

Licensing Regulatory Committee - 18 July 2016

Non-confidential minutes of the meeting of the Licensing Regulatory Committee held at the Town Hall, Upper Street, N1 2UD on 18 July 2016 at 4.00 pm.

Present: **Councillors:** Michelline Ngongo, David Poyser, Marian Spall and Nurullah Turan

Councillor Nurullah Turan in the Chair

34 APOLOGIES FOR ABSENCE

None.

35 DECLARATION OF SUBSTITUTE MEMBERS

None.

36 DECLARATIONS OF INTEREST

None.

37 MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 29 February 2016 be confirmed as a correct record and the Chair be authorised to sign them.

38 MEMBERSHIP, TERMS OF REFERENCE AND DATES OF MEETINGS FOR THE LICENSING REGULATORY COMMITTEE IN 2016/17 (Item 6)

Councillor Poyser, seconded by Councillor Ngongo, proposed Councillor Marian Spall as Vice-Chair of the Committee.

RESOLVED:

(a) That the membership of the Committee, as appointed at the Annual Council meeting on 12 May 2016, terms of reference and dates of meetings of the Licensing Regulatory Committee for the municipal year 2016/17, as detailed in Appendix A of the report of the Assistant Chief Executive – Governance and Human Resources, be approved.

(b) That Councillor Marian Spall be appointed as Vice-Chair of the Committee for the municipal year 2016/17, or until a successor is appointed.

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DESIGNATION OF STREET OUTSIDE 67-83 SEVEN SISTERS ROAD N7 FOR STREET TRADING PURPOSES

The Street Trading Team officer introduced his report, which proposed the designation of an area of the highway on the footway outside 67 – 83 Seven Sisters Road N7 for street trading purposes. He explained that the Town Centre Manager had first identified this area and approached the Street Trading Team for a designation of this area for ad hoc events to help to promote and enhance the local environment. At the same time, a local and long-established trader had asked to be sited permanently outside 67-83 Seven Sisters Road N7. The Committee noted the letters of support for the street trader which were attached to the report, including reports of a reduction in anti-social behaviour, crime and rubbish in the area, since the trader had traded from this site. Officers had worked closely with Transport for London to achieve the proposed designation.

Members queried the operating times for street traders ie “07:00 hours to 18:00 hours” specified in the newspaper advertisement in Appendix 1 of the report. Officers confirmed that the hours of operation for other traders were from 09:00 to 17:00 hours, with two hours for set up and one hour for closing down. A new advertisement would be published specifying the correct hours of operation.

The Committee noted the conditions proposed by Transport for London, detailed on page 25 of the report. The Street Trading Team officer reported that these conditions would be incorporated onto the licences for street traders at the two proposed pitches and their successors viz “trading being limited to two pitches, each with a maximum surface area of 8m x 2m set back from the kerb line by 5m and licence conditions including the following:
(a) No loading or unloading will take place from Seven Sisters Road
(b) All receptacles and other equipment to be removed from the highway at the end of each trading session.”

RESOLVED:

That the area on the footway outside 67 - 83 Seven Sisters Road N7 and detailed in Appendix 2 of the report of the Service Director – Public Protection be designated for street trading purposes, every Monday to Sunday, from 09:00 hours to 17:00 hours, with two hours setting up time before and one hour setting down time after trading times, subject to the standard conditions associated with a street trading licence and the following additional conditions:

“trading being limited to two pitches, each with a maximum surface area of 8m x 2m set back from the kerb line by 5m and licence conditions including the following:
(a) No loading or unloading will take place from Seven Sisters Road
(b) All receptacles and other equipment to be removed from the highway at the end of each trading session.”

Reason for decision

The Committee considered all of the written and oral evidence.

The Committee noted the letters of support for the street trader from local shoppers, the Police and a local church, for his pitch to be sited permanently on the footpath in front of 67-83 Seven Sisters Road and detailed in Appendix 2 of the report.

The Committee also noted Transport for London’s decision to agree the application to designate this part of the street for street trading purposes, subject to certain conditions.

The Committee wished to support this area for ad hoc events to help to promote and enhance the local environment.

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VARIATION OF THE STANDARD STREET TRADING LICENCE CONDITIONS UNDER SECTION 27 OF THE LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED)

The Street Trading Manager stated that Street Trading Conditions and Procedures had last been reviewed in 2007. Markets had seen a lot of changes in the intervening years, with Whitecross and Exmouth Markets in particular having become established food markets. The Street Trading Manager had worked closely with the Council's Environmental Health Services Team to ensure that the new conditions and guidance for street traders ensured that health and safety issues associated with the handling of food and equipment were taken on board. In addition, it was thought that it would be more helpful to street traders and officers to have street trading conditions clearly separated from guidance on procedures, so there were now two separate documents to reflect this. The new Compliance Team would be checking the markets regularly to ensure that all conditions were being complied with.

RESOLVED:

- (a) That officers be thanked for their work in producing the new standard street trading conditions and procedures and guidelines documents.
- (b) That the revisions and additions to the existing street trading licence conditions and procedures, detailed in Appendices B and C of the report of the Service Director for Public Protection and summarised below, be approved:

Clause 13 – included to allow the instant suspension of a licence if the activity compromised the health and safety of the public. This could be for matters such as breaches of food safety regulations or violent conduct

Clause 20 – included as many traders had been welding brackets and extensions higher up their stalls to place displays that not only blocked out business/premises behind the stall, but made the stall unstable and unsafe, especially on windy days

Clause 22 - included to prevent traders from removing their equipment ie trailers being moved from the market at the end of the trading day and returning back on the pitch well before setting up time

Clause 25 – included to deal with unlicensed advertising boards which obstructed the highway and were not contained on pitches. Traders would be encouraged to advertise their wares in other ways so as not to clutter the area

Clause 27 – added to underline existing advice given to traders who used kiosks around the Borough

Clauses 28 – 37 – reinforced electrical safety. Detailed lists of conditions were included to cover any misuse of Council supplied electricity ports and to ensure that appliances were safe.

Clauses 38 – 45 – reinforced the need to contain refuse and to ensure that traders were not damaging the pavement/highway

Clause 45 - included because an issue of fixed premises using the Street Market waste collection was raised by representatives from Chapel Market

Clauses 62 – 65 – included to recognise the transfer of the invoicing system to the Sundries Income Team and the introduction and management of monthly rather than weekly charges

Clauses 66 – 70 – reinforced health and safety conditions with reference to the sale of foods

Clauses 71 – 80 – introduced to ease the administration tasks related to the sale of casual vouchers

Reason for decision

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The Committee considered all of the written and oral evidence.

The Committee heard from the Street Trading Manager that the existing street trading conditions had to be reviewed to address health and safety issues associated with the handling of food and equipment. The new, revised, standard street trading conditions provided greater clarity to traders.

The meeting ended at 4.20 pm

CHAIR