

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

Meeting of:	Date	Agenda item	Ward(s)
Licensing Regulatory Committee	05 February 2018		Junction

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SUBJECT: APPLICATION TO DESIGNATE AN AREA OF THE HIGHWAY IN ARCHWAY CLOSE, N19 3TD; FOR STREET TRADING PURPOSES

1. Synopsis

- 1.1 This report deals with an application by the Council's street trading team to designate for the purpose of street trading an area in Archway Close (Navigator Square; subject to consultation), N19 3TD see map, **Appendix 1**. The operation days and times are proposed to be: Wednesdays, Saturdays and Sundays 8am – 8pm.

2. Recommendation

- 2.1 To pass the resolution as set out in the public notice published in the local newspaper, see **Appendix 2**.

3. Background

- 3.1 In 2014, as a result of the removal and revamp of Archways gyratory system, the Street Trading team were invited by planning to input ideas regarding the use of a new open space in Archway Close. Street Trading suggested the introduction a market in the said area.
- 3.2 Throughout 2014 – 2016 a number of meetings and workshops were held between the Councils Planning, Street Trading, Highways and Economic Development teams and various stakeholders which included: Councillors, residents and local businesses; to consider the future of the square and the proposal for a market. These meetings were led by the Council's Economic Development, Projects and Transport Planning Team. It was apparent that there was support for a market.
- 3.3 One of the stakeholders was the operator of the existing Archway Market on Holloway Road by St Johns Grove, N19, Ms Stephanie Smith.

- 3.4 In October 2017 Ms Smith submitted a 'Market Business Plan' to the Council highlighting the benefits of moving the current Archway Market onto Archway Close, see **Appendix 3**. The proposal gives background information which explains how the existing market came to be at its current location; the threats the market faces and the benefits to the community of moving the market to the new location should the designation be approved. Street Trading would support this proposal.
- 3.5 On 28 November 2017 a public notice was published in the local newspaper stating the Council's intentions to designate the location for the purpose of street trading, see **Appendix 2**. At the same time, copies of the council's intention were also attached to lampposts and railings near the location and emailed to all stakeholders and ward Councillors.
- 3.6 On the 4 weekends leading up to Christmas the council have held temporary 'Christmas Markets'. This coincided with the public consultation allowing stakeholders an insight of the merits or downfalls of this designation.
- 3.7 The Street Trading Team can report that at the time of writing, they received 43 representations as a result of the consultation process. An overwhelming majority of these representations are in favour of the market in Archway Close, see **Appendix 4**
- 3.8 A total of 4 businesses expressed some concerns to do with the layout of the pitches and the commodities, see **Appendix 5**. In the event that this designation is approved the street trading team can decide on the types of stalls that are allowed to trade, how they will be positioned and the commodities to be sold.

4. Financial implications:

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

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

5 Legal Implications:

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

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

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

Planning permission may also be required for this proposal. This is a formal process which is being progressed through a separate application.

6 Conclusion and reasons for recommendations

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

This designation, if approved would also support the objectives as detailed in the Street Trading Strategy 2017 – 2022, endorsed by Council Members.

Appendices

- Appendix 1 Map of proposed designation
- Appendix 2 Public Notice
- Appendix 3 Market operator's proposal
- Appendix 4 Positive Representations
- Appendix 5 Representations with Concerns

Background papers:

- London Local Authorities Act 1990 (as amended)
- Street Trading Strategy 2017 - 2022

Final report clearance:

Signed by:


Service Director – Public Protection

Date 15/1/18

Received by:

Head of Democratic Services

Date

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