and as defined in the London Local Authorities Act 1990 (as amended).
 This licence continues to remain in force until the expiry date unless it is surrendered or revoked, in which case, it must be returned to Islington Council.

Site: Finsbury Square	Licence Number: LN/000017114
Pitch: Pitch Number 798	Location: Outside no. 20 Finsbury Pavement
Maximum Pitch Size: 3.96 x 2.13m	
Trader: Mrs Ann Carter , [REDACTED]	
Date of Birth: [REDACTED]	
Licence Period: 1st January 2017 to 31st December 2017	
Commodity: Hot & Cold Food & Drink	

TRADING HOURS

SUNDAY	-
MONDAY	07:00 - 03:00
TUESDAY	07:00 - 03:00
WEDNESDAY	07:00 - 03:00
THURSDAY	07:00 - 03:00
FRIDAY	07:00 - 03:00
SATURDAY	-

L.B. ISLINGTON
 AUTHORISED BY

 STREET TRADING



**Licence Expires
 31st December 2019**

Declaration

I, Mrs Ann Carter, have read the standard street trading conditions and I agree to abide by them. I confirm that the information given above is correct to best of my knowledge. I also acknowledge that if I fail to abide by the street trading conditions or the information provided by me is subsequently found to be false it may result in the street trading license being withdrawn.

Signature..... *A. J. Carter*

Date 17.1.17



ISLINGTON



Peter Carter

**IS AUTHORISED BY ISLINGTON COUNCIL
TO TRADE AS AN ASSISTANT ON BEHALF OF**

ANN JANE CARTER

L.B. ISLINGTON
AUTHORISED BY

Street Trading Licence No LN/00017114

Pitch Number 798

Aut STREET TRADING

Outside no. 20 Finsbury ~~Market~~ Square

The named licensee ANN CARTER remains responsible for all trading activities on their behalf and must be carried out in accordance with the licence conditions.

This permit must be displayed clearly in a prominent position with the licensees' stall card and remains the property of Islington council.

This permit must be given up when the licence to which it relates is no longer valid. Expiry Date: 31/12/17

This permit is not transferable.

Public Protection Division
222 Upper Street
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N1 1XR
Tel 020 7527 3830
Email street.trading@islington.gov.uk

Revised July 2016

LONDON BOROUGH OF ISLINGTON

STANDARD STREET TRADING CONDITIONS (MARKETS AND SCATTERED SITES)

London Borough Islington
Street Trading
Public Protection
222 Upper Street
London
N1 1XR

T: 020 7527 3830

E: street.trading@islington.gov.uk

W: <http://www.islington.gov.uk/business/regulations/licences>

Street Trading Licence Conditions

- 1) These Conditions will apply from 1 January 2017 (and to licences issued from 1 January 2016 in respect of which notice has been given) to all street trading licences issued under the London Local Authorities Acts 1990-2012.
- 2) The Council reserves the right to suspend any licence on account of failure to comply with these conditions

Definitions

- 3) The following expressions will have the following meanings assigned as determined by the Act 1990 (Part III, Section 21(1) as amended) unless otherwise stated.
 - a) **'The Act'** – the London Local Authorities Acts 1990-2007.
 - b) **'Advertisement'** means any word, letter, model, sign, placard, board, notice, whether illuminated or not, in the nature of, and employed wholly or partly for the purpose of, advertisement, announcement or direction and includes any hoarding or similar structure or any balloon used, or adapted for the display of advertisements, and shall be construed accordingly.
 - c) **'Assistant'** means a person employed by and acting under the directions of a trader to assist him/her about the business of the stall, and whose name and address has been notified to 'Council'.
 - d) **'Awning'** means a sheet of canvas or other material, used as a protection against the weather, which projects as an extension of the roof beyond the structure of the stall.
 - e) The **'Council'** means the London Borough of Islington.
 - f) **'Fixed Penalty Notice'** may be given under section 15 (fixed penalty offences) of the London Local Authorities Act 2004 (part 4) by an authorised officer in respect of any offence set out in schedule 2 of the Act. The officer may give that person a notice offering him the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty in accordance with Schedule 2 of the Act.
 - g) **'Goods'** means any goods, wares or merchandise for sale or stored at a stall.
 - h) **'Licensed street trader'** means any person who is licensed for street trading under part III of the London Local Authorities Act 1994.
 - i) **'Licensed street trading Pitch'** means a pitch in any street authorised as a place at which street trading may be engaged in by a street trader, and includes any temporary alternative place approved by the Council
 - j) **'Nominated Successor'** A person shall be treated as being related to another if the person is the wife, husband, civil partner, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, grand-daughter, stepson, stepdaughter, brother, sister, half-brother or half-sister of the applicant. These relationships are also recognised in cases of illegitimacy or adoption

Street Trading Conditions

- 8) If you wish to vary any of the licence terms or conditions you must make it in writing to Council.

Use of this Licence

- 9) This licence is for your sole use. You may not assign it to anyone else. You must be able to produce your licence, which must be carried at all times when trading, if requested by an authorised officer of the Council or Police Officer.
- 10) You must, whilst trading, display a stall card supplied by the Council, indicating the licence and pitch number, name and photograph of licensee, location and size of pitch, market and commodities sold.
- 11) If a nominated assistant is trading in the absence of the Licensee, they must display their stall card.
- 12) Trading may only take place on the days and during the times specified on the licence/stall card.
- 13) The Council reserves the right to suspend a licence if the activity of the trader compromises the health and safety of members of the public, officers of the Council or other traders.

Stall Requirements

- 14) You shall only trade from the location which is indicated on your licence unless agreed by the Council.
- 15) The trading area shall not be larger than the size stated on your licence and any stall limits marked on the ground unless agreed by the Council.
- 16) You shall only use receptacles approved by us. All goods and containers or other articles need to be contained within the licensed pitch area and not extend outside.
- 17) The design and appearance of the stall and display will be as agreed at the commencement of the licence. Variations to the agreed design/appearance will require written approval from the Council
- 18) Tarpaulins should be clear at the back unless agreed by the Council.
- 19) The stall needs to be easily and immediately removed in the case of an emergency. You or your assistant must remove the stall and goods for as long as required in the event of an emergency, or when requested by an authorised officer of the Council or Police Officer.
- 20) The height of any stall or display shall not exceed 2.6m (8'6") unless agreed, in writing, by the Council.
- 21) Stalls not removed from the pitch at the cessation of trading may be removed by the Council to a place of storage. The Council has the right to recover from you any costs incurred by the Council for removal and storage of your stall.
- 22) Once removed at the end of the trading day, stalls and other trading receptacles should not set up or placed in the market (pitch) again until the allowed setting up time for the following day.

Street Trading Conditions

- k) **'Premises'** means a shop, house or block of flats immediately behind a licensed pitch.
- l) **'Receptacle'** includes a vehicle or receptacle and any basket, bag, box, vessel, stand, stall, easel, board, tray or thing which is used (whether or not constructed or adapted for such use) as a container for or the display of any article or thing or equipment used in the provision of any such service.
- m) **'Refuse'** includes any waste material.
- n) **'Stall'** means any structure used by a trader for the display of goods, or in connection with his/her business, and includes all goods offered or to be offered for sale and any additional structure or equipment used as part of a stall business. This also includes rubbish created as a result of the business.
- o) **'Stall limits'** means the authorised ground markings defining the area within which the stall is to be contained.
- p) **'Street trading'** shall have the meaning ascribed in Section 27 (1) of the London Local Authorities Act 1994. A licence granted under the Act and valid for the period specified therein being not less than six months and not more than three years.
- q) **'Temporary licence'** means a licence granted under the Act valid for a single day or for such period as may be specified in the Licence not exceeding six months.
- r) **'Temporary licensee'** means a licence holder who is on a six month probationary period.
- s) **'Us'** and **'we'** mean the London Borough of Islington's Street Trading Section.
- t) **'You'** means the trader or person named as the holder of this licence authorising street trading from a licensed pitch. Where a licence is held in more than one name, 'you' means each person named and applies to each person both individually and collectively. 'Your' shall be read in this context.
- u) **'Your pitch'** means the pitch (es) identified on the licence.

Licence compliance

- 4) The business activity of the stall shall be undertaken in compliance with other legislation enforced by the Council or other Agencies, e.g. Environmental Health, Health and Safety, Food Safety, Trading Standards, Fire Prevention, Waste Management and Highways Regulations.
- 5) The licence is the approval to trade under the Act. It does not constitute any other approval that a trader might need, under bye-laws, regulations or other enactments.
- 6) Council may vary the conditions of this licence or attach additional conditions at any time or on application by the licence holder.
- 7) Where Council provides its approval under this licence, it may attach any conditions or restrictions that are deemed reasonably appropriate.

Street Trading Conditions

- 23) Stalls or accessories must not damage the carriageway or footway.
- 24) No advertisement shall be displayed on your pitch which relates to any goods, commodities or services apart from those being offered for sale from your pitch.
- 25) The use of advertising boards (A Boards) is not permitted unless it is kept within your licensed pitch.
- 26) The operation of your stall must not cause a nuisance to other traders or the general public.

Use of Kiosks

- 27) The maintenance and upkeep of all kiosks used by traders on scattered sites is the responsibility of the licensed trader. There is to be no advertising on these kiosks apart from the traders name banner; unless approved by the Council. Such advertising is subject to planning consent. The display boxes are for the sole use of Council campaigns and will be maintained by the Council.

Electrical Safety

- 28) All electrical equipment should be tested regularly by someone competent to carry out the test. Portable appliance testing (PAT) should be carried out on all portable appliances annually and six monthly for handheld devices in accordance with the IEE Code of Practice for in-service Inspection and testing of Electrical equipment. Certification to be provided to the Council.
- 29) External plugs and sockets must be waterproof and the circuit breakers must work effectively.
- 30) Cables must not be a tripping hazard and should be protected from accidental damage. If for outdoor use; cables must be of industrial grade BS7179 (HO7RN-F or equivalent) rubber, with a minimum voltage designation of 450/750v (heavy duty flexible as a minimum as defined in BS7540-1) and resistant to abrasion and water
- 31) Electrical power shall only be used for the purpose of lighting and the operation of electrical scales and tills, or other agreed services. Fires and heaters of any description are not permitted
- 32) You will be held liable for any damage to any electrical installation provided by the Council if it is shown that the damage was caused by your actions or neglect.
- 33) You may only run electric cables for lighting or other agreed services between your stall and other stalls or premises. Any electrical connections shall be easily detached and the detailed arrangements agreed with the Council. Electrical cables hung over the public highway will require a minimum clearance of 2.6m (8'6") from the footway surface and 5.6m (18'6") from the carriageway surface.
- 34) Only equipment that has been authorised by the Council shall be connected to the Councils electrical supply.

Street Trading Conditions

- 35) Mobile electrical generators can only be used with the prior approval in writing from the Council.
- 36) If the Council needs to have any appliance tested; a fee as set out in the Council's schedule of fees will be charged to the trader.
- 37) Electrical boxes or pillars must be kept clean and clear of any debris or litter and kept shut / locked at all times whether or not in use.

Refuse

- 38) You are responsible for all refuse arising as a result of your activities. You must at all times comply with the requirements of the Environmental Protection Act 1990 (or any superseding legislation) with regard to your waste.
- 39) In keeping with the Council's environmental sustainable initiatives you are to support the following practices where practical:
 - a) Keep packaging of goods to a minimum or use recycled packaging where possible
 - b) Keep the use of non-recyclable carrier bags to a minimum;
 - c) Where possible compost food waste in line with the Council's policy of composting
- 40) Recycle all refuse where appropriate in line with Council's policy.
- 41) All refuse, food debris, waste, and litter must be contained within sacks on your pitch at the end of the trading day or transported to containers that may be provided by the Council as directed
- 42) The trader shall collect and dispose of any food debris and wrappings caused by their activities, within a 2 metre radius of their pitch at the end of the trading day and as often as necessary during the trading day
- 43) Traders must ensure that all waste water and any kind of oil is collected in a secure container and disposed of or discharged legally and not be poured into drains or placed in litter bins
- 44) You must break down boxes to their smallest size before placing them in bins provided
- 45) You are not permitted to use the Street Market waste collection service/facilities if your licence is linked to fixed premises. In these circumstances you must make your own separate arrangements for waste collection.

Product

- 46) Only the goods specified on the licence may be sold on your pitch.
- 47) You must not sell or distribute political material or religious material designed to incite hatred. The following goods are also banned; weapons and explosives, any pornographic material, illegal substances or counterfeit goods. Failure to comply with this condition will result in the

Street Trading Conditions

immediate seizure of all goods and may result in revocation of your licence and prosecution.

Attendance

- 48) You must be in personal attendance on your pitch for the majority (at least 50 per cent) of the working day, apart from absences for illness or holidays unless otherwise approved by the Council.
- 49) You must attend and trade for a minimum of three days each week unless otherwise approved by the Council.
- 50) You may **NOT** enter the market with a vehicle to remove your goods or stall until the end of the official market trading day or at a time agreed with the Council.

Trader Conduct

- 51) You must give all reasonable assistance to an authorised officer of the Council carrying out their duties.
- 52) You must immediately notify the Council in writing and provide evidence of any change of your name or address or place of storage of commodities and trading receptacles
- 53) You must ensure that you have the required level of Public Liability Insurance (£5 million) throughout the duration of the licence and be able to produce this on request.
- 54) You must ensure that you and your staff are competent, courteous and helpful and ensure all members of the general public are treated fairly and with courtesy. The Council does not tolerate abuse of any sort. Any complaints of serious abuse of any nature against Council officers, other street traders or members of the public may be regarded as grounds for revocation of a street trading licence.
- 55) You must be in position, have your goods displayed and contained within the pitch, and able to commence trading from your stall by no later than 45 minutes after the commencement times listed below. If your pitch is not utilised by you at commencement of trading we may re-let the pitch for the day.
- 56) Hours of commencement and cessation may be varied, in individual cases with prior written consent by us. Unless specifically agreed in writing, stalls should not put out 2 hours prior to commencement of trading
- 57) The stall and goods are to be removed from your pitch to your nominated storage area, as stated on the application form or agreed in writing by the Council, within one hour of the cessation of the day's trading (i.e. the time shown on your licence to end trading for that day),

Street Trading Conditions

Market/area	Days of trading	Commencement of trading	Cessation of trading
Chapel ¹	Tuesday to Sunday	9am Tuesday to Sunday	6pm Tuesday to Saturday 4pm Sunday
Whitecross	Monday to Friday	10am Monday to Friday	5pm Monday to Friday
Exmouth	Monday to Friday	9am Monday to Friday	6pm Monday to Friday
Camden Passage	Wednesday and Saturday	9am Wednesday and Saturday	6pm Wednesday and Saturday
Islington High St/Camden Passage	The area is designated for street trading on a Sunday but currently no trading is carried out.		
Archway	Thursday & Saturday 12.00 noon – 6.00 pm		
Torrens Street	The area is designated for street trading on a Sunday but currently no trading is carried out.		
Scattered sites	Monday to Sunday	9am Monday to Sunday (unless otherwise stated)	6pm Monday to Sunday (unless otherwise stated)
Arsenal Area	First Team and International Matches	Two hours prior to start of match	One hour after cessation of match (unless otherwise stated)

Late arrivals in markets

- 58) If a licensee arrives after the commencement time it is the discretion to the street trading officer to locate them at the most appropriate pitch (even if the licensees pitch is available).
- 59) Vehicles will not be permitted to stay or enter the market 45 minutes after the commencement of trading until the agreed end of trading day.

Ownership of the Street Trading Licence

- 60) Licence is personal to the holder
- 61) A licence is granted only to the person named on it. It may not be transferred, assigned, sold or sub-let. Any such instances of the above may result in the revocation or non-renewal of the licence.

Fee and Charges

- 62) All licence fees and charges must be paid in advance.
- 63) Your account will be on charge from the start date as stated on your licence.

¹ Includes White Conduit,

Street Trading Conditions

- 64) Fees (other than administration and casual vouchers) will be invoiced per calendar month; payments must be made by the 15th of the month or collected via direct debit on the agreed date.

Surrender of Licenced Pitches

- 65) If you decide to surrender the pitch; you are required to provide written confirmation by post or email to the street trading team. You will still be liable to pay the remaining months fees. Part refunds will not be given for the month in which you surrender.

Conditions Specific to Food Traders

- 66) All licensed food traders shall achieve and maintain for the duration of their licence a Food Hygiene Rating Standard of 3 or higher. New traders will be required to achieve this standard within timescales specified by the Council

67) Storage, Display, Service and Transport of food

- a) To avoid possible contamination, food must not be placed directly onto the floor (all unwrapped food needs to be stored off the ground by at least 45cm)
- b) There should be protection of high risk foods from the public touching, coughing or sneezing in the display area. This can be achieved by use of sneeze guards or other coverings. There should be adequate covers available to protect foods from insects
- c) Food handlers are required to wear clean protective over-clothing when handling unwrapped food.

68) Hand Washing Facilities

- a) Where open high-risk food is handled there must be good hand washing facilities. These must include a basin or sink with a supply of hot and cold water.
- b) Hot water may be supplied from an urn that has a constant supply of hot water but NOT from a kettle where hot water is not necessarily immediately available

69) Fire Hazards

- a) The food business operator must carry out a fire risk assessment.
- b) All combustible materials that could promote fire spread need to be identified and stored away from any ignition source. Structures, curtains and drapes that could promote fire due to their proximity to an ignition source should be treated with a flame retardant
- c) Appropriate fire extinguishers must be provided and checked every 12 months. The following is required:
 - Stalls cooking food - 4kg dry powder or four litres of foam.
 - Stalls with generators/electrical equipment – 4kg dry powder or Carbon Dioxide CO₂

Street Trading Conditions

- Stalls not cooking food – 4.5 litres of water
 - d) If deep fat frying is taking place, gas equipment should be fitted with a flame failure device and there should also be a suitably located fire blanket. Fryers should be fitted with an automatic high temperature-limiting device (operates at a fat temperature of 250°C or lower)
- 70) Liquefied Petroleum Gas (LPG)**
- a) Gas fixtures and systems require appropriate annual certification from a competent person who is Gas Safe registered for LPG appliances. Certification to be provided to the Council.
 - b) Cylinders should be fitted with automatic cut-off valves and be protected from tampering.
 - c) All pipes should be protected from abrasion or mechanical damage (armoured if subject to temperatures over 50°C). All pipes should be renewed every two years.
 - d) All gas appliances must be fitted with a flame failure device and adequately ventilated.
 - e) Staff that use gas equipment should be trained in how to use it and in how to carry out visual checks for obvious faults. This will include such things as damaged pipework and connections, inoperative flame supervision devices (these shut off the gas supply automatically if the flame disappears), and smells of escaping gas. All staff should be familiar with what to do in these situations. Routine tasks such as connecting and disconnecting plug-in gas connections to appliances when moving for cleaning, or changing LPG cylinders or hoses, can be carried out by persons who are not Gas Safe registered, but they must be competent.

Conditions specific to Casual trading (Markets)

- 71) If you do not trade for a period of three consecutive months your casual licence will lapse and no further trading vouchers will be issued.
- 72) No trading will be permitted without the surrender of a valid voucher
- 73) Vouchers are not transferable
- 74) Unspent vouchers returned to Council within three months from date of issue will be eligible for a full refund. No refund will be given for vouchers outside of this time frame.
- 75) Casual Registrations must be renewed in the first week of January every year. No trading will be permitted unless registrations are renewed.
- 76) Assistants may only trade in the presence of the licensee
- 77) There is no right of appeal against the revocation of a temporary or a casual licence.
- 78) Casual trading vouchers are valid for the duration of their registration providing there is no change to the fees.

Street Trading Conditions

- 79) Traders are required to purchase a minimum of 5 of each type of voucher.
- 80) A refund on unused vouchers is subject to an administrative fee and is only applicable to vouchers that have been issued within 3 months prior to the date of surrender.

Ms Hourie Dervish
Street Trading Manager
Public Protection
Islington Council
222 Upper Street
London N1 1XR

19 December 2016

Dear Ms Dervish

Objection to Renewal of Street Trading Licence Number 798 ("the Licence") Pitch Number One ("the Pitch") in respect of vehicle LDV registration number Y975 UGC ("the Burger Van")

We are instructed by the Montcalm (RLH) Limited which operates the Royal London House Hotel located at Finsbury Square. We refer to the letter dated 23 November 2016 from our client objecting to the renewal of the above licence and asking you to consider invoking your powers under Section 28 of the London and Local Authorities Act 1990 ("the 1990 Act").

We draw to your attention the following:

1. Section 28 (1) of the 1990 Act states that:

"A Borough Council may at any time revoke the street trading licence if they are satisfied that –

- a) Owing to circumstances which have arisen since the grant or renewal of the licence, there is not enough space in the street in which the licence holder trades for him to engage in the trading permitted by the licence without causing undue interference or inconvenience to persons or vehicular traffic using the street;*
- c) The licence holder is an individual who has without reasonable excuse personally failed fully to avail himself of his licence;*
- h) The licence holder has persistently failed to comply with any condition of his licence."*

Section 28 (2) of the 1990 Act enables a Borough Council to vary its conditions by attaching further conditions and:

- b) "Specifying a different licence street or position or place in any such street at which the licence holder may sell or expose or offer for sale articles or things or offer or provide services."*

We enclose a copy of our client's letter dated 23 November 2016 which sets out fully the matters relied on.

However, we have now been supplied with an itemised list of the licensee's activity from 17 November 2016 to 7 December 2016, inclusive. All the actions complained of were caught on CCTV and can be corroborated by CCTV footage if required. You will note the actions support the fact that:

1. the existence of the Burger Van in this particular area is causing nuisance;
2. Mr Carter frequently does not utilise the full operational hours of the licence, leaving at 1am rather than 3.30am;
3. trading is taking place prior to licence trading hours and access to the pavement is blocked by double parked taxis;
4. customers using the facilities provided by the Burger Van create litter problems with cigarette butts being thrown on the floor next to the Burger Van; and
5. the Burger Van is left parked when not in use, and residents of the hotel are complaining about problems encountered with the Burger Van.

Breach of Conditions of the licence

Condition 15:

"The trading area shall not be larger than the size stated on your licence and any stall limits marked on the ground unless agreed by the Council".

Alleged breach:

The Burger Van that Mr Carter uses is very large and protrudes way beyond the pitch that he is permitted to operate in.

Condition 16:

"All goods and containers or other articles need to be contained within the licenced pitch area and not extend outside".

Alleged breach:

Mr Carter is in breach of this condition because the Burger Van protrudes beyond both the front and rear parameter of the parking space of the licenced pitch.

Condition 20:

"The height of any stall or display shall not exceed 2.6 metres unless agreed, in writing, by the Council".

Alleged breach:

We have not received any special conditions from the Council and assume that there is no special condition in place. The height of the van exceeds the 2.6m. It is circa 3.2m in breach of condition 20.

Condition 21

"Stalls not removed from the pitch at the cessation of trading may be removed by the Council to a place of storage".

Alleged breach:

The Burger Van is kept onsite beyond its trading hours in clear breach of condition 21.

Condition 22:

"Once removed at the end of the trading day, stalls and other trading receptacles should not be set up or placed in the market again until the allowed setting up time for the following day".

Alleged breach:

We assume this relates to the permitted times for trading as per the licence. You will note from the attached report that the Burger Van is invariably kept in that pitch when not trading in breach of condition 22.

Condition 26:

"The operation of your stall must not cause a nuisance to other traders or the general public".

Alleged breach:

There are reports of the licence holder trading to people in the street on the roadway. It is a one way street and is therefore a risk to public safety, and it is certainly causing a nuisance. As a result of the operation of the Burger Van there is litter, noise and complaints from residents of the hotel. Mr Carter is therefore in breach of condition 26.

Condition 43:

"Traders must ensure that all waste water and any kind of oil is collected in a secure container and disposed of or discharged legally and not poured into drains or placed in litter bins".

Alleged breach:

Our client has CCTV evidence of waste water being poured directly from receptacles into the street. This is a systematic occurrence.

We wish to reach a constructive solution for all concerned and utilising your powers as set out above in Section 28, will invite the Council to consider whether Mr Carter's Burger Van can be relocated to a different pitch on the square. To that end, we have already engaged in discussions with Mr Hazzard, of the highways department, and also TFL. The proposal, if acceptable to the Council, would be to relocate Mr Carter's Pitch to the area marked green on the plan attached.

This has a number of advantages:

1. It is located to an area in front of a property that is not used at the times Mr Carter is operational; and

19 December 2016

2. It enables the Council to comply with its legal obligations under the Section 106 Agreement with the hotel to be able to provide a taxi rank and accessible parking spaces in front of the hotel.

The circumstances of the location of this Pitch have now drastically changed and the continued use of the Pitch by Mr Carter is causing a hazard to health and safety and is also a public nuisance, together with breach of various conditions as set out in the licence.

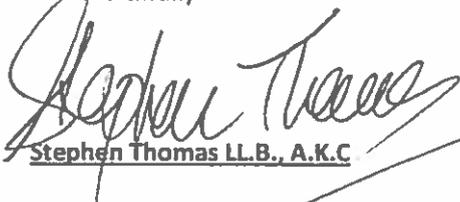
We believe that a relocation of his Pitch to the area suggested, which has been discussed with the highways department and TFL could resolve matters. It may be that a new Pitch of the appropriate size will also avoid Mr Carter being in breach of the conditions, which is currently the case.

Please could you kindly keep our Mr Thomas abreast of developments. Please advise when and if this matter is to be listed for hearing as he will be in attendance to represent Montcalm (RLH) Limited as tenant as well as the owner, Obidos Properties Limited and their collective objection to the renewal.

We look forward to hearing from you with regard to the points raised in this letter and how we may take this matter forward.

Should any further evidence of the breach of conditions come to light we reserve the right to forward them to you.

Yours faithfully



Stephen Thomas LL.B., A.K.C

Enc.

CC Peter Thomas, Precis Management Services Limited

THE MONTCALM
ROYAL LONDON HOUSE
FINSBURY SQUARE, CITY OF LONDON

Ms Houriyeh Dervish
Street Trading Manager
Public Protection
Islington Council
222 Upper Street
N1 1XR

Houriyeh.Dervish@islington.gov.uk

23 November 2016

By recorded delivery and email

Our ref: Legal/PCAT/L/2196

Dear Ms Dervish

Street Trading Licence number 798 ("the Licence") Pitch number 1 ("the Pitch")

Background

We are the tenant and operator of The Montcalm Royal London House, a luxury hotel located at Royal London House, 22 - 25 Finsbury Square, London, EC2A 1DX ("the Hotel").

Since obtaining planning permission in November 2014 to convert the previously underutilised office building to a hotel, we have worked with the London Borough of Islington ("LBI") throughout the re-development process and have recently opened the Hotel for business.

However, in the short time that we have been open in this location we have experienced a number of significant issues with a street trader selling hot food to night time trade that is located directly outside the Hotel on Finsbury Square ("the Street Trader"). We understand that the Street Trader is operating under the Licence and is located at the Pitch.

We write to you to set out the issues we have experienced to date concerning the Street Trader's operation and also to suggest a resolution to the problem that would enable the Street Trader to continue to operate, but from a pitch situated elsewhere in the vicinity.

THE MONTCALM
ROYAL LONDON HOUSE
FINSBURY SQUARE, CITY OF LONDON

Summary of Issues

1. Safety and Accessibility

Of utmost concern to us is the safety of our guests and the accessibility to and from the Hotel by all users, including those that require special assistance. The current location of the Street Trader's van is impairing the free and unimpeded movement of our guests (able bodied or otherwise), a number of whom have already made direct complaints to our staff.

Additionally, and as a direct result of the Street Trader's vehicle being parked outside the Hotel for hours greatly exceeding the permitted licenced hours, taxis or vehicles are unable to collect or drop off our guests safely at the Hotel. In particular, disabled hotel guests arriving by car or taxi are unable to be dropped off directly onto the footway outside the Hotel, and as such, have considerable difficulty in accessing the Hotel entrance via the disabled access ramp that has been installed in line with the planning permission and building regulations.

When departing the Hotel, our guests (including those with disabilities), are required to manoeuvre themselves on to the road outside the Hotel to access taxis/vehicles, where they need to negotiate their way past vehicles that have stopped to visit the Street Trader's vehicle as well as those travelling around the Square, and therefore have to block the flow of traffic.

The physical barrier created by the Street Trader's vehicle poses an unacceptable danger to our guests and other members of the public which can easily be rectified by its permanent relocation.

2. Breach of Licence

Despite numerous requests, you have failed to provide us with a copy of the Street Trader's licence.

However, we understand that the Street Trader's licensed hours are 1730 – 0330, with a small additional amount of time either side of these hours to enable sufficient time to set up and close down.

However, the Street Trader's vehicle is customarily parked outside the Hotel for considerably longer periods than is permitted by the Licence and often for what appears to be on a permanent basis without abiding by any parking restrictions already in place on the Square.

In addition, the Street Trader's vehicle physically occupies an area that is larger than clearly marked Pitch and protrudes over the designation which compounds the highway and access issues set out above.

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FINSBURY SQUARE, CITY OF LONDON

3. Noise

The noise created by the Street Trader, and the large number of taxis that park or temporarily pull up alongside the Street Trader's vehicle, creates an extremely unwelcoming environment for our guests both on arriving and leaving the Hotel. This night time congregational activity also disturbs Hotel guests trying to sleep at the front section of the Hotel facing the Square, in relation to which, we are receiving regular complaints.

Whilst this congregational activity was no doubt of little impact when the entirety of Finsbury Square was in office use, the character and ambience of the Square has changed since the lawful introduction of the Hotel.

As such, the matter needs addressing without delay.

4. Emergency Access

Whilst the Street Trader occupies the current Pitch, we also believe that the emergency services would be unable to access the entrance to the Hotel unimpeded in the case of an accident or incident.

The Way Forward

We understand that the Street Trader has been located within Finsbury Square for a number of years, but the character and use of the Square has transformed over the recent past with the renovation of offices and the opening of the Hotel.

The Hotel is the only property located on the Square that is in constant operation throughout the night and directly conflicts with the operation of the Street Trader. It is therefore within LBI's control to amend the terms of the licence under which the Street Trader is operating to relocate its location to one that continues to support the night time economy but does not impact the functional and operational use of the Hotel, a significant business rate payer in the Borough.

For example, the numerous office buildings in the vicinity of the Hotel which are not in constant use throughout the night and could easily accommodate the Street Trader's vehicle without impacting their use or operation as offices.

Finally, it is noteworthy that the current location of the Street Trader is impeding the contractual requirement incumbent on LBI to comply with the planning obligations contained within the section 106 agreement relating to the grant of planning permission for the hotel use.

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FINSBURY SQUARE, CITY OF LONDON

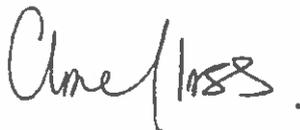
In particular, we have already paid significant financial contributions towards the creation of an improved taxi and private car hire drop-off and pick-up area, and we quote, "at the front of the Hotel" and towards the provision of accessible parking bays or alternative accessible transport measures.

Discussions on these points are on-going and are being raised directly with LBI's Planning Team through our retained planning consultant. Nevertheless, we feel that is of great importance that LBI's Planning Team and Licencing Team have a joined up approach to resolving this issue to our satisfaction.

Objection to the Renewal of the Licence:

In conclusion, in the light of the issues highlighted above, please take this letter as our formal objection to the renewal of the Street Trader's licence. The current status quo is wholly unacceptable.

Yours sincerely



Clare Glass
Director

Mr David Fordham
Street Trading Department Head
Public Protection, Islington Council
222 Upper Street
London N1 1XR

31 March 2017

By recorded delivery and email

Dear Mr Fordham

**Complaint - Street Trading Licence Number 798 ("the Licence –
Our Client Montcalm Royal London House Hotel)**

Many thanks for your letter of 29th March. We have forwarded your letter to our client. It is noted that you have asked for the breaches of licence to be investigated.

We support your strategy for resolution of the issue in order that our client can comply with its s106 obligations. In particular there is an element of urgency to resolution of this matter as disabled visitors to the hotel have found it far more difficult to get from their vehicles to the Hotel because of the lack of provision of the accessible parking spaces. The Burger Van is parked where the accessible spaces should be, and this puts our disabled guests at a clear disadvantage to our able-bodied guests who can be dropped off close to the hotel.

We note that if it became necessary revocation would have to be dealt with at a meeting of a different committee. The Hotel has been in use by members of the public since October 2016. Our client was led to believe that the issue of the location of the Burger Van would be dealt with at the February 2017 meeting.

We understand that normally the Committee meets every 3 months, but does have the power to convene a meeting at an interim date. Given the circumstances surrounding this case, we would ask you to put in place steps to arrange an interim hearing if scenario 1 of your letter cannot be achieved at the May 2017 meeting.

Can we also confirm whether members of the public are allowed to attend these meetings and whether we would be allowed to attend as an observer on 25 May 2017.

We look forward to hearing from you in due course.

Yours sincerely



Stephen Thomas LL.B., A.K.C

Enc.CC Peter Thomas, Precis Management Services Limited,
CC Houriyeh Dervish – Street Trading Manager

Mr David Fordham
Street Trading Department Head
Public Protection
Islington Council
222 Upper Street
London N1 1XR
By recorded delivery and email

13th June 2017

Dear Mr Fordham

Complaint - Street Trading Licence Number 798 ("the Licence") Pitch Number One ("the Pitch") in respect of vehicle LDV registration number Y975 UGC ("the Burger Van")

Our Client Montcaim Royal London House Hotel

As per my e-mail of today's date I note the issue with regard to the Hamburger is hopefully to proceed to resolution on 17th July. Can I ask if there has been any further progress with regard to the re-siting of the burger van?

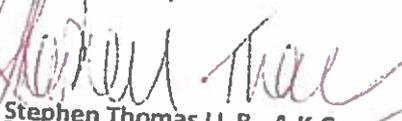
In the meantime it has been drawn to our attention that the vehicle is operating unlawfully without tax and without a valid MOT certificate. See e-mail below. Attached are photos of the Van proving illegal use of the vehicle. In particular you may note with some concern how taxis park around the van blocking the road. We understand Mr Carter likes to serve customers in the road which clearly poses a risk to safety.

I have now received an updated log of licence breaches, pertinent matters are highlighted in blue. I attach this together with two photographs taken on Thursday last 8th June when I was visiting the hotel. These photos show the Van again parked at about 08.30 a.m so in breach of his licence and two stationery taxi's parked out in the road again around his Van.

As promised I enclose a hard copy of the log of activity with these two photos but would be grateful if you could print off the other photos sent by e-mail for your records.

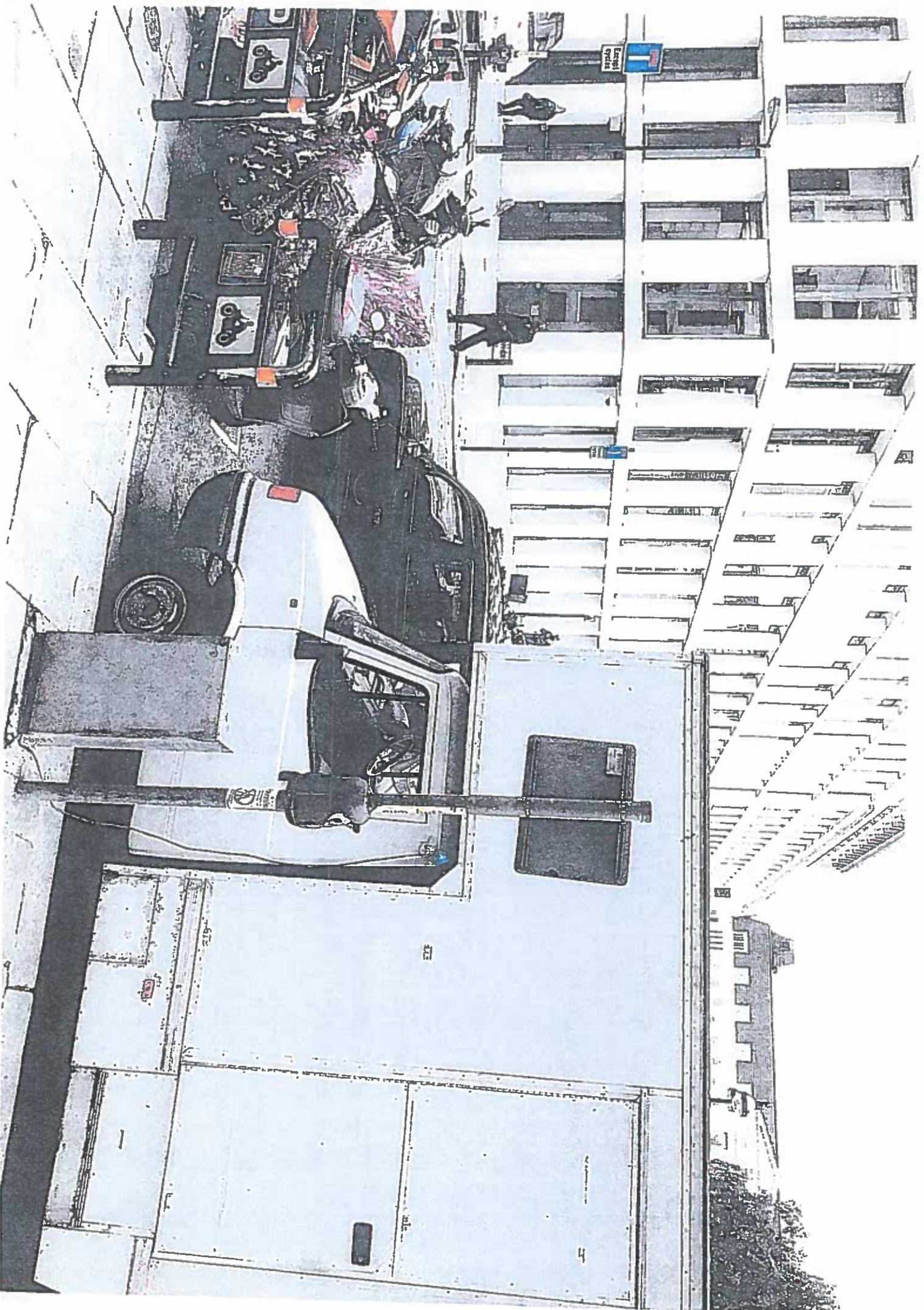
I look forward to hearing from you with details of how matters are progressing for 17th July?

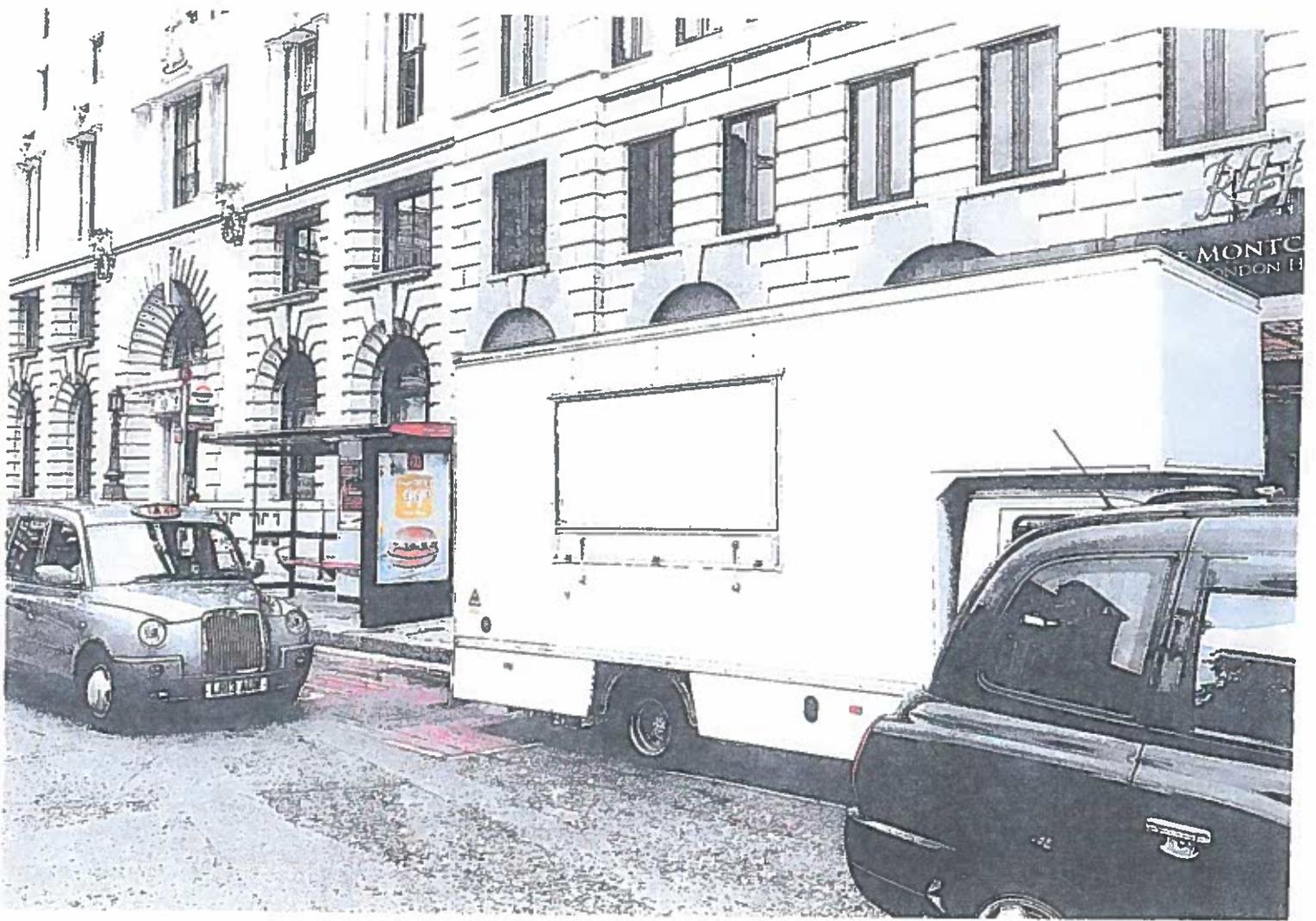
Yours sincerely



Stephen Thomas LL.B., A.K.C

Enc.CC Peter Thomas, Precis Management Services Limited,
CC Houriyeh Dervish - Street Trading Manager







CH54

Mr David Fordham
 Street Trading Department Head
 Public Protection
 Islington Council
 222 Upper Street
 London N1 1XR

2nd October 2017

Dear Mr Fordham

PUBLIC SAFETY and Continuing breach of conditions - Street Trading Licence Number 798 ("the Licence") Pitch Number One ("the Pitch") in respect of vehicle LDV registration number Y975 UGC ("the Burger Van")

We write further to our recent correspondence advising of breaches of conditions by the above trader. Since our last correspondence, the trader continues to breach his licence as follows:

Breach of Conditions of the licence

Condition 22:

"Once removed at the end of the trading day, stalls and other trading receptacles should not be set up or placed in the market again until the allowed setting up time for the following day".

Alleged breach:

This relates to the permitted times for trading as per the licence – these are 17.30 – 03.30. We highlight that throughout September the Burger Van has been permanently parked in the pitch when not trading, in clear breach of condition 22.

It is noted that Mr Carter traded from the van:

In July for a total of 17 days out of a possible 21 week days,

In August for a total of 16 days out of 21 week days.

The breach of this condition is aggravated by the breach of condition 21 and 26 set out below particularly by causing difficulty to those wishing to make deliveries to the hotel when the vehicle should not be parked there.

Public Safety

We attach a photo of the Burger Van taken on Thursday last week – 28th September. It causes us deep concern that people are able to draw graffiti on the Burger Van whilst it is unattended and not legitimately able to use this site. This is an obvious security risk to the public at large.

Condition 21

“Stalls not removed from the pitch at the cessation of trading may be removed by the Council to a place of storage”.

Alleged breach:

The Burger Van is kept onsite beyond its trading hours in clear breach of condition 21 as per the comment made regarding condition 22 above.

Condition 26:

“The operation of your stall must not cause a nuisance to other traders or the general public”.

Alleged breach:

The licence holder trading to people in the street on the roadway. It is a one way street and is therefore a risk to public safety, and it is causing a nuisance.

- Taxi drivers that use the van are often parked up on the road for hours at a time. Some taxis have been parked outside the Burger Van for up to 6 hours at a time.
- This causes noise pollution and a number of hotel guests staying at the front of the hotel have been disturbed. As a result of the operation of the Burger Van there is litter, noise and complaints from hotel residents who have made complaints about this and the Burger Van itself.
- Hotel business operations have been disrupted due to the Burger Van blocking the entrance of the hotel. Those making general deliveries are hindered by the Burger Van and often have to double park and partially block the road in order to continue with their business. Mr Carter is therefore in breach of condition 26.

Condition 15:

The trading area shall not be larger than the size stated on your licence and any stall limits marked on the ground unless agreed by the Council”.

Alleged breach:

The Burger Van that Mr Carter uses is very large and protrudes beyond the pitch that he is permitted to operate in.

Condition 16:

"All goods and containers or other articles need to be contained within the licensed pitch area and not extend outside".

Alleged breach:

- Mr Carter is in breach of this condition because the Burger Van protrudes beyond both the front and rear parameter of the parking space of the licensed pitch.

Condition 20:

"The height of any stall or display shall not exceed 2.6 metres unless agreed, in writing, by the Council".

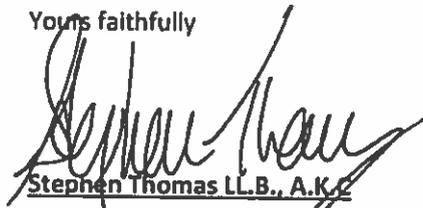
Alleged breach:

The height of the van exceeds the 2.6m. It is circa 3.2m in breach of condition 20.

Should any further breach of a condition of the licence arise we reserve the right to advise you of same. Evidence of the above breaches can be verified by CCTV footage.

In the meantime please confirm what action you will take to remedy the deliberate continuous breach of conditions that has been ongoing now for nearly 12 months?

Yours faithfully



Stephen Thomas LL.B., A.K.C

Enc.

CC Houriyeh Dervish – Street Trading Manager

Royal London House – Burger Van Surveillance November 2016 – November 2017

- Monitoring has taken place for the period from 17 November 2016 – until today, and will remain on-going.
- Taxi drivers that are served by the van are often parked up in the middle of the road for hours at a time. Some taxis have been parked outside the van for up to 6 hours. One gentleman has his own camp chair that he brings with him and sets up in the middle of the street where all the cabbies congregate, and another gentleman often brings a long his little dog whilst he spends a few hours here relaxing at the burger van.
- Taxi drivers that come to use the van are often parked up on the road for over an hour at a time. On average the same taxis will have been double parked, in the middle of the street from anything between 1 - 2.5 hours.
- Patrons of the van appear to be primarily taxi drivers, who stop to use the area for a break and to hold informal social gatherings. They also use the hotel lavatory facilities when in need of a toilet break.
- As a result of the operations of the burger van there is often litter left on the street, cigarette butts, and noise pollution. A number of residents staying at the front of the hotel have made complaints about this noise pollution and the burger van in general.
- Many of the hotel's business operations have been disrupted due to the van blocking the entrance of the hotel. Those making frequent general deliveries are hindered by the van and often have to double park and partially block the road in order to continue with their business.
- Access to the hotel for disabled, elderly guests and families with small children is currently very challenging due to the location of the van and the congregation of customers and their vehicles in the vicinity, as there is no direct access route to the pavement at the entrance of the hotel. We have footage of those using wheelchairs and families with small children having to alight from vehicles into the middle of the street and navigate around double parked taxis and the burger van in order to access the hotel as there is no direct clear route to the pavement.
- From 31 August 2017 until 25 November the van did not moved from its pitch once and remained in situ for 24 hours a day.
- During the months of September and October 2017, Mr Carter only opened for trade 31 days out of a possible 43 working days.

In addition to the above, Mr Carter continues to breach a number of conditions of the street trading licence:

Condition 15:

"The trading area shall not be larger than the size stated on your licence and any stall limits marked on the ground unless agreed by the Council".

Alleged breach:

The burger van that Mr Carter uses is very large and protrudes way beyond the pitch that Mr Carter is permitted to operate in.

Condition 16:

"All goods and containers or other articles need to be contained within the licenced pitch area and not extend outside".

Alleged breach:

The burgers van that Mr Carter uses protrudes beyond both the front and rear parameter of the parking space of the licenced pitch.

Condition 20:

"The height of any stall or display shall not exceed 2.6 metres unless agreed, in writing, by the Council".

Alleged breach:

We have not received any special conditions from the Council and assume that there is no special condition in place. We believe the height of the van exceeds the 2.6m set out in condition 20.

Condition 21

"Stalls not removed from the pitch at the cessation of trading may be removed by the Council to a place of storage".

Alleged breach:

Since 31 August 2017 the burger van has been kept onsite beyond its trading hours, 24 hours a day 7 days a week in clear breach of condition 21.

Condition 22:

"Once removed at the end of the trading day, stalls and other trading receptacles should not be set up or placed in the market again until the allowed setting up time for the following day".

Alleged breach:

The burger van is kept continuously in that pitch even when not trading which breaches condition 22.

Condition 26:

“The operation of your stall must not cause a nuisance to other traders or the general public”.

Alleged breach:

There are reports of the licence holder trading to people in the street on the roadway. As this street is a one way street this trading poses a risk to public safety, and those attempting to navigate around the van in order to gain access to the pavement. As mentioned above, as a result of the operation of the burger van there is frequently litter, noise and complaints from residents of the hotel. Mr Carter is therefore in breach of condition 26.

Condition 48:

“You must be in personal attendance on your pitch for the majority (at least 50 per cent) of the working day”.

If the ‘working day’, as it is stated above, means the number of trading hours according to the pitch holder’s licence, then Mr Carter is permitted to trade for 20 hours. On average Mr Carter trades for 8 – 8.5 hours which is less than 50% of his allotted time. This is a breach of condition 48.

Condition 56:

“Unless specifically agreed in writing, stalls should not put out 2 hours prior to commencement of trading”.

Alleged breach:

The burger van is kept continuously in that pitch even when not trading which breaches condition 56.

Condition 57:

“The stall and goods are to be removed from your pitch, within one hour of the cessation of the day’s trading (i.e. the time shown on your licence to end trading for that day).”

Alleged breach:

The burger van is kept continuously in that pitch even when not trading which breaches condition 57.

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/Video #</u>
01-Dec	00:05:00	Disturbance and noise due to congregational activity.		
01-Dec	00:20:00	Disturbance and noise due to congregational activity.		
01-Dec	00:50:00	A man urinates in the street right next to the van.	video	27/NC
01-Dec	01:00:00	Closes at approximately at 1am, leaves shortly after.		
01-Dec	10:00:00	Van parked outside, no movement from previous evening.		
01-Dec	20:10:00	Access to pavement is completely blocked.	See photo	28
02-Dec	00:32:00	Closes at approximately at 12.30am, leaves shortly after.		
02-Dec	10:00:00	Van parked outside, no movement from previous evening.		
02-Dec	16:40:00	Trading is taking place (prior to licensed trading hours).		
02-Dec	19:45:00	Access to pavement is completely blocked	See photo	29
02-Dec	21:21:00	Access to pavement is still completely blocked	See photo	30
03-Dec	00:00:00	Closes at approximately at midnight, leaves shortly after.		
03-Dec	10:00:00	Van parked outside, no movement from previous evening.		
03-Dec	21:00:00	No activity or trading on this evening.		
04-Dec	09:00:00	Van parked outside, no movement from previous evening.		
04-Dec	21:00:00	No activity or trading during the daytime or on this evening.		
05-Dec	09:00:00	Van parked outside, no movement from previous evening.		
05-Dec	11:00:00	Mr Carter has brought some supplies to the van.		
05-Dec	16:40:00	The van is open for business.		
05-Dec	21:47:00	Noise due to congregational activity.	See photo	31
06-Dec	01:00:00	Closes at approximately at 1am, leaves shortly after.		
06-Dec	09:00:00	Van parked outside, no movement from previous evening.		
06-Dec	11:00:00	Mr Carter has brought some supplies to the van.		
06-Dec	15:00:00	Mr Carter has brought some extra supplies to the van.		
06-Dec	16:30:00	Trading is taking place (prior to licensed trading hours).	See photo	32
06-Dec	23:45:00	Access to pavement is completely blocked.	See photo	33
07-Dec	00:01:00	Disturbance and noise due to congregational activity.	See photo	34
07-Dec	00:05:00	Disturbance and noise due to congregational activity.	See photo	35
07-Dec	01:20:00	Closes at approximately at 1.20am, leaves shortly after.		
07-Dec	09:30:00	Van parked outside, no movement from previous evening.		

07-Dec	16:50:00	The van is open for business.		
07-Dec	21:14:00	Access to pavement is completely blocked.	See photo	36
08-Dec	01:20:00	Closes at approximately at 1.20am, leaves shortly after.		
08-Dec	10:00:00	Van parked outside, no movement from previous evening.		
08-Dec	11:30:00	Mr Carter has brought some supplies to the van.		
08-Dec	16:45:00	Trading is taking place (prior to licensed trading hours).		
08-Dec	19:30:00	Access to pavement is completely blocked.	See photo	37
08-Dec	21:00:00	Access to pavement is still completely blocked.	See photo	38
09-Dec	01:00:00	Closes at approximately at 1am, leaves shortly after.		
09-Dec	09:00:00	Van parked outside, no movement from previous evening.		
09-Dec	16:00:00	The van is open for business.	See photo	39
10-Dec	00:20:00	Contents of bucket are chucked on the street, leaves shortly after.	See photo	40
10-Dec	01:00:00	Closes at approximately at 1am, leaves shortly after.		
10-Dec	10:00:00	Van parked outside, no movement from previous evening.		
10-Dec	21:00:00	No activity during the daytime or trading on this evening.		
11-Dec	10:00:00	Van parked outside, no movement from previous evening.		
11-Dec	21:00:00	No activity during the daytime or trading on this evening.		
12-Dec	09:00:00	Van parked outside, no movement from previous evening.		
12-Dec	12:00:00	Mr Carter has brought some supplies to the van.		
12-Dec	14:23:00	The van opens for business.	See photo	41
12-Dec	21:00:00	Disturbance and noise due to congregational activity.	See photo	42
13-Dec	00:45:00	Closes at approximately at 12.45am, leaves shortly after.		
13-Dec	10:00:00	Van parked outside, no movement from previous evening.		
13-Dec	16:05:00	The van is open for business.	See photo	43
14-Dec	01:00:00	Closes at approximately at 1am, leaves shortly after.		
14-Dec	09:00:00	Van parked outside, no movement from previous evening.		
14-Dec	14:42:00	The van opens for business.	See photo	44
15-Dec	01:14:00	Closes at approximately at 1.15am, leaves shortly after.		
15-Dec	10:00:00	Van parked outside, no movement from previous evening.		
15-Dec	11:30:00	Mr Carter has brought some supplies to the van.		
16-Dec	01:00:00	Closes at approximately at 1am, leaves shortly after.		
16-Dec	09:00:00	Van parked outside, no movement from previous evening.		
16-Dec	10:30:00	A number of digarette butts are found on the floor next to the van.		

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/ Video</u>
04-Jan	10:00:00	Van parked outside, no movement from 2 weeks or so.		
04-Jan	14:20:00	The van opens for business.	See photo	46
05-Jan	00:20:00	Closes at approximately at 12.20am, leaves shortly after.		
05-Jan	15:04:00	The van is open for business.	See photo	47
05-Jan	20:30:00	Disturbance and noise due to congregational activity.	See photo	48
06-Jan	00:35:00	Closes at approximately at 00.35am, leaves shortly after.		
06-Jan	10:00:00	Van parked outside, no movement from previous evening.		
06-Jan	15:00:00	The van opens for business.	See photo	49
06-Jan	21:55:00	Access to pavement is completely blocked.	See photo	50
07-Jan	01:20:00	Closes at approximately at 1.20am, leaves shortly after.		
07-Jan	09:00:00	Van parked outside, no movement from previous evening.		
07-Jan	21:00:00	No activity during the daytime or trading on this evening.		
08-Jan	10:00:00	Van parked outside, no movement from previous evening.		
08-Jan	21:00:00	No activity during the daytime or trading on this evening.		
09-Jan	09:00:00	Van parked outside, no movement from previous evening.		
09-Jan	21:00:00	No activity during the daytime or trading on this evening.		
10-Jan	10:00:00	Van parked outside, no movement from previous evening.		
10-Jan	15:15:00	The van opens for business.		
10-Jan	21:40:00	Access to pavement is completely blocked.	See photo	51
11-Jan	00:20:00	Contents of bucket are chucked on the street, leaves shortly after.	See photo	52
11-Jan	09:00:00	Van parked outside, no movement from previous evening.		
11-Jan	15:30:00	The van is open for business.		
11-Jan	21:00:00	Access to pavement is completely blocked.	See photo	53
12-Jan	00:20:00	Contents of bucket are chucked on the street, leaves 10 minutes after.		
12-Jan	10:00:00	Van parked outside, no movement from previous evening.		
12-Jan	15:15:00	The van is open for business.	See photo	54
12-Jan	16:36:00	Trading is taking place (prior to licensed trading hours).	See photo	55
13-Jan	00:38:00	Closes at approximately at 12.40am, leaves shortly after.		
13-Jan	09:00:00	Van parked outside, no movement from previous evening.		
13-Jan	14:22:00	The van is open for business.	See photo	56

13-Jan	21:31:00	Access to pavement is completely blocked.	See photo	57
14-Jan	00:22:00	Contents of bucket are chucked on the street, leaves shortly after.	See photo	58
14-Jan	10:00:00	Van parked outside, no movement from previous evening.		
14-Jan	21:00:00	No activity during the daytime or trading on this evening.		
15-Jan	09:00:00	Van parked outside, no movement from previous evening.		
15-Jan	21:00:00	No activity during the daytime or trading on this evening.		
16-Jan	10:00:00	Van parked outside, no movement from previous evening.		
16-Jan	16:05:00	The van is open for business.	See photo	58.1
16-Jan	19:00:00	Taxis are double parked and are blocking access to the pavement.		
16-Jan	20:33:00	Taxis are still double parked and are blocking access to the pavement.	See photo	58.2
16-Jan	21:20:00	The same taxis are still double parked nearly 2.5 hours later and continue to block access to the pavement.	See photo	58.3
16-Jan	23:10:00	One of the patrons of the van throws rubbish out on to the street.		
17-Jan	00:40:00	Contents of bucket are chucked on the street, leaves shortly after.	See photo	58.4
17-Jan	09:00:00	Van parked outside, no movement from previous evening.		
17-Jan	15:45:00	Mr Carter has brought some supplies to the van.	See photo	58.5
17-Jan	15:48:00	Guests arriving at the hotel struggle to enter the hotel.	See photo	58.6
17-Jan	21:00:00	No trading takes place from the van during this evening.		
18-Jan	10:00:00	Van parked outside, no movement from previous evening.		
18-Jan	21:00:00	No trading takes place from the van during this evening, however there are lots of taxis still congregating.		
19-Jan	15:03:00	Mr Carter arrives.	See photo	58.8
19-Jan	16:37:00	The van is open for business.	See photo	58.7
19-Jan	20:00:00	Taxis are double parked and are blocking access to the pavement.		
19-Jan	21:20:00	The same taxis are still double parked nearly 2.5 hours later and continue to block access to the pavement.	See photo	58.9
20-Jan	00:00:00	Contents of bucket are chucked on the street.		
20-Jan	00:15:00	Further contents of the bucket are chucked on the street, leaves shortly after.	See photo	59.1
20-Jan	10:00:00	Van parked outside, no movement from previous evening.		
20-Jan	15:05:00	Mr Carter arrives.	See photo	59.2
20-Jan	16:07:00	Trading has begun.	See photo	59.3
20-Jan	20:04:00	Taxis are double parked and are blocking access to the pavement.	See photo	59.4
20-Jan	22:07:00	Taxis are still double parked and are blocking access to the pavement.	See photo	59.5
20-Jan	23:56:00	Contents of bucket are chucked on the street, leaves shortly after.		
21-Jan	09:00:00	Van parked outside, no movement from previous evening.		
21-Jan	21:00:00	No activity during the daytime or trading on this evening.		

22-Jan	10:00:00	Van parked outside, no movement from previous evening.		
22-Jan	21:00:00	No activity during the daytime or trading on this evening.		
23-Jan	09:00:00	Van parked outside, no movement from previous evening.		
23-Jan	14:48:00	Mr Carter arrives.	See photo	59.6
23-Jan	20:38:00	Taxis are double parked and are blocking access to the pavement.	See photo	59.7
23-Jan	21:09:00	Taxis are still double parked and are blocking access to the pavement.	See photo	59.8
23-Jan	21:30:00	The same taxis are still double parked for nearly one hour and continue to block access to the pavement.		
24-Jan	00:05:00	Mr Carter packs up for the evening.	See photo	59.9
24-Jan	10:00:00	Van parked outside, no movement from previous evening.		
24-Jan	14:49:00	Mr Carter arrives.	See photo	60.1
24-Jan	20:27:00	Taxis are double parked and are blocking access to the pavement.	See photo	60.2
24-Jan	21:22:00	The 5 taxis are still double parked and are blocking access to the pavement over one hour later.	See photo	60.3
24-Jan	16:50:00	The van is open for business.		
25-Jan	19:30:00	Taxis are double parked and are blocking access to the pavement.	See photo	59
25-Jan	21:40:00	Taxis are double parked and access to the pavement has been continuously blocked for over an hour.	See photo	60
25-Jan	23:50:00	Taxis are double parked and access to the pavement has been continuously blocked for over the four hour period.	See photo	61
26-Jan	00:17:00	Contents of bucket are chucked on the street.	See photo	61.1
26-Jan	00:23:00	Packs up and leaves the van.		
26-Jan	15:00:00	The van is open for business.		
27-Jan	00:11:00	Taxis are double parked and are blocking access to the pavement.	See photo	62
27-Jan	00:40:00	Contents of bucket are chucked on the street, leaves shortly after.	See photo	62.1
27-Jan	15:10:00	The van is open for business.		
27-Jan	20:00:00	Taxis are double parked and are blocking access to the pavement, and there is disturbance and noise due to congregat	See photo	63
27-Jan	21:16:00	Taxis are still double parked and are blocking access to the pavement.	See photo	64
28-Jan	00:05:00	Contents of bucket are chucked on the street.	See photo	64.1
28-Jan	00:13:00	Packs up and leaves the van.		
28-Jan	09:00:00	Van parked outside, no movement from previous evening.		
28-Jan	21:00:00	No activity during the daytime or trading on this evening.		
29-Jan	10:00:00	Van parked outside, no movement from previous evening.		
29-Jan	21:00:00	No activity during the daytime or trading on this evening.		
30-Jan	09:00:00	Van parked outside, no movement from previous evening.		
30-Jan	21:00:00	No activity during the daytime or trading on this evening.		
31-Jan	10:00:00	Van parked outside, no movement from previous evening.		

31-Jan

21:00:00

No activity during the daytime or trading on this evening.

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/ Video #</u>
01-Feb	15:30:00	Mr Carter arrives.	See photo	64.2
01-Feb	16:00:00	The van is open for business.		
01-Feb	20:44:00	Taxis are double parked and are blocking access to the pavement.	See photo	64.3
01-Feb	21:16:00	Taxis are still double parked and are blocking access to the pavement.	See photo	64.4
01-Feb	21:45:00	The same taxis are still double parked nearly 1.15 hours later and continue to block access to the pavement.		
02-Feb	00:30:00	Contents of bucket are chucked on the street, leaves shortly after.		
02-Feb	10:00:00	Van parked outside, no movement from previous evening.		
02-Feb	14:50:00	Mr Carter has brought some supplies to the van.		
02-Feb	12:35:00	Mr Carter leaves the van and does not trade this afternoon.		
03-Feb	09:00:00	Van parked outside, no movement from previous evening.		
03-Feb	14:55:00	Mr Carter arrives.		
03-Feb	16:35:00	Trading has begun and patrons are already blocking access to the pavement.	See photo	65
03-Feb	21:13:00	Taxis are double parked and are blocking access to the pavement.	See photo	66
03-Feb	23:19:00	Taxis are double parked and access to the pavement has been continuously blocked for over two hours.	See photo	67
04-Feb	00:30:00	Contents of bucket are chucked on the street and Mr Carter leaves 10 minutes later.		
04-Feb	09:00:00	Van parked outside, no movement from previous evening.		
04-Feb	21:00:00	No activity during the daytime or trading on this evening.		
05-Feb	10:00:00	Van parked outside, no movement from previous evening.		
05-Feb	21:00:00	No activity during the daytime or trading on this evening.		
06-Feb	15:25:00	Mr Carter arrives.		
06-Feb	10:30:00	Mr Carter packs up the van for the evening and leaves shortly after.		
07-Feb	10:00:00	Van parked outside, no movement from previous evening.		
07-Feb	14:35:00	Mr Carter has brought some supplies to the van.		
07-Feb	16:10:00	The van is open for business.		
07-Feb	19:56:00	Taxis are double parked and are blocking access to the pavement.	See photo	68
07-Feb	20:53:00	One hour later the same taxis/patrons continue to be double parked and blocking access to the pavement.	See photo	69
07-Feb	23:30:00	Disturbance and noise due to congregational activity.	See photo	70
08-Feb	00:20:00	Leaves to pick up further supplies		
08-Feb	00:50:00	Mr Carter packs up the van for the evening and leaves shortly after.		
08-Feb	09:00:00	Van parked outside, no movement from previous evening.		

08-Feb	14:30:00	Mr Carter arrives.	See photo	71
08-Feb	16:10:00	Trading has begun.		
08-Feb	19:30:00	Taxis are double parked and are blocking access to the pavement.		
08-Feb	20:00:00	Taxis are double parked and are blocking access to the pavement.		
08-Feb	21:24:00	Taxis are double parked and are blocking access to the pavement.	See photo	72
08-Feb	21:30:00	Taxis are double parked and access to the pavement has been continuously blocked for one and a half hours.		
08-Feb	21:50:00	Taxis are still double parked and are blocking access to the pavement.	See photo	73
09-Feb	00:20:00	The same taxis are still double parked for nearly one hour and continue to block access to the pavement.	See photo	74
09-Feb	00:30:00	Contents of bucket are chucked on the street, leaves shortly after.	See photo	75
09-Feb	15:30:00	Mr Carter has brought some supplies to the van.	See photo	76
09-Feb	17:00:00	A disabled guest has difficulty getting into the hotel due to the van and patrons being parked outside of the hotel entrance.	video	
09-Feb	17:17:00	Trading has begun.	See photo	77
09-Feb	20:33:00	Taxis are double parked and are blocking access to the pavement.	See photo	78
09-Feb	21:41:00	One and half hours later the same taxis/patrons continue to be double parked and blocking access to the pavement.	See photo	79
09-Feb	23:50:00	The road is due blocked due to the double parking of the van's patrons.	See photo	80
10-Feb	00:20:00	Contents of bucket are chucked on the street and Mr Carter shortly later.		81
10-Feb	10:00:00	Van parked outside, no movement from previous evening.		
10-Feb	15:30:00	Mr Carter arrives.	See photo	82
10-Feb	16:15:00	Trading has begun.	See photo	83
10-Feb	18:00:00	Taxis are still double parked and are blocking access to the pavement.	video	
10-Feb	19:45:00	The same taxis are double parked and access to the pavement has been continuously blocked for one hour and 45 minutes.	video	
10-Feb	20:00:00	Taxis are still double parked and are blocking access to the pavement.	video	
10-Feb	22:40:00	Taxis are double parked and access to the pavement has been continuously blocked for two and a half hours.	video	
10-Feb	23:40:00	Mr Carter leaves.	See photo	84
11-Feb	10:00:00	Van parked outside, no movement from previous evening.		
11-Feb	21:00:00	No activity during the daytime or trading on this evening.		
12-Feb	09:00:00	Van parked outside, no movement from previous evening.		
12-Feb	21:00:00	No activity during the daytime or trading on this evening.		
13-Feb	10:00:00	Van parked outside, no movement from previous evening.		
13-Feb	21:00:00	No activity during the daytime or trading on this evening.		
14-Feb	09:00:00	Van parked outside, no movement from previous evening.		
14-Feb	21:00:00	No activity during the daytime or trading on this evening.		
15-Feb	10:00:00	Van parked outside, no movement from previous evening.		

15-Feb	15:40:00	Mr. Carter arrives.		
15-Feb	16:10:00	For 30 mins hotel business operations are obstructed and made challenging by the van.	video	
15-Feb	16:40:00	Trading has begun.	See photo	86
15-Feb	19:46:00	Taxis are double parked and are blocking access to the pavement.	See photo	87
15-Feb	20:45:00	Taxis are double parked and are blocking access to the pavement.		
15-Feb	21:15:00	45 minutes later the same taxis/patrons continue to be double parked and blocking access to the pavement.		
16-Feb	00:20:00	Taxis are still double parked and are blocking access to the pavement.	See photo	88
16-Feb	00:22:00	Contents of bucket are chucked on the street and Mr Carter 10 minutes later.	See photo	89
16-Feb	09:00:00	Van parked outside, no movement from previous evening.		
16-Feb	14:10:00	Mr Carter arrives.		
16-Feb	17:30:00	Trading has begun.	See photo	90
16-Feb	18:42:00	Taxis are double parked and are blocking access to the pavement.	video	
16-Feb	20:35:00	The same taxis are double parked and access to the pavement has been continuously blocked for just under 2 hours.	video	
17-Feb	00:12:00	Closes at approximately at 12.12am, leaves shortly after.	See photo	91
17-Feb	14:30:00	Mr Carter arrives.	See photo	92
17-Feb	16:30:00	Trading has begun.	See photo	93
17-Feb	16:35:00	A patron of the van tips his drink on the road.	See photo	94
17-Feb	17:12:00	Taxis are double parked and are blocking access to the pavement as trading from the van picks up.	See photo	95
17-Feb	18:23:00	Taxis are double parked and are blocking access to the pavement as trading from the van picks up.		
17-Feb	21:18:00	The same taxis are still double parked for just under 3 hours and continue to block access to the pavement.	See photo	96
17-Feb	21:18:00	A patron of the van tips his drink on the road.		
17-Feb	22:42:00	The same taxis have been double parked since 21.18 and continue to block access to the pavement.		
17-Feb	23:48:00	Noise due to congregational activity.	See photo	97
18-Feb	00:16:00	Contents of bucket are chucked on the street and Mr Carter 8 minutes later.	See photo	98
18-Feb	00:18:00	A man urinates in the street right next to the van?		
18-Feb	09:00:00	Van parked outside, no movement from previous evening.		
18-Feb	21:00:00	No activity during the daytime or trading on this evening.		
19-Jan	10:00:00	Van parked outside, no movement from previous evening.		
19-Jan	21:00:00	No activity during the daytime or trading on this evening.		
20-Feb	14:45:00	Mr Carter arrives with supplies.	See photo	99
20-Feb	16:30:00	Trading has begun.	See photo	100
20-Feb	20:40:00	Taxis are double parked and are blocking access to the pavement.		
20-Feb	21:40:00	The same taxi has been double parked for an hour and continues to block access to the pavement.		

20-Feb	23:30:00	General traffic struggles to pass through the area outside the front of the hotel due to the double parking of van patrons.	See photo	101
21-Feb	00:05:00	Closes at approximately at 12.05am, leaves shortly after.	See photo	102
21-Feb	10:00:00	Van parked outside, no movement from previous evening.		
21-Feb	13:04:00	Hotel business operations are obstructed and made challenging by the van.		
21-Feb	14:16:00	Mr Carter arrives.	See photo	103
21-Feb	16:10:00	Trading has begun.	See photo	104
21-Feb	19:52:00	Taxis are double parked and are blocking access to the pavement as trading from the van picks up.		
21-Feb	21:00:00	The same taxis are still double parked for over an hour and continue to block access to the pavement.	See photo	105
21-Feb	23:44:00	Taxis are double parked and are blocking access to the pavement.	See photo	106
22-Feb	00:43:00	Contents of bucket are chucked on the street and Mr Carter shortly after.	See photo	107
22-Feb	14:23:00	Mr Carter arrives.	See photo	108
22-Feb	16:16:00	Trading has begun.	See photo	109
22-Feb	19:48:00	Taxis are double parked and are blocking access to the pavement.		
22-Feb	20:48:00	The same taxi has been double parked for an hour and continues to block access to the pavement.	See photo	110
23-Feb	00:15:00	Contents of bucket are chucked on the street and Mr Carter leaves 10 minutes later.	See photo	111
23-Feb	10:00:00	Van parked outside, no movement from previous evening.		
23-Feb	10:00:00	1* star review: "Long journey, cold night. Never mind thought I - booked into one of London's finest... luxury awaits. First problem - hotel not where google maps thinks it is. Second problem - hotel has no signage so you can't find it when you realise google maps has it wrong. RLH HAS GOT A LARGE HOTEL SIGN ON THE FRONT CANOPE HOWEVER DUE TO PARKED VAN THE CANOPE (AND THE ENTIRE FRONT ENTRANCE) IS NEARLY INVISIBLE".	Tripadvisor comment	N/A
23-Feb	14:52:00	Mr Carter arrives with supplies.		
23-Feb	16:25:00	The van is open for business.	See photo	112
24-Feb	00:27:00	Contents of bucket are chucked on the street and Mr Carter leaves shortly after.	See photo	113
24-Feb	10:00:00	Van parked outside, no movement from previous evening.		
24-Feb	14:38:00	Mr Carter arrives with supplies.		
24-Feb	15:38:00	Trading has begun.	See photo	114
24-Feb	17:15:00	Taxis are double parked and are blocking access to the pavement.	See photo	115
24-Feb	21:21:00	The same taxis are still double parked for just over one hour and continue to block access to the pavement.	See photo	116
24-Feb	22:23:00	Taxis are double parked and are blocking access to the pavement, and there is disturbance and noise due to congregational activity.	See photo	117
24-Feb	23:56:00	Mr Carter packs up the van for the evening and leaves.	See photo	118
25-Feb	09:00:00	Van parked outside, no movement from previous evening.		
25-Feb	21:00:00	No activity during the daytime or trading on this evening.		
26-Feb	10:00:00	Van parked outside, no movement from previous evening.		

26-Feb	21:00:00	No activity during the daytime or trading on this evening.		
27-Feb	11:00:00	Van parked outside, no movement from previous evening.		
27-Feb	18:00:00	No activity during the daytime or trading on this evening.		
28-Feb	10:00:00	Van parked outside, no movement from previous evening.		
28-Feb	19:00:00	No activity during the daytime or trading on this evening.		

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/Video</u>
01-Mar	09:00:00	Van parked outside, no movement from previous evening.		
01-Mar	16:32:00	The van is open for business.	See photo	119
01-Mar	16:58:00	Taxis are double parked and are blocking access to the pavement.	See photo	120
02-Mar	00:30:00	Mr Carter packs up the van for the evening and leaves.		
02-Mar	08:15:00	Van parked outside, no movement from previous evening.		
02-Mar	N/A	"The only problem they have is that before the conversion directly outside the hotel entrance was obviously a taxi stop for food, which they bought from a mobile van, the van is permanently stuck in front of the main entrance, so when you are on foot initially looking for the place you can not see the sign or entrance because of the van. Not ideal for the hotel either when they have committed so much capital to have their investment spoil, it would not be difficult to move to the van at least a few yards/metres a bit of compromise needed".	Tripadvisor comment	N/A
02-Mar	14:56:00	Mr Carter arrives with supplies.	See photo	121
02-Mar	15:24:00	Trading has begun.	See photo	122
02-Mar	20:47:00	Taxis are double parked and are blocking access to the pavement.	See photo	123
03-Mar	00:38:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	124
03-Mar	09:00:00	Van parked outside, no movement from previous evening.		
03-Mar	14:24:00	Mr Carter arrives with supplies.	See photo	125
03-Mar	15:50:00	The van is open for business.	See photo	126
03-Mar	17:04:00	Taxis are double parked and are blocking access to the pavement.	See photo	127
03-Mar	21:11:00	Taxis are double parked and are blocking access to the pavement, and there is disturbance and noise due to congregational activity.	See photo	128
03-Mar	22:39:00	Contents of bucket are chucked on the street and Mr Carter leaves 10 minutes later.	See photo	129
04-Mar	10:00:00	Van parked outside, no movement from previous evening.		
04-Mar	20:00:00	No activity during the daytime or trading on this evening.		
05-Mar	10:00:00	Van parked outside, no movement from previous evening.		
05-Mar	19:00:00	No activity during the daytime or trading on this evening.		
06-Mar	14:27:00	Mr Carter arrives with supplies.	See photo	130
06-Mar	17:05:00	Trading has begun.	See photo	131
06-Mar	20:11:00	Taxis are double parked and are blocking access to the pavement.	See photo	131.1
06-Mar	21:32:00	The same taxis are double parked and are blocking access to the pavement for over 1 hour.	See photo	131.2
06-Mar	22:02:00	Taxis are double parked and are blocking access to the pavement.	See photo	132
06-Mar	23:23:00	The same taxis are double parked and are blocking access to the pavement.	See photo	133

06-Mar	23:41:00	Taxis are double parked and are blocking access to the pavement.	See photo	134
07-Mar	00:20:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	135
07-Mar	14:14:00	Mr Carter arrives.	See photo	136
07-Mar	15:33:00	Trading has begun.	See photo	137
07-Mar	16:02:00	Trading is taking place (prior to licensed trading hours).	See photo	138
07-Mar	19:54:00	Taxis are double parked and are blocking access to the pavement.	See photo	139
07-Mar	20:36:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	140
07-Mar	20:59:00	The same taxis are double parked and are blocking access to the pavement for over 1 hour.	See photo	141
07-Mar	21:36:00	Taxis are double parked and are blocking access to the pavement.	See photo	142
07-Mar	22:28:00	The same taxis are double parked and are blocking access to the pavement for just under 1 hour.	See photo	143
08-Mar	00:01:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	144
08-Mar	00:16:00	Contents of bucket are chucked on the street, leaves rubbish at the bus stop, and leaves shortly after.	See photo	145
08-Mar	14:54:00	Mr Carter arrives.	See photo	146
08-Mar	15:54:00	Trading has begun.	See photo	147
08-Mar	19:03:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	148
08-Mar	21:01:00	The same taxis are double parked and are blocking access to the pavement for over 2 hours.	See photo	149
08-Mar	21:42:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	150
08-Mar	23:18:00	The same taxis are double parked and are blocking access to the pavement.	See photo	151
09-Mar	00:17:00	The same taxis are double parked and are blocking access to the pavement for 1 hour	See photo	152
09-Mar	00:20:00	Leaves rubbish at the bus stop, and leaves shortly after.		
09-Mar	14:21:00	Mr Carter arrives.	See photo	153
09-Mar	16:38:00	Trading has begun.	See photo	154
09-Mar	19:53:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	155
09-Mar	20:04:00	Taxis are double parked and are blocking access to the pavement.	See photo	156
09-Mar	21:05:00	The same taxis are double parked and are blocking access to the pavement for 1 hour	See photo	157
09-Mar	21:14:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	158
10-Mar	00:16:00	Contents of bucket are chucked on the street, leaves rubbish at the bus stop, and leaves shortly after.	See photo	159
10-Mar	14:40:00	Mr Carter arrives.	See photo	160
10-Mar	17:00:00	Trading has begun.	See photo	161
10-Mar	19:23:00	Taxis are double parked and are blocking access to the pavement.	See photo	162
10-Mar	20:41:00	Taxis are double parked and are blocking access to the pavement for over 1 hour.	See photo	163
10-Mar	21:24:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	164
10-Mar	20:49:00	Taxis are double parked and are blocking access to the pavement.	See photo	165

10-Mar	22:31:00	Taxis are double parked and are blocking access to the pavement for just under 45 minutes.	See photo	166
11-Mar	00:00:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	167
11-Mar	00:04:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	168
11-Mar	10:00:00	Van parked outside, no movement from previous evening.		
11-Mar	20:00:00	No activity during the daytime or trading on this evening.		
12-Mar	10:00:00	Van parked outside, no movement from previous evening.		
12-Mar	19:00:00	No activity during the daytime or trading on this evening.		
13-Mar	10:00:00	Van parked outside, no movement from previous evening.		
13-Mar	20:00:00	No activity during the daytime or trading on this evening.		
14-Mar	14:56:00	Mr Carter arrives.	See photo	169
14-Mar	15:33:00	Trading has begun.	See photo	170
14-Mar	19:56:00	Taxis are double parked and are blocking access to the pavement.	See photo	171
14-Mar	20:59:00	Taxis are double parked and are blocking access to the pavement for over 1 hour.	See photo	172
14-Mar	22:05:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	173
15-Mar	00:12:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested 2 hours later.	See photo	174
15-Mar	00:25:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	175
15-Mar	10:00:00	Van parked outside, no movement from previous evening.		
15-Mar	14:51:00	Mr Carter arrives.	See photo	176
15-Mar	16:40:00	Taxis are double parked and are blocking access to the pavement.	See photo	177
15-Mar	16:56:00	Trading has begun.	See photo	178
15-Mar	17:59:00	Taxis are double parked and are blocking access to the pavement.	See photo	179
15-Mar	20:18:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	180
15-Mar	20:55:00	Taxis are double parked and are blocking access to the pavement.	See photo	181
15-Mar	22:02:00	The same taxis are double parked and are blocking access to the pavement for over 1 hour.	See photo	182
15-Mar	23:58:00	Taxis are double parked and are blocking access to the pavement.	See photo	183
16-Mar	00:42:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	184
16-Mar	00:45:00	Van parked outside, no movement from previous evening.	See photo	185
16-Mar	10:00:00	Van parked outside, no movement from previous evening.		
16-Mar	15:20:00	Trading has begun.	See photo	186
16-Mar	15:55:00	Trading is taking place (prior to licensed trading hours).	See photo	187
16-Mar	17:42:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	188
16-Mar	19:31:00	Taxis are double parked and are blocking access to the pavement.	See photo	189
16-Mar	20:23:00	The same taxis are still double parked and are blocking access to the pavement for just under 1 hour.	See photo	190

16-Mar	21:21:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	191
17-Mar	00:12:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	192
17-Mar	00:48:00	Taxis are still double parked and are blocking access to the pavement and the area is generally very congested.	See photo	194
17-Mar	00:31:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	193
17-Mar	14:50:00	Mr Carter arrives.	See photo	195
17-Mar	16:58:00	Trading is taking place (prior to licensed trading hours).	See photo	196
17-Mar	17:22:00	Trading continues to take place prior to licensed trading hours.	See photo	197
17-Mar	20:37:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	198
17-Mar	20:59:00	Taxis are still double parked and are blocking access to the pavement and the area is generally very congested.	See photo	199
17-Mar	21:26:00	The same taxis are still double parked and are blocking access to the pavement for 30 minutes.	See photo	200
17-Mar	22:27:00	Taxis are still double parked and are blocking access to the pavement and the area is generally very congested.	See photo	201
18-Mar	00:34:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	202
18-Mar	10:00:00	Van parked outside, no movement from previous evening.		
18-Mar	19:00:00	No activity during the daytime or trading on this evening.		
19-Mar	10:00:00	Van parked outside, no movement from previous evening.		
19-Mar	20:00:00	No activity during the daytime or trading on this evening.		
20-Mar	10:00:00	Van parked outside, no movement from previous evening.		
20-Mar	19:00:00	No activity during the daytime or trading on this evening.		
21-Mar	14:33:00	Mr Carter arrives.	See photo	203
21-Mar	17:00:00	Trading has begun.	See photo	204
21-Mar	19:40:00	Taxis are double parked and are blocking access to the pavement.	See photo	missing
21-Mar	20:41:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	205
21-Mar	21:07:00	Taxis are double parked and are blocking access to the pavement for just under 1.5 hours.	See photo	206
21-Mar	22:28:00	Taxis are still double parked and are blocking access to the pavement and the area is generally very congested.	See photo	207
22-Mar	00:14:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	208
22-Mar	10:00:00	Van parked outside, no movement from previous evening.		
22-Mar	14:43:00	Mr Carter arrives.	See photo	209
22-Mar	15:43:00	Hotel business operations are obstructed and made challenging by the van.	See photo	211
22-Mar	16:18:00	Trading has begun.	See photo	210
22-Mar	17:42:00	Taxis are double parked and are blocking access to the pavement.	See photo	212
22-Mar	17:54:00	The same taxis are still double parked and are blocking access to the pavement.	See photo	213
22-Mar	19:35:00	Taxis are double parked and are blocking access to the pavement for 1.5 hours.	See photo	214
22-Mar	20:31:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	215

22-Mar	20:55:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	216
22-Mar	20:06:00	Taxis are double parked and are blocking access to the pavement.	See photo	217
22-Mar	21:36:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	218
22-Mar	22:17:00	The same taxis are double parked and are blocking access to the pavement for over 2 hours.	See photo	219
23-Mar	00:38:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	220
23-Mar	14:40:00	Mr Carter arrives.	See photo	221
23-Mar	17:20:00	Trading has begun.	See photo	222
23-Mar	17:43:00	A patron of the van decides that this the time to clean his taxi.	See photo	223
23-Mar	18:23:00	Taxis are double parked and are blocking access to the pavement.	See photo	224
23-Mar	19:23:00	Taxis are double parked and are blocking access to the pavement for 1 hour.	See photo	225
23-Mar	20:09:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	226
23-Mar	21:21:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	227
23-Mar	21:43:00	Taxis are double parked and are blocking access to the pavement.	See photo	228
23-Mar	22:44:00	Taxis are double parked and are blocking access to the pavement for over 1 hour.	See photo	229
24-Mar	00:01:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	230
24-Mar	00:20:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	231
24-Mar	00:47:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	232
24-Mar	00:48:00	Mr Carter waves to camera?	See photo	
24-Mar	14:42:00	Mr Carter arrives.	See photo	233
24-Mar	15:36:00	Hotel business operations are obstructed and made challenging by the van.	See photo	234
24-Mar	16:24:00	Trading has begun.	See photo	235
24-Mar	18:50:00	Taxis are double parked and are blocking access to the pavement.	See photo	236
24-Mar	19:52:00	Taxis are double parked and are blocking access to the pavement for over 1 hour.	See photo	237
24-Mar	20:54:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	238
24-Mar	21:02:00	Taxis are double parked and are blocking access to the pavement.	See photo	239
24-Mar	21:46:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	240
24-Mar	00:01:00	Taxis are double parked and are blocking access to the pavement for over 1 hour.	See photo	241
24-Mar	23:34:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	242
25-Mar	10:00:00	Van parked outside, no movement from previous evening.		
25-Mar	20:00:00	No activity during the daytime or trading on this evening.		
26-Mar	10:00:00	Van parked outside, no movement from previous evening.		
26-Mar	19:00:00	No activity during the daytime or trading on this evening.		
27-Mar	17:12:00	Mr Carter arrives.	See photo	243

27-Mar	20:45:00	Taxis are double parked and are blocking access to the pavement.	See photo	244
27-Mar	22:40:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	245
27-Mar	23:25:00	Mr Carter has a problem with the van and inspects under the bonnet	See photo	245.1
28-Mar	00:26:00	Mr Carter leaves minus van.	See photo	245.2
28-Mar	14:37:00	Mr Carter arrives.	See photo	246
28-Mar	16:15:00	Trading has begun.	See photo	247
28-Mar	20:24:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	248
28-Mar	20:45:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	249
28-Mar	21:05:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	250
28-Mar	21:20:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	251
28-Mar	21:53:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	252
29-Mar	00:00:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	253
29-Mar	01:00:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	255
29-Mar	01:06:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	254
29-Mar	14:51:00	Mr Carter arrives.	See photo	256
29-Mar	15:38:00	Hotel business operations are obstructed and made challenging by the van.	See photo	257
29-Mar	16:42:00	Trading has begun.	See photo	258
29-Mar	17:56:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	259
29-Mar	20:58:00	Taxis continue to be double parked and are blocking access to the pavement and the area is generally very congested.	See photo	260
29-Mar	23:22:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	261
30-Mar	00:42:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	262
30-Mar	14:42:00	Mr Carter arrives	See photo	263
30-Mar	16:01:00	Trading has begun	See photo	264
30-Mar	19:31:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	265
30-Mar	20:28:00	Taxis are double parked and are blocking access to the pavement.	See photo	266
30-Mar	22:15:00	Taxis are double parked and are blocking access to the pavement for just under 2 hours.	See photo	267
30-Mar	22:34:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	268
31-Mar	00:18:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	269
31-Mar	00:29:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	270
31-Mar	15:08:00	Mr Carter arrives with supplies.	See photo	271
31-Mar	15:58:00	Trading has begun	See photo	272
31-Mar	15:48:00	Taxis are double parked and are blocking access to the pavement.	See photo	273
31-Mar	16:36:00	Trading has begun and patrons are already blocking access to the pavement.	See photo	274

31-Mar	17:46:00	Taxis are double parked and are blocking access to the pavement for 2 hours.	See photo	275
31-Mar	19:23:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	276
31-Mar	21:01:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	277
31-Mar	23:32:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	278

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/ Video #</u>
01-Apr	10:00:00	Van parked outside, no movement from previous evening.		
01-Apr	19:00:00	No activity during the daytime or trading on this evening.		
02-Apr	10:00:00	Van parked outside, no movement from previous evening.		
02-Apr	20:00:00	No activity during the daytime or trading on this evening.		
03-Apr	10:00:00	Van parked outside, no movement from previous evening.		
03-Apr	19:00:00	No activity during the daytime or trading on this evening.		
04-Apr	14:11:00	Hotel business operations are obstructed and made challenging by the van.	See photo	279
04-Apr	14:37:00	Mr Carter arrives.	See photo	280
04-Apr	16:31:00	Trading has begun.	See photo	281
04-Apr	17:32:00	Taxis are double parked and are blocking access to the pavement.	See photo	282
04-Apr	17:32:43	A patron of the van tips his drink on the road.	See photo	283
04-Apr	20:31:00	The same taxis are double parked and continue to block access to the street for 1h 20m.	See photo	284
04-Apr	22:56:00	A patron of the van pulls out a camp chair and proceeds to sit in the middle of the street whilst chatting with other cabbies.	See photo	
05-Apr	00:45:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	285
05-Apr	14:17:00	Hotel business operations are obstructed and made challenging by the van.	See photo	286
05-Apr	16:52:00	Trading has begun.	See photo	287
05-Apr	20:11:00	Taxis are double parked and are blocking access to the pavement.	See photo	288
05-Apr	20:51:00	The same taxis are double parked and continue to block access to the street for 40 minutes.	See photo	289
05-Apr	23:15:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	290
06-Apr	14:36:00	Hotel business operations are obstructed and made challenging by the van.	See photo	291
06-Apr	15:39:00	Mr Carter arrives.	See photo	292
06-Apr	16:13:00	Trading has begun.	See photo	293
06-Apr	16:47:00	Trading continues to take place prior to licensed trading hours.	See photo	294
06-Apr	18:33:00	Taxis are double parked in a dangerous manner and are blocking access to the pavement.	See photo	295
06-Apr	19:53:00	The same taxis are double parked and continue to block access to the street for over one hour.	See photo	296
06-Apr	21:15:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	297
07-Apr	00:11:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	298
07-Apr	00:36:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	299
07-Apr	14:20:00	Mr Carter arrives at the van.	See photo	300
07-Apr	16:11:00	Trading has begun.	See photo	301

07-Apr	16:45:00	A family with small children staying at the hotel, struggle to alight from a taxi that must park in the middle of the road.	Video	
07-Apr	18:23:00	Taxis are double parked and are blocking access to the pavement.	See photo	302
07-Apr	19:29:00	The same taxis are double parked and continue to block access to the street for over one hour.	See photo	303
07-Apr	23:05:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	304
08-Apr	00:06:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	305
08-Apr	10:00:00	Van parked outside, no movement from previous evening.		
08-Apr	20:00:00	No activity during the daytime or trading on this evening.		
09-Apr	10:00:00	Van parked outside, no movement from previous evening.		
09-Apr	19:00:00	No activity during the daytime or trading on this evening.		
10-Apr	14:50:00	Mr Carter arrives.	See photo	306
10-Apr	16:13:00	Trading has begun.	See photo	307
10-Apr	19:50:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	308
10-Apr	22:44:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	309
11-Apr	00:10:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	310
11-Apr	14:54:00	Mr Carter arrives with supplies.	See photo	311
11-Apr	16:46:00	Trading has begun.	See photo	312
11-Apr	18:53:00	Taxis are double parked in a dangerous manner and are blocking access to the pavement.	See photo	313
11-Apr	18:58:00	A patron of the van pulls out a camp chair and proceeds to sit in the middle of the street whilst chatting with other cabbies.	See photo	314
11-Apr	21:36:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	315
11-Apr	23:56:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	316
12-Apr	00:35:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	317
12-Apr	14:27:00	Mr Carter arrives.	See photo	318
12-Apr	16:27:00	Trading has begun.	See photo	319
12-Apr	20:40:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	320
13-Apr	00:28:00	A patron of the van throws a drink into the street.	See photo	321
13-Apr	00:38:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	322
13-Apr	10:00:00	Van parked outside, no movement from previous evening.		
13-Apr	19:00:00	No activity during the daytime or trading on this evening.		
14-Apr	10:00:00	Van parked outside, no movement from previous evening.		
14-Apr	20:00:00	No activity during the daytime or trading on this evening.		
15-Apr	10:00:00	Van parked outside, no movement from previous evening.		
15-Apr	19:00:00	No activity during the daytime or trading on this evening.		
16-Apr	10:00:00	Van parked outside, no movement from previous evening.		

16-Apr	20:00:00	No activity during the daytime or trading on this evening.		
17-Apr	10:00:00	Van parked outside, no movement from previous evening.		
17-Apr	19:00:00	No activity during the daytime or trading on this evening.		
18-Apr	14:58:00	Mr Carter arrives.	See photo	323
18-Apr	19:53:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	324
18-Apr	20:22:00	Taxis are double parked and are blocking access to the pavement.	See photo	325
18-Apr	21:35:00	The same taxis are double parked and continue to block access to the street for over one hour.	See photo	326
19-Apr	00:18:00	Leaves rubbish at the bus stop, and leaves 6 minutes later.	See photo	327
19-Apr	15:40:00	Mr Carter arrives with supplies.	See photo	328
19-Apr	16:32:00	Trading has begun.	See photo	329
19-Apr	17:02:00	Trading is taking place (prior to licensed trading hours) and the street is already very congested.	See photo	330
19-Apr	19:24:00	Taxis are double parked and are blocking access to the pavement.	See photo	331
19-Apr	19:47:00	Taxis are double parked and are blocking access to the pavement.	See photo	332
19-Apr	20:24:00	The same taxis are double parked and continue to block access to the street for one hour.	See photo	333
19-Apr	21:45:00	The same taxis are double parked and continue to block access to the street for two hours.	See photo	334
20-Apr	00:05:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	335
20-Apr	00:52:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	336
20-Apr	15:03:00	Mr Carter arrives.	See photo	337
20-Apr	16:52:00	Trading has begun.	See photo	338
20-Apr	17:29:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	339
20-Apr	17:45:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	340
20-Apr	20:17:00	Taxis are double parked and are blocking access to the pavement.	See photo	341
20-Apr	20:29:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	342
20-Apr	20:55:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	343
20-Apr	21:35:00	The area surrounding the van continues to be used like a social club with patrons of the van creating a disturbance.	See photo	344
20-Apr	21:48:00	Trading has begun.	See photo	345
21-Apr	00:38:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	346
21-Apr	10:00:00	Van parked outside, no movement from previous evening.		
21-Apr	19:00:00	No activity during the daytime or trading on this evening.		
22-Apr	10:00:00	Van parked outside, no movement from previous evening.		
22-Apr	20:00:00	No activity during the daytime or trading on this evening.		
23-Apr	10:00:00	Van parked outside, no movement from previous evening.		
23-Apr	19:00:00	No activity during the daytime or trading on this evening.		

24-Apr	10:00:00	Van parked outside, no movement from previous evening.		
24-Apr	20:00:00	No activity during the daytime or trading on this evening.		
25-Apr	15:13:00	Mr Carter arrives with supplies.	See photo	347
25-Apr	17:47:00	Trading has begun.	See photo	348
25-Apr	20:44:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	349
25-Apr	22:00:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	350
25-Apr	23:52:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	351
26-Apr	10:00:00	Van parked outside, no movement from previous evening.		
26-Apr	20:00:00	No activity during the daytime or trading on this evening.		
27-Apr	14:22:00	Mr Carter arrives with supplies.	See photo	352
27-Apr	17:17:00	Trading has begun.	See photo	353
27-Apr	20:01:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	354
28-Apr	00:05:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	355
28-Apr	01:04:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	356
28-Apr	14:48:00	Mr Carter arrives.	See photo	357
28-Apr	15:51:00	Trading has begun.	See photo	358
28-Apr	16:19:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	359
28-Apr	17:16:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	360
28-Apr	21:28:00	The area surrounding the van continues to be used like a social club with patrons of the van congregating.	See photo	361
29-Apr	00:03:00	Contents of bucket are chucked on the street, Mr Carter cleans the street and leaves shortly after.	See photo	362
29-Apr	10:00:00	Van parked outside, no movement from previous evening.		
29-Apr	19:00:00	No activity during the daytime or trading on this evening.		
30-Apr	10:00:00	Van parked outside, no movement from previous evening.		
30-Apr	20:00:00	No activity during the daytime or trading on this evening.		

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/ Video</u>
01-May	10:00:00	Van parked outside, no movement from previous evening.		
01-May	19:00:00	No activity during the daytime or trading on this evening.		
02-May	14:35:00	Mr Carter arrives.	See photo	
02-May	16:59:00	Trading has begun.	See photo	
02-May	17:46:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	
02-May	19:53:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
02-May	20:52:00	No activity during the daytime or trading on this evening.	See photo	
03-May	00:02:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
03-May	00:28:00	Mr Carter leaves in van.	See photo	
03-May	16:25:00	Mr Carter arrives in van.	See photo	
03-May	17:31:00	Trading has begun.	See photo	
03-May	18:53:00	Taxis are double parked and are blocking access to the pavement.	See photo	
03-May	20:37:00	The same taxis are double parked and continue to block access to the street for 1 hour 40 mins.	See photo	
03-May	20:45:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
03-May	00:29:00	Mr Carter leaves in van.	See photo	
04-May	16:31:00	Mr Carter arrives.	See photo	376
04-May	16:47:00	Trading has begun.	See photo	377
04-May	17:07:00	Taxis are double parked and the area is very congested already.	See photo	378
04-May	17:20:00	Taxis are double parked and are blocking access to the pavement.	See photo	379
04-May	18:30:00	Taxis are tripled parked out into the road.	See photo	380
04-May	21:27:00	No activity during the daytime or trading on this evening.	See photo	381
05-May	00:26:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	382
05-May	00:40:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	383
05-May	00:45:00	Mr Carter leaves in van.	See photo	384
06-May	19:00:00	No activity during the daytime or trading on this evening.		
07-May	19:00:00	No activity during the daytime or trading on this evening.		
08-May	14:35:00	No activity during the daytime or trading on this evening.		
09-May	16:22:00	Mr Carter arrives in van.	See photo	385
09-May	18:53:00	Taxis are double parked and the area is already very congested.	See photo	
09-May	19:31:00	Taxis are double parked and are blocking access to the pavement.	See photo	

09-May	20:28:00	The same taxis are double parked and continue to block access to the street for nearly an hour.	See photo	
09-May	19:34:00	Taxis are double parked and are blocking access to the pavement.	See photo	
09-May	22:02:00	The same taxis are double parked and continue to block access to the street for 2.5 hours.	See photo	
09-May	23:46:00	Taxis are double parked and the area is very congested.	See photo	
10-May	00:10:00	Leaves rubbish at the bus stop.	See photo	
10-May	00:20:00	Mr Carter leaves with the van.	See photo	
10-May	16:21:00	Mr Carter arrives in van.	See photo	
10-May	17:14:00	Trading has begun.	See photo	
10-May	19:28:00	Taxis are double parked and are blocking access to the pavement.	See photo	
10-May	20:56:00	The same taxis are double parked and continue to block access to the street for nearly an hour and a half.	See photo	
10-May	21:08:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
11-May	00:40:00	Leaves rubbish at the bus stop.	See photo	
11-May	00:48:00	Mr Carter leaves with the van.	See photo	
11-May	16:22:00	Mr Carter arrives in van.	See photo	
11-May	16:42:00	Trading has begun.	See photo	
11-May	19:43:00	Taxis are double parked and are blocking access to the pavement.	See photo	
11-May	21:36:00	The same taxis are double parked and continue to block access to the street for nearly an hour.	See photo	
11-May	21:50:00	Taxis are double parked and the area is very congested.	See photo	
12-May	00:40:00	Leaves rubbish at the bus stop.	See photo	
12-May	00:50:00	Mr Carter leaves with the van.	See photo	
12-May	16:14:00	Mr Carter arrives in van.	See photo	408
12-May	18:26:00	Taxis are double parked and the area is very congested already.	See photo	409
12-May	20:49:00	Taxis are double parked and are blocking access to the pavement.	See photo	410
12-May	20:53:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	411
12-May	22:11:00	The same taxis are double parked and continue to block access to the street for over one hour.	See photo	412
13-May	00:00:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	413
13-May	00:38:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	414
13-May	00:47:00	Mr Carter leaves in van.	See photo	415
13-May	19:00:00	No activity during the daytime or trading on this evening.		
14-May	19:00:00	No activity during the daytime or trading on this evening.		
15-May	16:20:00	Mr Carter arrives in van.	See photo	416
15-May	17:07:00	Trading has begun.	See photo	417
15-May	20:13:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	418

15-May	20:31:00	Taxis are double parked and are blocking access to the pavement.	See photo	419
15-May	21:17:00	The same taxis are double parked and continue to block access to the street for over 45 mins.	See photo	420
15-May	21:50:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	421
15-May	22:48:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	422
16-May	00:31:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	423
16-May	00:42:00	Mr Carter leaves in van.	See photo	424
16-May	16:12:00	Mr Carter arrives in van.	See photo	425
16-May	16:46:00	Trading has begun.	See photo	426
16-May	17:03:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	427
16-May	18:35:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	428
16-May	20:13:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	429
16-May	20:39:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	430
17-May	00:11:00	Taxis are double parked and are blocking access to the pavement and the area is generally very congested.	See photo	431
17-May	00:46:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	432
17-May	00:59:00	Mr Carter leaves in van.	See photo	433
17-May	16:08:00	Mr Carter arrives in van.	See photo	434
17-May	16:51:00	Trading has begun.	See photo	435
17-May	21:10:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	436
18-May	00:17:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	437
18-May	00:31:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	438
18-May	00:44:00	Mr Carter leaves without his van.	See photo	439
18-May	14:51:00	Mr Carter arrives.	See photo	440
18-May	17:05:00	Trading has begun.	See photo	441
18-May	20:14:00	Taxis are double parked and are blocking access to the pavement.	See photo	442
18-May	21:04:00	The same taxis are double parked and continue to block access to the street for over an hour.	See photo	443
19-May	00:30:00	Mr Carter leaves.	See photo	444
19-May	15:35:00	Mr Carter arrives.	See photo	445
19-May	16:34:00	Trading has begun.	See photo	446
19-May	16:55:00	Trading is taking place (prior to licensed trading hours) and the street is already very congested.	See photo	447
19-May	17:05:00	Taxis are double parked and are blocking access to the pavement.	See photo	448
19-May	18:47:00	The same taxis are double parked and continue to block access to the street for over 1 hour 40 mins.	See photo	449
19-May	20:15:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	450
19-May	20:58:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	451

19-May	21:43:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	451
20-May	01:05:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	452
20-May	19:00:00	No activity during the daytime or trading on this evening.		
21-May	10:00:00	Van parked outside, no movement from previous evening.		
21-May	19:00:00	No activity during the daytime or trading on this evening.		
22-May	09:00:00	Van parked outside, no movement from previous evening.		
22-May	16:00:00	Hotel business operations are obstructed and made challenging by the van.	See photo	453
22-May	19:00:00	No activity during the daytime or trading on this evening.		
23-May	10:00:00	Van parked outside, no movement from previous evening.		
23-May	19:00:00	No activity during the daytime or trading on this evening.		
24-May	15:14:00	Mr Carter arrives.	See photo	454
24-May	16:15:00	Trading has begun.	See photo	455
24-May	18:18:00	Taxis are double parked and are blocking access to the pavement.	See photo	456
24-May	19:46:00	The same taxis are double parked and continue to block access to the street for over 1 hour 25 mins.	See photo	458
24-May	18:40:00	Street is used like a garage as various cabbies take this opportunities to repair their taxis.	See photo	457
24-May	20:41:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	459
24-May	19:50:00	Taxis are double parked and are blocking access to the pavement.	See photo	460
24-May	23:51:00	The same taxis are double parked and continue to block access to the street for over 4 hours.	See photo	
24-May	23:52:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
25-May	14:21:00	Mr Carter arrives.	See photo	
25-May	20:14:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
25-May	21:13:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
25-May	22:10:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
26-May	00:41:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
26-May	14:35:00	Mr Carter arrives.	See photo	
26-May	15:59:00	Trading has begun.	See photo	
26-May	16:48:00	Taxis are double parked and the area is very congested already.	See photo	
26-May	20:33:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
26-May	22:13:00	Same taxi has been parked up outside the van for over 6 hours (arrived around 16.00).	See photo	
27-May	10:00:00	Van parked outside, no movement from previous evening.		
27-May	19:00:00	No activity during the daytime or trading on this evening.		
28-May	10:00:00	Van parked outside, no movement from previous evening.		
28-May	19:00:00	No activity during the daytime or trading on this evening.		

29-May	09:00:00	Van parked outside, no movement from previous evening.		
29-May	18:30:00	No activity during the daytime or trading on this evening.		
30-May	10:00:00	Van parked outside, no movement from previous evening.		
30-May	19:00:00	No activity during the daytime or trading on this evening.		
31-May	09:00:00	Van parked outside, no movement from previous evening.		
31-May	18:30:00	No activity during the daytime or trading on this evening.		

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/Video #</u>
01-Jun	14:43:00	Mr Carter arrives in the van.	See photo	
01-Jun	16:16:00	Trading has begun.	See photo	
01-Jun	20:29:00	Taxis are double parked and are blocking access to the pavement.	See photo	
01-Jun	21:29:00	The same taxi has been double parked for an hour and continues to block access to the pavement.	See photo	
02-Jun	00:19:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
02-Jun	00:22:00	Contents of bucket are chucked out on to the street.	See photo	
02-Jun	15:01:00	Mr Carter arrives.	See photo	
02-Jun	16:12:00	Trading has begun.	See photo	
02-Jun	16:57:00	Taxis are double parked and are blocking access to the pavement.	See photo	
02-Jun	19:37:00	Taxis continue to be double parked and are blocking access to the pavement.	See photo	
02-Jun	21:08:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
02-Jun	22:21:00	The area surrounding the van continues to be like a social club with patrons of the van congregating.	See photo	
02-Jun	00:11:00	Leaves rubbish at the bus stop, and leaves 5 minutes later.	See photo	
02-Jun	10:00:00	Van parked outside, no movement from previous evening.		
02-Jun	19:00:00	No activity during the daytime or trading on this evening.		
03-Jun	09:00:00	Van parked outside, no movement from previous evening.		
03-Jun	18:30:00	No activity during the daytime or trading on this evening.		
04-Jun	10:00:00	Van parked outside, no movement from previous evening.		
04-Jun	19:00:00	No activity during the daytime or trading on this evening.		
05-Jun	14:05:00	Buses are blocked in the road and unable to get past with ease due to the van.	See photo	
05-Jun	15:27:00	Mr Carter arrives.	See photo	
05-Jun	23:46:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
06-Jun	10:00:00	Van parked outside, no movement from previous evening.		
06-Jun	19:00:00	No activity during the daytime or trading on this evening.		
07-Jun	14:37:00	Mr Carter arrives.	See photo	
07-Jun	16:02:00	Trading has begun.	See photo	
07-Jun	21:05:00	Taxis are double parked and are blocking access to the pavement.	See photo	
08-Jun	00:09:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
08-Jun	16:28:00	Trading has begun.	See photo	
08-Jun	14:13:00	Mr Carter arrives.	See photo	

08-Jun	18:54:00	Taxis are double parked and are blocking access to the pavement.	See photo	
08-Jun	22:17:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
09-Jun	00:41:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
09-Jun	14:46:00	Mr Carter arrives.	See photo	
09-Jun	16:07:00	Trading has begun and this patron ends up parked outside the van for 2h 50m.	See photo	
09-Jun	18:57:00	See previous comment patron that has remained outside the van for 2h 50m finally departs.	See photo	
09-Jun	21:24:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
09-Jun	22:20:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
10-Jun	00:13:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
10-Jun	19:00:00	No activity during the daytime or trading on this evening.		
11-Jun	09:00:00	Van parked outside, no movement from previous evening.		
11-Jun	18:30:00	No activity during the daytime or trading on this evening.		
12-Jun	14:59:00	Mr Carter arrives.	See photo	
12-Jun	16:23:00	Trading has begun.	See photo	
12-Jun	20:42:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
13-Jun	00:23:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
13-Jun	14:06:00	Mr Carter arrives.	See photo	
13-Jun	16:29:00	Trading has begun.	See photo	
14-Jun	00:05:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
14-Jun	14:33:00	Mr Carter arrives.	See photo	
14-Jun	16:49:00	Trading has begun.	See photo	
14-Jun	23:51:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
15-Jun	15:03:00	Mr Carter arrives.	See photo	
15-Jun	19:06:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
15-Jun	21:30:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
16-Jun	00:57:00	Contents of bucket are chucked on the street and leaves shortly after.	See photo	
16-Jun	00:59:00	Mr Carter leaves.	See photo	
16-Jun	14:16:00	Mr Carter arrives.		
16-Jun	16:27:00	Trading has begun.		
16-Jun	20:59:00	The area surrounding the van is like a social club with patrons of the van congregating.		
16-Jun	21:21:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
16-Jun	21:56:00	The area surrounding continues to be used like a social club with patrons of the van congregating.	See photo	
17-Jun	00:03:00	The van needs some repairs.	See photo	

17-Jun	00:04:00	Leaves rubbish at the bus stop.	See photo	
17-Jun	00:09:00	Mr Carter leaves in van.	See photo	
17-Jun	10:00:00	No van!		
18-Jun	18:00:00	No van!		
19-Jun	10:00:00	No van!		
20-Jun	18:00:00	No van!		
21-Jun	10:00:00	No van!		
22-Jun	18:00:00	No van!		
23-Jun	10:00:00	No van!		
24-Jun	18:00:00	No van!		
25-Jun	10:00:00	No van!		
26-Jun	18:00:00	No van!		
27-Jun	16:40:00	Mr Carter arrives in van.	See photo	
27-Jun	21:02:00	Taxis are double parked and are blocking access to the pavement.	See photo	
28-Jun	01:04:00	Mr Carter leaves in van.	See photo	
28-Jun	16:42:00	Mr Carter arrives in van.	See photo	
28-Jun	20:47:00	The area surrounding the van is like a social club with patrons of the van congregating.		
29-Jun	00:44:00	Leaves rubbish at the bus stop.	See photo	
29-Jun	16:41:00	Mr Carter leaves in van.	See photo	
29-Jun	20:04:00	Taxis are double parked and are blocking access to the pavement.	See photo	
29-Jun	21:25:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
30-Jun	01:04:00	Leaves rubbish at the bus stop.	See photo	
30-Jun	01:11:00	Mr Carter leaves in van.	See photo	
30-Jun	16:36:00	Mr Carter arrives in van.	See photo	
30-Jun	18:53:00	Taxis are double parked and are blocking access to the pavement.	See photo	
30-Jun	19:56:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/Video #</u>
01-Jul	00:20:00	Leaves rubbish at the bus stop, and leaves in van 5 minutes after.	See photo	
01-Jul	10:00:00	No activity during the daytime or trading on this evening.		
02-Jul	18:00:00	No activity during the daytime or trading on this evening.		
03-Jul	10:00:00	No van!		
04-Jul	16:40:00	Mr Carter arrives in van.	See photo	
04-Jul	21:01:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
04-Jul	23:52:00	Taxis are double parked and are blocking access to the pavement.	See photo	
05-Jul	00:47:00	Leaves rubbish at the bus stop, and leaves in van 9 minutes later.	See photo	
05-Jul	16:42:00	Mr Carter arrives in van.	See photo	
05-Jul	20:42:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
05-Jul	21:42:00	The area surrounding the van remains like a social club with patrons of the van congregating.	See photo	
06-Jul	00:41:00	Leaves rubbish at the bus stop.	See photo	
06-Jul	00:50:00	Mr Carter leaves in the van.	See photo	
06-Jul	16:34:00	Mr Carter arrives in van.	See photo	
06-Jul	21:12:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
07-Jul	00:09:00	Taxis are double parked and are blocking access to the pavement.	See photo	
07-Jul	00:46:00	Leaves rubbish at the bus stop, and leaves in van 5 minutes later.	See photo	
07-Jul	16:38:00	Mr Carter arrives.		
07-Jul	21:06:00	TBC	See photo	
08-Jul	00:00:00	TBC	See photo	
08-Jul	00:24:00	Mr Carter leaves in van.	See photo	
08-Jul	17:00:00	No activity during the daytime or trading on this evening.		
09-Jul	19:00:00	No activity during the daytime or trading on this evening.		
10-Jul	16:44:00	TBC	See photo	
10-Jul	20:13:00	TBC	See photo	
11-Jul	00:35:00	TBC	See photo	
11-Jul	01:05:00	TBC	See photo	
11-Jul	16:45:00	TBC	See photo	
12-Jul	00:43:00	TBC	See photo	
12-Jul	00:51:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	

12-Jul	16:42:00	TBC		See photo	
12-Jul	21:32:00	TBC		See photo	
13-Jul	00:36:00	TBC		See photo	
13-Jul	16:25:00	TBC		See photo	
13-Jul	18:57:00	TBC		See photo	
13-Jul	20:05:00	TBC		See photo	
13-Jul	21:11:00	TBC		See photo	
14-Jul	01:12:00	Mr Carter leaves in van.		See photo	
14-Jul	16:29:00	Mr Carter arrives in van.		See photo	
14-Jul	20:40:00	TBC		See photo	
15-Jul	00:41:00	Mr Carter leaves in van.		See photo	
15-Jul	19:00:00	No activity during the daytime or trading on this evening.			
16-Jul	17:00:00	No activity during the daytime or trading on this evening.			
17-Jul	16:43:00	Mr Carter arrives in van.		See photo	
17-Jul	21:59:00	TBC		See photo	
18-Jul	00:52:00	TBC		See photo	
18-Jul	16:42:00	TBC		See photo	
18-Jul	19:59:00	TBC		See photo	
19-Jul	00:35:00	Mr Carter leaves in van.		See photo	
19-Jul	16:41:00	Mr Carter arrives in van.		See photo	
19-Jul	20:13:00	TBC		See photo	
19-Jul	21:17:00	TBC		See photo	
20-Jul	00:47:00	TBC		See photo	
20-Jul	01:15:00	TBC		See photo	
20-Jul	16:38:00	Mr Carter leaves in van.		See photo	
20-Jul	20:51:00	TBC		See photo	
20-Jul	21:21:00	TBC		See photo	
21-Jul	01:14:00	Mr Carter leaves in van.		See photo	
21-Jul	19:00:00	No activity during the daytime or trading on this evening.			
22-Jul	17:00:00	No activity during the daytime or trading on this evening.			
23-Jul	19:00:00	No activity during the daytime or trading on this evening.			
24-Jul	17:00:00	No activity during the daytime or trading on this evening.			
25-Jul	16:26:00	Mr Carter arrives in van.		See photo	

25-Jul	20:59:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
26-Jul	00:18:00	A bus struggles to make it through the road due to the congestion of taxi cabs.	See photo	
26-Jul	00:49:00	Mr Carter leaves in van.	See photo	
27-Jul	16:30:00	Mr Carter arrives in van.	See photo	
27-Jul	20:31:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
28-Jul	00:54:00	Mr Carter leaves.	See photo	
28-Jul	16:24:00	Mr Carter arrives in van.	See photo	
28-Jul	21:31:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
29-Jul	00:36:00	Mr Carter leaves in van.	See photo	
29-Jul	19:00:00	No activity during the daytime or trading on this evening.		
30-Jul	17:00:00	No activity during the daytime or trading on this evening.		
31-Jul	19:00:00	No activity during the daytime or trading on this evening.		

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/Video #</u>
01-Aug	16:27:00	Mr Carter arrives in van.	See photo	
01-Aug	19:50:00	Taxis are double parked and are blocking access to the pavement.	See photo	
01-Aug	21:36:00	The same taxi has been double parked for 1hr 45m and continues to block access to the pavement.	See photo	
02-Aug	00:52:00	Mr Carter leaves in van.	See photo	
02-Aug	16:31:00	Mr Carter arrives in van.	See photo	
02-Aug	21:19:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
03-Aug	00:26:00	Leaves rubbish at the bus stop, and leaves 8 minutes later.	See photo	
03-Aug	16:25:00	Mr Carter arrives in van.	See photo	
04-Aug	00:53:00	Mr Carter leaves in van.	See photo	
04-Aug	16:21:00	Mr Carter arrives in van.	See photo	
04-Aug	20:34:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
05-Aug	01:03:00	Mr Carter leaves in van.	See photo	
05-Aug	17:00:00	No activity during the daytime or trading on this evening.		
06-Aug	19:00:00	No activity during the daytime or trading on this evening.		
07-Aug	17:00:00	No activity during the daytime or trading on this evening.		
08-Aug	16:31:00	Mr Carter arrives in van.	See photo	
08-Aug	20:45:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
09-Aug	00:50:00	Mr Carter leaves in van.	See photo	
09-Aug	16:40:00	Mr Carter arrives in van.	See photo	
09-Aug	22:52:00	Hotel guests struggle to enter the hotel entrance via the street due to parked cabs.	See photo	
09-Aug	22:57:00	Mr Carter leaves in van.	See photo	
10-Aug	16:23:00	Mr Carter arrives in van.	See photo	
10-Aug	21:04:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
11-Aug	00:54:00	Mr Carter leaves in van.	See photo	
12-Aug	18:00:00	No activity during the daytime or trading on this evening.	See photo	
13-Aug	20:00:00	No activity during the daytime or trading on this evening.	See photo	
14-Aug	19:00:00	No activity during the daytime or trading on this evening.	See photo	
15-Aug	16:20:00	Mr Carter arrives in van.	See photo	
15-Aug	20:46:00	Taxis are double parked and are blocking access to the pavement.	See photo	
16-Aug	00:52:00	Mr Carter leaves in van.	See photo	

16-Aug	16:22:00	Mr Carter arrives in van.	See photo	
16-Aug	19:33:00	A patron of the burger van brings his camp chair along to socialise with fellow cabbies.	See photo	
16-Aug	19:06:00	Taxis are double parked and are blocking access to the pavement.	See photo	
16-Aug	20:33:00	Taxis are double parked and are blocking access to the pavement.	See photo	
16-Aug	20:48:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
16-Aug	21:06:00	The area surrounding the van remains like a social club with patrons of the van congregating.	See photo	
17-Aug	00:37:00	Leaves rubbish at the bus stop, and leaves shortly after.	See photo	
17-Aug	16:20:00	Mr Carter arrives in van.	See photo	
17-Aug	21:37:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
18-Aug	00:14:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
18-Aug	00:51:00	Mr Carter leaves in van.	See photo	
18-Aug	19:00:00	No activity during the daytime or trading on this evening.		
19-Aug	20:00:00	No activity during the daytime or trading on this evening.		
20-Aug	18:00:00	No activity during the daytime or trading on this evening.		
21-Aug	20:00:00	No activity during the daytime or trading on this evening.		
22-Aug	19:00:00	No activity during the daytime or trading on this evening.		
23-Aug	16:21:00	Mr Carter arrives in van.	See photo	
23-Aug	20:42:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
24-Aug	00:42:00	Mr Carter leaves in van.	See photo	
24-Aug	19:00:00	No activity during the daytime or trading on this evening.		
25-Aug	20:00:00	No activity during the daytime or trading on this evening.		
26-Aug	18:00:00	No activity during the daytime or trading on this evening.		
27-Aug	20:00:00	No activity during the daytime or trading on this evening.		
28-Aug	19:00:00	No activity during the daytime or trading on this evening.		
29-Aug	16:24:00	Mr Carter arrives in van.	See photo	
30-Aug	00:39:00	Leaves rubbish at the bus stop, and leaves 4 minutes after.	See photo	
30-Aug	16:21:00	Mr Carter arrives in the van.	See photo	
30-Aug	20:31:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
31-Aug	00:26:00	Mr Carter leaves in van.	See photo	van has not moved since today
31-Aug	16:24:00	Mr Carter arrives in van.	See photo	
31-Aug	19:33:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/Video #</u>
01-Sep	00:43:00	Mr Carter leaves without van.	See photo	
01-Sep	16:19:00	Mr Carter arrives.	See photo	
01-Sep	21:27:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
02-Sep	01:04:00	Mr Carter leaves without van.	See photo	
02-Sep	19:00:00	No activity during the daytime or trading on this evening.		
03-Sep	19:00:00	No activity during the daytime or trading on this evening.		
04-Sep	16:21:00	Mr Carter arrives.	See photo	
05-Sep	00:32:00	Mr Carter leaves without van.	See photo	
05-Sep	16:19:00	Mr Carter arrives.	See photo	
06-Sep	00:11:00	Mr Carter leaves without van.	See photo	
06-Sep	16:06:00	Mr Carter arrives.	See photo	
06-Sep	20:48:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
06-Sep	21:53:00	The area surrounding the van continues to be like a social club with patrons of the van congregating.	See photo	
07-Sep	01:59:00	Mr Carter leaves without van.	See photo	
07-Sep	19:00:00	No activity during the daytime or trading on this evening.		
08-Sep	13:42:00	Mr Carter arrives.	See photo	
08-Sep	21:41:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
09-Sep	00:55:00	Leaves rubbish at the bus stop.	See photo	
09-Sep	01:26:00	Mr Carter leaves without van.	See photo	
09-Sep	19:00:00	No activity during the daytime or trading on this evening.		
10-Sep	19:00:00	No activity during the daytime or trading on this evening.		
11-Sep	19:00:00	No activity during the daytime or trading on this evening.		
12-Sep	14:05:00	Operations of bus is disrupted.	See photo	
12-Sep	20:00:00	No activity during the daytime or trading on this evening.		
13-Sep	14:58:00	Mr Carter arrives.	See photo	
13-Sep	15:20:00	The AA arrives to do some repairs to the burger van.	See photo	
14-Sep	00:43:00	Leaves rubbish at the bus stop.	See photo	
14-Sep	01:12:00	Mr Carter leaves without van.	See photo	
14-Sep	13:12:00	Mr Carter arrives.	See photo	
14-Sep	21:18:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
15-Sep	01:15:00	Leaves rubbish at the bus stop, and leaves 1 minute later.	See photo	
15-Sep	15:56:00	Mr Carter arrives.	See photo	
15-Sep	17:17:00	Trading has begun.	See photo	
15-Sep	23:24:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
16-Sep	00:46:00	Leaves rubbish at the bus stop.	See photo	

16-Sep	01:00:00	Mr Carter leaves without van.		See photo	
16-Sep	20:00:00	No activity during the daytime or trading on this evening.			
17-Sep	19:00:00	No activity during the daytime or trading on this evening.			
18-Sep	16:39:00	Trading has begun.		See photo	
18-Sep	21:01:00	The area surrounding the van is like a social club with patrons of the van congregating.		See photo	
19-Sep	01:15:00	Mr Carter leaves without van.		See photo	
19-Sep	13:31:00	Mr Carter arrives.		See photo	
19-Sep	17:17:00	Trading has begun.		See photo	
19-Sep	20:40:00	The area surrounding the van is like a social club with patrons of the van congregating.		See photo	
20-Sep	00:48:00	Mr Carter leaves without van.		See photo	
20-Sep	15:21:00	Mr Carter arrives.		See photo	
20-Sep	17:02:00	Trading has begun.		See photo	
20-Sep	22:02:00	The area surrounding the van is like a social club with patrons of the van congregating.		See photo	
21-Sep	01:08:00	Mr Carter leaves without van.		See photo	
21-Sep	16:45:00	Trading has begun.		See photo	
21-Sep	20:38:00	The area surrounding the van is like a social club with patrons of the van congregating.		See photo	
21-Sep	21:15:00	The area surrounding the van continues to be like a social club with patrons of the van congregating.		See photo	
22-Sep	01:41:00	Mr Carter leaves without van.		See photo	
22-Sep	20:00:00	No activity during the daytime or trading on this evening.			
23-Sep	19:00:00	No activity during the daytime or trading on this evening.			
24-Sep	20:00:00	No activity during the daytime or trading on this evening.			
25-Sep	19:00:00	No activity during the daytime or trading on this evening.			
26-Sep	22:00:00	The area surrounding the van is like a social club with patrons of the van congregating.		See photo	
27-Sep	00:25:00	Mr Carter leaves without van.		See photo	
27-Sep	13:45:00	Mr Carter arrives.		See photo	
27-Sep	16:47:00	Trading has begun.		See photo	
28-Sep	00:58:00	Mr Carter leaves without van.		See photo	
28-Sep	15:45:00	Mr Carter arrives.		See photo	
28-Sep	16:06:00	Trading has begun.		See photo	
28-Sep	22:27:00	The area surrounding the van is like a social club with patrons of the van congregating.		See photo	
29-Sep	01:50:00	Mr Carter leaves without van.		See photo	
29-Sep	14:58:00	Mr Carter arrives.		See photo	
29-Sep	16:57:00	Trading has begun.		See photo	
30-Sep	00:58:00	Mr Carter leaves without van.		See photo	

RLH Burger Van Activity

<u>Date</u>	<u>Time</u>		<u>Notes</u>	<u>Photo/Video #</u>
01-Oct	19:00:00	No activity during the daytime or trading on this evening.		
02-Oct	17:00:00	Trading has begun.	See photo	
03-Oct	00:53:00	Contents of bucket are chucked on the street.	See photo	
03-Oct	00:56:00	Mr Carter leaves without van.	See photo	
03-Oct	19:00:00	No activity during the daytime or trading on this evening.		
04-Oct	17:11:00	Taxis are double parked and are blocking access to the pavement.	See photo	
04-Oct	17:11:00	Taxis are double parked and are blocking access to the pavement.	See photo	
05-Oct	17:26:00	Taxis are double parked and are blocking access to the pavement.	See photo	
05-Oct	20:46:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
06-Oct	21:37:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
07-Oct	19:00:00	No activity during the daytime or trading on this evening.	See photo	
08-Oct	20:00:00	No activity during the daytime or trading on this evening.	See photo	
09-Oct	19:00:00	No activity during the daytime or trading on this evening.	See photo	
10-Oct	20:00:00	No activity during the daytime or trading on this evening.	See photo	
11-Oct	19:00:00	No activity during the daytime or trading on this evening.	See photo	
12-Oct	21:04:00	Taxis are double parked and are blocking access to the pavement.	See photo	
12-Oct	23:50:00	Mr Carter leaves without van.	See photo	
13-Oct	16:25:00	Mr Carter has visitors who could be discussing the size of his van/pitch??	See photo	
13-Oct	21:24:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
13-Oct	21:47:00	The area surrounding the van remains like a social club with patrons of the van congregating.	See photo	
13-Oct	22:30:00	Street is used liked a garage as various cabbies take this opportunities to repair their taxis.	See photo	
14-Oct	00:56:00	Mr Carter leaves without van.	See photo	
14-Oct	20:00:00	No activity during the daytime or trading on this evening.	See photo	
15-Oct	19:00:00	No activity during the daytime or trading on this evening.		
16-Oct	20:00:00	No activity during the daytime or trading on this evening.	See photo	
17-Oct	19:00:00	No activity during the daytime or trading on this evening.	See photo	
18-Oct	20:39:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
19-Oct	00:10:00	Mr Carter leaves without van.	See photo	
19-Oct	21:52:00	Taxis are double parked and are blocking access to the pavement.	See photo	
20-Oct	00:01:00	A patron of the burger van brings his little white dog along whilst chatting to fellow cabbies.	See photo	
20-Oct	00:50:00	Mr Carter leaves without van.	See photo	
20-Oct	16:12:00	Elderly disabled hotel guest struggle to access the pavement and the hotel entrance.	See photo	
20-Oct	21:39:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
21-Oct	00:06:00	Mr Carter leaves without van.		

21-Oct	21:00:00	No activity during the daytime or trading on this evening.		
22-Oct	20:00:00	No activity during the daytime or trading on this evening.	See photo	
23-Oct	21:01:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
24-Oct	00:07:00	Mr Carter leaves without van.	See photo	
24-Oct	16:12:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
24-Oct	20:21:00	The area surrounding the van remains like a social club with patrons of the van congregating.	See photo	
25-Oct	00:07:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
25-Oct	01:39:00	Mr Carter leaves in van.	See photo	
25-Oct	16:49:00	Mr Carter arrives in van.	See photo	
25-Oct	21:04:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
25-Oct	21:36:00	A patron of the burger van brings his camp chair along to socialise with fellow cabbies.	See photo	
25-Oct	22:15:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
26-Oct	00:45:00	Mr Carter leaves without van.	See photo	
26-Oct	16:51:00	Mr Carter arrives in van.	See photo	
26-Oct	20:16:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
27-Oct	00:04:00	The area surrounding the van is like a social club with patrons of the van congregating.	See photo	
27-Oct	00:38:00	The area surrounding the van remains like a social club with patrons of the van congregating.	See photo	
27-Oct	01:31:00	Mr Carter leaves without van.	See photo	
27-Oct	16:52:00	Mr Carter arrives in van.	See photo	
28-Oct	00:48:00	Mr Carter leaves in van.		
28-Oct	20:00:00	No activity during the daytime or trading on this evening.		
29-Oct	19:00:00	No activity during the daytime or trading on this evening.		
30-Oct	20:00:00	No activity during the daytime or trading on this evening.		
31-Oct	00:00:00		See photo	

by the licence without causing undue interference or inconvenience to persons or vehicular traffic using the street;

- c) The licence holder is an individual who has without reasonable excuse personally failed fully to avail himself of his licence;*
- h) The licence holder has persistently failed to comply with any condition of his licence."*

Section 28 (2) of the 1990 Act enables a Borough Council to vary its conditions by attaching further conditions and:

- b) "Specifying a different licence street or position or place in any such street at which the licence holder may sell or expose or offer for sale articles or things or offer or provide services."*

We enclose a copy of our client's letter dated 23 November 2016 which sets out fully the matters relied on.

You will note the actions support the fact that:

1. the existence of the Burger Van in this particular area is causing nuisance;
2. Mr Carter frequently does not utilise the full operational hours of the licence;
3. Mr Carter trades to customers out into the road, which is potentially very dangerous;
4. access to the pavement in the vicinity of the hotel is blocked by double parked taxis who frequent the Burger Van;
5. customers using the facilities provided by the Burger Van create litter problems with cigarette butts being thrown on the floor next to the Burger Van; and
6. the Burger Van is left parked in the Pitch when not in use, and residents of the hotel are complaining about problems encountered with the Burger Van.

Specifically we draw your attention to the continued Breach of the following conditions:

Condition 15:

"The trading area shall not be larger than the size stated on your licence and any stall limits marked on the ground unless agreed by the Council".

Alleged breach:

The Burger Van that Mr Carter uses is very large and protrudes beyond the pitch that Mr Carter is permitted to operate in.

Condition 16:

"All goods and containers or other articles need to be contained within the licenced pitch area and not extend outside".

Alleged breach:

The Burger Van that Mr Carter uses protrudes beyond both the front and rear parameter of the parking space of the licenced pitch.

Condition 20:

"The height of any stall or display shall not exceed 2.6 metres unless agreed, in writing, by the Council".

Alleged breach:

We have not received any special conditions from the Council and therefore assume that there is no special condition in place. We believe the height of the Burger Van exceeds the 2.6m set out in condition 20.

Condition 21

"Stalls not removed from the pitch at the cessation of trading may be removed by the Council to a place of storage".

Alleged breach:

From 31 August 2017 until 25 October 2017 the Burger Van was kept onsite beyond its trading hours, 24 hours a day, and 7 days a week in clear breach of condition 21.

Condition 22:

"Once removed at the end of the trading day, stalls and other trading receptacles should not be set up or placed in the market again until the allowed setting up time for the following day".

Alleged breach:

The Burger Van is kept continuously in the Pitch even when not trading, which breaches condition 22.

Condition 26:

"The operation of your stall must not cause a nuisance to other traders or the general public".

Alleged breach:

There are reports of the licence holder trading to people in the street on the roadway. As this street is a one way street this trading poses a risk to public safety, and those attempting to navigate around the Burger Van in order to gain access to the pavement. As mentioned above, as a result of the operation of the Burger Van there is frequently litter, noise and complaints from residents of the hotel. Mr Carter is therefore in breach of condition 26.

Condition 48:

“You must be in personal attendance on your pitch for the majority (at least 50 per cent) of the working day”.

If the ‘working day’, as it is stated above, means the number of trading hours according to the pitch holder’s licence, then Mr Carter is permitted to trade for 20 hours. On average Mr Carter trades for 8 – 8.5 hours which is less than 50% of his allotted time. This is a breach of condition 48.

Condition 56:

“Unless specifically agreed in writing, stalls should not put out 2 hours prior to commencement of trading”.

Alleged breach:

Frequently the Burger Van is kept continuously in the pitch even when not trading, which breaches condition 56.

Condition 57:

“The stall and goods are to be removed from your pitch, within one hour of the cessation of the day’s trading (i.e. the time shown on your licence to end trading for that day).

Alleged breach:

Frequently the Burger Van is kept continuously in the pitch even when not trading, which breaches condition 57.

During the year it also came to light that the vehicle was being used without an MOT certificate and had not been taxed.

We understand that once this was reported to you Mr Carter dealt with the issues.

The picture that emerges is of a trader that:

1. Is prepared to put the safety of others at risk by using a public road for the sale of goods rather than selling onto the pavement;
2. is continuously defiant of the council’s licence conditions;
3. does not make full use of the licence granted but instead uses it as a facility to provide 24/7 parking in Central London; and

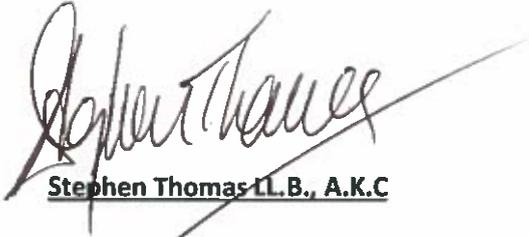
13 November 2017

4. Causes other road users to block access to the pavement with taxis double parking around the Burger Van.

Based on the evidence contained in this letter and the supporting footage we invite the Council to revoke the licence, or alternatively to not renew the licence in its current location.

Please kindly acknowledge receipt of this letter and the supporting documentation.

Yours faithfully


Stephen Thomas LL.B., A.K.C

Enc. 

CC Peter Thomas, Precis Management Services Limited

APPENDIX 4d



Date: 17 November 2017
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Street Trading Department Head
Public Protection
Islington Council
222 Upper Street
N1 1XR

Attn: Mr David Fordham

By recorded delivery and email: david.fordham@islington.gov.uk

Dear Sirs

Street Trading Licence number LN/000017114 ("the Licence") relating to Pitch Number 798 ("the Pitch") in respect of an application made by the London Borough of Islington ("the Council") to revoke the Licence

As you are aware, we act on behalf of Obidos Properties Limited, the freeholder of the Montcalm Royal London House Hotel ("the Hotel") in Finsbury Square.

We have been made aware that an application to revoke the Licence has been made by the Council's Trading Standards and Street Trading team. We understand this follows both action taken by it earlier this year and following recent observations by Council employees where it witnessed continuing problems following further recent complaints of breach of licence conditions and problems arising from the operation of the Licence made by the Hotel and by our client.

We have been notified that our client may make representations in support of the application to revoke the Licence provided that they are received by no later than 17 November 2017.

We understand that the Hotel has already submitted such a representation supporting the revocation of the licence. We have seen a copy of the letter sent on its behalf together with supporting evidence. We are instructed to make a similar representation supporting revocation of the Licence on behalf of our client and this letter forms its formal representation.

We have not enclosed the considerable previous documentation which has been provided to you by the Hotel both historically and with its letter of representation in relation to the revocation application (in the interests of avoiding duplication). However, we rely upon that information and will make reference to it in this letter. Our client also supports the points made by the Hotel and shares the concerns raised by it for the reasons more clearly articulated below.

Background

The Hotel has now been operating for in excess of 12 months and during that time has monitored the operation of the Licence from the Pitch and provided you with detailed evidence of breaches of the Licence over a considerable time period. This has included copies of incident logs, details of specific breaches and photographs.

To:
Date: 17 November 2017
Page: 2

The Hotel and its lawyers have written to the Council on numerous occasions in the last 12 months setting out the problems and breaches of licence conditions together with supporting evidence including as follows:

- 23.11.16 the Hotel wrote to the Council objecting to the renewal of the Licence setting out clear grounds and providing evidence in support
- 19.12.16 the Hotel's lawyers wrote to the Council following on from the Hotel's letter setting out the clear licence breaches by reference to the statutory scheme and providing updated evidence
- 19.1.17 the Hotel's lawyers wrote to the Council providing updated evidence of breaches of the legislation and/or licence conditions
- 16.3.17 the Hotel's lawyers wrote to the Council providing further updated evidence of breaches, referencing meetings/attempted meetings with the de facto operator of the Licence and suggesting that the Council should take enforcement action in respect of the Licence
- 31.3.17 the Hotel's lawyers wrote to the Council following receipt of a letter from the Council of 29.3.17 confirming that Council officers would be investigating the breaches and scheduling a meeting in May to consider relocation of the Pitch
- 13.6.17 the Hotel's lawyers wrote to the Council providing updated evidence of ongoing Licence breaches and asking questions in relation to a proposed Council meeting in July 2017 (which did not take place)
- 13.6.17 email from the Hotel's lawyers to the Council providing additional evidence including evidence that vehicle used for the purposes of the Licence did not have a valid MOT
- 2.10.17 letter and email from the Hotel's lawyers providing additional updated evidence of continuing breaches of the Licence
- 16.11.17 letter from the Hotel's lawyers to the Council forming the Hotel's representation in support of the application to revoke the Licence together with supporting evidence

As can be clearly seen from the above, the Hotel (whether itself or via its lawyers) has provided evidence of clear Licence and/or legislative breaches over a period of about 12 months. The Hotel has tried to work with Mr Carter and the Council to resolve the issues over this period, but through no fault of the Hotel this has not been possible and the issues remain unresolved. This demonstrates that the breaches are persistent and ongoing and, despite action already taken by the Council earlier this year (see further below), continue clearly confirming that they either cannot be addressed at all or are breaches which Mr Carter (or the Licence holder) is incapable of addressing. Further, given the dialogue between the Hotel, the Council and Mr Carter, one might reasonably have expected Mr Carter to address the breaches evidenced but his inability and/or unwillingness to do so regrettably suggests to us and our client that revocation of the Licence is the only appropriate course of action and would be entirely proportionate in the circumstances. This is also clearly the view of the Council's own Trading Standards and Street Trading team as has come to in making its revocation application, having already taken a lesser form of enforcement action earlier in the year which has not worked.

To:
Date: 17 November 2017
Page: 3

However, we have set out clearly below the additional reasons why our client believes the Licence should be revoked.

We also understand that the Council earlier in the year did carry out its own investigations into the operation of the Licence and witnessed for itself clear Licence breaches. These were then we believe raised with Mr Carter so that he was provided with an opportunity to address them and at the same time his vehicle was also required to be removed whilst a new MOT certificate was obtained. Whilst the vehicle was absent for a period of around 2 weeks we understand that complaints about nuisance and disturbance from the Hotel's guests ceased and the highway and surrounding area was unobstructed and capable of use as intended. When the vehicle returned the problems returned and have been evidenced in detail by the Hotel.

The Licence Granted

The current Licence (licence number LN/000017114) is granted in respect of the Pitch for a maximum pitch size of 3.96m by 2.13m. The licence period is specified as being from 1 January 2017 to 31 December 2017. The Licence allows "hot and cold food and drink" to be sold. The Licence is subject to the Council's "*Standard Street Trading Conditions*", a copy of which has helpfully been provided to us by the Council.

The Trader/Licence holder is clearly stated as being Ann Carter and not Mr Carter. We are not aware of Mr Carter being approved as a nominated assistant with a stall card issued (which would be required as per standard condition 11 applicable to such Licences).

The Licence only authorises trading on Mondays to Fridays from the hours of 7.00 hours to 03.00 hours on the day following and no trading on the weekends (save for midnight to 3am on Saturday mornings).

The Council have very helpfully confirmed that no application for renewal of the Licence has been made to date.

The Statutory Scheme

As the Council is aware, the Licence is granted and regulated under Part III of the London Local Authorities Act 1990 ("the Act"). We have set out the key provisions we believe to be relevant below.

Section 23 of the Act makes it clear that it is unlawful for any person to engage in street trading unless that person is authorised to do so by a street trading licence. The offence itself is set out section 38(1).

Section 25 deals with applications for new grants including renewals (albeit neither of those is directly relevant as no renewal has been made). However, section 25 does require any renewal to be made no later than 2 months before the street trading licence expires. We note therefore that a proper application for renewal of the Licence has not been made and we cannot see how it would be reasonable in the current circumstances for the Council to consider it reasonable to accept a late renewal.

Section 27 deals with conditions which may be attached to such licences. Section 34 makes it an offence to contravene any such conditions.

To:
Date: 17 November 2017
Page: 4

Section 28 deals with applications for revocation, and it is thus highly relevant to this representation. Subsection (1) sets out the criteria (from (a) to (h)) upon which the Council may revoke a street trading licence. In addition, section 36 of the Act makes clear that the failures of any person employed by the holder of a licence are deemed to be the failures of the licence holder.

Why our client believes the Licence should be revoked

Our client believes that there are a number of clear, compelling reasons why the Licence should be revoked by the Council. We have set these out numerically below.

1. Under section 28(1)(a) now that the Hotel is operating and due to the manner in which the Licence is currently used there is "*not enough space in the street (which by virtue of definition in section 21 includes a road, footway or area) to engage in trading without causing undue interference or inconvenience to persons or vehicular traffic using the street*".

There is clear evidence over the last 12 months that the use of the Licence not only involves the vehicle encroaching beyond the Pitch (often causing issues – again for which there is photographic evidence) but that the use of the Licence often causes users of the facility to park up blocking or unduly impeding the highway (in itself an offence under highways legislation). As such, our client fully adopts and supports the points made, and evidence produced, by the Hotel in this regard.

2. Under Section 28(1)(c) – that the licence holder without reasonable excuse personally failed to fully avail himself of the licence. It is understood that Ann Carter does not as far as our client is aware attend the Pitch but more importantly does not trade from the site. That aside, Mr Carter has extended periods where the Licence is not being "used" in the sense that there is no trading and this is further exacerbated by the vehicle being left in situ without being used for extended periods. The logs and other evidence which the Hotel has produced provide clear evidence of the same. We have addressed this point in more detail when considering breaches of conditions below.
3. Under section 28(1)(d) – there have been persistent ongoing breaches of the Licence which have been raised with Mr Carter and we assume the actual Licence holder and yet they continue and remain unresolved. Further, some of the breaches seem incapable of resolution (the size of the vehicle means it can never comply with the standard conditions – see further below).

We also note that Mr Carter himself should seemingly be the Licence holder (for many good reasons under the scheme of the Act) and that in itself would seem to be an offence under section 38.

As such, we cannot see how either Ann Carter or Mr Carter could ever in these circumstances be said to be suitable to hold a licence given the persistent ongoing breaches and the failure to address or remedy them despite the fact that formal enforcement action has already been taken by the Council and that many of the breaches amount to criminal conduct, for example, breaches of conditions amount to a criminal offence.

To:
Date: 17 November 2017
Page: 5

4. Under section 28(1)(f) – the vehicle (which qualifies as a receptacle) is persistently left in the Pitch outside of the permitted licence periods and times, including over whole weekends which has a particularly adverse impact on the Hotel. The Licence terms were clearly imposed for a reason and scant, if any, regard is being paid to those terms.
5. Section 28(1)(g) – for the same reasons as set out in point 4 above.
6. Section 28(1)(h) – that the licence holder has persistently failed to comply with any condition of his licence.

There is clear extensive evidence of breaches of the Licence over the last 12 months which the Hotel has provided. In addition, the Council itself has witnessed this such breaches on several occasions. Having recently witnessed ongoing breaches the Council itself has initiated the current revocation proceedings.

7. The breaches of condition include:
 - a. The size of the vehicle exceeds the size of the pitch (breach of condition 14 and 15). This breach is incapable of being remedied as the vehicle can never fit within the pitch.
 - b. The height of the vehicle is in excess of 3m (breach of condition 20)
 - c. The operation of the licence shall be operated in compliance with other legislation (condition 4) our client has identified a number of non-compliances with other legislation which we have dealt with separately below.
 - d. The licence is not capable of being assigned (condition 9). Ann Carter is the Licence holder and Mr Carter is not.
 - e. Further, in the limited circumstances where the licence holder may nominate an assistant then the assistant must display their stall card (condition 11). Mr Carter as far as we are aware does not have such a card.
 - f. The stall needs to be easily removed in the event of an emergency (condition 19). The vehicle is left in situ in breach of Licence conditions for days on end with no one present. Given its size it cannot be easily moved. In the event of an emergency or fire in the proximate area then this could impede the emergency services (also breach of condition 4 as that must amount to breach of the trader's Health and Safety at Work Act 1974 obligations – not least under section 3).
 - g. Stalls or trading receptacles (ie vehicles) should not be set up before the start of the setting up time for the following day (condition 22). The vehicle is simply left for extended periods in situ.
 - h. The operation of the stall causes nuisance to the general public and other traders, including but not limited to the Hotel and guests of the Hotel (breach of condition 26). Evidence of this has been produced to the Council by the Hotel. The Council will also no doubt be aware of WHO guidelines in relation to night time activities which can affect sleep in that regard.
 - i. We cannot comment on conditions 28 to 37 but would hope that the Council will have satisfied itself that these obligations relating to electrical testing have been fully complied with.

To:
Date: 17 November 2017
Page: 6

- j. Mr Carter has been witnessed by the Hotel and others throwing waste water and litter into the street and evidence of the same has been provided to the Council. In addition, customers of Mr Carter leave debris and litter and this is not properly cleared (breaches of conditions 38, 41, 42 and 43).
- k. Attendance at the Pitch. The obligation is that the licence holder (Ann Carter) must be in attendance for the majority (at least 50%) of the working day. This never happens. However, even if Mr Carter is considered the licence holder he is not present for 50% of the day and frequently is not present for extended periods (breach of condition 48).
- l. There is a requirement to attend and trade for a minimum of three days per week unless otherwise approved. Mr Carter is frequently not present (although his van is) nor are we aware that any such approval been given (breach of condition 49).

As such, our client believes that there are clear reasons supported by extensive and compelling evidence over a long period from both the Hotel and the Council for the Licence to be revoked. Further, notwithstanding that one would have expected Mr Carter (and Ann Carter) to be on notice that the Council might take further action should breaches continue, little or no attempt has been made to achieve compliance or address the concerns. Such conduct not only breaches the Licence conditions but seems to clearly, in some cases, amount to a criminal offence under the Act too for the detailed reasons set out above.

Our client understands that the Hotel and Council have tried to accommodate Mr Carter and come to alternative arrangements. However, the reality seems to be that this Licence is incapable of being lawfully operated in accordance with either Licence conditions of the Act itself from this location, or at all, by the current Licence holder, Anne Carter, and the de facto operator, Mr Carter. We can therefore see no other realistic option other than revocation of the Licence.

Additional considerations

We cannot see how the Council can be in a position to exercise any discretion under section 28(2) of the Act to impose additional conditions rather than revoke the Licence. Given the ongoing continued breaches and stance adopted by Mr Carter (and the Licence holder) we fail to see how anything but revocation could be an appropriate or proportionate response.

Our client has also employed the services of a regulatory expert who specialises in compliance issues, such as health and safety and food safety matters. That expert identified a number of issues including the following:

- (i) *Health and Safety - "Under COSHH 2002 Regulation 9 :- there must be effective control of Local Exhaust Ventilation from the Food Sales Unit. At this time it is deemed unsatisfactory by the current legislation. The sales vehicle has a Ventaxia domestic extractor in a side wall of the food sales unit. This does not comply to current regulations as it is required to vent from the top of the food sales unit ie: discharge to a safe place, and have a form of filtration system as to not contaminate / cause effect to local inhabitants. At this time it vents directly into the main entrance doors of the Hotel thus does not "ensure adequate control of exposure" to hotel*

To:
Date: 17 November 2017
Page: 7

residents and local pedestrians. Under the Local Exhaust Ventilation (HSG258) it is a requirement for the owner to test and inspect the LEV system in his/her control and ensure the extraction complies with legislation. At this time the current extraction would not comply as it would not be deemed suitable for purpose. "

- (ii) Health and Safety – the service hatch from the vehicle opens out directly into the public highway and therefore presents a health and safety risk to those purchasing food and drink from it; and
- (iii) Highways Act 1980 – the expert identified clear cases of obstruction of the public highway which is an offence under that legislation. You have also been provided with clear photographic evidence of the same by the Hotel over the last 12 months.

Equally, we would urge the Council not to accept a "late" renewal of the Licence in any event.

Summary

For all of the reasons set out above, expressed by the Hotel and by the Council's own Trading Standards and Street Trading team, our client fully supports the application for revocation of the Licence. It believes that revocation of the Licence is the only realistic way of resolving the ongoing persistent breaches of the Licence and the Act.

Our client wishes to make clear it has nothing personal against Mr Carter it simply cannot see how the Licence can be operated in compliance with legislation and conditions imposed.

Kindly acknowledge safe receipt and we confirm that we have instructions to represent our client at the hearing on 13 December next. We look forward to receiving the committee report and papers in due course.

Yours faithfully



Berwin Leighton Paisner LLP

cc: Ms M Keshani – by email - mumtaz.keshani@islington.gov.uk

jnn\59035860.1

Complaint/Incident Details - WK/160037335

Actions

Action	Officer	Actual	Target	Time	Value	Number
0000 - Procedure Started	ASBX	30/11/2016				
EMAL - E-Mail	NBO	30/11/2016 16:15				
Comment Email from Louise asking to create tasking						
VSTE - Visit - External	ARA	02/12/2016 01:09				
Comment Finsbury square Vste location @ 01.09hrs monitored the mobile food van VRM Y975UGC parked in front of the montcalm royal London House. Monitored from approximately 20 metres away Observed 3 black cab drivers outside the vehicle drinking hot drink @ 01.29hrs all the black cab driver's left the location no unreasonable noise witnessed no vehicle idling observed. @ 01.30hrs VRM EO62XDC observed a mine cab driver dropping of passengers in front of the Mobile food van who have entered the The Montcalm hotel the mine cab was the for 10mins then it drove off. Cm12 Ar-lj left location @ 01.37hrs						
VSTP - Visit - Proactive	ARA	03/12/2016 21:14				
Comment Finsbury square Vste location @ 21.14hrs monitored the mobile food van VRM Y975UGC parked outside The Montcalm royal London hotel. No actives observed. Cm12 Ar-Sr Left location @ 21.31hrs						
VSTP - Visit - Proactive	NSA	03/12/2016 22:55				
Comment Arrived at 22:55. Officers observed one white van/trailer parked directly out 22-25. No one was seen inside the locked van. No issues were observed. CM12 dc ns						
VSTE - Visit - External	NSA	04/12/2016 19:10				
Comment Arrived at 19:10. The food van was closed, No vehicle was obstructing or blocking disable ramps around the hotel. Nothing to report back. CM12. NSD / SR / MS. Left the location at 19:20.						
VSTP - Visit - Proactive	MS2	05/12/2016 21:27				
Comment Arrived @ 21:27 the food vendor was open and had 2 black taxis directly outside and 2 other taxis parked in the adjacent Street. No rubbish left in the area no noise coming from the trader no engines running the public foot path and drop kerbs all clear no issues witnessed. While on site a number of taxis stopped to get a drink and left after a couple of minutes. CM12 MS-AF left 22:08						
EMAL - E-Mail	SM2	06/12/2016				
Comment Pic of vendor attached						
VSTE - Visit - External	NSA	11/12/2016 21:05				
Comment Arrived at 21:05. The food trailer was closed. No vehicle was obstructing or blocking the disabled ramps. No matter observed to report back. 21:23. CM12. NSD / MS / DC						
VSTP - Visit - Proactive	MS2	18/12/2016 19:26				
Comment Arrived @ 19:26 checked the market trader all closed up no vehicles seen no issues with blocking access. CM12 MS-NSD left 19:34						
VSTP - Visit - Proactive	MS2	19/12/2016 21:53				
Comment Arrived 21:53 checked the food truck and saw 2 black taxis parked directly outsid no blocking footpaths or the. Highway no issues regarding the access. We monitored the area no more taxis seen parking. CM12 MS-NSD-PC left 22:21						

Out of Hours Response and Patrol Officer

Out of Hours Anti-Social Behaviour Service

Islington Council Municipal Offices

222 Upper Street N1 1XR

User Defined Codes

Vulnerable Subject	Domestic Violence
Vulnerable Reporter	Drugs Issues
Was Callback Declined	Alcohol Issues
Repeat Call	Youth Involvement

Remarks

No remarks found.

Property			
Address	Finsbury Square Market Stall Pitch Number 798, Finsbury Square, Islington, London		
Telephone	Fax	Area ASB - Antisocial Behaviour Team	

Worksheet			
Reported By			
Name	[REDACTED]		
Address	Islington Council, Municipal Offices Islington Council, 222 Upper Street, Islington, London, N1 1XR		
Home Tel	Work Tel	Mobile	
Fax No	Email		
Department	EH - Environmental Services	Date	30/11/2016 Time
Application	CPIN - Complaints / Incidents	Method	PR - Pro-Active Visit
Task Group	CW00 - Casework	Recd By	NBO - Nicholas Bowry
Task	CW02 - Taskings	Source Type	INT - Internal Referral
Details	Various issues		
Message			
Officer	ASBX - ASB Officer	Target	Actual
Time Taken		First Response	30/11/2016 16:15
Next Task		Completed	
Due	Allocated 30/11/2016	Outcome	

References			
Case Number	NP0102	FI Number	NP0102
Complaints/Incidents			
Type	CW02 - Taskings	Between	From
Summary of relevant incidents			
Notes			
Persons Involved	Known As	Involvement	Gang
No Persons Involved			
Location of Incident (Where complaint is person based)			

Previous Complaints/Incidents					
(Last 10 not including this one)					
Reference	Received	Details	Status	Outcome	Officer
No previous complaints/incidents found.					

Emails forwarded to Street Trading via the ASB tam April – May 2017

From: [REDACTED]
Sent: 20 April 2017 19:47
To: ASB First Response
Subject: NP0117 Finsbury Square

Arrived @ 17:07 on arrival the food vender trailer was on site but not open we monitored and @ approx. 17:29 the hatch opened no activity we monitored further and a number of taxis arrived and parked part blocking the high way see picture attached. We didn't see and transactions between the vender and the taxi drivers no blocking of the drop kerbs or the footpath then taxis started to leave and the highway was clear. Left @ 18:44

From: [REDACTED]
Sent: 27 April 2016 02:24
To: ASB First Response
Subject: Np0042

Vste 0148 trailers have been left out again in the usual bays one in bay 39 the other in bays 94 and 95 northwest place all locked up no other ASB issues seen af/wb

From: [REDACTED]
Sent: 29 April 2017 04:08
To: ASB First Response
Cc:
Subject: NP0117

20 Finsbury Square.
Arrived location at 03:56 - checked and monitored the location. Observed the van all closed, no one seen in or around the area. No asb activities witnessed. CM12. Left location at 04:05. AL/ SR.

From: [REDACTED]
Date: Thu, May 4, 2017 at 6:17 AM +0100
Subject: RE: Traders on pitch 798 20 Finsbury Square
To: " >

[REDACTED]

In relation to the traders on pitch 798, 20 Finsbury Square. We turn the camera to the location at 1924hrs and kept it there until, they left the location at 0030hrs. They were well behaved and we didn't notice any problems at all. There was no obstruction from his customers and they seem to make their way after buying their food.

----- Forwarded message -----

From: ">

Date: Fri, May 5, 2017 at 6:14 AM +0100

Subject: RE: Traders on pitch 798 20 Finsbury Square

To:

Morning Sean,

We've been monitoring the traders on pitch 798,20 Finsbury Square again last night until the early hours of this morning. We moved the camera to the location at 1830hrs yesterday, trader was monitored until 0045hrs of the 5th/05/2017. Trader was just a bit busier than normal, but there was no disturbances and customers seem to make their way after getting their food.

From: [REDACTED]
Sent: 12 May 2017 06:31
To: [REDACTED]
Subject: Vending Trailer

Good morning Sean

As above reference, the vending trailer arrived Finsbury Square at 1620hrs of 11/05/17 and departed the location at 0050hrs of 12/05/17.

In addition, there was no issues at the Town Hall yesterday night.

Regards

[REDACTED]

Street Trading Team
Public Protection Division
222 Upper Street
London N1 1XR

Mrs Ann Carter

[REDACTED]
This matter is being dealt with by:
Houriye Dervish

T 020 7527 3046
F 020 7527 3165
E houriyedervish@islington.gov.uk
W www.islington.gov.uk

Our ref:
Your ref:

Date: 20 February 2017

Dear Ms Carter,

STREET TADING LICENCE 798 FINSBURY SQUARE

I am writing to reschedule our meeting which was arranged for this week to explain the current position and to look at reaching an amicable outcome to the relocation of your current pitch.

As discussed with both you and Mr Carter at length via telephone, on site and in the office, the Council is required to take action in order to affect the changes brought about by the development of the Montcalm Royal London house Hotel as your current pitch will have an impact on vehicle flow and prevent the building and operation of disabled access and a drop in /drop off point.

We have always assured you that until otherwise informed; you would be able to continue trading from your current location. As you know having had further legal advice, the council have now no choice but to apply the legislation under the London Local authorities Act 1990 and to either:

- revoke your licence as per Section 28(1) (a) of the London Local Authorities Act 1990 (as amended) or
- to vary the designation of the current pitch as per section 24 (1) to a position where it will not impact on services and
- not revoke your licence but apply for a variation to transfer your licence, Section 28(2) to the newly designated pitch or an alternative vacant site in the borough

In an effort to try for the latter two options and find an alternative position for you to trade we met in the council offices on 17 January. After discussing the situation at length you identified a possible site in Christopher Street which as a result of excavation has proven to be unworkable. An alternative site has now been proposed which is also in Christopher Street but opposite your original proposal, (see attached map).

As you know, we were due to meet this week with the all stakeholders discuss this new site and try and reach an amicable resolution to suit all parties and ensure the health and safety of clientele (both yours and that of the hotel). You asked to cancel this meeting so that it could be

rescheduled at a time where you are able to bring with you a legal representative. A date has now been scheduled for **Wednesday 22 March at 2pm at the Royal London House hotel.**

I do hope this date is convenient for both yourself and any representative you may wish to bring with you.

As previously advised I will be going on leave from 24th Feb – 17th Mar. If you need to rearrange or cancel this date whilst I am away please contact the service manager David Fordham on 020 7527 3458 or by email david.fordham@islington.gov.uk.

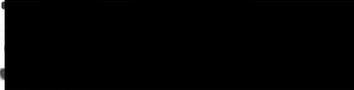
I wish to assure you that council never takes the possible loss of a traders' livelihood lightly and that the council will do everything in their power to assist in reaching an amicable resolution to this situation.

Yours sincerely

Houriye Dervish
Street Trading Manager

Street Trading Team
Public Protection Division
222 Upper Street
London N1 1XR

Mrs Ann Carter



This matter is being dealt with by:
Houriye Dervish

T 020 7527 3046
F 020 7527 3165
E houriyedervish@islington.gov.uk
W www.islington.gov.uk

Our ref:
Your ref:

Date: 11 April 2017

Dear Ms Carter,

STREET TRADING LICENCE 798 FINSBURY SQUARE

Thank you for your letter dated 20 March 2017. Please accept my apologies for the delay in a response.

To avoid any misunderstanding I refer to my letter dated 20/03/17 where the council's position was clearly set out. As you are aware it is now necessary for the council to take steps to make changes brought about by the development of the Montcalm Hotel at Royal London house.

I have noted your response in respect to 'Taxi Ranks', 'Disabled access' and 'Christopher Street' and I will discuss the concerns you have raised with the council's officers in the highways and planning departments before any final decisions are taken.

I have also noted your comments under headings 'Human Rights Act 1988' and 'Twenty Two years: prescription'; the London Local Authorities Act 1990 as amended (section 28) makes provision for the council to consider the revocation of a street trading licence in certain circumstances; one of which is:

a) owing to circumstances which have arisen since the grant or renewal of the licence, there is not enough space in the street in which the licence holder trades for him to engage in the trading permitted by the licence without causing undue interference or inconvenience to persons or vehicular traffic using the street;

I note your proposals but I hope that the council's position has now been made clearer as to the need to move the pitch from the current trading site. I had previously proposed a meeting in the vicinity with a view to discussing the Christopher Street site as an option; however, as you have now raised concerns about the viability of this location I do not think that a meeting can be of any use at this stage.

I would like to reiterate that the council takes the livelihood of traders very seriously and each and every case where difficulties arise we aim to resolve matters rather than seek the revocation of licences. To that end I wish to make you aware that the council is seeking

alternative sites in close proximity of the existing pitch. If the designation for a new pitch is successful there is provision, under the Act which can enable a Licensing Regulatory Committee to vary the terms of a licence to an alternative designated site rather than revoking a licence.

I take this opportunity to bring to your attention that the council has received further complaints relating to possible breaches of conditions attached to your street trading licence, copy attached and which are being investigated. In summary these relate to:

- Trading beyond the perimeters of your designated area (clause 15 & 16)
- Not removing your trading receptacle to a place of storage at the cessation of the trading day (clause 21 & 22)
- That your trading practices are causing a nuisance to others (clause 26).
- Disposing of waste water inappropriately (into drains) (clause 43)

Yours sincerely



Houriyeh Dervish
Street Trading Manager

Title: Finsbury Square Ann & Peter Carter License number 798
Report to: Dave Fordham and Houriyeh Dervish

Report Author: Simon Kaufman Compliance Manager

Author Email: [REDACTED]

Date: 20 November 2017

Director: Jan Hart – Public Protection

1. Purpose of Report

- I have been asked by the street trading team to monitor the activities at the street trading pitch located in Finsbury Square, Islington, EC2A

2. Background & Concerns

- The main concerns that I have been monitoring are as follows:

Is the trailer arriving at the location before 5pm?

Is the trader selling food and drink before 7pm?

Is the trader removing the truck by 3am?

Is the trailer there at the weekend?

Are there any health and safety issues being caused by the trailer being at the location?

3. Findings

The monitoring period commenced on the 2 October 2017 and was completed on the 15 November 2017.

Between the 2 October 2017 and the 24 October 2017, the trailer did not leave the location. I used a mixture of on-site visits and the CCTV cameras to monitor. There are photos attached to this report showing the trailer at various days and times across this period. The trailer was also at the location over the weekends during this period. (Appendix 1 to 9)

On the 9 October 2017, I was at the location between 17:00 to 19:00. Although the van was at the location, no trading took place. Four taxis were parked around the trailer and they were just chatting amongst themselves (appendix 12)

I also noted that taxis that wanted to drop people off outside the hotel were unable to park to the curb due to the van, and the legal bus stop located behind the trailer (Appendix 11)

On the 25 October 2017 at 09:05am, appendix 10 shows that the trailer had been moved.

On the 31 October 2017 at 16:30, the trailer was not at the location. The trailer arrived just before 5pm. I waited until 18:50 and the trader was not selling any food or drink until 19:00.

On the 2 November 2017 the trailer did not arrive before 17:00 and The trader did not sell food or drink before 19:00

On the 3 November, the trailer did not arrive before 17:00 and did not serve anyone before 19:00. There were taxis parked around the trailer and it would have been difficult to drop people off outside the hotel unless they got out on the road. The trailer left at 00:30am

On the 4 November the trailer did not arrive before 17:00

On the 9 November 2017, the trailer arrived just before 17:00. At 18:45 the trailer was not selling but taxis were double parked around the trailer. The van left at 00:45am

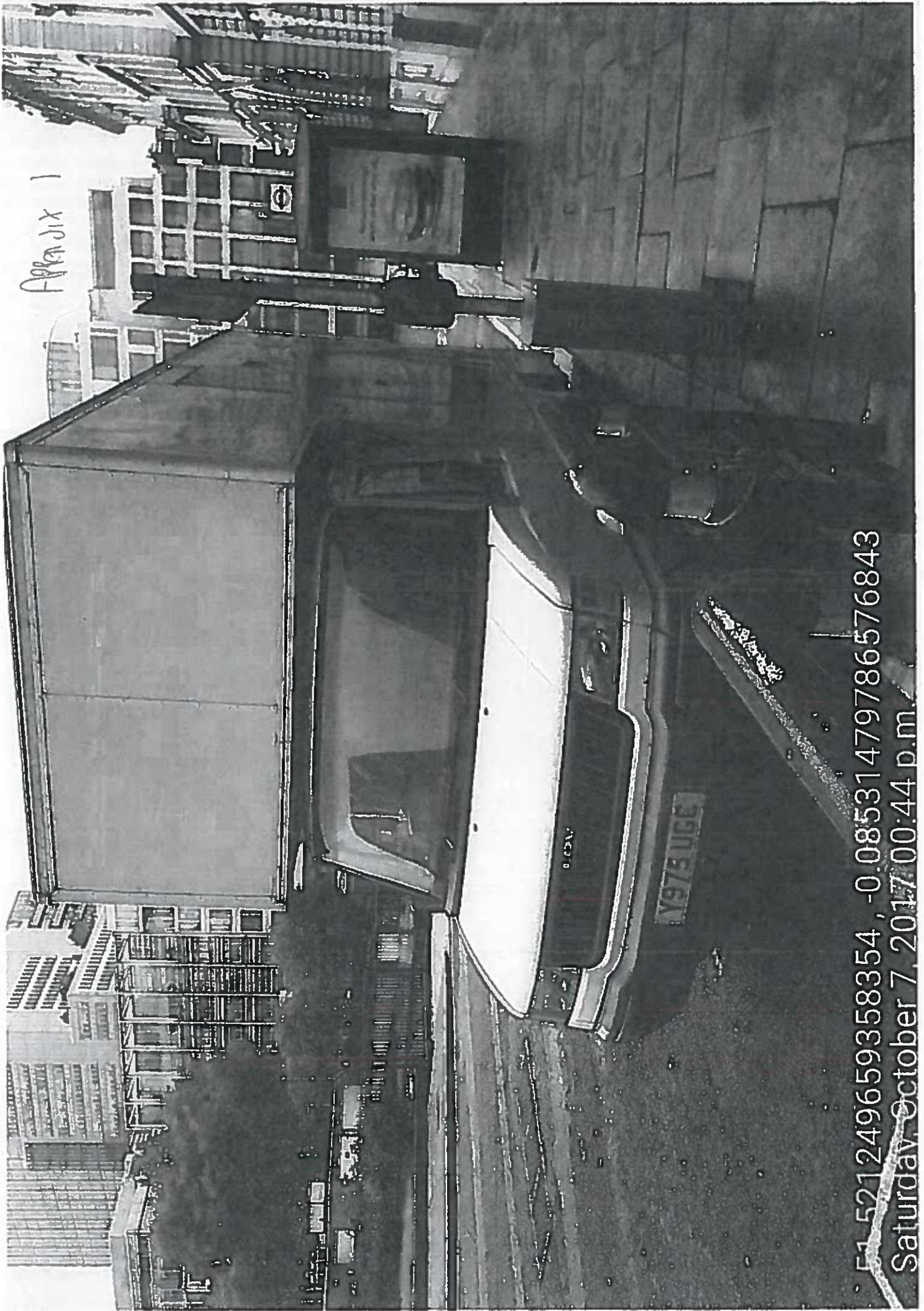
On the 10 November 2017, the trailer arrived at 17:00 and was not selling before 19:00. Taxis were double parked around the trailer. The trailer left at 00:30am

On the 13 November 2017, the trailer arrived at 17:00 and was not selling before 19:00

4. Summary

- Between the 2 October 2017 and the 21 October 2017, the trailer did not move from the pitch. I did not see any evidence of any trading during this time. I spoke with Houriyeh Dervish to express concern about the well-being of the trader. Houriyeh had not heard from the trader during this time.
- I was on leave between 23 and 27 October 2017 but when I returned, Houriyeh confirmed that the trader had been in touch about a letter he received.
- I checked back on the CCTV and I could see the trailer had moved by the 25 October 2017
- Between the 31 October 2017 and 14 November 2017, the trader did not breach any conditions.
- From various monitoring exercises it can be seen that taxis double park around the trailer.
- There might be health and safety issues for pedestrians being dropped off at the hotel. When the trailer is at the location, with the bus stop behind the pitch, it leaves very little space for pedestrians to be dropped off by the pavement. They are forced into the road when the trailer is at the location. This was more of an issue when the trailer was parked during the daytime as there are not so many buses and coaches parked in the bus lane during the evening.

Appendix 1



F1 521249659358354, -0.08531479786576843
Saturday, October 7, 2017 00:44 p.m.

Date and Time: 13/10/2017 08:11:31 GMT Standard Time
Server name: LBI-OST-NVR04
Channel name: 187 Finsbury Sq/Christopher St
Reason: 33701
Printed at: 13/10/2017 08:13:33
Operator name: TOMHUNT

Operator signature: _____

Picture reference number: _____



Date and Time: 14/10/2017 07:00:15 GMT Standard Time
Server name: LBI-OST-NVR04
Channel name: 187 Finsbury Sq/Christopher St
Reason: 33722
Printed at: 14/10/2017 09:38:17
Operator name: TOMHUNT

Operator signature: _____

Picture reference number: _____

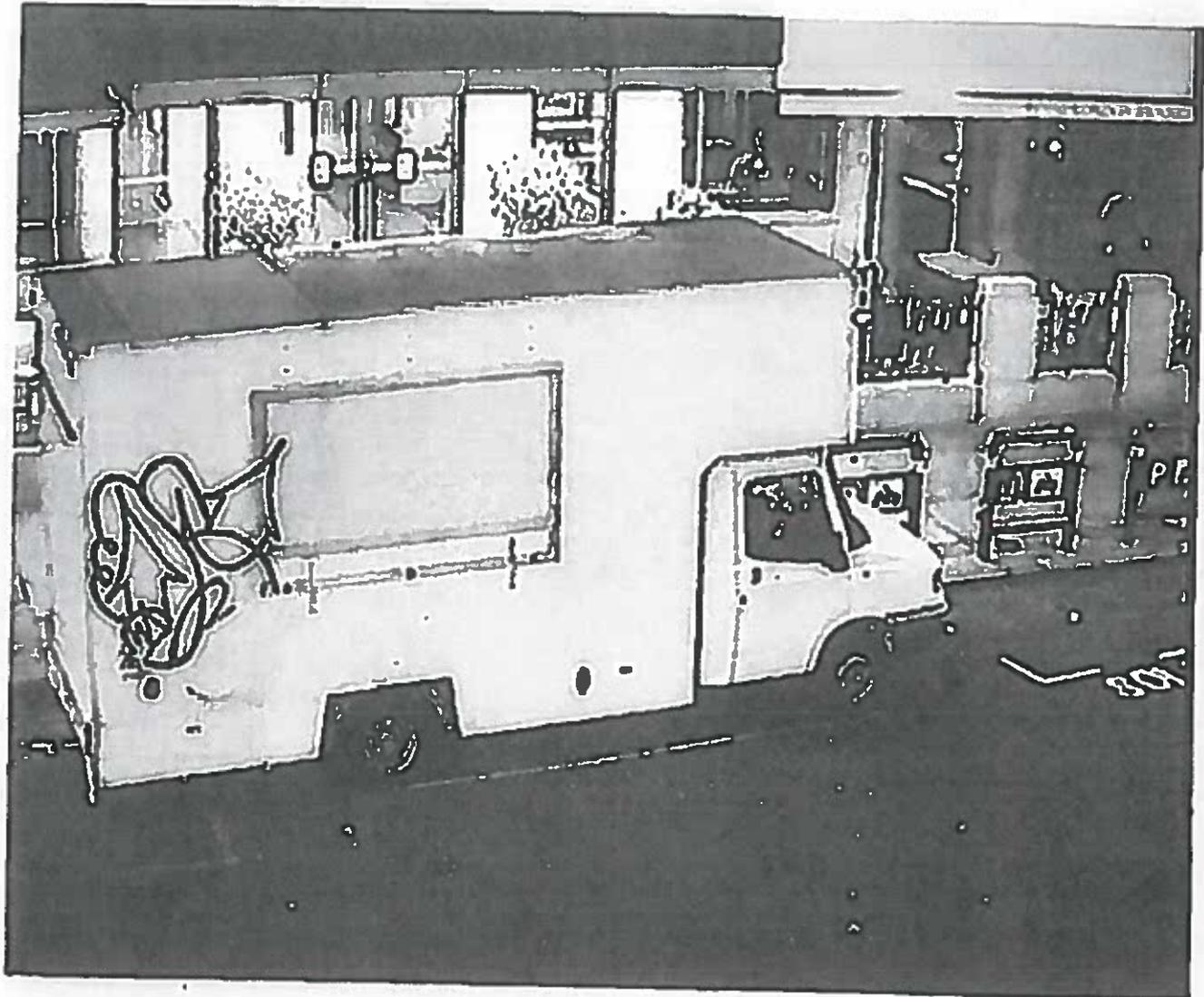


Appendix 5

Date and Time: 15/10/2017 07:00:18 GMT Standard Time
Server name: LBI-OST-NVR04
Channel name: 187 Finsbury Sq/Christopher St
Reason: 33734
Printed at: 15/10/2017 07:56:20
Operator name: TOMHUNT

Operator signature: _____

Picture reference number: 33734 15-10-17 070018m



Date and Time: 17/10/2017 07:00:30 GMT Standard Time
Server name: LBI-OST-NVR04
Channel name: 187 Finsbury Sq/Christopher St
Reason: 33734
Printed at: 17/10/2017 07:00:58
Operator name: TOMHUNT

APPENDIX 6.

Operator signature: _____

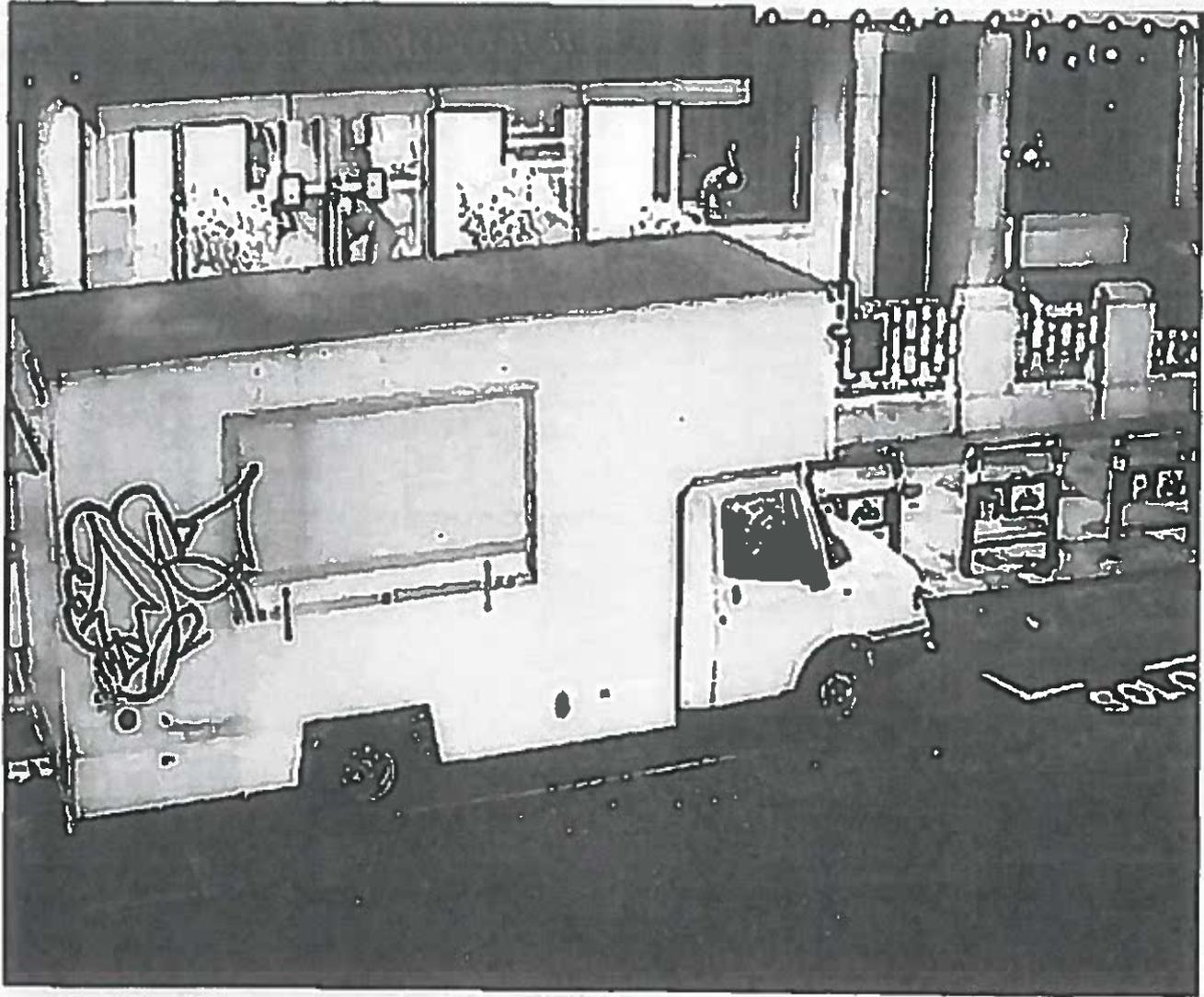
Picture reference number: 33734 17-10-17



Date and Time: 21/10/2017 07:02:00 GMT Standard Time
Server name: LBI-OST-NVR04
Channel name: 187 Finsbury Sq/Christopher St
Reason: 33810
Printed at: 21/10/2017 13:59:18
Operator name: SALLAHSANYANG

Appendix 7

Operator signature: *Salla*
Picture reference number: LOCKER NO: 33810



Date and Time: 23/10/2017 11:19:17 GMT Standard Time
Server name: LBI-OST-NVR04
Channel name: 187 Finsbury Sq/Christopher St
Reason: 33843
Printed at: 23/10/2017 11:19:35
Operator name: DEANMARTIN

APPENDIX 8

Operator signature: _____

Dean Martin

Picture reference number: _____

33843



Date and Time: 24/10/2017 15:16:21 GMT Standard Time
Server name: LBI-OST-NVR01
Channel name: 012 City Rd/Fbury Rd
Reason: 33873
Printed at: 24/10/2017 15:16:49
Operator name: DEANMARTIN

APPENDIX 9.

Operator signature: D. Martin

Picture reference number: 33873.



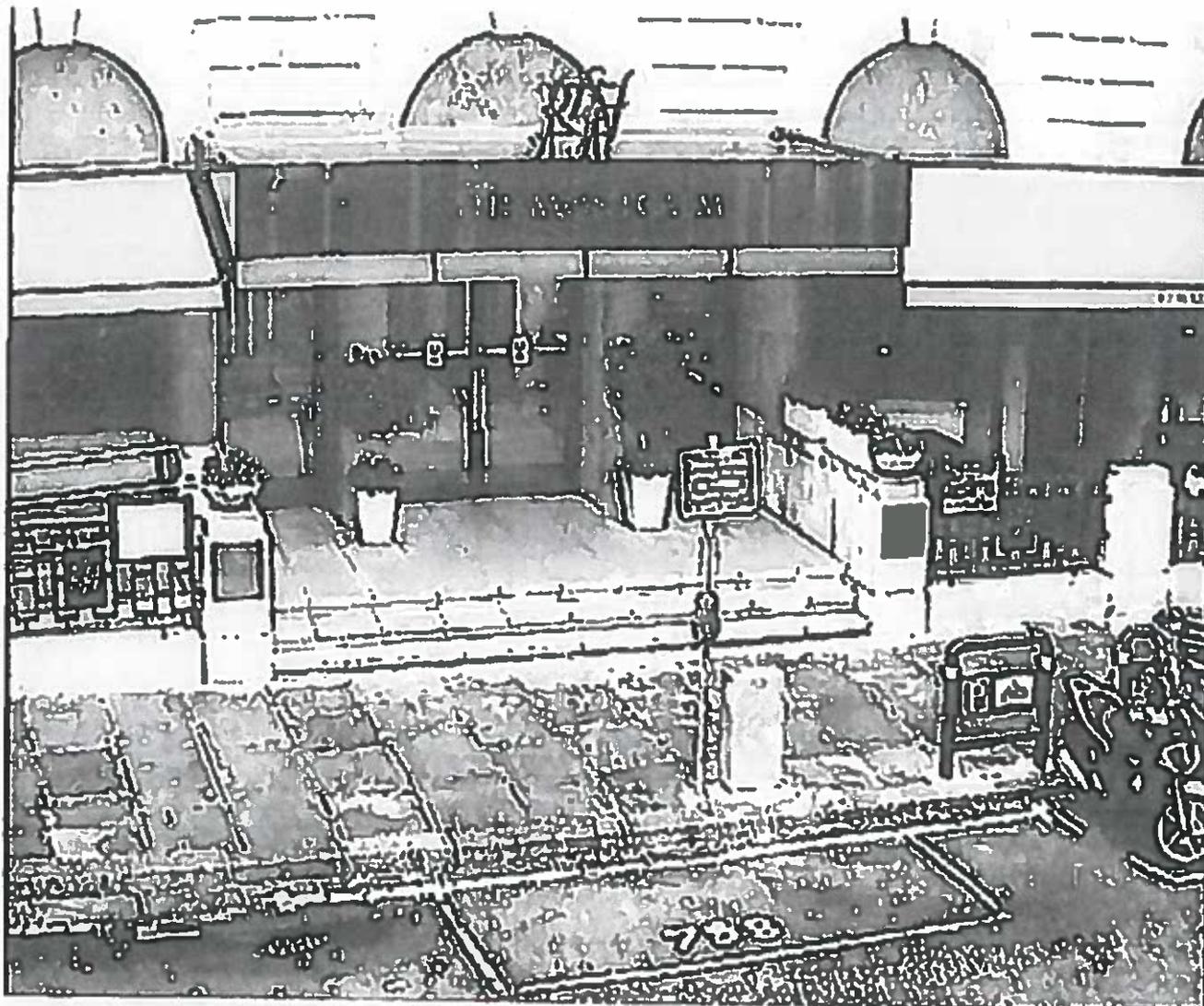


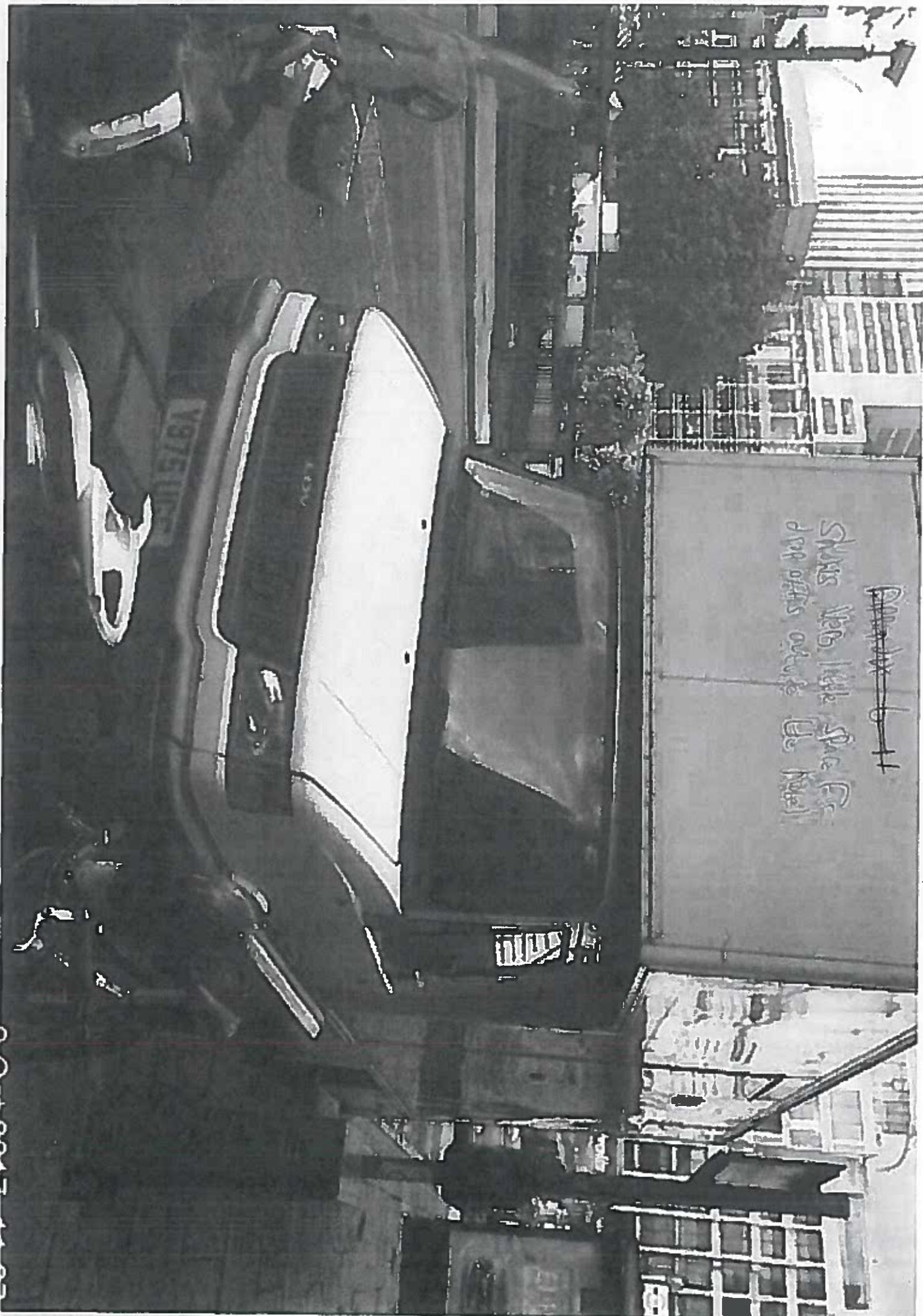
Date and Time: 25/10/2017 09:04:25 GMT Standard Time
Server name: LBI-OST-NVR04
Channel name: 187 Finsbury Sq/Christopher St
Reason: 33889
Printed at: 25/10/2017 09:05:35
Operator name: SALLAHSANYANG

Appendix 10

Operator signature: 33889

Picture reference number: Sallyang

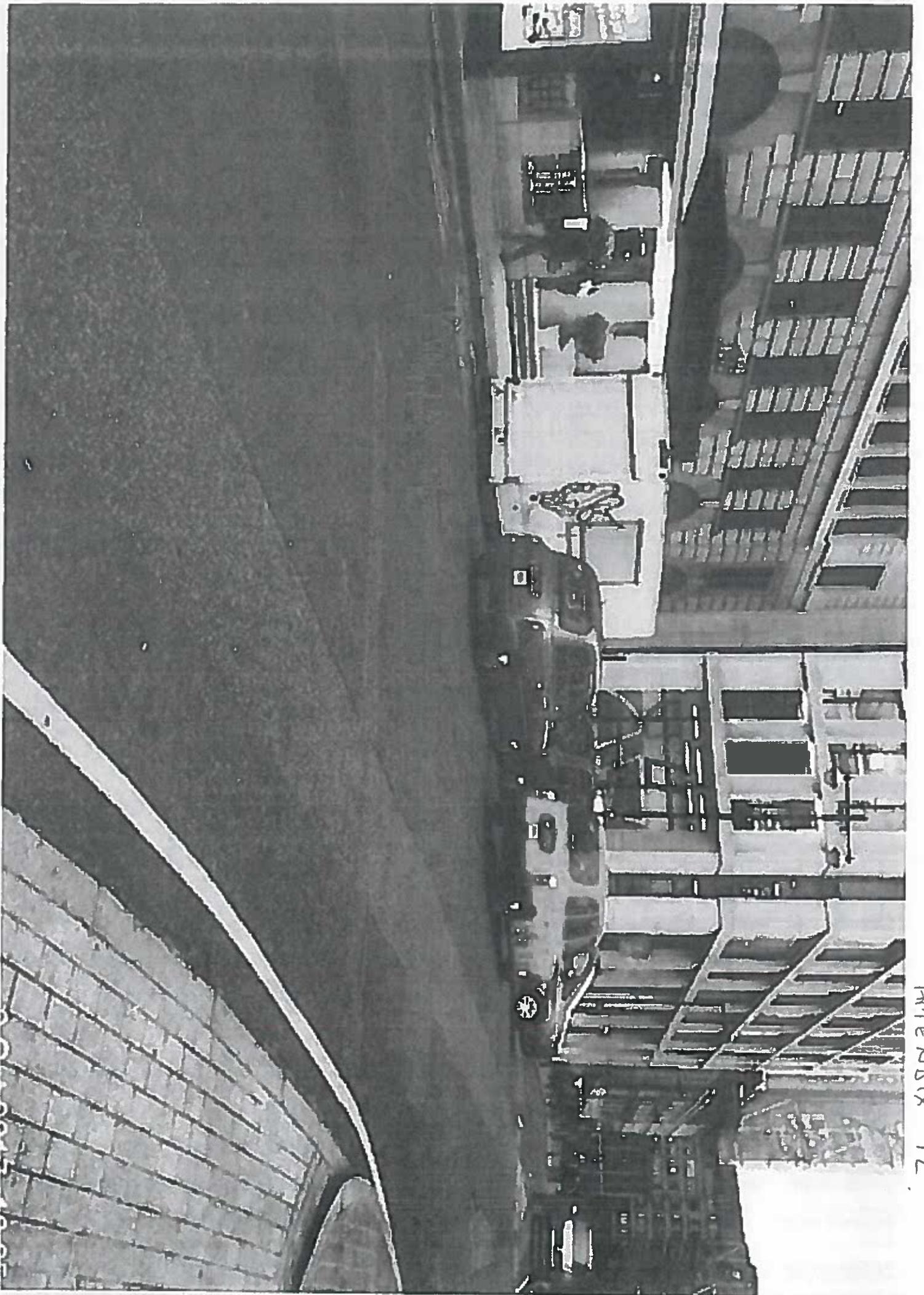




APPENDIX 11

~~Appendix 6-11~~
SHARIS MORGAN, Little Space For
drop off/ais outside the hotel

Y975100



Dervish, Houriyeh

From: Dervish, Houriyeh
Sent: 24 October 2017 16:55
To: Fordham, David
Subject: Mr Carter Finsbury Square

Hi Dave

Just letting you know that I have just spoken to Mr Carter regarding the Trailer/Van being left on the pitch outside of designated times.

Initially he claimed that he had a problem with the griddle and that he was waiting for a repair person. I said that it was not just once or twice; monitoring showed that it was being left there more often than not.

Again he claimed that the hotel had it in for him but I reminded him that I had warned him in the past about ensuring he was not breaching the conditions i.e. leaving his van on the pitch and he had assured me he would not. As much as I have tried to assist him he was not cooperating.

I also explained that we would also be addressing the size of his Van, and that it does not fit the pitch.

He has assured me that from today the Van will not be seen on the pitch outside the designated times – I said that this may help his case but that the outcome can only be decided by Committee.

Houriyeh

Houriyeh Dervish
Street Trading Manager
(licensing: Markets, Scattered sites, Shop Fronts, Private land, Tables and Chairs and A Boards)
Public Protection
Islington Council
222 Upper Street
N1 1XR

Tel: 020 7527 3046
Fax: 020 7527 3165
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**your local
market**

How to get here <https://www.islington.gov.uk/about/contact-complaints/visitingoffices/Pages/222upperst.aspx>



Street Trading Support
Public Protection Division
222 Upper Street
London N1 1XR

T 020 7527 3046

F 020 7527 3165

E houriyedervish@islington.gov.uk

W www.islington.gov.uk

Our ref:

Your ref:

Date: 01 November 2017

Ms Ann Carter

This matter is being dealt with by:
Houriye Dervish

Dear Ms Ann Carter

LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED) – REVOCATION OF STREET TRADING LICENCE

LICENCE No.798 Finsbury Square

Following the telephone discussion with your husband Peter Carter, I am writing to confirm that despite warnings it is alleged that you have continued to breach the London Local Authorities Act 1990 (as amended) and the Street Trading Conditions made thereunder and that for this reason the matter will be referred to the Licensing Regulatory Committee for a decision as to whether your licence should be revoked.

The matter will be heard at 5.00 pm on Wednesday 13 December 2017 at Islington Town Hall Upper Street N1 2UD;

The Council has received complaints that on numerous occasions you had been found to be leaving your trading vehicle on the pitch outside of the designated times and that you traded outside of the perimeters of your designated pitch area. You were warned both verbally and in writing that this was a breach of the London Local Authorities Act 1990 (as amended) and the Street trading conditions.

The Council has monitored your trading practices which showed that breaches did take place on 29 April 2017; 12 May 2017; 9, 13,14,15,17, 21, 23 & 25 October 2017.

The breaches are as follows;

- London Local Authorities Act 1990 (as amended) Section 28 (1)(g) - That since the grant or renewal of the licence, the licence holder has persistently failed to remove to a place of storage the receptacles used by him/her for trading.
- London Local Authorities Act 1990 (as amended) Section 28 (1)(h) - That the licence holder has persistently failed to comply with any condition of his licence.

In relation to 28 (1)(h) above the relevant Street Trading conditions are as follows: