

Report of: Jan Hart – Service Director – Public Protection

Meeting of:	Date	Agenda item	Ward(s)
Licensing Regulatory Committee	15 October 2012	B1	St Peters

Delete as appropriate		Non-exempt
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SUBJECT: APPLICATION TO DESIGNATE AN AREA OF THE HIGHWAY OUTSIDE THE FLANKS OF 351-352 AND 353 UPPER STREET, 1-5 AND 7-11 CAMDEN PASSAGE AND 108-118 ISLINGTON HIGH STREET N1 FOR SREET TRADING PURPOSES

1. Synopsis

- 1.1 This report deals with an application by the Council's Street Trading Team to designate for the purpose of street trading an area near Camden Passage outside the flanks of 351-352 and 353 Upper Street, 1-5 and 7-11 Camden Passage and 108-118 Islington High Street N1 (herein after referred to as "the location"). The designation would allow street trading in the location on Sundays only, between the hours of 08:30 – 16:00.

2. Recommendation

- 2.1 To pass the resolution as set out in the public notice published in the local newspaper. (Appendices 1&2).

3. Background

- 3.1 Earlier in the year, the Street Trading Team were approached by a local ward councillor about the possibility of starting a street market on a Sunday around the area of Camden Passage where it meets Islington High Street. The proposal was supported by Christine Lovett Angel Aim Bid Director. A map of the proposed designation is attached as **Appendix 3**.
- 3.2 An experienced market operator had been identified to operate the market under licence by the Council, should the designation be agreed. Strict controls will be placed on the operator to ensure that commodities sold in the market enhance the overall shopping experience in the area. The Council,

working in conjunction with Angel Aim, will have the final say on the types of stalls that are allowed to trade.

- 3.3 Angel Aim carried out some informal consultation with local businesses and also some local resident groups and found that there was overwhelming support for the proposed market with only a few concerns expressed. The main concerns were that of the parking of trader vehicles whilst the market was operating, and the waste and cleansing procedures that would need to be in place to ensure that the area was left in a clean and tidy state. Both of the matters have been addressed by Angel Bid with additional parking spaces identified at a reduced rate in the Business Design Centre and a rigorous cleansing schedule identified should it be required. There were some concerns about the physical location of the market, with some businesses expressing concerns about the accessibility to their premises, but these concerns have been taken into account in the proposed layout.
- 3.4 Formal consultations has also commenced with ward councillors, Police, Cleansing Services and Highways.
- 3.5 On 6 September 2012 and 13 September 2012 a public notice was published in the local newspaper, stating the Council's intentions to designate the location for the purpose of street trading (**Appendices 1&2**). Copies of the public notice have also been attached to lampposts and railings near the location.
- 3.6 The Street Trading Team can report that at the time of writing, they have received no objections as a result of the consultation process.

4. Implications

4.1 Financial implications:

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 the licence would help offset the additional costs incurred by the council in connection with cleansing, administration and enforcement of Part 111 of the provisions of the London Local authorities Act 1990 (as amended).

4.2 Legal implications:

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

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

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

4.3 Environmental implications

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

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

4.4 Equality Impact Assessment:

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

An equalities impact assessment (EIA) on this proposal was carried out on 17 September 2012. The EIA identified that there would be no differential impacts on different groups in Islington and no negative consequences for community cohesion. This conclusion was drawn because this report is dealing with a particular individual who has applied for a street trading licence.

5. Conclusion and reasons for recommendations

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

Appendices

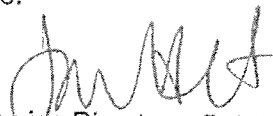
- Appendix 1 - Public Notice 6th September 2012
- Appendix 2 - Public Notice 13th September 2012
- Appendix 3 - Map of Area

Background papers:

- London Local Authorities Act 1990 (as amended)

Final report clearance:

Signed by:



Service Director – Public Protection

23.9.12
Date

Received by:

Head of Democratic Services

Date

Report Author: David Fordham
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Fax: 020 7527 3165
Email: David.fordham@islington.gov.uk

PUBLIC NOTICES
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LEGAL AND PUBLIC NOTICES

APPLICATION FOR APPROVAL OF VENUE FOR CIVIL MARRIAGES AND CIVIL PARTNERSHIPS.

Notice is given that **ROBERT PAUL WETHERELL** 28 TOTTERIDGE AVENUE, HIGH WYCOMBE, BUCKINGHAMSHIRE, HP13 6XJ has applied to the City of London Corporation for approval of the premises **Museum of London** 150 London Wall, London EC2Y 5HN

Any person may inspect the application and plan accompanying it at all reasonable hours during the working day until such time as the application has been finally determined or withdrawn, at the address below.

Anyone wishing to oppose the application and plan must do so within 21 days of the date of this publication, in writing, specifying the grounds for opposition to:

The Proper Officer for Registration Matters, the Town Clerk, City of London Guildhall, PO Box 270, London EC2P 2EJ

ISLINGTON
SECTION 24 - LONDON LOCAL AUTHORITIES ACTS 1990-2004 (AS AMENDED)

NOTICE OF INTENTION TO APPLY TO DESIGNATE A STREET FOR LICENSED STREET TRADING

Notice is hereby given that it is the intention of Islington Borough Council's Street Trading Section within the Public Protection Department, to apply to the Licensing Regulatory Committee to pass a resolution in the following terms:

The designation, for street trading purposes, of the area on the highway outside the flanks of 351-352 and 353 Upper Street; 1-5 and 7-11 Camden Passage and 108-118 Islington High Street, N1, every Sunday from 08:30 hours to 16:00 hours.

It is proposed that the Council's Licensing Regulatory Committee meeting on Thursday 4th October 2012 at 4.00pm in Islington Town Hall, Upper Street, London N1, will consider this application. Anyone wishing to object to the application must give notice within four weeks of this publication specifying the grounds of the objection. On hearing of the said application, any person to whom notice is given, any person who uses the said highway and any other person who would be aggrieved by the passing of the designation to which this application relates, shall have a right to be heard.

Dated this 3rd September 2012

HOURIYE DERVISH
 Street Trading Manager
 Islington Council
 Public Protection Division
 222 Upper Street
 London
 N1 1XR

LEGAL AND PUBLIC NOTICES

Form 7
FORM OF NOTICE CONCERNING A COMPULSORY PURCHASE ORDER for Newspaper Publication
 Regulation 3(c) of the Compulsory Purchase of Land (Prescribed Forms) (Ministers) Regulations 2004



The National Grid Electricity Transmission plc (London Power Tunnels) (Land at the Hornsey Waste & Recycling Centre) Compulsory Purchase Order 2012
THE ELECTRICITY ACT 1989 (as amended) AND THE ACQUISITION OF LAND ACT 1981

Notice is hereby given that NATIONAL GRID ELECTRICITY TRANSMISSION PLC (Company Registration Number 02366977) has made The National Grid Electricity Transmission plc (London Power Tunnels) (Land at the Hornsey Waste & Recycling Centre) Compulsory Purchase Order 2012 (in this Notice referred to as "the Order"), under Section 10 of and Schedule 3 to the Electricity Act 1989 (as amended). It is about to submit the Order to the Secretary of State for Energy and Climate Change for confirmation, and if confirmed, the Order will authorise National Grid Electricity Transmission plc (being the holder of an electricity transmission licence granted under Section 6 of the Electricity Act 1989 (as amended)) to purchase compulsorily the new rights described below for the purposes of developing and maintaining an efficient, co-ordinated and economical system of electricity transmission and to facilitate competition in the supply and generation of electricity and in particular but without prejudice to the generality of the foregoing for the construction and installation of an underground concrete tunnel for electricity cables of an overall external diameter not exceeding 4.5m together with such electricity cables and other ancillary apparatus and works as referred to in the Order and this Notice from a substation in Hackney in the London Borough of Hackney, to a substation in St John's Wood in the City of Westminster (including an adit connecting URPN's substation at Islington with this tunnel route).

A copy of the Order and of the accompanying map may be seen at all reasonable hours at the offices of National Grid Electricity Transmission plc at 1-3 Strand, London WC2N 5EH and also at Islington Central Library, 2 Fieldway Crescent, N5 1PF between the hours of 8.30am to 7.00pm on Mondays, Tuesdays, Thursdays and Fridays and 9.30am to 5.00pm on Saturdays (excluding bank holidays).

Any objection to the Order must be made in writing to the Department of Energy and Climate Change, National Infrastructure Concessions, Area 3A, 3 Whitehall Place, London SW1A 2HD (FAO: Denise Libretto) before the 1st of October 2012 and should state the title of the Order, the grounds of objection and the objector's address and interests in the land.

DESCRIPTION OF LAND AND THE NEW RIGHTS

<p>LAND: The land comprised in the Order is an area of, s,bsm beneath land used for mixed commercial purposes. The tunnel will be constructed at a depth of 27 metres approximately beneath the current surface of the land (measured to the crown of the tunnel).</p> <p>NEW RIGHTS: The rights for the acquiring authority and its successors in title and their respective tenants licensees and assigns and those authorised by any of them in the plot piece or parcel of land numbered 1 with a total area of 973m2 and a volume of 16.052m3 shown coloured pink on the Map being Land at Hornsey Waste & Recycling Centre situated in the London Borough of Islington and forming part of the land registered at the Land Registry under title numbers NGL839402, NGL820274, NGL839595 and NGL839594 part of which lies between the Ordnance Survey National Grid References 534303 E/187567 N, 534316 E/187578 N, 534289 E/187568 N and 534298 E/187578 N (in this Order referred to as "the Land") that is to say as follows:</p> <p>(i) the right to construct and install a concrete cable tunnel with an overall external diameter not exceeding 4.5 metres at a depth of not less than 27 metres below the surface of the Land at the date of this Order together with any necessary auxiliary apparatus (in the Order referred to as "the Cable Tunnel");</p>	<p>(ii) the right to retain and make use of and from time to time inspect cleanse maintain repair remove reinstate renew alter and replace the Cable Tunnel;</p> <p>(iii) the right to place attach and install electricity cables for the transmission and distribution of electricity by three-phase current at a frequency of fifty cycles per second and at such pressure as the acquiring authority may from time to time require for the purpose of its operations together with all necessary ancillary cables pipes equipment apparatus and fibre optic cables required in connection with the use and operation of the aforementioned electricity cables;</p> <p>(iv) the right to enter the hereinafter mentioned Protective Strip and the Cable Tunnel from any adjoining land cable tunnels and adits as often as may be required with or without vehicles and at all times with all necessary materials apparatus plant and equipment for the purposes set out in paragraphs (i) to (iii) (inclusive) above and/or for the purpose of access to and egress from other parts of the acquiring authority's cable tunnels and adits;</p> <p>(v) the right to all necessary rights of support for the Cable Tunnel;</p>	<p>(vi) the right to all necessary rights of protection for the Cable Tunnel from any excavation mining foundation or piling works within such part of the subsoil and under surface of the Land as comprises a strip (in this Order referred to as "the Protective Strip") thereof the upper limit of which shall not be greater than 21 metres below the surface of the Land at the date of the Order and the lower limit of which shall not be greater than 37.5 metres below the said surface of the Land;</p> <p>(vii) the right to enter on to the unbuilt parts of the surface of the Land from adjoining land as often as may be required with or without vehicles and at all times with all necessary apparatus material plant and equipment for the purposes of carrying out ground surveys and monitoring in connection with the construction and installation of the Cable Tunnel for a term expiring on a date one year after first entry for construction and installation of the Cable Tunnel in accordance with paragraph (i) above.</p> <p>The above new rights are for the benefit of the undertaking of the acquiring authority for the transmission of electricity including without limitation such land and hereditaments forming part of that undertaking as are accommodated by the rights set out in the Order and this Notice.</p>
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Dated this 3rd day of September 2012
 Field Fisher Waterhouse LLP, 35 Vauxhall Street, London EC3N 2AA. Ref: RJPS (0207 861 4000).
 Solicitors acting on behalf of National Grid Electricity Transmission plc
 For further information about the London Power Tunnels Project and the proposed works at Kensal Green please contact:
 Freephone: 0800 783 2855
 Email: nationalgrid@londonpowertunnels.com www.londonpowertunnels.com

ROBERT HENRY
 (otherwise HARRY) otherwise
ROBERT HARRY MITCHELL
 (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above-mentioned deceased, late of 8 Flewch Walk Popham Street, Islington London N1 8TN, who died on 14/05/2012, are required to send particulars thereof in writing to the undersigned on or before 18/11/2012 after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

THE CO-OPERATIVE LEGAL SERVICES LIMITED
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 Almondsbury Bristol BS32 4SD
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LEGAL AND PUBLIC NOTICES

ALAN LESLIE WICKS
 LATE OF LETCHING, LONDON E10
 DIED THERE ON 7 APRIL 2012

The list of the above named person is requested to apply to the Treasury Solicitor (G.M., One Kemble Street, London, WC2B 4TS or at www.treasury Solicitor.gov.uk) who will be glad to advise on the rights of the estate.

LIT V HARBERT WOODS
 deceased
 Testator was London 27, 1925

Notice is hereby given that my personal representatives have been appointed in the estate of the above named late of 183 Pengelly House, Hill Street, London E1V 2J, who died on 15 January 2011, and whose Will was proved on 23 August 2011, in relation to the residuary estate of the deceased. Any person claiming to be entitled to the estate of the deceased should apply to the executor, Mr. Peter Wood, of 27, 1925, London E10 7JL, for the probate of the Will.

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 C. 2012/04/13/1000
 Walthamstow, London E17 9PL
 Solicitor for the Executor

TSOL

To place your **PUBLIC NOTICE** in this newspaper call the team on **0845 671 4460** who will be happy to help and advise you.

ARCHANT

nationalgrid

FORM 7
FORM OF NOTICE CONCERNING A COMPULSORY PURCHASE ORDER for Newspaper Publication Regulation 3(6) of the Compulsory Purchase of Land (Prescribed Forms) (Ministers) Regulations 2004

The National Grid Electricity Transmission plc (London Power Turntable) (Land at the

ISLINGTON
 SECTION 24 - LONDON LOCAL AUTHORITIES ACTS 1990-2004
 (AS AMENDED)
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Dated this 3rd September 2012
HOURIYE DERVISH
 Street Trading Manager
 Islington Council
 Public Protection Division
 222 Upper Street
 London
 N1 1XR

nationalgrid

APPENDIX 3

PARKFIELD STREET

St. Mary's Ward

1 to 4
Devon
House

PH
43 44 45 46 47

TCS

35 40 40A 42

34 0m

34B

340
1/4

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KAUSEN INDUSTRIAL

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Parkport Park
11 12 13

UPPER STREET

ISLINGTON HIGH STREET

St John Evangelist
RC Primary School

St. Peter's Ward

UPPER STREET

Islington Tunnel

DUNCAN STREET

Turn On

Antique Lighting Specialists

11 Camden Passage, Islington, London N1 8EA

Tel / Fax: 0207 359 7616

Houriye Dervish
Islington Council - Public Protection Division
222 Upper Street
Islington N1 1XR

2nd October 2012 BY HAND

Re: Your statutory notice dated 3rd September 2012 for a proposed Camden Passage Street Market, fronting onto Camden Passage and the adjacent part of Islington High Street.

Dear Madam,

On behalf of Mr Antosh (the landlord) I am writing to register his objections to the granting of a Sunday street market at the above location.

1. This early (8.30am start) street market would obscure my tenants shop window which is totally unacceptable especially in the current economic climate, and if this market is allowed I would recommend my tenant to apply to the VOA for a reduction in business rates for loss of Zone A retail area.
2. Closure of the road every Sunday preventing easy access to my tenants (shop and residential) for prospective customers / visitors.
3. The location is not suitable or big enough, we already have Chapel Street Market, The Farmers Market and Pierrepont Row Market operating on Sundays.
4. No adequate parking facilities available nearby.
5. No public toilet facilities at all.
6. No electric lighting facilities.

Finally, who will benefit from this venture as we already have several successful, well established street markets operating locally - as mentioned above ?

Yours sincerely



J Holdstock

CAMDEN PASSAGE STREET MARKET NOTICE dated 3rd. September 2012.

From: **janet holdstock**

Sent: 03 October 2012 16:23:46

To: houriyе.dervish@islington.gov.uk (houriyе.dervish@islington.gov.uk)

F. O.A. Houriyе Dervish.

Dear Madam,

In spite of the inadequate time allowed to make representations i herewith submit my objections to the proposal to allow a Sunday market to take place in Camden Passage/Islington High Street on Sundays.

1. The proposal takes no account of the welfare of shop keepers fronting the affected streets. Some of us

open open our shops on a Sunday. The proposal will adversely effect their trading as the "tented" stalls

will obstruct the shop fronts.Those of us who treat Sunday as a day of rest will have to come in to ensure

that their shop fronts are not damaged in any way in the event of possible merchandise being attached to

their security grilles - and that from 8-30 a.m.

2. Residents will have their Sunday peace ruined. For example i have a resident above my shop.

3. Facilities for parking have not been properly spelled out. Furthermore toilet facilities in the area are nonexistent.

Both are presently a problem. A Sunday market will only serve to exacerbate it.

4. The area is far too small covering only 9 shop fronts finishing before Fredericks Restaurant and is totally

unsuitable for another street market, we already have Pierrepont Row Market [Camden Passage] Chapel Street

Market, and The Farmers Market trading on Sundays.

5. Closure of the road every Sunday preventing easy access to my shop premises and the tenants flat is

inconvenient for both customers/visitors.

As stated above another street market would not be in the best interests of Camden Passage and i ask the Council

to consider all the points i have raised and to reject the proposal.

Yours Faithfully,

J. Holdstock.

Green, Mary

From: Keshani, Mumtaz
Sent: 04 October 2012 11:21
To: Green, Mary
Subject: FW: Camden Passage Designation

Mary
Please see email below. Dave Fordham's reply to |Ms. Holdstock who has made a representation.
Perhaps you could telephone me to discuss.
mumtaz

Mumtaz Keshani

Solicitor, Licensing & Prosecutions

Legal Services, Corporate Resources
Phone: 0207 527 3050
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-----Original Message-----

From: Fordham, David
Sent: 03 October 2012 18:38
To: 'turnonlighting@hotmail.com'
Cc: Dervish, Houriyeh; Keshani, Mumtaz
Subject: Camden Passage Designation

Ms Holdstock

Thank you for your e-mail regarding the designation of Camden Passage.

The London Local Authorities Act 1990 (as amended) requires that before a designation can take place, a notice must be placed in the local newspaper giving 28 days notice of the intention to designate a street.

This notice was placed in the Islington Gazette on the 6th September 2012.

There is no requirement to display notices in the actual street or place of designation, but we did this to compliment the public notice.

I can therefore see no legal reason why the meeting should be deferred.

Prior to the publication of the notice in the paper, informal consultation was carried out by Angel Aim with the businesses in the immediate area. The majority of businesses that responded were in favour of the designation.

I will make the Committee aware of your comments, and you are entitled to attend if you wish.

Please let me know if you intend to come to the meeting and if you wish to speak.

Many Thanks

Dave

David Fordham

Service Manager

Trading Standards and Street Trading

Public Protection

Islington Council

222 Upper Street

London N1 1XR

www.islington.gov.uk

<file:///C:/Documents%20and%20Settings/DAVID%20FORDHAM/Application%20Data/Microsoft/Signatures/www.islington.gov.uk>

020 7527 3458

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Green, Mary

From: Keshani, Mumtaz
Sent: 04 October 2012 11:20
To: Green, Mary
Subject: FW: Camden Passage Street market notice dated 3rd.September 2012.

Importance: High

Mary

Please see email below. I will forward another from DFordham received this morning separately Mumtaz

Mumtaz Keshani

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-----Original Message-----

From: Dervish, Houriyeh
Sent: 03 October 2012 12:11
To: Keshani, Mumtaz
Cc: Fordham, David
Subject: FW: Camden Passage Street market notice dated 3rd.September 2012.
Importance: High

Hi Taz

Dave asked me to forward this on to you.

We did comply with the law as the notices were in the paper - I am also aware that the Angel Bid did quite a bit of consultation with the businesses in the area beforehand.

Dave has spoken to Marina about that this - I guess you just need to cover the law aspect with committee if anyone protests tomorrow !

Regards

Houriyeh
020 7527 3046

-----Original Message-----

From: janet holdstock [<mailto:turnonlighting@hotmail.com>]
Sent: 02 October 2012 15:36
To: Dervish, Houriyeh
Subject: FW: Camden Passage Street market notice dated 3rd.September 2012.

From: turnonlighting@hotmail.com

To: houriyedervish@islington.gov.uk

Subject: Camden Passage Street market notice dated 3rd. September 2012.

Date: Sat, 29 Sep 2012 13:19:40 +0100

URGENT PLEASE REPLY OR TEL. 020 73597616.

F.A.O. Houriyedervish

Dear madam,

Your statutory notice regarding this proposal is dated 3rd. September 2012 but was only posted in Camden Passage on 22nd. September 2012. It gave interested parties [and those are predominantly shopkeepers fronting onto Camden Passage and the adjacent part of Islington High Street] until 3rd. October to make representations. Not posting the notice for about three weeks after it was issued leaves interested parties far too little time to protest and would result in any determination by the Council being unlawful. I suggest the meeting is deferred and that a proper period for representations is allowed.

Yours Faithfully,

Ms. Holdstock.