

London Borough of Islington

LICENSING REGULATORY COMMITTEE – 14 MARCH 2013

Minutes of the meeting of the Licensing Regulatory Committee held at the Town Hall, Upper Street, London N1 2UD, on 14 March 2013, at 4.00 pm

Present: Councillors: Barry Edwards, Tracy Ismail and Marian Spall

Councillor Marian Spall in the Chair

029 APOLOGIES FOR ABSENCE (Item A1)

Received from Councillor Wally Burgess.

030 DECLARATION OF SUBSTITUTE MEMBERS (Item A2)

None.

031 DECLARATIONS OF INTEREST (Item A3)

None.

032 REVIEW OF THE IMPACT OF CAMDEN PASSAGE MARKET ON BUSINESSES IN THE SURROUNDING AREA (Item B1)

The Service Manager for Street Trading introduced his report. He drew the Committee's attention to two further representations, one from "Felix and Lily's" at 3 Camden Passage and the other from Ms Holdstock of "Turn on Lighting", copies of which had been laid round. He also drew the Committee's attention to the summary report of the consultation exercise on the operation of the market after three months which was detailed on page 7 of the agenda, which indicated an overall positive reaction to the market.

Referring to the representation from Mr R. Granger on page 5, he suggested that that should be considered as a representation from an individual and not representative of all the stallholders, as Mr David Twydell, the Chair of the Chapel Market Stallholders' Association, representing stall holders, was present at this meeting and had indicated that he was in favour of the new market in Camden Passage.

The Service Manager for Street Trading described how Ms Christine Lovett, the Angel Town Centre Manager, had worked closely with Mr Twydell to promote Chapel Market and circulated photographs of new signage to Chapel Market on kiosks outside the Angel Tube Station.

In response to the particular point about the street trading account raised by Mr Granger, the Service Manager reported that most of the costs for the new market were borne by the market operator, who was responsible for the operation of the market, including setting up and taking down of stalls, refuse collection and cleansing, all at no cost to the Council. The street trading account actually benefitted by £100 per week from the market.

Members of the Committee raised questions about the impact of the new market on the area, including on Chapel Market, the complaints that there was too much food, especially hot food, for sale, that there had been complaints about buskers and that some concern had been expressed at the October 2012 Committee meeting about the proposed location of the market. The Service Manager for Street Trading confirmed that there had been an issue with buskers playing outside the premises on Turn On Lighting on one occasion. However, they were moved on from the premises when the matter was raised with the operator. He felt that, on balance, the buskers enhanced the whole shopping experience. On the matter of food sales, he said that it had been difficult to attract non-food stalls to the market until stallholders, who wished to trade regularly, felt that the market was

LICENSING REGULATORY COMMITTEE – 14 MARCH 2013

sustainable. The market operator had assured the Council that he would attract more non-food traders to the new market. On the design and location of the market, he felt that the layout worked well and that there was sufficient space between the stalls and shop premises. A number of businesses in the area had concurred with this view.

The Committee heard from one representative of a business in the area, representing others who were in favour of the market. She described how they worked closely with the market operator and thought that the new market was very positive. The market had only been trading for three months and during what was usually the quietest time of the year, yet footfall had increased and customers seemed to like the experience.

An objector to the new market stated that there were six food stalls, that the “high end” arts and crafts traders who were originally to trade in the market had not materialised and that she did not want buskers outside her premises as she felt that this could deter potential shoppers. She felt that the competition to existing businesses and café owners was unfair, especially as they paid rates. There were also problems associated with parking and the new market, a lack of toilet facilities and the presence of gas canisters.

The Service Manager for Street Trading stated that stallholders were not allowed to park in the area and arrangements had been made for parking in the Business Design Centre. He asked that any breaches of this condition be brought to his attention. The market operator had addressed the matter of the lack of toilet facilities and had also arranged equipment to heat water for hand washing etc. The Council's Environmental Health Team had inspected the gas canisters mentioned and had been reassured that they were being safely maintained.

RESOLVED:

That the contents of the report of the Service Director – Public Protection be noted and that a report be submitted to the Committee after another nine months of operation of the market.

033 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	Consideration of the revocation of a street trading licence – Mr Antonios – licence no 727	<u>Category 1</u> – Information relating to an individual
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034 CONSIDERATION OF A DECISION TO REVOKE A STREET TRADING LICENCE: MR ANTONIOS, LICENCE NO 727 – SEVEN SISTERS ROAD (Item C1)

The Street Trading Manager introduced her report, setting out the general background to the application, which arose from a complaint from a local resident, whose home was close to the trader's pitch. The Street Trading Manager introduced her witness, who was the partner of the complainant.

At the request of the Legal Officer, a copy of the certificate of conviction from the Crown Court relating to Mr Antonios was circulated to Members of the Committee only.

Mr Antonios described the reasons why he had attended court in 2012 and the circumstances which had prevented him from operating his stall personally for a period of time in 2012.

LICENSING REGULATORY COMMITTEE – 14 MARCH 2013

The Street Trading Manager's witness described the reasons why he thought Mr Antonios should not be allowed to trade at his current pitch and why his licence should be revoked.

The Street Trading Manager responded to questions from Members of the Committee about the precise location of Mr Antonios' pitch and the current location for storage of his goods. She confirmed that, apart from a couple of minor infringements of the licensing conditions, which were dealt with promptly by Mr Antonios, there had been no other complaints about this trader.

RESOLVED:

That the street trading licence no 727 held by Mr Kyriacos Antonios be not revoked.

Reason for decision

The Committee had considered all of the written and oral evidence.

The Committee noted that the misconduct complained of had been properly dealt with by the civil court for breach of an injunction order and by the Crown Court for the offence of arson.

The Committee noted that Mr Antonios had found alternative premises for storage of his goods, which had been inspected by the Council's Environmental Health Division and found to be satisfactory.

The Committee noted that there had been problems between a local resident who lived in the immediate vicinity of Mr Antonios' stall, which appeared to have been exacerbated following his court appearances. However, the Committee took the view that this was a matter for the civil court to resolve and not this Committee.

The Committee noted that Mr Antonios had held a street trading licence for a considerable number of years, with no significant breaches of licence conditions reported to the Street Trading Manager.

The meeting closed at 6.10pm.

CHAIR