

London Borough of Islington

LICENSING REGULATORY COMMITTEE – 14 DECEMBER 2009

Minutes of the meeting of the Licensing Regulatory Committee held at the Town Hall, Upper Street, London N1 2UD, on 14 December 2009, at 2.30 pm.

Present: **Councillors:** Tracy Ismail, Lisa Spall and Laura Willoughby

Councillor Tracy Ismail in the Chair

079 APOLOGIES FOR ABSENCE (Item A1)

Received from Councillor Dunlop.

080 DECLARATION OF SUBSTITUTE MEMBERS (Item A2)

Councillor Willoughby for Councillor Dunlop.

081 DECLARATIONS OF INTEREST (Item A3)

None.

082 MINUTES OF THE MEETINGS HELD ON 28 JULY AND 6 OCTOBER 2009

RESOLVED:

That the minutes of the meetings of the Committee held on 28 July and 6 October 2009 be confirmed as a correct record and the Chair be authorised to sign them.

083 LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED) – SECTION 28 (1) – BREACH OF STREET TRADING CONDITIONS – MS ORAWAN SORAKITGOSON – LICENCE 541 IN WHITECROSS STREET MARKET (Item B1)

Ms Sorakitguson, the licensed trader at pitch 41 in Whitecross Street Market, was present, accompanied by Mr Daniel O'Doherty, her legal representative, from Alan Edwards and Co Solicitors.

The Street Trading Manager stated that this report had been brought to the Committee as Ms Sorakitguson had breached street trading conditions. She reminded the Committee that, at their last meeting on 6 October 2009, a condition had been added to Ms Sorakitguson's licence to the effect that : "the receptacle to be used for trading in Whitecross Street Market will be a canopy. The condition to take effect within seven working days". Ms Sorakitguson had not appealed against the Committee's decision, but continued to use a trailer and not a canopy. She had not contacted the Street Trading Team about her reasons for not using a canopy to trade.

The Chair noted that Ms Sorakitguson had accepted the condition and its timescales

at that meeting.

Ms Sorakitguson stated that she had not appealed as there had been a delay in receiving the Committee's decision. In response to a question from the Chair, the Street Trading Manager stated that the decision letter had been sent to Ms Sorakitguson on 12 October and a copy emailed to her solicitor on 26 October 2009.

On behalf of his client, Mr O'Doherty asked the Committee to grant an extension of time to Ms Sorakitguson to obtain a canopy from which to trade.

RESOLVED:

That Ms Sorakitguson's licence, no 541, be revoked.

Reason for decision

Ms Sorakitguson has failed to comply with the condition on her licence regarding the canopy ie the receptacle to be used for trading in Whitecross Street will be a canopy.

084 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded during consideration of the following items as the presence of members of the public and press would result in the disclosure of exempt information within the terms of Schedule 12A of the Local Government Act 1972, for the reasons indicated:

E1	London Local Authorities Act 1990 (as amended) - Section 28(1) - Breach of street trading conditions	<u>Category 3</u> – Information relating to the financial or business affairs of any particular person (including the authority holding that information)
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085 LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED) - SECTION 28(1) - BREACH OF STREET TRADING CONDITIONS

The licensee was present.

RESOLVED:

That consideration of this case be deferred, pending further information.

The meeting closed at 3.30 pm.

CHAIR