



AGENDA FOR THE LICENSING REGULATORY COMMITTEE

Members of the Licensing Regulatory Committee are summoned to a meeting which will be held in Committee Room 3, Town Hall, Upper Street, N1 2UD on **18 July 2016 at 4.00 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Mary Green
Tel : 020 7527 3005
E-mail : democracy@islington.gov.uk
Despatched : 6 July 2016

Membership 2016/17

Councillor Nurullah Turan (Chair)
Councillor Michelline Safi Ngongo
Councillor Dave Poyser
Councillor Marian Spall

Substitute Members

Councillor Theresa Debono
Councillor Satnam Gill OBE
Councillor Clare Jeapes
Councillor Angela Picknell

Quorum: is 3 Councillors

Procedures to be followed at the meeting are attached.



A. FORMAL MATTERS

Page

1. Apologies for absence
2. Declaration of substitute members
3. Declarations of interest

If you have a Disclosable Pecuniary Interest* in an item of business:

- if it is not yet on the council's register, you must declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may choose to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you must leave the room without participating in discussion of the item.

If you have a personal interest in an item of business and you intend to speak on the item you must declare both the existence and details of it at the start of the meeting or when it becomes apparent but you may participate in the discussion and vote on the item.

*(a) Employment, etc - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to all members present at the meeting.

4. Procedure for the meeting - this is attached 1 – 2
5. Minutes of the previous meeting 3 – 4
6. Membership, terms of reference and dates of meetings for the Licensing Regulatory Committee in 2016/17 5 - 8

B. LICENSING MATTERS

- | | | |
|----|---|----------|
| 7. | Designation of street outside 67-83 Seven Sisters Road N7 for street trading purposes | 9 - 58 |
| 8. | Revised Street Trading conditions | 59 - 120 |

C. Urgent non-exempt/non-confidential matters

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

D. Exclusion of public and press

To consider whether, in view of the nature of the remaining items on the agenda, any of them are likely to involve the disclosure of exempt or confidential information within the terms of Schedule 12A of the Local Government Act 1972 and, if so, whether to exclude the press and public during discussion thereof.

E. Exempt/confidential matters (if any)

F. Urgent exempt/confidential matters

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

The next meeting of the Licensing Regulatory Committee is scheduled for 1 November 2016

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LICENSING REGULATORY COMMITTEE

PROCEDURE FOR THE HEARING OF OBJECTIONS TO STREET TRADING, TRACK BETTING, AND SPECIAL TREATMENT LICENCES

1. The Chair of the Licensing Regulatory Committee shall:
 - (a) invite all members of the Committee, the applicant, the objector, their representatives and any witnesses and officers to introduce themselves
 - (b) ascertain whether the applicant and objector(s) are present and, if unaccompanied, whether they were aware that they could be represented
 - (c) outline the procedure to be followed at the meeting
2. The Service Director (Public Protection) or his/her representative, will introduce the application.
3. (a) Council officer reports on noise and other matters
(b) Questions to officers from objectors and applicants
4. The applicant or his/her representative will present in detail the grounds of the application.
5. Objectors and members of the Committee may ask questions only of the applicant at this stage. Statements will not be allowed.
6. The objector(s) or his/her representative(s) will present in detail the grounds of the objection and may call witnesses in support of the objection.
7. The objector(s) and any witnesses may be called be questioned by members of the Committee, the applicant or his/her representative(s) and appropriate officers of the Council. Statements will not be allowed. Witnesses called by the objector(s) may be re-examined by the objector(s) or his/her representative on matters arising from those questions.
8. A Ward councillor may be present at the meeting and may make a statement to the Committee regarding the application, if the required notice has been given.
9. The objector(s) or his/her representative may then make a closing speech.
10. The applicant or his/her representative may then make a closing speech.
11. Members of the Committee may withdraw from the room to consider their decision. The Council's legal adviser and the clerk will accompany Members, in case legal or procedural advice is required.
12. The Licensing Officers, objectors(s), applicant, any representative(s) and witnesses will remain available for recall.
13. If it is necessary to recall any party to provide further information or clarification, all parties at the meeting will be invited to return.
14. At the conclusion of the public hearing, the Committee will consider the evidence presented and the Chair will announce the decision, together with any conditions deemed fit to apply to the application. Reasons will be given for the decision and any conditions imposed on the licence.

This will be confirmed in writing to the applicant and objector(s), or to their legal representative, accompanied by a description of any conditions which are to be attached to the granting of the licence, or the reasons for the refusal of the application. The applicant will be told of any statutory rights of appeal which are available to him/her.

NB - These procedures may be waived, altered or modified by the Chair of the Licensing Regulatory Committee

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London Borough of Islington

Licensing Regulatory Committee - 29 February 2016

Non-confidential minutes of the meeting of the Licensing Regulatory Committee held at the Town Hall on 29 February 2016 at 4.00 pm.

Present: **Councillors:** Michelline Ngongo, Angela Picknell and Nurullah Turan

Councillor Turan in the Chair

29 **APOLOGIES FOR ABSENCE (Item 1)**
Received from Councillor Mouna Hamitouche.

30 **DECLARATION OF SUBSTITUTE MEMBERS (Item 2)**
None.

31 **DECLARATIONS OF INTEREST (Item 3)**
None.

32 **MINUTES OF THE PREVIOUS MEETING (Item 5)**

RESOLVED:

That the minutes of the meeting held on 14 July 2015 be confirmed as a correct record and the Chair be authorised to sign them.

33 **APPLICATION FEES FOR SPECIAL TREATMENT LICENCES (Item 1)**
The Service Manager for Environmental Health outlined the proposals in her report and the rationale for amending the special treatment fee structure. She noted that Licensing Officers had now adopted a risk based approach to monitoring of premises and providers of special treatments. Given that there had been a steady increase in the number of premises providing high risk treatments in the past few years and a consequent higher level of assessment and monitoring was required to ensure public safety, more resources had been allocated to those premises providing high risk treatments. To reflect these changes, the proposal was to amend the fee structure for special treatment licences to ensure that it reflected the cost of operating the scheme. This was to accord with the Provision of Services Regulations 2009, which required regulatory bodies to review application fees to ensure that they were set on a cost recovery basis.

Members asked questions about the current licence fees and how the estimated loss in income could be justified in the current financial climate faced by the Council.

The Licensing Officer said that officers had reviewed all of the costs and overheads associated with the monitoring of these types of premises. The costs for some of the low risk special treatment licences were hard to justify. She was reasonably confident that the projected deficit in income could be managed within the licensing income budget overall. It was also possible that the Licensing Authority would receive more applications for the high risk associated licensed treatments and income would be recouped that way.

RESOLVED:

That the fee structure for Special Treatment Licences, detailed in the Appendix to the report of the Service Director – Public Protection, be approved to take effect from 1 April 2016.

Reason for decision

The Licensing Officer had reported that the application fees for special treatment licences had been reviewed and that the new fee structure was consistent with the principles contained in the Provision of Services Regulations 2009, which required regulatory bodies to review application fees to ensure that they were set on a cost recovery basis. Having had confirmation from the Licensing Officer, Members were satisfied that the projected deficit in income could be managed within the licensing income budget overall.

The meeting ended at 4.16 pm

CHAIR

Report of: Assistant Chief Executive – Governance and Human Resources
--

Meeting of	Date	Agenda Item	Ward(s)
Licensing Regulatory Committee	18 July 2016		n/a

Delete as appropriate		Non-exempt
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Subject: MEMBERSHIP, TERMS OF REFERENCE AND DATES OF MEETINGS OF LICENSING REGULATORY COMMITTEE in 2016/17

1. Synopsis

To inform members of the remit of the Licensing Regulatory Committee.

2. Recommendation

- 2.1 To note the membership of the Licensing Regulatory Committee, appointed by the Council on 14 May 2016, its terms of reference and dates of meetings for the municipal year 2016/17, as set out at Appendix A.
- 2.2 To appoint a Vice-Chair for the current municipal year, or until a successor is appointed.

3. Background

- 3.1 The terms of reference of the Licensing Regulatory Committee (as contained in Part 5 of the Council’s Constitution) are set out at Appendix A. The quorum of the Committee is three Councillors.
- 3.2 The membership and dates of meetings in 2016/17 are also set out at Appendix A for information.

Vice-Chair of the Committee

- 3.3 The Constitution states that “At the first meeting following the Annual Meeting of the Council, committees shall appoint their Chairs and Vice-Chairs for the municipal year unless already appointed by the Council. The Vice-Chair of a committee shall have all the powers and functions of the Chair when acting as Chair”.

The Council appointed Councillor Nurullah Turan as Chair of the Committee for 2016/17, but did not appoint a Vice-Chair. The appointment of a Vice-Chair is therefore a matter for the Committee.

4. Implications

4.1 Financial Implications

None.

4.2 Legal Implications

None.

4.3 Resident impact assessment

The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

A resident impact assessment has not been carried out since this report relates solely to the administrative arrangements for the Committee and will not impact upon residents.

4.4 Environmental Implications

Papers are circulated electronically where possible and consideration is given to how many copies of the agenda might be required on a meeting by meeting basis with a view to minimising numbers. Any agenda not used at the meeting are recycled.

5. Conclusion and reasons for recommendation

The report is submitted to inform members of the remit of the Committee.

Background papers:

Islington Council's Constitution
Programme of meetings

Final Report Clearance

Signed by

.....
Assistant Chief Executive (Governance & HR)

.....
Date

Received by

.....
Head of Democratic Services

.....
Date

Report author

Mary Green

Tel

020 7527 3005

E-mail

mary.green@islington.gov.uk

1. COMMITTEE MEMBERSHIP 2016/17

Councillors	Substitute Members
Councillor Nurullah Turan (Chair)	Councillor Theresa Debono
Councillor David Poyser	Councillor Satnam Gill
Councillor Michelline Safi Ngongo	Councillor Clare Jeapes
Councillor Marian Spall	Councillor Angela Picknell

2. MEETING DATES (all at 4.00pm)

1 November 2016	6 February 2017	23 May 2017
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3. TERMS OF REFERENCE OF THE LICENSING REGULATORY COMMITTEE

Terms of Reference

1. To determine applications for street trading, track betting and special treatment licences where there are unresolved objections to those applications.
2. To designate streets as licensed streets.
3. To revoke licences (except on the ground of non payment of fees).
4. To set and review policy in relation to the matters coming within the remit of the committee.
5. To set fees and charges for licences.
6. To take decisions on any other licensing matter referred to it by the Corporate Director of Environment and Regeneration, except those which may lawfully be taken by the Licensing Committee established for the purpose of the Licensing Act 2003 and the Gambling Act 2005.
7. The hearing of representations and the determination of applications for a licence of a Scrap Metal Dealer, under the Scrap Metal Dealers Act 2013, where the Service Director of Public Protection proposes to refuse or to cancel a licence or to vary a licence under section 4 of the Act and the applicant has given notice to the authority, within the prescribed time, that they require the opportunity to make representations about the proposal.

Delegation to Officers

All functions under the Scrap Metal Act 2013 not within the terms of reference of the Licensing Regulatory Committee are delegated to officers as detailed in Part 3 and Appendix 2 of the Constitution.

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Agenda Item 7

ISLINGTON

Environment & Regeneration
Municipal Offices, 222 Upper Street, London N11XR

Report of: Service Director - Public Protection

Meeting of:	Date	Agenda item	Ward(s)
Licensing Regulatory Committee	18 July 2016		

Delete as appropriate		Non-exempt
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SUBJECT: APPLICATION TO DESIGNATE AN AREA OF THE HIGHWAY ON THE FOOTWAY OUTSIDE 67-83 SEVEN SISTERS ROAD N7 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 on the footway outside Nos. 67-83 Seven Sisters Road N7 (herein after referred to as "the location"), and effective daily between the hours of 07.00-18.00 hours.

2. Recommendation

- 2.1 To pass the resolution as set out in the public notice published in the local newspaper viz " to designate an area of highway on the footway outside 67-83 Seven Sisters Road N7 for street trading purposes" (Appendix 1).

3. Background

- 3.1 Earlier this year, The Street Trading team was approached by a local trader and the Town Centre management team to consider the possibility of establishing an area in front of 67-83 Seven Sisters Road N7 for street trading purposes. The Town Centre management team have identified this location as a possible focal point for local events at various periods throughout the year to help promote and enhance the local environment. The local fruit and vegetable trader Mr Antoniou, who occupies a site adjacent to the location, has also shown an interest in moving from his current location in Axminster Road to an area on the footpath in front of 67-83 Seven Sisters Road. A map of the proposed designation is attached as Appendix 2.
- 3.2 Mr Antoniou is a long established and experienced local trader, located on a busy corner of Seven Sisters Road and Axminster Road N7. In November 2015 it was necessary to relocate Mr Antoniou to

an area on the footway (with Transport for London approval) due to road works being carried out by the water authority on Mr Antoniou's pitch. When the work was completed Mr Antoniou moved back to his regular pitch. At the time, the street trading section received representations from members of the public and the police (See Appendices 3A to 3E), requesting that he be allowed to return to the area outside 67-83 Seven Sisters Road and continue trading in the area marked 'A' on the map. Another site marked area B on the map has also been identified as a location for another permanent trading pitch (see Appendix 2).

3.3 Transport for London (TfL) are the Authority for the area as Seven Sisters Road is a 'Red Route'. This makes this road a main trunk road for vehicular traffic in London. There is also a busy bus lane and a bus stop nearby. Although TfL has given its approval for street trading activities to take place at the location (see Appendix 4, paragraphs 7 & 8), however the following concerns were raised during consultation;

- The parking of trader vehicles whilst loading and unloading and TfL has stipulated that any trading activity at the location must not interfere with the bus stop, the bus lane and persons using the buses.
- Possible obstruction caused by the setting up and taking down of the stalls by the traders; it has sought reassurance that there will be clear and unobstructed access to the bus stop and bus lane at all times and that no loading or unloading will take place from Seven Sisters Road.
- Possible damage to the fabric of the footpath: this includes the trees, tree pits and any other street furniture. TfL has stipulated that boards or similar must be placed under any temporary structures to ensure no damage is caused by the street traders. It has been agreed that the street trading pitch dimensions will not exceed 8.00 x 2.00 metres located between the Telephone Box and the 2" d tree (area marked A on the map). From the 2" d tree there will be a gap for access to shops and businesses of 6.00 metres. Then another trading area (marked B on the map) from a post 6.00 x 2.00 metres. There will be 5.00 metres clear access from the kerb to the stall.

TfL has been given an assurance that any licence issued to trade at these pitches will include additional conditions to take into account all the concerns raised by TfL (as mentioned above). It is also intended that trading pitches will be clearly marked out as per the agreed locations and dimensions, and that any waste generated by the traders will be stored away from the trading area and disposed of in an appropriate manner via a daily collection by the Council's waste collection team, thereby keeping the area clean and clear of litter at all times when trading.

3.4 Formal consultations were carried out with ward councillors (see Appendix SA), police (see Appendix 38), cleansing services and public realm (see Appendix 58).

3.5 On 3 March 2016 a public notice was published in the local newspaper for one week, stating the Council's intentions to designate the location for the purpose of street trading (Appendix 1). At the same time copies of the council's intention were also attached to lampposts in and around 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. The deadline date was 31 March 2016.

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.

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
- Appendix 2
- Appendix 3A, 3B, 3C, 3D & 3E.
- Appendix 4
- Appendix 5A & 5B.

Background papers:

- London Local Authorities Act 1990 (as amended)

Final report clearance:

Signed by:

Service Director – Public Protection

Date

4th July 2016

Received by:

Head of Democratic Services

Date

Report Author:

Steve Galvani

Tel:

020 7527 4245

Fax:

020 7527 3165

Email:

steve.galvani@islington.gov.uk

Appendix 1



PUBLICNOTICES

Legal and Public Notices

PUBLIC NOTICE OF AN APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003

Notice is hereby given that an application was made to the Hackney Council to vary a premises licence under the above Act on 1st March 2016. Applicant: Koshier Wine Cellar Limited. Address of premises: The Wine Cellar, 198 Stamford Hill, Hackney, London, N16 6RA. Proposed variation to the licensable activities: 1. To extend the hours for the sale of Alcohol (for Consumption off the Premise) to 08.00-24.00 Hours Monday to Sunday. The postal address of the Licensing Authority where the register is kept and the application may be inspected is: *Licensing Service, London Borough of Hackney, 1 Hillman Street, London, E9 1DY. Any person wishing to make representations on this matter shall give notice, in writing, stating the nature and grounds for making such representations to the Licensing Officer at the above address* within 28 days of the date of this notice - by the 29th March 2016. Further information is available on the web site www.hackney.gov.uk following the links. It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application and the maximum fine on summary conviction of such an offence is £5000. Lockett & Co - duly authorised agents

Massage / Special Treatments Licence

Notice is given that Shanu Alee has applied to the London Borough of Hackney for Massage / Special Treatment Licence for the premises Design Room, Hair Salon, 189 Mare St, Hackney, E8 3QE. Anyone wishing to oppose the application must give notice, in writing, to the Licensing Service Manager, London Borough of Hackney, 1 Hillman Street,

ISLINGTON

SECTION 24 - LONDON LOCAL AUTHORITIES ACTS 1980-2004 (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 footway outside 67-83, Seven Sisters Road, London N7 6BU, every Monday to Sunday from 07:00 hours to 18.00 hours.

It is proposed that the Council's Licensing Regulatory Committee meeting on Monday 18 May 2016 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, any person to whom notice is given, any person who uses the said highway and any other person who would be aggrieved by the making of the Order to which this application relates, shall have a right to be heard.

Dated this Thursday 3 March 2016
HOURLYVE DERMISH
Street Trading Manager
Islington Council
Public Protection Division
222 Upper Street

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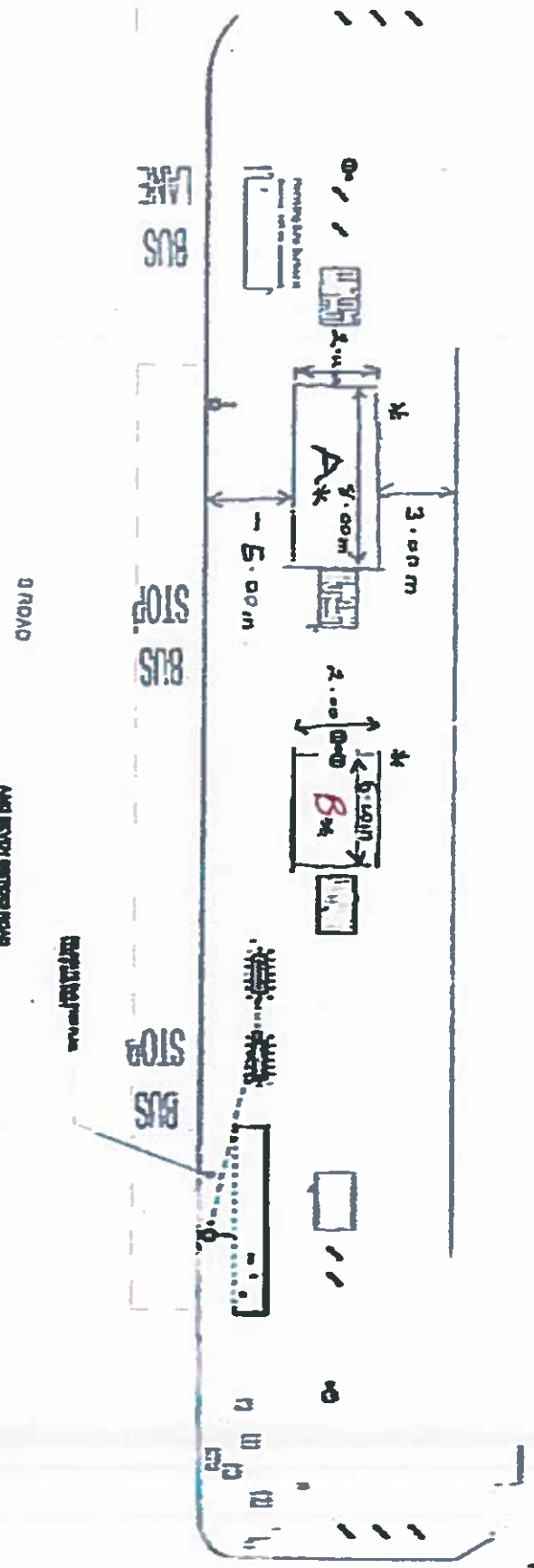
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SEARCH FOR SINGLES WITH SHARED INTERESTS
mydate24

A P R a n d i k 2

STREET TRADING
 DESIGNATION
 PROPOSAL. 2016.

67-83 SEVEN SISTERS ROAD N.7.

A = FRUIT + VEG TRADER
 B = OTHER TRADER



* To Be MARKED OUT
 PAVEMENT TO BE PROTECTED FROM
 DAMAGE ETC.

MAY 2016.

Galvani, Steve

From: Angus.Marshall@met.pnn.police.uk
Sent: 05 November 2015 12:16
To: Crawford, Jenny
Cc: george.A.Tsendis@met.pnn.police.uk
Subject: Charlie Antoniou - Fruit Stall Seven Sisters Road

Dear Ms Crawford,

I am writing regarding the fruit stall of Charlie Antoniou. His stall is currently located on the pavement of Seven Sisters Road, outside of the 99p Store. His stall used to be located on Axminster Road.

Finsbury Park Neighbourhood Policing Team are in support of Mr Antoniou remaining at his current location on Seven Sisters Road. The reasons for this I have outlined below:

- Mr Antoniou is a valuable member of the local community and has worked on a fruit stall in the area for 28 years;
- The current location of the stall is a positive addition to the local environment and provides colour and vibrancy to Seven Sisters Road;
- The location will help reduce crime in the area as it fills a large empty space on the pavement and will stop individuals hanging around;
- The Nags Head area has a strong identity regarding markets and food stalls, Mr Antoniou's stall forms a major part of this tradition;
- The Greek Church with their elderly congregation who have known Mr Antoniou for 20 years go to him with their concerns about the local area;
- His former site on the corner of Axminster Road creates a risk of danger to the public, as customers have to stand in the road to be served.

Please just let me know if you need any further information.

Kind regards,

Angus

Angus Marshall | Designated Ward Officer for Finsbury Park

London Borough of Islington (NI)

Telephone: 0203 276 30330 | E-mail: angus.marshall@Met.Police.uk

Mail: Holloway Police Station, 284 Hornsey Road, London, N7 7QY

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

Appendix 3 B

Galvani, Steve

From: Richard.Padwell@met.pnn.police.uk
Sent: 12 November 2015 13:15
To: Crawford, Jenny
Cc: george.A.Tsendis@met.pnn.police.uk; Angus.Marshall@met.pnn.police.uk
Subject: Charlie Antoniou - Fruit Stall Seven Sisters Road

Jenny

I fully support PC Marshall's request (for the reasons set out by PC Marshall) and would be grateful if you could forward this onto whoever will be making the decision as to whether he can be allowed to move his store.

Regards

Richard Padwell.

Richard Padwell | Inspector | East Cluster, Safer Neighbourhoods

Tel 020 8345 1541 | Metphone 21541 | Mobile 07785 971002 E-mail: richard.padwell@met.pnn.police.uk | Address Holloway Police Station, 284 Hornsey Road, London, N7 7QY.

Web: <http://cms.met.police.uk/met/boroughs/islington/index>

Follow us on Twitter [@MPSislington](http://www.twitter.com/MPSislington)

Total Policing: One Team. One Mission.

rdis george A - NI
November 2015 12:21

Richard J - NI

FW: Charlie Antoniou - Fruit Stall Seven Sisters Road

fyi

Best Regards,

George Tsendis PCSO 7128 NI

East Cluster Neighbourhood Policing Team
New Safer Neighbourhood Base -
Holloway Fire Station, Ground Floor
262 - 268 Hornsey Road
London
N7 7QT

T:0203 276 3030

M:07717432750

Follow us on Twitter @MPSInslington

Email: George.tsendis@met.police.uk

NI-NPTEast@met.police.uk

www.met.police.uk/saferneighbourhoods

shall Angus - NI
November 2015 12:16
'Crawford@islington.gov.uk'
5 George A - NI
Charlie Antoniou - Fruit Stall Seven Sisters Road

Dear Ms Crawford,

I am writing regarding the fruit stall of Charlie Antoniou. His stall is currently located on the pavement of Seven Sisters Road, outside of the 99p Store. His stall used to be located on Axminster Road.

Finsbury Park Neighbourhood Policing Team are in support of Mr Antoniou remaining at his current location on Seven Sisters Road. The reasons for this I have outlined below:

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Please just let me know if you need any further information.

Kind regards,

Angus

Angus Marshall | Designated Ward Officer for Finsbury Park

London Borough of Islington (NI)

Telephone: 0203 276 30330 | E-mail: angus.marshall@Met.Police.uk

Mail: Holloway Police Station, 284 Hornsey Road, London, N7 7QY

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.



ΙΕΡΟΣ ΝΑΟΣ ΑΓΙΟΥ ΑΝΤΩΝΙΟΥ ΤΟΥ ΜΕΓΑΛΟΥ ΚΑΙ
ΑΓΙΟΥ ΙΩΑΝΝΟΥ ΤΟΥ ΤΙΜΙΟΥ ΠΡΟΔΡΟΜΟΥ
GREEK ORTHODOX CHURCH OF ST ANTHONY & ST JOHN THE BAPTIST

Ms Jenny Crawford
Islington Council Trading Standards
Upper St
London N1 1XR

9th December 2015

Dear Ms Crawford

Re: Fruit Stall in front of the Drapery shopping arcade on Seven Sister's Rd

Many of our elderly parishioners regularly shop at the fruit stall that was formerly on the corner of Axminster St. and Seven Sister's Rd. The parish council was glad to see the stall moved on to the pavement, as it is far safer for our parishioners and others to hover around the stall without being exposed to moving car traffic. We write to encourage the Islington to make this permanent, not only on the grounds of road safety but on the whole look and feel of the area too.

Yours sincerely

Tom Kasapis
Trustee

Cc George Tsendis (Police Community Support Officer)

Galvani, Steve

From: Shaikh, Asima
Sent: 27 December 2015 17:57
To: Hart, Jan; Courtie, Pete
Cc: Williams, Dawayne; Mcnamara, Katherine; Heather, Gary; Crawford, Jenny
Subject: FW: Ref Fruit Stall outside Peacock's on Seven Sisters Road.-Charlie Antoniou

Hi Jan and Pete

I wasn't sure who to forward the email below to. It is from George Tsendis, our local PCSO. He rang me last week to raise the issue that there was some concern that the market stall holder who is now on the wide pavement on Seven Sisters road (he used to be on Axminster road) is being asked to return to Axminster road after being informed that he could stay on the pavement.

Would it be possible to find out why it is not possible for him to stay on the pavement? Personally I think that him moving to the pavement is an improvement (I walk past this area often). He has been in the area for a long time and I would have thought that the relocation would improve pedestrian safety and improved access for wheel chair users.

Do we know whether we planned a mini market in this area as part of our town centre development plans for this part of the Nags Head?

Also, I understand that he is being asked to move back to Axminster road on 1st Jan. Could this be postponed until we have had a chance to look into this matter in more detail.

Thank you
Kind regards
Asima

Cllr Asima Shaikh
Executive Member for Economic and Community Development
Councillor for Finsbury Park ward

Sent with Good (www.good.com)

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

From: george.A.Tsendis@met.pnn.police.uk [george.A.Tsendis@met.pnn.police.uk]
Sent: Monday, December 21, 2015 11:57 AM GMT Standard Time
To: Shaikh, Asima
Cc: Angus.Marshall@met.pnn.police.uk
Subject: Ref Fruit Stall outside Peacock's on Seven Sisters Road.-Charlie Antoniou

Dear Councillor,

The above has had a fruit stall on Seven Sisters Road N7 for the past 28 years and when the original license was approved his stall was located on the pavement where it's currently located

although over the years he was asked to move and locate his stall at the corner of Axminster Road N7 near the junction of Seven Sisters Road N7.

Over the past 12 years I have known Charlie, his been seen by the community as someone who is hard working and most of all very community spirited and very helpful with the elderly customers who shop on a regular basis and on a few occasions I have been asked with families who have family members who are on wheel chairs that they find it difficult to shop standing or parking on Axminster Road with cars passing by.

So when the stall holder was asked to move onto the pavement a few months ago to allow repairs to be carried out on the road most of the customers were very happy and also the police supported the idea that he should stay there more permanently and was supported by Insp.Padwell as he felt that crime along the location would be reduced as the presence of the stall would deter criminals from visiting the area. Also the local church supported the stall being there because of concerns of the elderly congregation who attend the church and also use the opportunity to do a little shopping when they visit the area.

Finally the idea was also supported by Jenny Crawford (Street Trading Mngr) for Islington Council and she visited the above stall holder to support his claim to get him to stay there. On Saturday 19/12/15 I received a call from Charlie Antoniou telling me that Jenny Crawford had visited him and told him that he would need to move back to Axminster Road by the 1st January 2016.

Can we try and get together and hopefully try to resolve his matter as feel it's only a matter of time before someone who is elderly or disabled in a wheel chair will get hurt by oncoming traffic.

Best Regards,

George Tsendis PCSO 7128 NI

East Cluster Neighbourhood Policing Team
New Safer Neighbourhood Base -
Holloway Fire Station, Ground Floor
262 - 268 Hornsey Road
London
N7 7QT

T:0203 276 3030
M:07717432750

Follow us on Twitter @MPSInslington

Email: George.tsendis@met.police.uk

NI-NPTEast@met.police.uk

www.met.police.uk/saferneighbourhoods

Galvani, Steve

From: Heather, Gary
Sent: 03 March 2016 12:22
To: Shaikh, Asima; Galvani, Steve
Cc: Heather, Gary
Subject: RE: Street Trading Designation Seven Sisters Road N7

Steve,

Thanks.

Nothing to add to Cllr Shaikh's comments.

Regards,

Cllr Gary Heather

Sent with Good (www.good.com)

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

From: Shaikh, Asima
Sent: Thursday, March 03, 2016 11:59 AM GMT Standard Time
To: Galvani, Steve; Heather, Gary
Subject: RE: Street Trading Designation Seven Sisters Road N7

Dear Steve

Thank you for your email. My only initial comment is the trading space marked out near the bus stop. I feel that this part of the footway may get too congested and that we may need to have a look at making sure that there is space for pedestrian space.

I think that spaces A and B are fine.

My only overall comment is that we need to make sure that we allow for the free flow of pedestrians.

Also, have we consulted with our local police in terms of their views on community safety issues that may arise with a busier pavement?

Many thanks
Kind regards
Asima

Cllr Asima Shaikh
Executive Member for Economic and Community Development
Councillor for Finsbury Park Ward
Mobile: 07702 974183

From: Galvani, Steve
Sent: 03 March 2016 11:36
To: Heather, Gary; Shaikh, Asima
Subject: FW: Street Trading Designation Seven Sisters Road N7

Dear Councillors

As part of the consultation process to designate an area in Seven Sisters Road N7 for Street Trading purposes I have attached to this email the public notice that is being published today in the Islington Gazette. I have also attached a map to assist you.

I invite you to make any comments or observations as part of this process.

Regards

Steve Galvani
Shop Front Licensing & Enforcement Officer

Street Trading Team
Public Protection
Environment & Regeneration
London Borough of Islington
Municipal Offices
222 Upper Street
London N1 1RX

My email steve.galvani@islington.gov.uk
Alternate email street.trading@islington.gov.uk

My direct line: **020 7527 4245**
Alternate Phone: **020 7527 3830**

Web site: www.islington.gov.uk

Follow us on **Twitter@IslingtonBC** and **@IslingtonLife**

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Appendix 4

TRANSPORT FOR LONDON FORMAL RECORD OF THE DISCHARGE OF DELEGATED AUTHORITY

SUBJECT: Street Trading Designation – 67 to 83 Seven Sisters Road

DATE: 1st July 2016

DIRECTOR: Dana Skelley – Asset Management Director

1 PURPOSE AND DECISION REQUIRED

- 1.1 This paper records TfL's formal decision as highway authority to an application made by a London Borough Council to designate part of the Transport for London Road Network (TLRN) for street trading purposes.

2 BACKGROUND

- 2.1 The London borough of Islington has published proposals to designate part of the North West footway of the A503 Seven Sisters Road, for street trading purposes. The proposal relates to the footway outside Nos 67 to 83, a distance of some 65m.
- 2.2 The footway here is relatively wide at about 10m. It is paved in artificial stone flags, contains four mature trees, street and footway lighting columns, a bus stop and shelter, public seating, cycle stands, a telephone call box, legible London wayfinding signs, litter bins, a CCTV mast and a traffic direction sign.
- 2.3 The carriageway fronting the area is subject to 'no stopping at any time' controls and a Bus Lane with operational hours of 7am to 7pm Monday to Saturday.
- 2.4 Observation shows that in the area subject to the proposed designation, street trading does already take place to a limited extent.
- 2.5 Street trading can add to the vibrancy and economic viability of an area as well as give an opportunity for the development of small businesses.

3 STATUTORY POSITION

- 3.1 Street trading in London is regulated by the provisions of Part III of the London Local Authorities Act 1990 (the Act) unless predecessor statutes not rescinded by the Act, royal licence, bylaws or the like prevail. All London authorities participated in the Act with the exception of the Camden Borough Council and the City of London.
- 3.2 Section 14 of the Act enables participating councils to designate streets within which street trading may be licensed. S14(5) requires the prior consent of the

highway authority to any such designation. It follows that since TfL was established in July 2000 any designation related to the TLRN is subject to TfL's prior consent.

- 3.3 As borough councils may be called to demonstrate that TfL has in fact given prior consent to any designation, those decisions must be appropriately taken and duly recorded.

4 PROPOSALS

- 4.1 The borough council proposes to designate the whole footway outside 67-83 Seven Sisters Road for street trading purposes from 7am to 6pm on every day of the week.
- 4.2 Licencing would then be subject to council's standard licencing conditions which are attached as appendix A.
- 4.3 The borough council propose to designate the whole area, but have agreed limits to where traders may operate in consultation with TfL.

5 CONSIDERATIONS

- 5.1 The area subject to consideration has been relatively recently paved and furnished following the principles established in Streetscape Guidance. The footway is considerably wider than others in the general vicinity, creating something of a 'haven' in otherwise somewhat cramped conditions.
- 5.2 In pursuance of its statutory duty to protect public rights TfL opposes the creation of permanent structures on the highway in favour of receptacles being removed at the end of each trading session, then leaving the area clear and unobstructed.
- 5.3 Within the proposed street trading hours the carriageway is subject to 'no stopping at any time' controls and a bus lane (except for Sundays). Servicing of individual pitches would inevitably be undertaken from the footway, potentially conflicting with pedestrian movements during set up and down.
- 5.4 With carriageway being unavailable for set up and down at the start and end of each trading session, it could be anticipated that the slab paved footway may be traversed by motor vehicles, which is likely to accelerate its deterioration and increase TfL's maintenance liability, unless local licence conditions dictate otherwise.
- 5.5 Given that TfL have no powers to influence street trading activity post designation, nor an ability to withdraw consent once given, any conditions it might want must be negotiated as a prior condition of granting its consent.

5.6 Discussions have been undertaken between TfL (AMD & EOS) and Islington street trading and assurances have been given that address the above concerns.

6 FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications for TfL, but see 5.4 above.

7 RECOMMENDATION

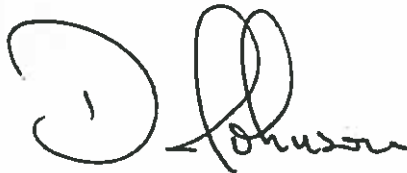
7.1 On balance it is recommended that the application is agreed, subject to trading being limited to two pitches, each with a maximum surface area of 8m x 2m set back from the kerb line by 5m and licence conditions including the following.

- (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.

8 Recommendation Approved by Dave Johnson

Highways Manager

Signed

A handwritten signature in black ink, appearing to read 'Dave Johnson', with a large, stylized initial 'D'.

Email: Dave.Johnson@TfL.gov.uk



ISLINGTON

**LONDON BOROUGH OF ISLINGTON
STREET TRADING CONDITIONS AND PROCEDURES
(MARKETS AND SCATTERED SITES)**

London Borough Islington
Street Trading
Public Protection
222 Upper Street
London
N1 1XR

P: 020 7527 3830

E: street.trading@islington.gov.uk

W: <http://www.islington.gov.uk/business/regulations/licences>

Street Trading Conditions and Procedures

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Conditions

Introduction

1. The London Borough of Islington's vision for markets is to create a dynamic street trading and market experience that is diverse and vibrant adding value to the economic, social and cultural fabric of Islington. The recently developed Street Trading Strategy provides a number of objectives to implement to ensure the continued success of the markets.
2. All forms of street trading are controlled by a number of acts of Parliament, the principal act being the London Local Authorities Acts 1990-2004. The control of street trading is the responsibility of the local authority. Trading licences are issued under the regulations set within 'the Act'. Street Trading Officers check licences daily and unlicensed traders may be prosecuted for trading illegally.
3. A trader is responsible for the management of the licensed area governed by the conditions of the licence. The following document provides conditions applicable to all street trading licences and procedures guidelines to assist traders develop a positive market experience. This document does not cover the conditions and procedures governing trading from shop fronts or private land, this is dealt with in a separate document.

Street Trading Licence Conditions

4. These Conditions remain in force with effect from 1 January 2008 and apply to all street trading licences issued under the London Local Authorities Acts 1990-2004.

Definitions

5. The following expressions will have the following meanings assigned as determined by the Act 1990 (Part III, Section 21(1) as amended) unless otherwise stated.
 - i. **'The Act'** – the London Local Authorities Acts 1990-2007.
 - ii. **'Advertisement'** means any word, letter, model, sign, placard, board, notice, whether illuminated or not, in the nature of, and employed wholly or partly for the purpose of, advertisement, announcement or direction and includes any hoarding or similar structure or any balloon used, or adapted for the display of advertisements, and shall be construed accordingly.
 - iii. **'Assistant'** means a person employed by and acting under the directions of a trader to assist him/her about the business of the stall, and whose name and address has been notified to 'Council'.
 - iv. **'Awning'** means a sheet of canvas or other material, used as a protection against the weather, which projects as an extension of the roof beyond the structure of the stall.
 - v. The **'Council'** means the London Borough of Islington.
 - vi. **'Fixed Penalty Notice'** may be given under section 15 (fixed penalty offences) of the London Local Authorities Act 2004 (part 4)

Street Trading Conditions and Procedures

by an authorised officer in respect of any offence set out in schedule 2 of the Act. The officer may give that person a notice offering him the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty in accordance with Schedule 2 of the Act.

- vii. **'Goods'** means any goods, wares or merchandise for sale or stored at a stall.
- viii. **'Licensed street trader'** means any person who is licensed for street trading under part III of the London Local Authorities Act 1994.
- ix. **'Licensed street trading pitch'** means a pitch in any street authorised as a place at which street trading may be engaged in by a street trader, and includes any temporary alternative place approved by the Council.
- x. **'Premises'** means a shop, house or block of flats immediately behind a licensed pitch.
- xi. **'Receptacle'** includes a vehicle or receptacle and any basket, bag, box, vessel, stand, stall, easel, board, tray or thing which is used (whether or not constructed or adapted for such use) as a container for or the display of any article or thing or equipment used in the provision of any such service.
- xii. **'Refuse'** includes any waste material.
- xiii. **'Stall'** means any structure used by a trader for the display of goods, or in connection with his/her business, and includes all goods offered or to be offered for sale and any additional structure or equipment used as part of a stall business. This also includes rubbish created as a result of the business.
- xiv. **'Stall limits'** means the authorised ground markings defining the area within which the stall is to be contained.
- xv. **'Street trading'** shall have the meaning ascribed in Section 27 (1) of the London Local Authorities Act 1994. A licence granted under the Act and valid for the period specified therein being not less than six months and not more than three years.
- xvi. **'Specified proportion'** means such proportion, applicable in all cases, as may be determined for the purposes of this section by the borough councils acting through the joint committee
- xvii. **'Temporary licence'** means a licence granted under the Act valid for a single day or for such period as may be specified in the Licence not exceeding six months.
- xviii. **'Temporary licensee'** means a licence holder who is on a six month probationary period.
- xix. **'Us'** and **'we'** mean the London Borough of Islington's Street Trading Section.
- xx. **'You'** means the trader or person named as the holder of this licence authorising street trading from a licensed pitch. Where a licence is held in more than one name, 'you' means each person named and applies to each person both individually and collectively. 'Your' shall be read in this context.
- xxi. **'Your pitch'** means the pitch(es) identified in this licence.

Licence compliance

6. The business activity of the stall shall be undertaken in compliance with other legislation enforced by the Council or other Agencies, e.g. Health and Safety, Food Safety, Trading Standards, Fire Prevention and Highways Regulations.
7. The licence is the approval to trade under the Act. It does not constitute any other approval that a trader might need, under bye-laws, regulations or other enactments.
8. Council may vary the conditions of this licence or attach additional conditions at any time.
9. Where Council provides its approval under this licence, it may attach any conditions or restrictions that are deemed reasonably appropriate.
10. If you wish to vary any of the licence terms or conditions you must make it in writing to Council.

Use of this Licence

11. This licence is for your sole use. You may not assign it to anyone else. You shall produce your licence, which must be carried at all times when trading, if requested by an authorised officer of the Council or Police Officer.
12. You must at all times display a display card supplied by the Council, indicating the licence and pitch number, name and photograph of licensee, location and size of pitch, market and commodities sold.
13. The display card must be kept and permanently exhibited on the stall whilst trading is taking place.
14. Trading may only take place on the days and during the times specified on the licence.
15. If alcoholic drinks are consumed or sold at a licensed site, you will need to be able to produce when requested the appropriate Licences to an authorised officer of the Council or the Police.
16. Naming and displaying your business name must comply with the Business Names Act of 1985.

Stall Requirements

17. You shall only trade from the location which is indicated on your licence.
18. The trading area shall not be larger than the size stated on your licence and any stall limits marked on the ground.
19. You shall only use those receptacles stated on your licence which have been approved by us. All goods and containers (except refuse containers used for waste) or other articles need to be contained within the licensed pitch area and not extend outside.
20. The stall needs to be easily and immediately removed in the case of an emergency. You or your assistant must remove the stall and goods for

Street Trading Conditions and Procedures

as long as required in the event of an emergency, or when requested by an authorised officer of the Council or Police Officer.

21. The roof, awning, any supports or suspended goods are required to be at least 2.6m (8'6") above the ground and contained within the pitch area, unless agreed to by us.
22. The stall and goods are to be removed from your pitch to your nominated storage area, as stated on the application form or agreed in writing by us, **within one hour of the cessation of the day's trading** (i.e. the time shown on your licence to end trading for that day),
23. Stalls not removed at the cessation of trading may be removed by us to a place of storage. We will have the right to recover from you any costs incurred by us in removing and storing your stall.
24. Stalls or accessories must not damage the carriageway or footway.
25. No advertisement shall be displayed on your pitch which relates to any goods, commodities or services apart from those being offered for sale from your pitch.
26. The design and appearance of the stall and display will require the written approval from the Council in advance of the licence being granted. The design of the stall that is approved shall be so maintained thereafter.
27. The operation of your stall must not cause a nuisance to other traders or the general public.

Electrical requirements

28. All electrical power supplies will require approval by us prior to installation. All electrical wiring and components shall comply with the basic London Electricity Board specification and be earthed and insulated accordingly. Electrical power shall only be used for the purpose of lighting and the operation of electrical scales and tills, or other agreed services.
29. You will be held liable for any damage to any electrical installation provided by Council if it is shown that the damage was caused by your actions or neglect.
30. You may only run electric cables for lighting or other agreed services between your stall and other stalls or premises. Any electrical connections shall be easily detached and the detailed arrangements agreed with us. Electrical cables hung over the public highway will require a minimum clearance of 2.6m (8'6") from the footway surface and 5.6m (18'6") from the carriageway surface.
31. Heaters or heating equipment (e.g. braziers) must be located in the trading area to ensure the safety of the public. The position of the heaters in relation to other goods or materials must be agreed to by us.
32. If using a mobile electrical generator they must be positioned so that:
 - i. they are not a danger to the passing public;
 - ii. they are not a fire hazard to the stall or goods;

Street Trading Conditions and Procedures

- iii. they do not create a noise of fume nuisance; and
- iv. the inflammable fuel is stored away from the stall in London Fire Brigade approved containers.

Refuse

33. You are responsible for all refuse arising as a result of your activities. All material is to be placed in a covered container provided by you (unless provided by us or an approved agent of us) exclusively for refuse collection. These containers are to be kept clean.
34. Refuse containers are to be emptied whenever possible into any vehicle, container or compactor provided by us for that purpose.
35. In keeping with the Council's environmental sustainable initiatives you are to support the following practices where practical:
 - i. Keep packaging of goods to a minimum or use recycled packaging where possible;
 - ii. Keep the use of non-recyclable carrier bags to a minimum;
 - iii. Compost food waste in line with the Council's policy of composting;
 - iv. Recycle all refuse where appropriate in line with Council's policy.

Product

36. You must be aware of the relevant legislation relating to your goods, commodity or service. You will be required to complete the Council's Street Trading Best Practice Certificate within six months of a licence being issued or renewed.
37. In line with the Trade Description Act 1968 you are not to make any statements about the goods, commodity or service offered for sale which is false or misleading.
38. Only the goods specified on the licence may be sold on your pitch.
39. If you are selling food you will need to comply with the requirements of the Food Hygiene (Market, Stalls and Delivery Vehicles) Regulations 1966 (as amended).
40. All goods or commodities sold by weight or number shall indicate the unit of quantity in which they are being offered for sale. Metric measurements are to be used for all weights and measures, imperial measurements may only be used for supplementary information. If you offer a service you need to make clear the nature and cost of that service.
41. You are licensed to have only one class of commodity (e.g. fruit and vegetables, or clothing, or haberdashery and compatible commodities).
42. You must notify us immediately, in writing, of any change of address or addresses at which the stall and perishable goods are stored.
43. You must not sell or distribute political or religious material designed to incite hatred, weapons and explosives, any pornographic material, illegal

Street Trading Conditions and Procedures

substances or counterfeit goods. Failure to comply with this condition will result in the immediate seizure of all goods and may result in revocation of your licence and prosecution.

Terms of Operation

Attendance

44. You shall be in personal attendance on your pitch for the majority (at least 50 per cent) of the working day, apart from absences for illness or holidays.
45. You must attend and trade for a minimum of three days each week.
46. You may **NOT** enter the market with a vehicle to remove your goods or stall until the end of the official market trading day or at a time agreed to in writing by us.

Trader information

47. When applying for your street trading licence you must provide three full face passport size photographs. One of the photographs will be attached to the licence and must be carried by you at all times whilst trading is taking place. The second photograph will be retained for official use. The third photograph will form part of the stallcard.
48. You must give all reasonable assistance to an authorised officer of the Council carrying out their duties.
49. You must notify us, in writing, the names and change of addresses of any assistant(s) employed by you to operate the stall.
50. You will need to provide evidence of kinship where a licence is to be transferred on that basis.
51. You must have a minimum of £2 million third party insurance.
52. You must pay your weekly licence fees by standing order with your bank/building society and must maintain these payments throughout the term of the licence, unless otherwise agreed by us. Payment by cash is no longer accepted.

Customer Service

53. Under the provisions of the Consumer Protection Act 1987 you shall not mislead the public about their legal rights, either verbally or by displaying incorrect signs (e.g. no goods exchanged, no refunds given).
54. You must ensure that you and your staff are competent, courteous and helpful and ensure all members of the general public are treated fairly and with courtesy. The Council does not tolerate abuse of any sort. Any complaints of serious abuse of any nature against Council officers, other street traders or members of the public may be regarded as grounds for revocation of a street trading licence.

Street Trading Conditions and Procedures

Market Trading

55. You are to be in position, goods displayed and contained with the pitch, to commence trading from your stall by no later than the commencement times listed below. If your pitch is not utilised by you at commencement of trading we may re-let the pitch for the day.
56. Hours of commencement and cessation may be varied, in individual cases with prior written consent by us.

Market/area¹	Days of trading	Commencement of trading	Cessation of trading
Chapel ²	Tuesday to Sunday	9am Tuesday to Saturday 8.30am Sunday	6pm Tuesday to Saturday 4pm Sunday
Whitecross	Monday to Saturday	10am Monday to Saturday ³	5pm Monday to Saturday
Exmouth	Monday to Saturday	9am Monday to Saturday	6pm Monday to Saturday
Camden Passage	Wednesday and Saturday	7am Wednesday and Saturday	3pm Wednesday and Saturday
Camden Walk	Sunday		
Archway	A private market until September 2007 – future location and designation subject to Licensing Regulatory Committee decision.		
Torrens Street	The area is designated for street trading on a Sunday but currently no trading is carried out.		
Scattered sites ⁴	Monday to Saturday	9am Monday to Sunday (unless otherwise stated)	6pm Monday to Sunday (unless otherwise stated)
Arsenal Area	First Team and International Matches	Two hours prior to start of match	One hour after cessation of match

Enforcement

57. If you are found to be in breach of your licence or any of these conditions follow up action will be undertaken by an authorised officer of the Council (Street Trading Officer) or Police Officer.
58. We implement a number of different enforcement actions they are:
- If you are unclear or are in initial breach of your licence or the offence is considered minor then the Street Trading Officer will provide face to face advice and guidance about your street trading responsibilities followed up by a letter of advice. Continued breach of your conditions will result in the issue of a formal warning

¹ Details of each trading location can be found at 1.

² Includes White Conduit, Godson and Baron Streets.

³ Stalls shall not be put out prior to 8.00am on any day.

⁴ Excluding newspaper stands

Street Trading Conditions and Procedures

- ii. If you continue to commit an offence and refuse to take action to remedy the offence a fixed penalty notice (FPN) will be served. (Offences listed in Schedule 2 of the London Local Authorities Act 2004 can be served by a FPN). If you pay the penalty within the prescribed timeframe you will avoid prosecution.
 - iii. A discount will be available for FPNs paid within 14 days from the date the notice was served. (This percentage is to be determined by the London Councils acting through the joint committee). A FPN must be paid within 28 days of the notice being served. If the FPN is not paid the case will be considered for prosecution in the Magistrate's Court.
 - iv. Notices stating the nature of the offence will be issued by the Street Trading area of Council.
 - v. The decision to prosecute will be made in line with the Code for Crown Prosecutors⁵. This document details the public interest and evidential considerations when bringing proceedings. Islington Council's Legal Services will initiate proceedings on Councils' behalf.
 - vi. All enforcement decisions and actions are made with due regard to the provisions of⁶:
 - The Human Rights Act 1998
 - The Crime and Disorder Act 1998
 - Police and Criminal Evidence Act 1984
 - Criminal Procedure and Investigations Act 1996
 - Regulation of Investigatory Powers Act 2000
 - Freedom of Information Act 2000
 - Disability Discrimination Act 2005
 - Equal rights and anti-discrimination legislation.
 - vii. Enforcement by the Council's officers will be undertaken in line with the Enforcement Concordat⁷.
59. Serious breaches or recurring breaches of the conditions may result in you being prosecuted for the infringement of the street trading licence conditions. Persistent breaches of the conditions may be reported to the Licensing Regulatory Committee and may lead to a revocation of your licence.

⁵ Code of Crown Prosecutions available from

http://www.cps.gov.uk/victims_witnesses/code.html or on p: 020 7796 8000.

⁶ If it is in the public interest and appropriate, information concerning non-compliance will be shared with other enforcement agencies. Where this takes place, we will ensure that the Data Protection Act 1998 and Human Rights Act 1998 are observed.

⁷ Enforcement Concordat is available at www.cabinet-office.gov.uk

Islington Street Trading Procedures

Application Process

60. You are strongly advised to make an appointment to talk to Islington's Market Manager prior to applying for a street trading licence – contact details at Appendix 1.
61. There are two types of street trading licences, permanent and casual. The choice of licence is dependent on your requirements and location for trading.

Permanent Licence

62. These are offered, where available, to any suitable person wishing to trade in the London Borough of Islington. The procedures for applying is detailed below:

Step 1 – Application to Trade:

63. After initial discussion with the Street Trading Manager you will be given a copy of the Council's Street Trading Conditions and Procedures. You will be expected to abide to the Conditions relating to your licence once you receive your licence.
64. After this discussion you will be expected to provide us with a simple business case which will detail where you want to trade, what you will be selling (including any market research you have undertaken), how your products will be displayed, background of previous experience (if appropriate) and an outline of your health and safety procedures (including relevant Food Safety and Hygiene practices). You will need to submit this and your completed application form prior to a licence being granted.
65. Your application to trade will be reviewed by the Street Trading Manager and one other Council Officer (either from Trading Standards, Commercial Health or Planning). You may be required to attend an interview to discuss your application further and / or to provide samples of your product.

Step 2 – Proof of Identity and Insurance:

66. Before your licence can be issued you will be required to provide the following:
 - Three full passport size photographs of yourself to be signed on the reverse by you as proof of identification;
 - A certificate of your current public liability insurance to the value of £2 million and for the period you wish to be a trader in Islington (we can advise you on how to obtain this insurance);
 - Your driving licence or passport as proof of your identity;
 - A recent (within the past 3 months) bank statement or electricity / gas bill to provide evidence of your address;

Street Trading Conditions and Procedures

- Your National Insurance Number and evidence that you have a legal right to employment in the UK. Temporary National Insurance Numbers are not acceptable;
- Evidence of your self employment status as issued by HM Revenue and Customs (self-employed is defined by HM Revenue and Customs as 'if you are in business on your own account and bear the responsibility for the success or failure of that business'); and
- Evidence of complying with the Business Names Act of 1985 (if required).

Step 3 – Temporary Trading Period:

67. Once you have complied with Steps 1 and 2 you will need to pay an administration and temporary licence fee (refer to Appendix 2 for a schedule of the fees). Please note Temporary licenses are not available at the Emirates Stadium.
68. A temporary licence and your stallcard will then be issued. This entitles you to trade for up to six months providing you trade to the satisfaction of Council.

Step 4 – Issuing a Permanent Trading Licence:

69. After six months your trading activities will be assessed and you will be required to complete the Council's Street Trading Best Practice Certificate – this is a programme of training focusing on health and safety, food safety, customer's rights, customer service, business planning and promotion. This can be done through attending a workshop or by passing a self completion test.
70. If you have traded to the satisfaction of us and received your Street Trading Certificate we will prepare a report for the Council's Licensing Regulatory Committee recommending a full licence be issued to you.

Step 5 – Full licence:

71. Once your permanent licence has been issued you will be entitled to trade for up to a maximum of three years. Monthly payments, paid in advance must be to Council via a standing order at your bank/building society, unless agreed by the Council. Cash is no longer accepted.

Licence Variation

72. Variations may be considered throughout the term of the licence such as changes of commodity. Changes to commodities are made taking into account any restrictions regarding commodities.
73. A fee is charged for each variation that is granted (refer to Appendix 2 for a list of charges) and must be paid in advance of the revised street trading licence being issued.

Renewal of Permanent Licences (excluding Arsenal)

74. Permanent licences are renewed on a three yearly cycle on 1 January. Renewal application forms are sent to all existing licensed traders usually in October along with a copy of the Standard Street trading

Street Trading Conditions and Procedures

Licence Conditions. These forms must be completed and returned in person to the Street Trading Office by the specified deadline, together with:

- Full face passport photograph of you, signed on the reverse;
 - Proof of third party public liability insurance;
 - Proof of identity and address;
 - Evidence of your self employment status as issued by HM Revenue and Customs (self-employed is defined by HM Revenue and Customs as 'if you are in business on your own account and bear the responsibility for the success or failure of that business'); and
 - Evidence of complying with the Business Names Act of 1985 (if required); and
 - If required, completion of the Street Trading Best Practice Certificate. This will be mandatory if a written complaint has been received by Council.
75. An Officers Panel will automatically grant the renewal of a licence provided there is no request for variation, breaches of the conditions or registered complaints against the trader during the term of the previous licence. In these instances the renewal may be referred to the Licensing Regulatory Committee.
76. Licences and stallcards are issued at the end of December. An administration fee (refer to Appendix 2 for the schedule of fees) must be paid for the licence to be renewed.

Renewal of Arsenal Licences

77. Renewal of Arsenal Licences follows the same procedures as for renewing a permanent licence, detailed above. The only difference is the time-frame for application. Licences for the Arsenal sites are valid only for the football season (July – end May). Renewal application forms are sent in April and new licences are issued by the end of June.

Non-renewal

78. The Council may refuse to renew a street trading licence on account of misconduct or any other sufficient reason. Before this decision is made the applicant will be given the opportunity to defend his/her right to retain their licence. In the event of the Council not renewing the licence the trader has the right of appeal to a Magistrates Court (usually Highbury Magistrates Court).

Revocation

79. The Council may at any time revoke a traders' licence on account of misconduct or any other sufficient reason. Before a licence is revoked a trader may be given the opportunity to defend his/her right to retain their licence. In the event of the Council revoking the licence the trader has the right of appeal to a Magistrates Court.
80. A street trading licence may be revoked or refused renewal for the following reasons (refer to Section 28(1)).

Street Trading Conditions and Procedures

- i. A trader may no longer be able to trade without causing undue interference or inconvenience to persons or vehicles using the street if changes have been made to the street layout since the grant or renewal of a licence.
- ii. The licence holder is selling goods or services which the Council have resolved not to allow.
- iii. The licence holder has, without reasonable explanation, failed to trade in person the required minimum number of days a week.
- iv. The licence holder due to misconduct or other sufficient reason is assessed as being unsuitable to hold a licence.
- v. The licence holder has for a period of four weeks or more failed to pay fees or charges due to the Council in connection with the street trading licence. Or has failed to pay any charges due from him/her for storage, if provided.
- vi. The licence holder has failed to provide suitable and adequate storage for the trading receptacles or any perishable goods.
- vii. The licence holder has persistently failed to securely store all trading receptacles.
- viii. The licence holder has persistently failed to comply with the conditions of the licence.

Casual Licence

81. These are offered, where available, to any suitable person wishing to trade in the London Borough of Islington. A permanent licence holder can hold a casual licence in conjunction with their permanent licence. The procedures for applying are similar to a permanent licence and are detailed below:

Step 1 – Step 3 are the same as for a permanent licence.

Step 4 – Issuing a Casual Licence:

82. A stall card will be issued to you which must be signed by you and include a full face passport photograph of you.
83. You will be invited to purchase trading vouchers. Each voucher permits you to trade under the terms and conditions stated on the voucher and must be handed to the Street Trading Officer on the day of trading. These vouchers may not be sold, lent or transferred to any other person. You must sign and collect the licence and vouchers in person from the Street Trading Office.

Notes on casual trading

84. Holders of casual licences are not entitled to a specific pitch. The Market Inspectors will allocate any available vacant pitches on the day of trading. Pitch sizes vary so you are advised to ensure your stall is no larger than the smallest 2.44m x 0.91m (8'x3') pitch.

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85. If you do not trade for a period of three consecutive months your casual licence will lapse and no further trading vouchers will be issued. Unspent vouchers returned to council within six months from date of issue will be eligible for a full refund. No refund will be given for vouchers outside of this time frame.
86. In special circumstances a casual licensee may trade from more than one vacant pitch. Pitches must be adjacent to one another and you must surrender the appropriate number of street trading vouchers to the attending market inspectors.
87. If you require a casual licence for a street market event please refer to the Council's Street Trading Events Protocol prior to applying for your licence. This is available from the Council's Website (www.islington.gov.uk) or from the Street Trading Manager.

Renewal

88. Casual licences must be renewed in the first week of January every year. The procedure for renewing a casual licence is the same as above and no committee approval is required. You must do it in person at the Council's Street Trading Office.
89. There is no right of appeal against the revocation of a temporary or a casual licence.

Commodity

90. In considering the type of commodity to be sold Council ensures the proposed product/service complements not competes with the existing retail mix of the area. The number of licences permitted reflects the Business Usage Planning Policy in that no more than 20 per cent of the stalls will be one type of commodity and there is no more than 50 per cent of takeaway food.
91. Only one commodity is permitted per licence, except where permission has been given by the Council to sell more than one. The commodity sold needs to be listed on the Council's Commodity list (refer to Appendix 3). If a particular commodity is not listed it may be possible to add a new commodity.
92. An application can be made to sell seasonal goods – these items are sold to observe certain religious festivals and may be sold provided that the items are related to the main commodity listed on the licence. Sale of these goods must not breach condition 43.

Stalls

93. The Council does not provide barrows or stalls for use in the markets (except under certain arrangement in Whitecross Street). All traders must make their own arrangements to hire or purchase their own. All barrows/receptacles must be capable of being moved at a moments notice in the event of an emergency. They must be removed from the

Street Trading Conditions and Procedures

public highway to a place of safe storage within one hour at the end of the day's trading.

94. In markets where a standard type of stall, awning and name banner is required this is expected to be adopted by the trader.

Prosecutions

95. It is an offence for a street trader to:

- i. Engage in any street trading which conflicts with the terms of the licence.
- ii. To knowingly make a false statement when applying for a street trading licence.
- iii. To resist or intentionally obstruct any authorised officer of the Council in the execution of their duties.
- iv. To physically or verbally abuse any member of the public, authorised officer of the Council or other persons coming in contact with them through the nature of their occupation.
- v. Fail on demand, without, reasonable excuse, to produce the street trading licence signed and bearing the licence holder's photograph to an authorised officer of the Council or to a police officer.

Routine Procedure

Allocation of Vacant Pitches

96. Daily allocation of the vacant pitches is undertaken in the following manner:

- i. First priority is given to existing full and temporary licensees who wish to transfer from their own pitch to another within the market, normally to improve their trading position.
- ii. Once the full licensees have completed their transfers the remaining vacant pitches are then allocated to the casual traders. Allocations are made using a points system.
- iii. Each trader of good standing receives one (1) trading point for every day they have traded. The points are totalled at the end of each full week and are added to the traders' existing points total to create a league table. The trader with the most points is given first choice of the vacant pitches that are available, with the next and so on down the list until there are no more vacant pitches to allocate. Bonus points can be earned by supporting the Council's Fair-trade principles and green initiatives (particularly packaging and rubbish). However points can be deducted for failing to support these initiatives.
- iv. Points cannot be carried over to the next year. They are valid only for one year. The point year is February to January

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inclusive. At the start of the new year, points awarded during January are used to create the league table for the next year.

97. Only traders of good standing can participate in the daily allocation of pitches.

Permanent Licensees wishing to occupy additional pitches

98. Any permanent trader is allowed to occupy the pitch next to the permanent pitch provided that the pitch is vacant after:
- i. Daily transfers have been completed and approved.
 - ii. Casual traders have been allocated.

Note: the above movements within the market will only be granted to the named licensee.

Late arrivals

99. If a licensee does not take up their trading position by the required time as stated on the licence the Street Trading Inspectors are authorised to treat the pitch as vacant and may allocate the pitch to another trader if the need arises. If a licensee arrives after the commencement time it is the discretion to the street trading officer to locate them at the most appropriate pitch (even if the licensee's pitch is available). Specific dispensation needs to be granted by the Street Trading Manager to permit late arrivals.
100. Vehicles will not be permitted to stay or enter the market 45 minutes after the commencement of trading.
101. Refer to condition 56 for designated trading times for each market.

Ownership of the Street Trading Licence

Licence is personal to the holder

102. A licence is granted only to the person named on it. It may not be transferred, assigned, sold or sub-let. Any such instances of the above may result in the revocation or non-renewal of the licence.
103. A trader may not hold more than one street trading licence unless otherwise agreed by the Council. The only exception is where licences have been granted under the London County Council (General Powers) Act 1947.

Nominated successor

104. A licence holder may at the time of application or renewal specify the name and address of a relative who is associated with, or dependent upon, the applicant's street trading business to whom he/she wishes the licence to be granted in the event of his/her death.
105. A person shall be treated as being related to another if the person is the wife, husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, grand-daughter, stepson,

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stepdaughter, brother, sister, half-brother or half-sister of the applicant. These relationships are also recognised in cases of illegitimacy or adoption.

Assistants

106. A street trader may employ a person to assist in the business. The street trader is responsible for ensuring the business is conducted at the stall and complies with the appropriate street trading legislation and street trading conditions.
107. It is expected that the licensee is at the stall for the majority of the working day and at least three days a week unless the licensee is ill, on holiday or buying stock.
108. If the licensee is ill or on holiday they may nominate their assistant to trade on their behalf during their absence provided that the assistant has first obtained a permit from the Council's street markets office.
109. This permit must be shown to the market inspectors daily or on demand whenever the assistant is trading and allows the assistant the same rights as a licensee for the term of the permit.

Transfer of licence

110. Once a licensee has reached retirement age or is forced to retire early on the grounds of ill health, an application to transfer the licence to a nominated successor can be made. This application must be made in writing to the street Market Section. The request will be considered at a meeting of the Licensing Regulatory Committee.
111. Applications can be made in writing to request transfer of licences to named persons i.e. relatives or assistants, and to move to a vacant pitch. These applications of transfer will be considered by the Licensing Regulatory Committee.
112. When the transfer application has been approved, the new licensee is liable to pay a variation fee to the Council prior to the licence being issued (refer to Appendix 2 for a list of charges). Any outstanding payments relating to the licence must be paid in full by either the existing named licensee or by the new licensee before a new licence will be issued, unless otherwise agreed by Council.

Carer's Leave

113. If a trader is unable to work as a result of providing care to a dependent, it may be possible to exempt that trader from personal trading for a maximum period of three months. The trader must apply in writing, supported by medical evidence. The Licensing Regulatory Committee considers all cases.
114. If carer's leave is granted the trader may use an assistant to run the business during their absence. In these cases the licensee is still required to pay the street trading fees. If an assistant is not used and the pitch remains vacant for the period of the carer's leave the trader may

Street Trading Conditions and Procedures

make a request in writing to the Licensing Regulatory Committee to waive the fees.

115. If the absence exceeds three months the trader must apply in writing to the Council requesting an extension to their leave of absence. The Licensing Regulatory Committee will consider the request and may request that the trader make alternative care arrangements.

Payments

Street Trading fees and charges

116. Under Section 32 of the London Local Authorities Acts 1990-2004, the Council may charge fees for the following:
- i. The granting of or renewal of a street trading licence.
 - ii. The grant of a casual/temporary licence.
 - iii. The variation of a street trading licence made at the request of a licence holder.
117. Current street trading charges are set out in Appendix 2. These are reviewed regularly by Council to ensure the administrative and other related costs incurred by Council in managing street trading are covered.

Payment of full licence fees

118. All licence fees and charges must be paid in advance.
119. Payments must be made via a standing order with a bank/building society, unless agreed otherwise by the Council. A standing order mandate form can be obtained on request from the street markets office.
120. Trader's who are four weeks or more in arrears with payments will be liable to have their licence revoked. Council will send a warning letter providing details of the outstanding payments prior to the Council taking action to revoke the licence. If a trader does not respond to the demand or pay the outstanding debt within 28 days, the matter will be reported to the Licensing Regulatory Committee.
121. Council will charge an administration fee as per Appendix 2 to follow up outstanding payments.

Payment of Temporary and Casual Licence Fees

122. Payments must be made in person to the street markets office. Temporary licence fees are payable fortnightly in advance. Casual traders must buy street trading vouchers in advance of trading.

Payment by cheque

123. The amount payable by cheque is limited to the amount shown on the cheque guarantee card required at the time of payment.
124. Where cheques are not honoured by the bank the trader may find the street trading licence revoked by Council.

Requirements of other Legislation

125. Holding a street trading licence does not exempt a trader from any other legislation, such as Acts relating to Trading Standards, Environmental Health etc (refer to Condition 6). This includes restrictions on noise such as the use of radios, CD players' etc.)
126. Traders must not cause a nuisance to other stall holders or the general public in the operation of their stall. Written complaints received by Council against a trader will be followed up in line with the enforcement conditions (Conditions 57 - 59).

Complaints

127. The Council has adopted the central and local government Concordat on Good Enforcement committing itself to following policies and procedures, which contribute to best value. Being committed to the Concordat ensures Council's Street Trading Enforcement Officers undertake their work in an equitable, practical and consistent manner to maintain a fair and safe trading environment. Council recognises that the term enforcement includes advice and education, assistance with compliance as well as licensing and formal enforcement action when required (a copy of the Enforcement Concordat is available at www.cabinet-office.gov.uk).
128. If you are dissatisfied with the enforcement action that a Street Trading Officer has taken you can make a complaint to the Street Trading Services Area Manager. Complaints should be made in writing to:
 - Dave Fordham
Service Manager – Street Trading
Environmental and Regeneration Department
The London Borough of Islington
222 Upper Street
London N1 1XR

The Council's complaints process is detailed at www.islington.gov.uk.

Council Authorised Officers

129. Assault against any employee of the Council is an offence contrary to the Criminal Justice Act 1988 and the Offences Against the Person Act 1861.
130. In addition to the statutory definition, assault can also include 'any incident in which persons are abused, threatened or assaulted in circumstances relating to their work and which constitutes an explicit or implicit threat to their safety and general wellbeing'.
131. Prosecution will be undertaken in accordance with the Criminal Procedure and Investigations Act 1996 (as amended by the Criminal Justice Act 2003) and the Attorney General's Guidelines on disclosure of evidential materials.

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132. We will comply with the Data Protection Act 1998. This includes the collection of personal data and its retention, disclosure and other processes, in particular, personal data will not be disclosed to third parties except in accordance with the provisions of the Act.

Street Trading Enforcement Officer

133. Street Trading Enforcement Officers / Market Inspectors are responsible for ensuring street trading within the Borough is implemented safely and legally. Only competent officers who have appropriate qualifications / training or experience will be authorised to take enforcement action. Officers will receive sufficient training and understanding of Street Trading in Islington and the related street trading legislation and enforcement policies to ensure a consistent approach to their work. Street Trading Managers will continually monitor the Market Inspectors through regular appraisals and reviews to ensure that their actions are always in accordance with Islington's policies.
134. Authorised officers from other council departments and the Metropolitan Police also have the power to take enforcement action when required.
135. Training and relevant updates for Street Trading Officers will be provided to ensure all authorised enforcement personnel have the skills and knowledge required to undertake their enforcement duties and to ensure all officers use a consistent approach.
136. Enforcement actions are taken in line with the Enforcement Concordat, which provides the principles for good enforcement. These are:
- Drawing up clear standards;
 - Setting out the level of service and performance the public and business can expect to receive;
 - Dealing with the public and the business in an open and honest way;
 - Providing a courteous, efficient and helpful service;
 - Responding promptly and positively to complaints about the service;
 - Ensuring that enforcement action is proportionate to the risks to the public; and
 - Carrying out duties in a fair, equitable and consistent manner.
137. A full version of the Enforcement Concordat is available from Street Market Section or by accessing the Cabinet Office's Website at www.cabinet-office.gov.uk.
138. Islington officers work to the council's Customer Care Standards⁸, which state that officers should:
- Wear and show their official identification cards;
 - Ask permission before entering any property, where applicable;
 - Clearly explain the reason for the visit;
 - Keep appointments when made or explain to the customer any reasons for being late or having to cancel meetings;

⁸ Available from Council's website www.islington.gov.uk

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- Let the trader know what follow up action they can expect and by when; and
 - Confirm all relevant information in writing.
139. In line with the Council's Dignity for All Policy⁹ all officers are to treat everyone, no matter what their age, religion, sex, disability, sexuality or ethnic background fairly and with respect. It is expected that all council staff undertake regular training on diversity and equality issues and to not use any discriminatory practices when providing services.
140. Investigations will be carried out in line with the Police and Criminal Evidence Act 1984 codes of practice and agreed procedures.
141. Guidance for officers as to when the enforcement actions are appropriate will be documented in the Council's Street Trading Enforcement Procedures. All actions taken by officers will be monitored by their manager to ensure they have acted in accordance with these conditions and procedures. Only officers authorised by the Director of Environment and Regeneration may undertake the enforcement duties highlighted in these conditions and procedures. This authorisation in accordance with the Council's scheme of delegation as set out in the London Borough of Islington's Constitution.

⁹ Copies of Dignity for all Policy is available from the Equality and Diversity Unit – 020 7527 3241.

Appendix 1: Trading Locations

Market / Pitch locations

There are three council managed street markets within the Borough: Whitecross Street Market, Chapel Market and Exmouth Market. The Council also licenses a number of pitches in the Camden Passage Market.

Chapel Market lies between Liverpool Road and Penton Street and the street trading area includes three adjacent streets; White Conduit Street, Baron Street and Godson Street (Sunday trading only). The market has 160 designated pitches. The market is open Tuesday to Sunday with Friday, Saturday and Sunday being the busiest trading days the market is located in the heart of the Angel Town Centre. The market is a conventional street market selling a mix range of fresh produce and other personal and household items

Whitecross Street Market has currently undergone extensive street improvements, once completed there will be a potential for 100 designated pitches. The Market (one of the oldest markets in London) is located between Old Street and Fortune Street in the south of the borough. The market is open 10am - 3pm, Mondays to Saturdays, and is popular at lunchtime with local office workers. Although all types of goods and foods are sold within the market it is evolving into a food destination market supported by a number of festivals and monthly markets.

Exmouth Market has 20 designated pitches with approximately seven licensed traders, plus 20 – 30 stalls operating on Friday and Saturday managed by Blooming Markets on behalf of the Exmouth Market Traders Association. This weekly food market focuses on quality, speciality and variety. The market is located between Rosebery Avenue and Farringdon Road in the south-west of the borough. The market is open Monday to Saturday, where Friday and Saturday are the busiest trading days.

Camden Passage Antique Market, Council licences a number of pitches in Camden Passage on a Wednesday and Saturday to compliment the privately operated antiques / bric-a-brac market.

Archway pitches have been temporarily designated to continue the Archway markets due to the need to relocate the market. Long term designation is subject to Committee decision.

Scattered Sites – In addition to the markets, there are scattered pitches throughout the Borough selling a variety of commodities (refer to Appendix 3 for a complete list of sites).

Arsenal Area – In addition to the scattered pitches 17 sites are designated for trading around the Emirates Stadium. Trading is restricted to match days only. Vacancies in this area seldom arise (refer to Appendix 1 for a complete list).

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Location of Scattered Sites

Street location	No of designated pitches
Axminster Road	3
Brookside Road	2
Clerkenwell Road	1
Durham Road	1
Eburne Road	2
Elthorne Road	1
Essex Road	1
Finsbury Square	1
Freeling Street	1
Greenman Street	1
Highgate Hill	1
Holloway Road	5
Islington High Street	5
Junction Road	1
Liverpool Road	1
Penton Street	1
Salterton Road	2
Storey Street	2
Tilloch Street	2
Vine Street	1

Arsenal Pitches

Street location	No of designated pitches
Aubert Park	2
Avenell Road	2
Conewood Street	1
Drayton Park	1
Elwood Street	2
Gillespie Road	1
Highbury Hill	2
Martineau Road	1
Monsell Road	2
St Thomas's Road	3



SECTION 32 OF THE LONDON LOCAL AUTHORITIES ACT 1990 (as amended)

Appendix 2: STREET TRADING CHARGES

NOTICE IS HEREBY GIVEN under Section 32 (7) of the London Local Authorities Act 1990 (as amended) that on 1st October 2008 Islington Council determined that, from Monday 6th October 2008, the fees and charges payable by licensed street traders under Section 32 of the London Local Authorities Act 1990 (as amended) shall be as detailed below:

LICENCE FEES

Chapel Market

Pitch Size	Area	Per Week
8'x 3'	A	£58.50
9'x 3'	A	£64.70
11'x 3'	B	£53.20

Daily Transfer charges

Tues – Thurs	£3.00 per day
Friday - Sat	£8.00 per day
Sun	no charge

The above transfer charges relate to transfers from Area B to Area A, or any transfer within Area A

Casual Vouchers & Additional pitch(es)

Tue - Thu	£8.00 per day/ per pitch
Friday	£13.50 per day/ per pitch
Sat-	£27.00 per day/ per pitch
Sun	£8 per day per pitch

Whitecross Street Market

Take Away Type Food

Mon – Fri	£65.00 (Subsequent pitches £55.00)
Thur – Fri	£40.00 per pitch

Other Commodities

Mon – Fri	£45.00 (Subsequent pitches £33)
Thurs – Fri	£25.00 per pitch

Casual (Not Take away type foods)

Mon – Wed	£12 per day
Thur – Fri	£15 per day

Exmouth Market

Per Pitch Per Week

Take Away Type Food	
Mon- Fri	£45.00

Other Commodities	
Mon – Fri	£31.50

Casual (No hot Food)

£12 per day

Torrens Street

£6.50 per day

Camden Passage (No longer accepting casuals)

Wed	£20
Sat	£25
Wed & Sat	£40
Fri (if approved)	£20
All 3 days (if approved)	£55

Scattered Sites

Angel Area

Kiosks	£80.00 per week
Non-Kiosk	£77.00 per week

Essex Road	
Kiosk and Non-Kiosk	£64.50 per week

Nags Head & Seven Sisters Area

Kiosk and Non-Kiosk	£77.00 per week
Archway Area	
Kiosks and Non-Kiosk	£53.00 per week

Archway Market (Additional Report agreed at Committee)

Miscellaneous Sites

£77.00 per week	
Wells Terrace	
Finsbury Square	

£53.00 per week	
St Agnes Wells	
Wallace Road	

£25.00 per week	
Pitches off Caledonian Road	
Durham Road	

(Arsenal) Emirates Stadium Area

(Effective 1st August 2008)

Stalls Selling Food

£1600.00 per annum

Stalls Selling Non Food

£1240.00 per annum

Trading from Private Land (Arsenal Area)

Stalls Selling Food

£780.00 per annum

Stalls Selling Non Food

£620.00 per annum

SHOPFRONT LICENSES

Area A £14.20 per sq. metre/per week

Area B £9.80 per sq. metre/per week

Area C £4.90 per sq. metre/per week

Trading from Private Land (other than Arsenal)

Per week

Area A £37.40

Area B £26.00

Area C £12.50

ILLEGAL TRADING

Removal and release of stall/goods

£177.50 per removal

Storage of stall and/or goods

£59.50 per day

(Maximum 30 days)

Specialist ad hoc Markets priced on application

Licence Applications

All markets and scattered pitches

Casual Registration Fee £30.00

Temporary Licence Application Fee for 6 months or less £30.00

Full Licence Application Fee 2 years or less £40.00

Full Licence Application Fee up to 3 years £50.00

Shopfront / Private Land applications

£100.00 per (New) application

£30.00 Renewal Fee

New Designations

£1000.00 Non Refundable

Licence Variations

Variation fee £70.00 per application

(Incl. transfer)

Arrears/Breach of Conditions

(Traders who fall into arrears by 4 weeks or more, or who breach licence conditions)

£25.00 per warning letter (max. 1 letter per week)

£90.00 per Committee/Officer Panel referral

Request for Printout of Account

Free up to 2 printouts per year

£10.00 for any additional

Replacement Stall Card/Licence

£5.00 per item

Electrical Cable (Chapel Market)

Cable £38.50 Non Refundable

PAT Testing £30 per year (compulsory)

Appendix 3: Street Trading – List of Commodities

Food retailing

- Fresh meat, fish and poultry
- Fruit and vegetable (to include Christmas trees, holly, ivy and mistletoe at Christmas only)
- Bread and cake
- Takeaway food
- Dairy foods
- Sweets and confectionery
- Specialised food not further defined

Clothing and soft good retailing

- Ladies wear - (excluding footwear and underwear) including shirts, blouses, shirts, knitwear, trousers, suits, dresses, jump-suits, coats, jackets, overalls, T-shirts
- Mens wear – (excluding footwear and underwear) including shirts, knitwear, trousers, suits, coats, jackets, overalls and T-shirts
- Childrens wear – (excluding footwear and underwear) including sizes 0 – 12 years old, skirts, blouses shirts, knitwear, trousers, suits, dresses, jump-suits, coats, jackets, T-shirts, school wear
- Underwear, nightwear, beachwear and clothing accessories – including knickers, tights, bras, slips, suspenders, stockings, corsets, briefs, socks, vests, boxer shorts, thermals, leg warmers, pyjamas, night-dresses dressing gowns, beach tops, sarongs, bikinis, swimsuits, swimming trunks, hats, scarves, gloves sunglasses and umbrellas
- Footwear – including all footwear worn by women, men, children or infants, e.g. shoes, boots Wellingtons, trainers, plimsolls, slippers, espadrilles, canvas shoes, etc.
- Fabric and other soft good retailing

Recreational goods retailing

- Sport and camping equipment
- Toys and games
- Newspapers, books, periodicals and stationery
- Photographic equipment
- Marine equipment
- Pet foods and accessories
- Travel and leather goods

Furniture, house ware and appliances

- Furniture
- Floor covering
- Domestic hardware and house-ware
- Domestic appliance
- Recorded audio or visual

Other personal and household good Retailing

- Pharmaceutical, cosmetic and toiletry

Street Trading Conditions and Procedures

Antique and used goods

Garden equipment

Flowers and plants including cut flowers, plants, bulbs, shrubs, trees, artificial flowers and plants, horticultural sundries e.g. pots, plant food, seeds (to include Christmas trees, holly, ivy and mistletoe at Christmas only)

Watch and jewellery

Mobile phones, telecommunications equipment and accessories

££ stall – any goods retailing for £2 or less

Appendix 4: Council Contacts

Street Trading Office

Public Protection Division
Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3830
Fax: 020 7527 3165
Email: street.trading@islington.gov.uk

Office Opening Times

Monday 9am – 1pm and 2pm – 4.30pm
Tuesday/Wednesday – Closed
Thursday 9am – 1pm and 2pm – 4.30pm
Friday 9am – 1pm and 2pm – 4.30pm
Saturday/Sunday – Closed

Temporary events licence

Licensing Service

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3047
Fax: 020 7527 3057
email: licensing@islington.gov.uk
www.islington.gov.uk/Business/Licences/TemporaryLicences

(contact required if serving or selling alcohol)

Food Safety

Environmental Health

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3816
Fax: 020 7527 3057
email: commercial.envh@islington.gov.uk

Noise Service

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3258
Fax: 020 7527 3057
Email: noise.issues@islington.gov.uk

Street Management

Islington Council
1 Cottage Road,
London,
N7 8TP

Galvani, Steve

From: Galvani, Steve
Sent: 03 March 2016 11:36
To: Heather, Gary; Shaikh, Asima
Subject: FW: Street Trading Designation Seven Sisters Road N7
Attachments: Public Notice.docx; Map with traders outline A3.pdf

Dear Councillors

As part of the consultation process to designate an area in Seven Sisters Road N7 for Street Trading purposes I have attached to this email the public notice that is being published today in the Islington Gazette. I have also attached a map to assist you.

I invite you to make any comments or observations as part of this process.

Regards

Steve Galvani
Shop Front Licensing & Enforcement Officer

Street Trading Team
Public Protection
Environment & Regeneration
London Borough of Islington
Municipal Offices
222 Upper Street
London N1 1RX

My email steve.galvani@islington.gov.uk
Alternate email street.trading@islington.gov.uk

My direct line: 020 7527 4245
Alternate Phone: 020 7527 3830

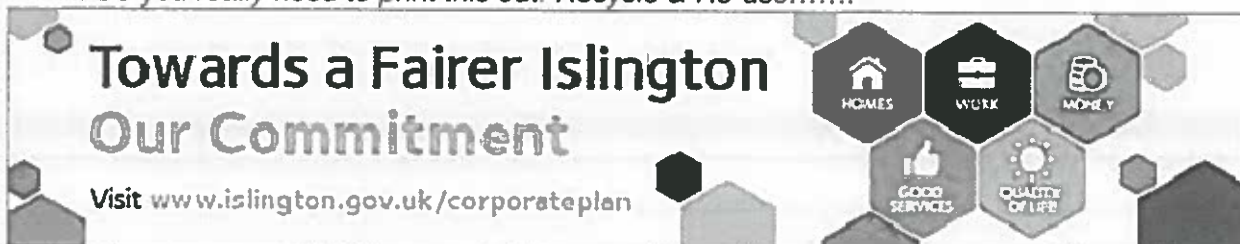
Web site: www.islington.gov.uk

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Our Commitment
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The banner features a grid of icons representing various commitment areas: HOMES (house icon), WORK (briefcase icon), MONEY (pound sign icon), GOOD SERVICES (thumbs up icon), and QUALITY OF LIFE (sun icon).

Appendix 5 B

Galvani, Steve

From: Galvani, Steve
Sent: 03 March 2016 11:04
To: Williams, Dawayne; Lucas, Barry; 'alan.davidson@tfl.gov.uk'; Hart, Jan; Dervish, Houriyeh; Fordham, David
Cc: Crawford, Jenny; Calderbank, Michael; Demetriou, Chris
Subject: Street Trading Designation Seven Sisters Road
Attachments: Public Notice.docx; Map with traders outline A3.pdf

Dear All

Attached is the public notice that is appearing in the Islington Gazette today as part of the consultation process for designating an area in front of 67-83 Seven Sisters Road N7 for Street trading purposes. I invite any comments and observations.

A separate email has been sent to local councillors and the police.

Please feel free to contact me for any further information.

Regards
Steve Galvani
Shop Front Licensing & Enforcement Officer

Street Trading Team
Public Protection
Environment & Regeneration
London Borough of Islington
Municipal Offices
222 Upper Street
London N1 1RX

My email steve.galvani@islington.gov.uk
Alternate email street.trading@islington.gov.uk

My direct line: 020 7527 4245
Alternate Phone: 020 7527 3830

Web site: www.islington.gov.uk

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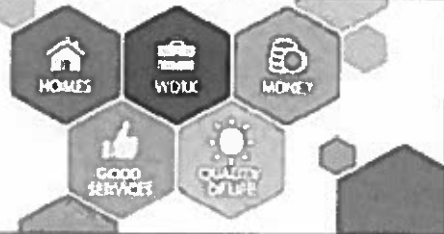
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Report of: Jan Hart - Service Director - Public Protection

Meeting of:	Date	Agenda item	Ward(s)
Licensing Regulatory Committee	June 2016		Barnsbury
Delete as appropriate	Non Exempt		

SUBJECT: VARIATION OF THE STANDARD STREET TRADING LICENCE CONDITIONS UNDER SECTION 27 – LONDON LOCAL AUTHORITIES ACT 1990 (as amended)

1. Synopsis

1.1 This report sets out the new and revised conditions to be applied to existing licences and attached to street trading licences on renewal of existing licences and on grant of new licences.

2. Recommendations

2.1 To agree the revisions and additions to the existing street trading licence conditions and procedures as outlined in **Appendix C**.

3. Background

3.1 The authority runs all street trading activities in the borough and is responsible for issuing licenses and ensuring that rules and regulations are adhered to. Such rules and regulations are governed by the London Local Authorities Act 1990 (as amended).

3.2 The current document, (**Appendix A**), entitled 'Street Trading Conditions and Procedures (markets and scattered sites)' was last revised in December 2007. These conditions combined the operational procedures with the licence conditions which made for complicated reading. It was felt that combining both items did not easily clarify to either traders or officers what were procedure guidelines and what the conditions of the licence were.

The document has been revised and split into two parts entitled: 'Procedures and Guidelines' (**Appendix B**) and the 'Standard Street Trading Conditions' (**Appendix C**)

3.3 The Committee is asked to consider the revised 'Standard Street Trading Conditions' (**Appendix C**). If approved, traders will be given a copy and asked to read this before a licence is issued.

3.4 The majority of the conditions have been rewritten to simplify or to clarify their meaning, however a number of new conditions have also been included in recognition of the increase of traders who have been licensed to sell hot foods. These are :-

- Clause 13 is included to allow the instant suspension of a licence if the activity compromises the health and safety of the public. This could be for matters such as breaches of food safety regulations or violent conduct.
- Clause 20 is included as many traders have been welding brackets and extensions higher up

their stalls to place displays that not only block out business/premises behind the stall, but make the stall unstable and unsafe, especially on windy days.

- Clause 22 is included to prevent traders from removing their equipment i.e. trailers from the market at the end of the trading day but returning it on to the pitch much before returning them back on the pitch well before setting up time.
- Clause 25 is included to deal with unlicensed advertising boards which obstruct the highway and are not contained on pitches. Traders will be encouraged to use advertise their wares in other ways so as not to clutter the area.
- Clause 27 is added to underline existing advice given to traders who use kiosks around the borough.
- Clauses 28 – 37 reinforced Electrical Safety. Detailed lists of conditions are included to cover any misuse of Council supplied electricity ports and to ensure that appliances are safe.
- Clauses 38 – 45 reinforced the need to contain refuse and to ensure that traders are not damaging the pavements/highway.
- Clauses 62- 65 are 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 are introduced to ease the administration tasks related to the sale of casual vouchers.
- Clause 45 was not in the recently publicised proposed conditions but has been included as an issue was raised at a recent meeting with representatives from Chapel market and deemed important enough not to be overlooked.

3.5 The conditions are critical in ensuring street traders' are aware of their legal obligations. Continued trader education and stronger, consistent enforcement through the use of the conditions will ensure a cleaner and safer shopping environment for all users. It is intended that the new conditions will be introduced for all new licences and any renewed licences on or after 1 January 2017. All licences issued or renewed since the 1 January 2016 will also be subject to the new conditions as stipulated in their renewal packs see **Appendix D**.

3.6 A Public Notice to advertise the proposed changes was published in a Local Newspaper **Appendix E**. A separate letter was also sent to all traders **Appendix F**. At the time of preparing this report; no objections were received from the consultation process. Some suggestions and comments were received and have been included where appropriate. These are :-

- Clause 20, the height of some displays have been a concern to officers but also raised as a concern by an existing trader – though some traders felt there was no issue
- Clause 22, Anti-Social Behaviour officers constantly report that trailers are seen in the market as early as 2am – officers are concerned that they can be vandalised and are potential fire hazards due to the equipment held inside them.
- Clause 25, recognises the need to remove unnecessary obstructions which hinder pedestrians right of way, in particular those with disabilities – this matter is often raised by Councillors and pedestrians/shoppers who face difficulties
- Clause 38 – 45 the need to contain rubbish
- Clause 28 – 37 and 66 – 70 have had considerable input by the Environmental Health team who work very closely with Street Trading to ensure the safety of street traders and the public

3.7 Council officers have met with representatives of both the larger markets to further consult and have received additional comments that are relevant to current procedures and do not require to be conditioned. These include:

- the perception that there are delays in licensing traders
- the frustration around the invoicing system
- the need to review the commodities list
- the need to get traders to take more care with presentation
- parking issues
- the way some traders are leaving the state of the street at the end of the trading day
- the licence renewal process

These representations will be considered when procedures are updated in the future.

4 Implications

4.1 Financial implications:

This is a Trading Account and if any costs resulting from the amendment to the street trading conditions will have to be met from this account. If the income target is not reached a review identifying savings within Expenditure will have to be carried out.

4.2 Legal Implications:

- Under Section 27 (Part III) of the London Local Authorities Act 1990 (as amended) the Council may make regulations prescribing standard conditions which they may attach to the licence on the occasion of its grant or renewal.
- A street trading licence is valid, unless it is revoked or surrendered, for a period of three years from the date on which it is granted, or for such shorter period as the borough Council may determine; it will specify the conditions and on any occasion of the renewal of a licence, or at 1st January in any year during the currency of the licence or at any time on application by the licence holder, the borough Council may vary the conditions.
- Before making regulations prescribing standard conditions, the borough Council shall publish notice of their intention to do so in a local paper circulating in their area and the notice shall contain a draft of the resolution to which it relates and state that representations relating to it may be made in writing to the borough Council within such period not being less than 28 days after publication as may be specified in the notice and consult the licence holders or a body or bodies representative of them.

5 Conclusion and Recommendations

- 5.1 The current street trading conditions were last reviewed in 2007. Markets have seen a lot of changes in the past 10 years with two seeing a total regeneration and rebirth. Whitecross Street and Exmouth Markets in particular have become established food haunts. Existing conditions had to be reviewed to address the very different health and safety issues related to the handling of foods and equipment. The revised standard street trading conditions provide greater clarity to traders who are issued with a street trading licence.

Appendices

Background papers:

London Local Authorities Act 1990 as amended

Street Trading Conditions 2007

Final report clearance:

Signed by:



Service Director – Public Protection

Date

4th July 2016

Received by:

Head of Democratic Services

Date

Report Author: Houriyeh Dervish
Tel: 020 7527 3046
Fax: 020 7527 3165
Email: Houriyeh.dervish@islington.gov.uk



ISLINGTON

APPENDIX A

LONDON BOROUGH OF ISLINGTON STREET TRADING CONDITIONS AND PROCEDURES (MARKETS AND SCATTERED SITES)

London Borough Islington
Street Trading
Public Protection
222 Upper Street
London
N1 1XR

P: 020 7527 3830

E: street.trading@islington.gov.uk

W: <http://www.islington.gov.uk/business/regulations/licences>

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Conditions

Introduction

1. The London Borough of Islington's vision for markets is to create a dynamic street trading and market experience that is diverse and vibrant adding value to the economic, social and cultural fabric of Islington. The recently developed Street Trading Strategy provides a number of objectives to implement to ensure the continued success of the markets.
2. All forms of street trading are controlled by a number of acts of Parliament, the principal act being the London Local Authorities Acts 1990-2004. The control of street trading is the responsibility of the local authority. Trading licences are issued under the regulations set within 'the Act'. Street Trading Officers check licences daily and unlicensed traders may be prosecuted for trading illegally.
3. A trader is responsible for the management of the licensed area governed by the conditions of the licence. The following document provides conditions applicable to all street trading licences and procedures guidelines to assist traders develop a positive market experience. This document does not cover the conditions and procedures governing trading from shop fronts or private land, this is dealt with in a separate document.

Street Trading Licence Conditions

4. These Conditions remain in force with effect from 1 January 2008 and apply to all street trading licences issued under the London Local Authorities Acts 1990-2004.

Definitions

5. The following expressions will have the following meanings assigned as determined by the Act 1990 (Part III, Section 21(1) as amended) unless otherwise stated.
 - i. **'The Act'** – the London Local Authorities Acts 1990-2007.
 - ii. **'Advertisement'** means any word, letter, model, sign, placard, board, notice, whether illuminated or not, in the nature of, and employed wholly or partly for the purpose of, advertisement, announcement or direction and includes any hoarding or similar structure or any balloon used, or adapted for the display of advertisements, and shall be construed accordingly.
 - iii. **'Assistant'** means a person employed by and acting under the directions of a trader to assist him/her about the business of the stall, and whose name and address has been notified to 'Council'.
 - iv. **'Awning'** means a sheet of canvas or other material, used as a protection against the weather, which projects as an extension of the roof beyond the structure of the stall.
 - v. The **'Council'** means the London Borough of Islington.
 - vi. **'Fixed Penalty Notice'** may be given under section 15 (fixed penalty offences) of the London Local Authorities Act 2004 (part 4)

- by an authorised officer in respect of any offence set out in schedule 2 of the Act. The officer may give that person a notice offering him the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty in accordance with Schedule 2 of the Act.
- vii. **'Goods'** means any goods, wares or merchandise for sale or stored at a stall.
 - viii. **'Licensed street trader'** means any person who is licensed for street trading under part III of the London Local Authorities Act 1994.
 - ix. **'Licensed street trading pitch'** means a pitch in any street authorised as a place at which street trading may be engaged in by a street trader, and includes any temporary alternative place approved by the Council.
 - x. **'Premises'** means a shop, house or block of flats immediately behind a licensed pitch.
 - xi. **'Receptacle'** includes a vehicle or receptacle and any basket, bag, box, vessel, stand, stall, easel, board, tray or thing which is used (whether or not constructed or adapted for such use) as a container for or the display of any article or thing or equipment used in the provision of any such service.
 - xii. **'Refuse'** includes any waste material.
 - xiii. **'Stall'** means any structure used by a trader for the display of goods, or in connection with his/her business, and includes all goods offered or to be offered for sale and any additional structure or equipment used as part of a stall business. This also includes rubbish created as a result of the business.
 - xiv. **'Stall limits'** means the authorised ground markings defining the area within which the stall is to be contained.
 - xv. **'Street trading'** shall have the meaning ascribed in Section 27 (1) of the London Local Authorities Act 1994. A licence granted under the Act and valid for the period specified therein being not less than six months and not more than three years.
 - xvi. **'Specified proportion'** means such proportion, applicable in all cases, as may be determined for the purposes of this section by the borough councils acting through the joint committee
 - xvii. **'Temporary licence'** means a licence granted under the Act valid for a single day or for such period as may be specified in the Licence not exceeding six months.
 - xviii. **'Temporary licensee'** means a licence holder who is on a six month probationary period.
 - xix. **'Us'** and **'we'** mean the London Borough of Islington's Street Trading Section.
 - xx. **'You'** means the trader or person named as the holder of this licence authorising street trading from a licensed pitch. Where a licence is held in more than one name, 'you' means each person named and applies to each person both individually and collectively. 'Your' shall be read in this context.
 - xxi. **'Your pitch'** means the pitch(es) identified in this licence.

Licence compliance

6. The business activity of the stall shall be undertaken in compliance with other legislation enforced by the Council or other Agencies, e.g. Health and Safety, Food Safety, Trading Standards, Fire Prevention and Highways Regulations.
7. The licence is the approval to trade under the Act. It does not constitute any other approval that a trader might need, under bye-laws, regulations or other enactments.
8. Council may vary the conditions of this licence or attach additional conditions at any time.
9. Where Council provides its approval under this licence, it may attach any conditions or restrictions that are deemed reasonably appropriate.
10. If you wish to vary any of the licence terms or conditions you must make it in writing to Council.

Use of this Licence

11. This licence is for your sole use. You may not assign it to anyone else. You shall produce your licence, which must be carried at all times when trading, if requested by an authorised officer of the Council or Police Officer.
12. You must at all times display a display card supplied by the Council, indicating the licence and pitch number, name and photograph of licensee, location and size of pitch, market and commodities sold.
13. The display card must be kept and permanently exhibited on the stall whilst trading is taking place.
14. Trading may only take place on the days and during the times specified on the licence.
15. If alcoholic drinks are consumed or sold at a licensed site, you will need to be able to produce when requested the appropriate Licences to an authorised officer of the Council or the Police.
16. Naming and displaying your business name must comply with the Business Names Act of 1985.

Stall Requirements

17. You shall only trade from the location which is indicated on your licence.
18. The trading area shall not be larger than the size stated on your licence and any stall limits marked on the ground.
19. You shall only use those receptacles stated on your licence which have been approved by us. All goods and containers (except refuse containers used for waste) or other articles need to be contained within the licensed pitch area and not extend outside.
20. The stall needs to be easily and immediately removed in the case of an emergency. You or your assistant must remove the stall and goods for

Street Trading Conditions and Procedures

as long as required in the event of an emergency, or when requested by an authorised officer of the Council or Police Officer.

21. The roof, awning, any supports or suspended goods are required to be at least 2.6m (8'6") above the ground and contained within the pitch area, unless agreed to by us.
22. The stall and goods are to be removed from your pitch to your nominated storage area, as stated on the application form or agreed in writing by us, **within one hour of the cessation of the day's trading** (i.e. the time shown on your licence to end trading for that day),
23. Stalls not removed at the cessation of trading may be removed by us to a place of storage. We will have the right to recover from you any costs incurred by us in removing and storing your stall.
24. Stalls or accessories must not damage the carriageway or footway.
25. No advertisement shall be displayed on your pitch which relates to any goods, commodities or services apart from those being offered for sale from your pitch.
26. The design and appearance of the stall and display will require the written approval from the Council in advance of the licence being granted. The design of the stall that is approved shall be so maintained thereafter.
27. The operation of your stall must not cause a nuisance to other traders or the general public.

Electrical requirements

28. All electrical power supplies will require approval by us prior to installation. All electrical wiring and components shall comply with the basic London Electricity Board specification and be earthed and insulated accordingly. Electrical power shall only be used for the purpose of lighting and the operation of electrical scales and tills, or other agreed services.
29. You will be held liable for any damage to any electrical installation provided by Council if it is shown that the damage was caused by your actions or neglect.
30. You may only run electric cables for lighting or other agreed services between your stall and other stalls or premises. Any electrical connections shall be easily detached and the detailed arrangements agreed with us. Electrical cables hung over the public highway will require a minimum clearance of 2.6m (8'6") from the footway surface and 5.6m (18'6") from the carriageway surface.
31. Heaters or heating equipment (e.g. braziers) must be located in the trading area to ensure the safety of the public. The position of the heaters in relation to other goods or materials must be agreed to by us.
32. If using a mobile electrical generator they must be positioned so that:
 - i. they are not a danger to the passing public;
 - ii. they are not a fire hazard to the stall or goods;

Street Trading Conditions and Procedures

- iii. they do not create a noise of fume nuisance; and
- iv. the inflammable fuel is stored away from the stall in London Fire Brigade approved containers.

Refuse

33. You are responsible for all refuse arising as a result of your activities. All material is to be placed in a covered container provided by you (unless provided by us or an approved agent of us) exclusively for refuse collection. These containers are to be kept clean.
34. Refuse containers are to be emptied whenever possible into any vehicle, container or compactor provided by us for that purpose.
35. In keeping with the Council's environmental sustainable initiatives you are to support the following practices where practical:
 - i. Keep packaging of goods to a minimum or use recycled packaging where possible;
 - ii. Keep the use of non-recyclable carrier bags to a minimum;
 - iii. Compost food waste in line with the Council's policy of composting;
 - iv. Recycle all refuse where appropriate in line with Council's policy.

Product

36. You must be aware of the relevant legislation relating to your goods, commodity or service. You will be required to complete the Council's Street Trading Best Practice Certificate within six months of a licence being issued or renewed.
37. In line with the Trade Description Act 1968 you are not to make any statements about the goods, commodity or service offered for sale which is false or misleading.
38. Only the goods specified on the licence may be sold on your pitch.
39. If you are selling food you will need to comply with the requirements of the Food Hygiene (Market, Stalls and Delivery Vehicles) Regulations 1966 (as amended).
40. All goods or commodities sold by weight or number shall indicate the unit of quantity in which they are being offered for sale. Metric measurements are to be used for all weights and measures, imperial measurements may only be used for supplementary information. If you offer a service you need to make clear the nature and cost of that service.
41. You are licensed to have only one class of commodity (e.g. fruit and vegetables, or clothing, or haberdashery and compatible commodities).
42. You must notify us immediately, in writing, of any change of address or addresses at which the stall and perishable goods are stored.
43. You must not sell or distribute political or religious material designed to incite hatred, weapons and explosives, any pornographic material, illegal

Street Trading Conditions and Procedures

substances or counterfeit goods. Failure to comply with this condition will result in the immediate seizure of all goods and may result in revocation of your licence and prosecution.

Terms of Operation

Attendance

44. You shall be in personal attendance on your pitch for the majority (at least 50 per cent) of the working day, apart from absences for illness or holidays.
45. You must attend and trade for a minimum of three days each week.
46. You may **NOT** enter the market with a vehicle to remove your goods or stall until the end of the official market trading day or at a time agreed to in writing by us.

Trader information

47. When applying for your street trading licence you must provide three full face passport size photographs. One of the photographs will be attached to the licence and must be carried by you at all times whilst trading is taking place. The second photograph will be retained for official use. The third photograph will form part of the stallcard.
48. You must give all reasonable assistance to an authorised officer of the Council carrying out their duties.
49. You must notify us, in writing, the names and change of addresses of any assistant(s) employed by you to operate the stall.
50. You will need to provide evidence of kinship where a licence is to be transferred on that basis.
51. You must have a minimum of £2 million third party insurance.
52. You must pay your weekly licence fees by standing order with your bank/building society and must maintain these payments throughout the term of the licence, unless otherwise agreed by us. Payment by cash is no longer accepted.

Customer Service

53. Under the provisions of the Consumer Protection Act 1987 you shall not mislead the public about their legal rights, either verbally or by displaying incorrect signs (e.g. no goods exchanged, no refunds given).
54. You must ensure that you and your staff are competent, courteous and helpful and ensure all members of the general public are treated fairly and with courtesy. The Council does not tolerate abuse of any sort. Any complaints of serious abuse of any nature against Council officers, other street traders or members of the public may be regarded as grounds for revocation of a street trading licence.

Market Trading

55. You are to be in position, goods displayed and contained with the pitch, to commence trading from your stall by no later than the commencement times listed below. If your pitch is not utilised by you at commencement of trading we may re-let the pitch for the day.
56. Hours of commencement and cessation may be varied, in individual cases with prior written consent by us.

Market/area¹	Days of trading	Commencement of trading	Cessation of trading
Chapel ²	Tuesday to Sunday	9am Tuesday to Saturday 8.30am Sunday	6pm Tuesday to Saturday 4pm Sunday
Whitecross	Monday to Saturday	10am Monday to Saturday ³	5pm Monday to Saturday
Exmouth	Monday to Saturday	9am Monday to Saturday	6pm Monday to Saturday
Camden Passage	Wednesday and Saturday	7am Wednesday and Saturday	3pm Wednesday and Saturday
Camden Walk	Sunday		
Archway	A private market until September 2007 – future location and designation subject to Licensing Regulatory Committee decision.		
Torrens Street	The area is designated for street trading on a Sunday but currently no trading is carried out.		
Scattered sites ⁴	Monday to Saturday	9am Monday to Sunday (unless otherwise stated)	6pm Monday to Sunday (unless otherwise stated)
Arsenal Area	First Team and International Matches	Two hours prior to start of match	One hour after cessation of match

Enforcement

57. If you are found to be in breach of your licence or any of these conditions follow up action will be undertaken by an authorised officer of the Council (Street Trading Officer) or Police Officer.
58. We implement a number of different enforcement actions they are:
- i. If you are unclear or are in initial breach of your licence or the offence is considered minor then the Street Trading Officer will provide face to face advice and guidance about your street trading responsibilities followed up by a letter of advice. Continued breach of your conditions will result in the issue of a formal warning

¹ Details of each trading location can be found at 1.

² Includes White Conduit, Godson and Baron Streets.

³ Stalls shall not be put out prior to 8.00am on any day.

⁴ Excluding newspaper stands

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- ii. If you continue to commit an offence and refuse to take action to remedy the offence a fixed penalty notice (FPN) will be served. (Offences listed in Schedule 2 of the London Local Authorities Act 2004 can be served by a FPN). If you pay the penalty within the prescribed timeframe you will avoid prosecution.
 - iii. A discount will be available for FPNs paid within 14 days from the date the notice was served. (This percentage is to be determined by the London Councils acting through the joint committee). A FPN must be paid within 28 days of the notice being served. If the FPN is not paid the case will be considered for prosecution in the Magistrate's Court.
 - iv. Notices stating the nature of the offence will be issued by the Street Trading area of Council.
 - v. The decision to prosecute will be made in line with the Code for Crown Prosecutors⁵. This document details the public interest and evidential considerations when bringing proceedings. Islington Council's Legal Services will initiate proceedings on Councils' behalf.
 - vi. All enforcement decisions and actions are made with due regard to the provisions of⁶:
 - The Human Rights Act 1998
 - The Crime and Disorder Act 1998
 - Police and Criminal Evidence Act 1984
 - Criminal Procedure and Investigations Act 1996
 - Regulation of Investigatory Powers Act 2000
 - Freedom of Information Act 2000
 - Disability Discrimination Act 2005
 - Equal rights and anti-discrimination legislation.
 - vii. Enforcement by the Council's officers will be undertaken in line with the Enforcement Concordat⁷.
59. Serious breaches or recurring breaches of the conditions may result in you being prosecuted for the infringement of the street trading licence conditions. Persistent breaches of the conditions may be reported to the Licensing Regulatory Committee and may lead to a revocation of your licence.

⁵ Code of Crown Prosecutions available from http://www.cps.gov.uk/victims_witnesses/code.html or on p: 020 7796 8000.

⁶ If it is in the public interest and appropriate, information concerning non-compliance will be shared with other enforcement agencies. Where this takes place, we will ensure that the Data Protection Act 1998 and Human Rights Act 1998 are observed.

⁷ Enforcement Concordat is available at www.cabinet-office.gov.uk

Islington Street Trading Procedures

Application Process

60. You are strongly advised to make an appointment to talk to Islington's Market Manager prior to applying for a street trading licence – contact details at Appendix 1.
61. There are two types of street trading licences, permanent and casual. The choice of licence is dependent on your requirements and location for trading.

Permanent Licence

62. These are offered, where available, to any suitable person wishing to trade in the London Borough of Islington. The procedures for applying is detailed below:

Step 1 – Application to Trade:

63. After initial discussion with the Street Trading Manager you will be given a copy of the Council's Street Trading Conditions and Procedures. You will be expected to abide to the Conditions relating to your licence once you receive your licence.
64. After this discussion you will be expected to provide us with a simple business case which will detail where you want to trade, what you will be selling (including any market research you have undertaken), how your products will be displayed, background of previous experience (if appropriate) and an outline of your health and safety procedures (including relevant Food Safety and Hygiene practices). You will need to submit this and your completed application form prior to a licence being granted.
65. Your application to trade will be reviewed by the Street Trading Manager and one other Council Officer (either from Trading Standards, Commercial Health or Planning). You may be required to attend an interview to discuss your application further and / or to provide samples of your product.

Step 2 – Proof of Identity and Insurance:

66. Before your licence can be issued you will be required to provide the following:
 - Three full passport size photographs of yourself to be signed on the reverse by you as proof of identification;
 - A certificate of your current public liability insurance to the value of £2 million and for the period you wish to be a trader in Islington (we can advise you on how to obtain this insurance);
 - Your driving licence or passport as proof of your identity;
 - A recent (within the past 3 months) bank statement or electricity / gas bill to provide evidence of your address;

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- Your National Insurance Number and evidence that you have a legal right to employment in the UK. Temporary National Insurance Numbers are not acceptable;
- Evidence of your self employment status as issued by HM Revenue and Customs (self-employed is defined by HM Revenue and Customs as 'if you are in business on your own account and bear the responsibility for the success or failure of that business'); and
- Evidence of complying with the Business Names Act of 1985 (if required).

Step 3 – Temporary Trading Period:

67. Once you have complied with Steps 1 and 2 you will need to pay an administration and temporary licence fee (refer to Appendix 2 for a schedule of the fees). Please note Temporary licenses are not available at the Emirates Stadium.
68. A temporary licence and your stallcard will then be issued. This entitles you to trade for up to six months providing you trade to the satisfaction of Council.

Step 4 – Issuing a Permanent Trading Licence:

69. After six months your trading activities will be assessed and you will be required to complete the Council's Street Trading Best Practice Certificate – this is a programme of training focusing on health and safety, food safety, customer's rights, customer service, business planning and promotion. This can be done through attending a workshop or by passing a self completion test.
70. If you have traded to the satisfaction of us and received your Street Trading Certificate we will prepare a report for the Council's Licensing Regulatory Committee recommending a full licence be issued to you.

Step 5 – Full licence:

71. Once your permanent licence has been issued you will be entitled to trade for up to a maximum of three years. Monthly payments, paid in advance must be to Council via a standing order at your bank/building society, unless agreed by the Council. Cash is no longer accepted.

Licence Variation

72. Variations may be considered throughout the term of the licence such as changes of commodity. Changes to commodities are made taking into account any restrictions regarding commodities.
73. A fee is charged for each variation that is granted (refer to Appendix 2 for a list of charges) and must be paid in advance of the revised street trading licence being issued.

Renewal of Permanent Licences (excluding Arsenal)

74. Permanent licences are renewed on a three yearly cycle on 1 January. Renewal application forms are sent to all existing licensed traders usually in October along with a copy of the Standard Street trading

Street Trading Conditions and Procedures

Licence Conditions. These forms must be completed and returned in person to the Street Trading Office by the specified deadline, together with:

- Full face passport photograph of you, signed on the reverse;
 - Proof of third party public liability insurance;
 - Proof of identity and address;
 - Evidence of your self employment status as issued by HM Revenue and Customs (self-employed is defined by HM Revenue and Customs as 'if you are in business on your own account and bear the responsibility for the success or failure of that business'); and
 - Evidence of complying with the Business Names Act of 1985 (if required); and
 - If required, completion of the Street Trading Best Practice Certificate. This will be mandatory if a written complaint has been received by Council.
75. An Officers Panel will automatically grant the renewal of a licence provided there is no request for variation, breaches of the conditions or registered complaints against the trader during the term of the previous licence. In these instances the renewal may be referred to the Licensing Regulatory Committee.
76. Licences and stallcards are issued at the end of December. An administration fee (refer to Appendix 2 for the schedule of fees) must be paid for the licence to be renewed.

Renewal of Arsenal Licences

77. Renewal of Arsenal Licences follows the same procedures as for renewing a permanent licence, detailed above. The only difference is the time-frame for application. Licences for the Arsenal sites are valid only for the football season (July – end May). Renewal application forms are sent in April and new licences are issued by the end of June.

Non-renewal

78. The Council may refuse to renew a street trading licence on account of misconduct or any other sufficient reason. Before this decision is made the applicant will be given the opportunity to defend his/her right to retain their licence. In the event of the Council not renewing the licence the trader has the right of appeal to a Magistrates Court (usually Highbury Magistrates Court).

Revocation

79. The Council may at any time revoke a traders' licence on account of misconduct or any other sufficient reason. Before a licence is revoked a trader may be given the opportunity to defend his/her right to retain their licence. In the event of the Council revoking the licence the trader has the right of appeal to a Magistrates Court.
80. A street trading licence may be revoked or refused renewal for the following reasons (refer to Section 28(1)).

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- i. A trader may no longer be able to trade without causing undue interference or inconvenience to persons or vehicles using the street if changes have been made to the street layout since the grant or renewal of a licence.
- ii. The licence holder is selling goods or services which the Council have resolved not to allow.
- iii. The licence holder has, without reasonable explanation, failed to trade in person the required minimum number of days a week.
- iv. The licence holder due to misconduct or other sufficient reason is assessed as being unsuitable to hold a licence.
- v. The licence holder has for a period of four weeks or more failed to pay fees or charges due to the Council in connection with the street trading licence. Or has failed to pay any charges due from him/her for storage, if provided.
- vi. The licence holder has failed to provide suitable and adequate storage for the trading receptacles or any perishable goods.
- vii. The licence holder has persistently failed to securely store all trading receptacles.
- viii. The licence holder has persistently failed to comply with the conditions of the licence.

Casual Licence

81. These are offered, where available, to any suitable person wishing to trade in the London Borough of Islington. A permanent licence holder can hold a casual licence in conjunction with their permanent licence. The procedures for applying are similar to a permanent licence and are detailed below:

Step 1 – Step 3 are the same as for a permanent licence.

Step 4 – Issuing a Casual Licence:

82. A stall card will be issued to you which must be signed by you and include a full face passport photograph of you.
83. You will be invited to purchase trading vouchers. Each voucher permits you to trade under the terms and conditions stated on the voucher and must be handed to the Street Trading Officer on the day of trading. These vouchers may not be sold, lent or transferred to any other person. You must sign and collect the licence and vouchers in person from the Street Trading Office.

Notes on casual trading

84. Holders of casual licences are not entitled to a specific pitch. The Market Inspectors will allocate any available vacant pitches on the day of trading. Pitch sizes vary so you are advised to ensure your stall is no larger than the smallest 2.44m x 0.91m (8'x3') pitch.

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85. If you do not trade for a period of three consecutive months your casual licence will lapse and no further trading vouchers will be issued. Unspent vouchers returned to council within six months from date of issue will be eligible for a full refund. No refund will be given for vouchers outside of this time frame.
86. In special circumstances a casual licensee may trade from more than one vacant pitch. Pitches must be adjacent to one another and you must surrender the appropriate number of street trading vouchers to the attending market inspectors.
87. If you require a casual licence for a street market event please refer to the Council's Street Trading Events Protocol prior to applying for your licence. This is available from the Council's Website (www.islington.gov.uk) or from the Street Trading Manager.

Renewal

88. Casual licences must be renewed in the first week of January every year. The procedure for renewing a casual licence is the same as above and no committee approval is required. You must do it in person at the Council's Street Trading Office.
89. There is no right of appeal against the revocation of a temporary or a casual licence.

Commodity

90. In considering the type of commodity to be sold Council ensures the proposed product/service complements not competes with the existing retail mix of the area. The number of licences permitted reflects the Business Usage Planning Policy in that no more than 20 per cent of the stalls will be one type of commodity and there is no more than 50 per cent of takeaway food.
91. Only one commodity is permitted per licence, except where permission has been given by the Council to sell more than one. The commodity sold needs to be listed on the Council's Commodity list (refer to Appendix 3). If a particular commodity is not listed it may be possible to add a new commodity.
92. An application can be made to sell seasonal goods – these items are sold to observe certain religious festivals and may be sold provided that the items are related to the main commodity listed on the licence. Sale of these goods must not breach condition 43.

Stalls

93. The Council does not provide barrows or stalls for use in the markets (except under certain arrangement in Whitecross Street). All traders must make their own arrangements to hire or purchase their own. All barrows/receptacles must be capable of being moved at a moments notice in the event of an emergency. They must be removed from the

Street Trading Conditions and Procedures

public highway to a place of safe storage within one hour at the end of the day's trading.

94. In markets where a standard type of stall, awning and name banner is required this is expected to be adopted by the trader.

Prosecutions

95. It is an offence for a street trader to:
- i. Engage in any street trading which conflicts with the terms of the licence.
 - ii. To knowingly make a false statement when applying for a street trading licence.
 - iii. To resist or intentionally obstruct any authorised officer of the Council in the execution of their duties.
 - iv. To physically or verbally abuse any member of the public, authorised officer of the Council or other persons coming in contact with them through the nature of their occupation.
 - v. Fail on demand, without, reasonable excuse, to produce the street trading licence signed and bearing the licence holder's photograph to an authorised officer of the Council or to a police officer.

Routine Procedure

Allocation of Vacant Pitches

96. Daily allocation of the vacant pitches is undertaken in the following manner:
- i. First priority is given to existing full and temporary licensees who wish to transfer from their own pitch to another within the market, normally to improve their trading position.
 - ii. Once the full licensees have completed their transfers the remaining vacant pitches are then allocated to the casual traders. Allocations are made using a points system.
 - iii. Each trader of good standing receives one (1) trading point for every day they have traded. The points are totalled at the end of each full week and are added to the traders' existing points total to create a league table. The trader with the most points is given first choice of the vacant pitches that are available, with the next and so on down the list until there are no more vacant pitches to allocate. Bonus points can be earned by supporting the Council's Fair-trade principles and green initiatives (particularly packaging and rubbish). However points can be deducted for failing to support these initiatives.
 - iv. Points cannot be carried over to the next year. They are valid only for one year. The point year is February to January

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inclusive. At the start of the new year, points awarded during January are used to create the league table for the next year.

97. Only traders of good standing can participate in the daily allocation of pitches.

Permanent Licensees wishing to occupy additional pitches

98. Any permanent trader is allowed to occupy the pitch next to the permanent pitch provided that the pitch is vacant after:
- i. Daily transfers have been completed and approved.
 - ii. Casual traders have been allocated.

Note: the above movements within the market will only be granted to the named licensee.

Late arrivals

99. If a licensee does not take up their trading position by the required time as stated on the licence the Street Trading Inspectors are authorised to treat the pitch as vacant and may allocate the pitch to another trader if the need arises. If a licensee arrives after the commencement time it is the discretion to the street trading officer to locate them at the most appropriate pitch (even if the licensee's pitch is available). Specific dispensation needs to be granted by the Street Trading Manager to permit late arrivals.
100. Vehicles will not be permitted to stay or enter the market 45 minutes after the commencement of trading.
101. Refer to condition 56 for designated trading times for each market.

Ownership of the Street Trading Licence

Licence is personal to the holder

102. A licence is granted only to the person named on it. It may not be transferred, assigned, sold or sub-let. Any such instances of the above may result in the revocation or non-renewal of the licence.
103. A trader may not hold more than one street trading licence unless otherwise agreed by the Council. The only exception is where licences have been granted under the London County Council (General Powers) Act 1947.

Nominated successor

104. A licence holder may at the time of application or renewal specify the name and address of a relative who is associated with, or dependent upon, the applicant's street trading business to whom he/she wishes the licence to be granted in the event of his/her death.
105. A person shall be treated as being related to another if the person is the wife, husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, grand-daughter, stepson,

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stepdaughter, brother, sister, half-brother or half-sister of the applicant. These relationships are also recognised in cases of illegitimacy or adoption.

Assistants

106. A street trader may employ a person to assist in the business. The street trader is responsible for ensuring the business is conducted at the stall and complies with the appropriate street trading legislation and street trading conditions.
107. It is expected that the licensee is at the stall for the majority of the working day and at least three days a week unless the licensee is ill, on holiday or buying stock.
108. If the licensee is ill or on holiday they may nominate their assistant to trade on their behalf during their absence provided that the assistant has first obtained a permit from the Council's street markets office.
109. This permit must be shown to the market inspectors daily or on demand whenever the assistant is trading and allows the assistant the same rights as a licensee for the term of the permit.

Transfer of licence

110. Once a licensee has reached retirement age or is forced to retire early on the grounds of ill health, an application to transfer the licence to a nominated successor can be made. This application must be made in writing to the street Market Section. The request will be considered at a meeting of the Licensing Regulatory Committee.
111. Applications can be made in writing to request transfer of licences to named persons i.e. relatives or assistants, and to move to a vacant pitch. These applications of transfer will be considered by the Licensing Regulatory Committee.
112. When the transfer application has been approved, the new licensee is liable to pay a variation fee to the Council prior to the licence being issued (refer to Appendix 2 for a list of charges). Any outstanding payments relating to the licence must be paid in full by either the existing named licensee or by the new licensee before a new licence will be issued, unless otherwise agreed by Council.

Carer's Leave

113. If a trader is unable to work as a result of providing care to a dependent, it may be possible to exempt that trader from personal trading for a maximum period of three months. The trader must apply in writing, supported by medical evidence. The Licensing Regulatory Committee considers all cases.
114. If carer's leave is granted the trader may use an assistant to run the business during their absence. In these cases the licensee is still required to pay the street trading fees. If an assistant is not used and the pitch remains vacant for the period of the carer's leave the trader may

Street Trading Conditions and Procedures

make a request in writing to the Licensing Regulatory Committee to waive the fees.

115. If the absence exceeds three months the trader must apply in writing to the Council requesting an extension to their leave of absence. The Licensing Regulatory Committee will consider the request and may request that the trader make alternative care arrangements.

Payments

Street Trading fees and charges

116. Under Section 32 of the London Local Authorities Acts 1990-2004, the Council may charge fees for the following:
- i. The granting of or renewal of a street trading licence.
 - ii. The grant of a casual/temporary licence.
 - iii. The variation of a street trading licence made at the request of a licence holder.
117. Current street trading charges are set out in Appendix 2. These are reviewed regularly by Council to ensure the administrative and other related costs incurred by Council in managing street trading are covered.

Payment of full licence fees

118. All licence fees and charges must be paid in advance.
119. Payments must be made via a standing order with a bank/building society, unless agreed otherwise by the Council. A standing order mandate form can be obtained on request from the street markets office.
120. Trader's who are four weeks or more in arrears with payments will be liable to have their licence revoked. Council will send a warning letter providing details of the outstanding payments prior to the Council taking action to revoke the licence. If a trader does not respond to the demand or pay the outstanding debt within 28 days, the matter will be reported to the Licensing Regulatory Committee.
121. Council will charge an administration fee as per Appendix 2 to follow up outstanding payments.

Payment of Temporary and Casual Licence Fees

122. Payments must be made in person to the street markets office. Temporary licence fees are payable fortnightly in advance. Casual traders must buy street trading vouchers in advance of trading.

Payment by cheque

123. The amount payable by cheque is limited to the amount shown on the cheque guarantee card required at the time of payment.
124. Where cheques are not honoured by the bank the trader may find the street trading licence revoked by Council.

Requirements of other Legislation

125. Holding a street trading licence does not exempt a trader from any other legislation, such as Acts relating to Trading Standards, Environmental Health etc (refer to Condition 6). This includes restrictions on noise such as the use of radios, CD players' etc.)
126. Traders must not cause a nuisance to other stall holders or the general public in the operation of their stall. Written complaints received by Council against a trader will be followed up in line with the enforcement conditions (Conditions 57 - 59).

Complaints

127. The Council has adopted the central and local government Concordat on Good Enforcement committing itself to following policies and procedures, which contribute to best value. Being committed to the Concordat ensures Council's Street Trading Enforcement Officers undertake their work in an equitable, practical and consistent manner to maintain a fair and safe trading environment. Council recognises that the term enforcement includes advice and education, assistance with compliance as well as licensing and formal enforcement action when required (a copy of the Enforcement Concordat is available at www.cabinet-office.gov.uk).
128. If you are dissatisfied with the enforcement action that a Street Trading Officer has taken you can make a complaint to the Street Trading Services Area Manager. Complaints should be made in writing to:
 - Dave Fordham
Service Manager – Street Trading
Environmental and Regeneration Department
The London Borough of Islington
222 Upper Street
London N1 1XR

The Council's complaints process is detailed at www.islington.gov.uk.

Council Authorised Officers

129. Assault against any employee of the Council is an offence contrary to the Criminal Justice Act 1988 and the Offences Against the Person Act 1861.
130. In addition to the statutory definition, assault can also include 'any incident in which persons are abused, threatened or assaulted in circumstances relating to their work and which constitutes an explicit or implicit threat to their safety and general wellbeing'.
131. Prosecution will be undertaken in accordance with the Criminal Procedure and Investigations Act 1996 (as amended by the Criminal Justice Act 2003) and the Attorney General's Guidelines on disclosure of evidential materials.

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132. We will comply with the Data Protection Act 1998. This includes the collection of personal data and its retention, disclosure and other processes, in particular, personal data will not be disclosed to third parties except in accordance with the provisions of the Act.

Street Trading Enforcement Officer

133. Street Trading Enforcement Officers / Market Inspectors are responsible for ensuring street trading within the Borough is implemented safely and legally. Only competent officers who have appropriate qualifications / training or experience will be authorised to take enforcement action. Officers will receive sufficient training and understanding of Street Trading in Islington and the related street trading legislation and enforcement policies to ensure a consistent approach to their work. Street Trading Managers will continually monitor the Market Inspectors through regular appraisals and reviews to ensure that their actions are always in accordance with Islington's policies.

134. Authorised officers from other council departments and the Metropolitan Police also have the power to take enforcement action when required.

135. Training and relevant updates for Street Trading Officers will be provided to ensure all authorised enforcement personnel have the skills and knowledge required to undertake their enforcement duties and to ensure all officers use a consistent approach.

136. Enforcement actions are taken in line with the Enforcement Concordat, which provides the principles for good enforcement. These are:

- Drawing up clear standards;
- Setting out the level of service and performance the public and business can expect to receive;
- Dealing with the public and the business in an open and honest way;
- Providing a courteous, efficient and helpful service;
- Responding promptly and positively to complaints about the service;
- Ensuring that enforcement action is proportionate to the risks to the public; and
- Carrying out duties in a fair, equitable and consistent manner.

137. A full version of the Enforcement Concordat is available from Street Market Section or by accessing the Cabinet Office's Website at www.cabinet-office.gov.uk.

138. Islington officers work to the council's Customer Care Standards⁸, which state that officers should:

- Wear and show their official identification cards;
- Ask permission before entering any property, where applicable;
- Clearly explain the reason for the visit;
- Keep appointments when made or explain to the customer any reasons for being late or having to cancel meetings;

⁸ Available from Council's website www.islington.gov.uk

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- Let the trader know what follow up action they can expect and by when; and
 - Confirm all relevant information in writing.
139. In line with the Council's Dignity for All Policy⁹ all officers are to treat everyone, no matter what their age, religion, sex, disability, sexuality or ethnic background fairly and with respect. It is expected that all council staff undertake regular training on diversity and equality issues and to not use any discriminatory practices when providing services.
140. Investigations will be carried out in line with the Police and Criminal Evidence Act 1984 codes of practice and agreed procedures.
141. Guidance for officers as to when the enforcement actions are appropriate will be documented in the Council's Street Trading Enforcement Procedures. All actions taken by officers will be monitored by their manager to ensure they have acted in accordance with these conditions and procedures. Only officers authorised by the Director of Environment and Regeneration may undertake the enforcement duties highlighted in these conditions and procedures. This authorisation in accordance with the Council's scheme of delegation as set out in the London Borough of Islington's Constitution.

⁹ Copies of Dignity for all Policy is available from the Equality and Diversity Unit – 020 7527 3241.

Appendix 1: Trading Locations

Market / Pitch locations

There are three council managed street markets within the Borough: Whitecross Street Market, Chapel Market and Exmouth Market. The Council also licenses a number of pitches in the Camden Passage Market.

Chapel Market lies between Liverpool Road and Penton Street and the street trading area includes three adjacent streets; White Conduit Street, Baron Street and Godson Street (Sunday trading only). The market has 160 designated pitches. The market is open Tuesday to Sunday with Friday, Saturday and Sunday being the busiest trading days the market is located in the heart of the Angel Town Centre. The market is a conventional street market selling a mix range of fresh produce and other personal and household items

Whitecross Street Market has currently undergone extensive street improvements, once completed there will be a potential for 100 designated pitches. The Market (one of the oldest markets in London) is located between Old Street and Fortune Street in the south of the borough. The market is open 10am - 3pm, Mondays to Saturdays, and is popular at lunchtime with local office workers. Although all types of goods and foods are sold within the market it is evolving into a food destination market supported by a number of festivals and monthly markets.

Exmouth Market has 20 designated pitches with approximately seven licensed traders, plus 20 – 30 stalls operating on Friday and Saturday managed by Blooming Markets on behalf of the Exmouth Market Traders Association. This weekly food market focuses on quality, speciality and variety. The market is located between Rosebery Avenue and Farringdon Road in the south-west of the borough. The market is open Monday to Saturday, where Friday and Saturday are the busiest trading days.

Camden Passage Antique Market, Council licences a number of pitches in Camden Passage on a Wednesday and Saturday to compliment the privately operated antiques / bric-a-brac market.

Archway pitches have been temporarily designated to continue the Archway markets due to the need to relocate the market. Long term designation is subject to Committee decision.

Scattered Sites – In addition to the markets, there are scattered pitches throughout the Borough selling a variety of commodities (refer to Appendix 3 for a complete list of sites).

Arsenal Area – In addition to the scattered pitches 17 sites are designated for trading around the Emirates Stadium. Trading is restricted to match days only. Vacancies in this area seldom arise (refer to Appendix 1 for a complete list).

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Location of Scattered Sites

Street location	No of designated pitches
Axminster Road	3
Brookside Road	2
Clerkenwell Road	1
Durham Road	1
Eburne Road	2
Elthorne Road	1
Essex Road	1
Finsbury Square	1
Freeling Street	1
Greenman Street	1
Highgate Hill	1
Holloway Road	5
Islington High Street	5
Junction Road	1
Liverpool Road	1
Penton Street	1
Salterton Road	2
Storey Street	2
Tilloch Street	2
Vine Street	1

Arsenal Pitches

Street location	No of designated pitches
Aubert Park	2
Avenell Road	2
Conewood Street	1
Drayton Park	1
Elwood Street	2
Gillespie Road	1
Highbury Hill	2
Martineau Road	1
Monsell Road	2
St Thomas's Road	3



SECTION 32 OF THE LONDON LOCAL AUTHORITIES ACT 1990 (as amended)

Appendix 2: STREET TRADING CHARGES

NOTICE IS HEREBY GIVEN under Section 32 (7) of the London Local Authorities Act 1990 (as amended) that on 1st October 2008 Islington Council determined that, from Monday 6th October 2008, the fees and charges payable by licensed street traders under Section 32 of the London Local Authorities Act 1990 (as amended) shall be as detailed below:

LICENCE FEES**Chapel Market**

Pitch Size	Area	Per Week
8'x 3'	A	£58.50
9'x 3'	A	£64.70
11'x 3'	B	£53.20

Daily Transfer charges

Tues – Thurs	£3.00 per day
Friday - Sat	£8.00 per day
Sun	no charge

The above transfer charges relate to transfers from Area B to Area A, or any transfer within Area A

Casual Vouchers & Additional pitch(es)

Tue - Thu	£8.00 per day/ per pitch
Friday	£13.50 per day/ per pitch
Sat-	£27.00 per day/ per pitch
Sun	£8 per day per pitch

Whitecross Street Market**Take Away Type Food**

Mon – Fri	£65.00 (Subsequent pitches £55.00)
Thur – Fri	£40.00 per pitch

Other Commodities

Mon – Fri	£45.00 (Subsequent pitches £33)
Thurs – Fri	£25.00 per pitch
Casual (Not Take away type foods)	

Mon – Wed	£12 per day
Thur – Fri	£15 per day

Exmouth Market

Per Pitch Per Week

Take Away Type Food

Mon- Fri	£45.00
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Other Commodities

Mon – Fri	£31.50
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Casual (No hot Food)

£12 per day

Torrens Street

£6.50 per day

Camden Passage (No longer accepting casuals)

Wed	£20
Sat	£25
Wed & Sat	£40
Fri (if approved)	£20
All 3 days (if approved)	£55

Scattered Sites**Angel Area**

Kiosks	£80.00 per week
Non-Kiosk	£77.00 per week

Essex Road

Kiosk and Non-Kiosk	£64.50 per week
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Nags Head & Seven Sisters Area

Kiosk and Non-Kiosk	£77.00 per week
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Archway Area

Kiosks and Non-Kiosk	£53.00 per week
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Archway Market (Additional Report agreed at Committee)

Miscellaneous Sites

£77.00 per week	Wells Terrace
	Finsbury Square

£53.00 per week	St Agnes Wells
	Wallace Road

£25.00 per week	Pitches off Caledonian Road
	Durham Road

(Arsenal) Emirates Stadium Area

(Effective 1st August 2008)

Stalls Selling Food

£1600.00 per annum

Stalls Selling Non Food

£1240.00 per annum

Trading from Private Land (Arsenal Area)

Stalls Selling Food

£780.00 per annum

Stalls Selling Non Food

£620.00 per annum

SHOPFRONT LICENSES

Area A	£14.20 per sq. metre/per week
Area B	£9.80 per sq. metre/per week
Area C	£4.90 per sq. metre/per week

Trading from Private Land (other than Arsenal)

	Per week
Area A	£37.40
Area B	£26.00
Area C	£12.50

ILLEGAL TRADING

Removal and release of stall/goods

£177.50 per removal

Storage of stall and/or goods

£59.50 per day
(Maximum 30 days)

Specialist ad hoc Markets priced on application

Licence Applications

All markets and scattered pitches

Casual Registration Fee £30.00

Temporary Licence Application Fee for 6 months or less £30.00

Full Licence Application Fee 2 years or less £40.00

Full Licence Application Fee up to 3 years £50.00

Shopfront / Private Land applications

£100.00 per (New) application

£30.00 Renewal Fee

New Designations

£1000.00 Non Refundable

Licence Variations

Variation fee £70.00 per application

(Incl. transfer)

Arrears/Breach of Conditions

(Traders who fall into arrears by 4 weeks or more, or who breach licence conditions)

£25.00 per warning letter (max. 1 letter per week)

£90.00 per Committee/Officer Panel referral

Request for Printout of Account

Free up to 2 printouts per year

£10.00 for any additional

Replacement Stall Card/Licence

£5.00 per item

Electrical Cable (Chapel Market)

Cable £38.50 Non Refundable

PAT Testing £30 per year (compulsory)

Appendix 3: Street Trading – List of Commodities

Food retailing

- Fresh meat, fish and poultry
- Fruit and vegetable (to include Christmas trees, holly, ivy and mistletoe at Christmas only)
- Bread and cake
- Takeaway food
- Dairy foods
- Sweets and confectionery
- Specialised food not further defined

Clothing and soft good retailing

- Ladies wear - (excluding footwear and underwear) including shirts, blouses, shirts, knitwear, trousers, suits, dresses, jump-suits, coats, jackets, overalls, T-shirts
- Mens wear – (excluding footwear and underwear) including shirts, knitwear, trousers, suits, coats, jackets, overalls and T-shirts
- Childrens wear – (excluding footwear and underwear) including sizes 0 – 12 years old, skirts, blouses shirts, knitwear, trousers, suits, dresses, jump-suits, coats, jackets, T-shirts, school wear
- Underwear, nightwear, beachwear and clothing accessories – including knickers, tights, bras, slippers, suspenders, stockings, corsets, briefs, socks, vests, boxer shorts, thermals, leg warmers, pyjamas, night-dresses dressing gowns, beach tops, sarongs, bikinis, swimsuits, swimming trunks, hats, scarves, gloves sunglasses and umbrellas
- Footwear – including all footwear worn by women, men, children or infants, e.g. shoes, boots Wellingtons, trainers, plimsolls, slippers, espadrilles, canvas shoes, etc.
- Fabric and other soft good retailing

Recreational goods retailing

- Sport and camping equipment
- Toys and games
- Newspapers, books, periodicals and stationery
- Photographic equipment
- Marine equipment
- Pet foods and accessories
- Travel and leather goods

Furniture, house ware and appliances

- Furniture
- Floor covering
- Domestic hardware and house-ware
- Domestic appliance
- Recorded audio or visual

Other personal and household good Retailing

Street Trading Conditions and Procedures

Pharmaceutical, cosmetic and toiletry

Antique and used goods

Garden equipment

Flowers and plants including cut flowers, plants, bulbs, shrubs, trees, artificial flowers and plants, horticultural sundries e.g. pots, plant food, seeds (to include Christmas trees, holly, ivy and mistletoe at Christmas only)

Watch and jewellery

Mobile phones, telecommunications equipment and accessories

££ stall – any goods retailing for £2 or less

Appendix 4: Council Contacts

Street Trading Office

Public Protection Division
Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3830
Fax: 020 7527 3165
Email: street.trading@islington.gov.uk

Office Opening Times

Monday 9am – 1pm and 2pm – 4.30pm
Tuesday/Wednesday – Closed
Thursday 9am – 1pm and 2pm – 4.30pm
Friday 9am – 1pm and 2pm – 4.30pm
Saturday/Sunday – Closed

Temporary events licence

Licensing Service

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3047
Fax: 020 7527 3057
email: licensing@islington.gov.uk
www.islington.gov.uk/Business/Licences/TemporaryLicences

(contact required if serving or selling alcohol)

Food Safety

Environmental Health

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3816
Fax: 020 7527 3057
email: commercial.envh@islington.gov.uk

Noise Service

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3258
Fax: 020 7527 3057
Email: noise.issues@islington.gov.uk

Street Management

Islington Council
1 Cottage Road,
London,
N7 8TP

Street Trading Conditions and Procedures

APPENDIX B

LONDON BOROUGH OF ISLINGTON

STREET TRADING (MARKETS AND SCATTERED SITES)

PROCEDURES & GUIDELINES

Further up to date information can be found on the Council's website.

W:www.islington.gov.uk/services/business-licensing/opportunities/street-trading

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Introduction

1. The London Borough of Islington is committed in supporting the continued existence of Street Markets. The Council recognises the importance of local markets and how they impact on the local area. Street Trading sites are community hubs; vital in bringing people working, visiting and living in our borough together. Whilst the Council supports the vibrant and diverse shopping experience street trading bring to town centres; they also have the responsibility to ensure shoppers can buy in confidence and in a safe environment.
2. All forms of street trading are controlled by a number of acts of Parliament, the principal act being the London Local Authorities Acts 1990-2012. The control of street trading is the responsibility of the local authority. Trading licences are issued under the regulations set within 'the Act'. Street Trading Officers check licences frequently and unlicensed traders may be prosecuted for trading illegally.
3. Traders are encouraged to create or join existing trader associations. Whilst Council officers welcome comments and feedback from individual traders it is always easier to meet with smaller teams representing majority views.
4. A trader is responsible for the management of their licensed area governed by the conditions of their licence. This document sets out the procedures and guidelines applicable to all street trading practices to assist traders develop a positive market experience and to protect shoppers and other businesses. This document does not cover the procedures governing trading from shop fronts or private land. There is also a separate document covering the standard street trading conditions applicable to Street Trading licences. These conditions will be issued to registered traders together with a licence to trade in a form of a contract.

New Licensees Probation Period

5. If a licence is obtained to trade from a designated pitch for the first time the initial licence is referred to as a **temporary licence**, this licence entitles a trader to trade on a probation basis for six months during which his/her trading practices will be assessed.
6. Once a the six month probation period has been completed to the satisfaction of the Council, once issued, will entitle the trader to apply for a **Full Licence**. This licence once issued will entitle him/her to trade for up to a maximum of three years.
7. Temporary licenses are not issued for trade around the Emirates Stadium.

Street Trading fees and charges

8. Under Section 32 of the London Local Authorities Acts 1990-2012, the Council may charge fees for the following:
 - i. The granting of or renewal of a street trading licence.
 - ii. The grant of a casual/temporary licence.
 - iii. The variation of a street trading licence made at the request of a licence holder.
9. Current street trading charges are set out in Appendix 3. These are reviewed regularly by Council to ensure the administrative and other related costs incurred by Council in managing street trading are covered.
10. On the issue of a licence, the trader's details will be passed on to the Sundries Income team who will set up a contract for the payment of fees on a monthly basis (per calendar month). All payments must go directly to them as per agreement.
11. Licensees will be invoiced from the start date as stated on the licence, until the licence is surrendered, revoked or expires.
12. Administration fees and casual fees are paid directly to the street trading team.
13. The Sundry Income team will make attempts to recover outstanding fees as per their procedures. Unsuccessful recovery attempts will be referred to the Street Trading Officers Panel where a decision to revoke the licence may be taken.
14. Casual traders must buy street trading vouchers from the Street Trading Office in advance of trading.
15. Arsenal Fees are charged per season but will be invoiced half yearly, August and February.
16. There is no right of dispensation due to ill health. The waiver of fees is under the discretion of the Street Traders Officer Panel. Such applications must be put in writing, together with supporting evidence.

Licence Variation

17. Variations to licences; such as changes of commodity, days or times of trading, may be considered, on application, throughout the term of the licence.
18. A fee is charged for each variation that is granted (refer to Appendix 3 for a list of charges) and must be paid in advance of the revised street trading licence being issued.

Renewal of Full Licences (excluding Arsenal)

19. Full licences are renewed on a three yearly cycle on 1 January. Renewal application forms are sent to all existing licensed traders usually in October along with a copy of the Standard Street trading Licence Conditions. These forms must be completed and returned in

person to the Street Trading Office by the specified deadline, together with the following documents:

- Three full passport size photographs of yourself; one of which to be signed on the reverse by you as proof of identification;
- A certificate of your current public liability insurance to the value of £5 million and for the period you wish to be a trader in Islington (we can advise you on how to obtain this insurance);
- Your driving licence or passport as proof of your identity;
- A recent (no older than 3 months) bank statement or electricity / gas bill to provide evidence of your address;
- Your National Insurance Number and evidence that you have a legal right to employment in the UK. Temporary National Insurance Numbers are not acceptable;

20. An Officers Panel will automatically grant the renewal of a licence provided:
- a. there is no request for variation
 - b. there are no breaches of the conditions or registered complaints against the trader during the term of the previous licence.

In these instances the renewal may be referred to Street Trading Officers Panel for further consideration.

21. Renewed licences and stall cards are issued at the end of December. An administration fee (refer to Appendix 3 for the schedule of fees) must be paid for the licence to be renewed.
22. trading will not be permitted if licences are not renewed and collected by the stated deadlines.

Renewal of Licences around the Arsenal

23. Renewal of such licences follow the same procedures as for renewing a market licence, detailed above. The only difference is the time-frame for application. Licences for the Arsenal sites are valid only for the football season (July – end May). Renewal application forms are sent in May and new licences are issued by the end of June.

Non-renewal

24. The Council may refuse to renew a street trading licence on account of misconduct or any other sufficient reason. Before this decision is made the applicant will be given the opportunity to defend his/her right to retain their licence. In the event of the Council not renewing the licence the trader has the right of appeal to a Magistrates Court (Highbury Corner Magistrates Court).

Revocation

25. The Council may at any time revoke a traders' licence on account of misconduct or any other sufficient reason. Before a licence is revoked a trader will be given the opportunity to defend his/her right to retain their

licence. In the event of the Council revoking the licence the trader has the right of appeal to a Magistrates Court.

26. A street trading licence may be revoked or refused renewal for the following reasons (refer to Section 28(1) of London Local Authorities Act 1990 as amended).
 - i. A trader may no longer be able to trade without causing undue interference or inconvenience to persons or vehicles using the street if changes have been made to the street layout since the grant or renewal of a licence.
 - ii. The licence holder is selling goods or services which the Council have resolved not to allow.
 - iii. The licence holder has, without reasonable explanation, failed to trade in person the required minimum number of days a week.
 - iv. The licence holder due to misconduct or other sufficient reason is assessed as being unsuitable to hold a licence.
 - v. The licence holder has for a period of four weeks or more failed to pay fees or charges due to the Council in connection with the street trading licence. Or has failed to pay any charges due from him/her for storage, if provided.
 - vi. The licence holder has failed to provide suitable and adequate storage for the trading receptacles or any perishable goods.
 - vii. The licence holder has persistently failed to securely store all trading receptacles.
 - viii. The licence holder has persistently failed to comply with any condition of the licence.

Casual Registrations

27. Casual registrations are renewed following the similar process as full licences but on a yearly basis; no later than in the first week of January.
28. A permanent licence holder can also be a registered as a casual trader in another commodity or in another market.
29. Casuals are required to purchase trading vouchers (the licence) to trade for the desired day. Each voucher permits them to trade under the terms and conditions stated on the voucher as well as the standard street trading conditions.

Commodity

30. In considering the type of commodity to be sold; Council ensures the proposed product/service complements with the existing retail mix of the area.
31. Council reserves the right to place embargos on certain commodities if a market is oversubscribed for those particular service/goods. These embargos can vary for each commodity depending on demand. Details

of such embargos where possible will be advertised on the Council's website and are subject to change.

32. Unless agreed in writing by the Council, it is usual that only one commodity is permitted per licence. For a list of commodities permitted for sale refer to Appendix 1. This list is not an exhaustive list.

Stalls/Kiosks

33. It is in the interest and the responsibility of each trader to ensure that the presentation of their goods and display is attractive and eye catching and does not obstruct other businesses or members of the public.
34. The Council does not provide barrows or stalls (except under certain arrangement in Whitecross Street and where there are kiosks on scattered sites). All traders must make their own arrangements to hire or purchase their own. All trading receptacles must be capable of being moved at a moment's notice in the event of an emergency and at the end of the trading day. In markets where a standard type of stall, awning and name banner is required this is expected to be adopted by the trader.
35. Trading from kiosks are subject to business rates. Once you are licensed your details will be passed on to our valuations team for this purpose².

Enforcement

36. If found to be in breach of the licence or any of the conditions, follow up action will be undertaken against the trader by an authorised officer of the Council or Police Officer.
37. The Council can implement a number of different enforcement actions, these are:
 - i. If the trader is unclear or is in initial breach of the terms and conditions of the licence or the breach is considered minor then the Street Trading Officer will provide face to face advice and guidance about the trader's street trading responsibilities followed up by a letter of advice. Continued breach of the conditions will result in the issue of a formal warning
 - ii. If the trader continues to commit an offence and/or refuses to take action to remedy the breach, a fixed penalty notice (FPN) will be issued. (Offences listed in Schedule 2 of the London Local Authorities Act 2004 can be issued with an FPN). If the penalty is paid within the prescribed timeframe the prosecution will be avoided.
 - iii. A discount will be available for FPNs paid within 14 days from the date the notice was served. (This percentage is to be determined by the London Councils acting through the joint committee). A FPN must be paid within 28 days of the notice being served. If the FPN is not paid the case will be considered for prosecution in the Magistrate's Court.
 - iv. The decision to prosecute will be made in line with the Council's Public Protection Enforcement Policy. This document details the

evidential considerations and public interest when bringing proceedings. Islington Council's Legal Services will initiate proceedings on the Councils' behalf.

- v. Serious breaches or recurring breaches of the conditions may result in prosecution for the infringement of the street trading licence conditions. Persistent breaches of the conditions may be reported to the Licensing Regulatory Committee and may lead to a revocation of a licence.

Assistants

- 38. Licensees may employ a person to assist in the business. In such cases the Licensee remains responsible for ensuring the business is properly conducted at the stall and complies with the appropriate street trading legislation and street trading conditions.
- 39. It is expected that the licensee is at the stall for the majority of the working day and at least three days a week unless the licensee is ill, on holiday or buying stock or agreed otherwise by the Council.
- 40. If the licensee is ill or on holiday he/she may nominate an assistant to trade on their behalf during their absence provided that the assistant has first obtained a permit from the Council's street markets' office.
- 41. This permit must be shown to the market inspectors daily or on demand whenever the assistant is trading and allows the assistant the same rights as a licensee for the term of the permit.

Nominated successor

- 42. A licence holder may at the time of application or renewal specify the name and address of a relative who is associated with, or dependent upon, the applicant's street trading business to whom he/she wishes the licence to be granted in the event of his/her death.
- 43. A person shall be treated as being related to another if the person is the wife, husband, civil partner, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, grand-daughter, stepson, stepdaughter, brother, sister, half-brother or half-sister of the applicant. These relationships are also recognised in cases of illegitimacy or adoption.
- 44. Once a licensee has reached retirement age or is forced to retire early on the grounds of ill health, an application to transfer the licence to a nominated successor can be made. This application must be made in writing to the Street Trading Section. The request will be considered by the Street trading Officers Panel.
- 45. When the transfer application has been approved, the new licensee is liable to pay a variation fee to the Council prior to the licence being issued (refer to Appendix 1 for a list of charges). Any outstanding payments relating to the licence must be paid in full by either the existing named licensee or by the new licensee before a new licence will be issued, unless otherwise agreed by Council.

Carer's Leave

46. If a trader is unable to work as a result of providing care to a dependent, it may be possible to exempt that trader from personal trading for a maximum period of three months. The trader must apply in writing, supported by medical evidence. The Street Trading Officers' Panel considers all cases.
47. If carer's leave is granted the trader may use an assistant to run the business during their absence. In these cases the licensee is still required to pay the street trading fees. If an assistant is not used and the pitch remains vacant for the period of the carer's leave the trader may make a request in writing to the Street Trading Officers' Panel.
48. If the absence exceeds three months the trader must apply in writing to the Council requesting an extension to their leave of absence. The Licensing Regulatory Committee will consider the request and may request that the trader make alternative care arrangement.

Requirements of other Legislation (refer also to Standard Street Trading Conditions document).

49. Holding a street trading licence does not exempt a trader from any other legislation, such as Acts relating to Trading Standards; Environmental Health etc (refer to Street trading conditions). This includes restrictions on noise such as the use of radios, CD players' etc.)
50. Traders must not cause a nuisance to other stall holders or the general public in the operation of their stall. Written complaints received by Council against a trader will be followed up in line with the enforcement conditions

Procedures Specific to markets

51. Allocation of the vacant pitches is undertaken in the following manner:
 - i. First priority is given to existing full and temporary licensees who wish to transfer from their own pitch to another within the market, normally to improve their trading position.
 - ii. remaining vacant pitches are then allocated to the casual traders.
52. Any permanent trader is allowed to occupy the pitch next to the permanent pitch at a charge; provided that the pitch is vacant after:
 - i. Daily transfers have been completed and approved.
 - ii. Casual traders have been allocated.

Note: the above movements within the market will only be granted to the named licensee and whose account is not in arrears.

53. If your pitch is not utilised by you at commencement of trading we may re-let the pitch for the day

Complaints

54. If you have any complaints speak to one of the street trading officers on site. He/she will try and deal with your complaint there and then.
55. If you are not satisfied that your complaint has been properly dealt with, you can write to or email the Compliance Manager at the Street Trading office (see appendix 2).

The Council's complaints process is detailed at
www.islington.gov.uk/about/contact-complaints/involvedcomplaints

Appendix 1: Street Trading – List of Commodities

This list is not exhaustive - it is a guideline. The Council reserves the right to limit commodities on any given licence and to cross commodity lines if compatible

Food retailing

- Fresh meat, fish and poultry
- Fruit and vegetable (to include Christmas trees, holly, ivy and mistletoe at Christmas only)
- Bread and cake
- Takeaway Street food
- Dairy foods
- Sweets and confectionery
- Specialised food not further defined

Clothing and soft good retailing

- Ladies wear - (excluding footwear and underwear) including shirts, blouses, shirts, knitwear, trousers, suits, dresses, jump-suits, coats, jackets, overalls, T-shirts
- Men's wear – (excluding footwear and underwear) including shirts, knitwear, trousers, suits, coats, jackets, overalls and T-shirts
- Children's wear – (excluding footwear and underwear) including sizes 0 – 12 years old, skirts, blouses shirts, knitwear, trousers, suits, dresses, jump-suits, coats, jackets, T-shirts, school wear
- Underwear, nightwear, beachwear and clothing accessories – including knickers, tights, bras, slips, suspenders, stockings, corsets, briefs, socks, vests, boxer shorts, thermals, leg warmers, pyjamas, night-dresses dressing gowns, beach tops, sarongs, bikinis, swimsuits, swimming trunks, hats, scarves, gloves sunglasses and umbrellas
- Footwear – including all footwear worn by women, men, children or infants, e.g. shoes, boots Wellingtons, trainers, plimsolls, slippers, espadrilles, canvas shoes, etc.
- Fabric and other soft good retailing

Recreational goods retailing

- Sport and camping equipment
- Toys and games
- Newspapers, books, periodicals and stationery
- Photographic equipment
- Marine equipment
- Pet foods and accessories
- Travel and leather goods

Furniture, house ware and appliances

- Furniture
- Floor covering
- Domestic hardware and house-ware
- Domestic appliance

Street Trading Conditions and Procedures

Recorded audio or visual

Other personal and household good Retailing

Pharmaceutical, cosmetic and toiletry

Antiques and Arts and Crafts (no bric a brac)

Garden equipment

Flowers and plants including cut flowers, plants, bulbs, shrubs, trees, artificial flowers and plants, horticultural sundries e.g. pots, plant food, seeds (to include Christmas trees, holly, ivy and mistletoe at Christmas only)

Watches and Jewellery

Electrical items, Mobile phones, telecommunications and IT equipment and accessories

££ stall – any goods retailing for £2 or less

Appendix 2: Council Contacts

Street Trading Office

Public Protection Division
Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3830
Fax: 020 7527 3165
Email: street.trading@islington.gov.uk

Office Opening Times

Monday – Fri 9:30 am – 1pm and 2pm – 4.30pm
Saturday/Sunday/Bank holidays – Closed

Temporary events licence

Licensing Service

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3047
Fax: 020 7527 3057
email: licensing@islington.gov.uk
www.islington.gov.uk/Business/Licences/TemporaryLicences

(contact required if serving or selling alcohol)

Food Safety

Environmental Health

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3816
Fax: 020 7527 3057
email: commercial.envh@islington.gov.uk

Noise Service

Islington Council
222 Upper Street
London N1 1XR
Tel: 020 7527 3258
Fax: 020 7527 3057
Email: noise.issues@islington.gov.uk

Compliance Manager

Street Trading
222 Upper Street
London N1 1XR
Street.trading@islington.gov.uk

Sundry Income Team

General enquiries Tel: 020 7527 2236

Street Trading Conditions and Procedures

APPENDIX C

LONDON BOROUGH OF ISLINGTON

STANDARD STREET TRADING CONDITIONS (MARKETS AND SCATTERED SITES)

London Borough Islington
Street Trading
Public Protection
222 Upper Street
London
N1 1XR

T: 020 7527 3830

E: street.trading@islington.gov.uk

W: <http://www.islington.gov.uk/business/regulations/licences>

Street Trading Licence Conditions

- 1) These Conditions will apply from 1 January 2017 (and to licences issued from 1 January 2016 in respect of which notice has been given) to all street trading licences issued under the London Local Authorities Acts 1990-2012.
- 2) The Council reserves the right to suspend any licence on account of failure to comply with these conditions

Definitions

- 3) The following expressions will have the following meanings assigned as determined by the Act 1990 (Part III, Section 21(1) as amended) unless otherwise stated.
 - a) **'The Act'** – the London Local Authorities Acts 1990-2007.
 - b) **'Advertisement'** means any word, letter, model, sign, placard, board, notice, whether illuminated or not, in the nature of, and employed wholly or partly for the purpose of, advertisement, announcement or direction and includes any hoarding or similar structure or any balloon used, or adapted for the display of advertisements, and shall be construed accordingly.
 - c) **'Assistant'** means a person employed by and acting under the directions of a trader to assist him/her about the business of the stall, and whose name and address has been notified to 'Council'.
 - d) **'Awning'** means a sheet of canvas or other material, used as a protection against the weather, which projects as an extension of the roof beyond the structure of the stall.
 - e) The **'Council'** means the London Borough of Islington.
 - f) **'Fixed Penalty Notice'** may be given under section 15 (fixed penalty offences) of the London Local Authorities Act 2004 (part 4) by an authorised officer in respect of any offence set out in schedule 2 of the Act. The officer may give that person a notice offering him the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty in accordance with Schedule 2 of the Act.
 - g) **'Goods'** means any goods, wares or merchandise for sale or stored at a stall.
 - h) **'Licensed street trader'** means any person who is licensed for street trading under part III of the London Local Authorities Act 1994.
 - i) **'Licensed street trading Pitch'** means a pitch in any street authorised as a place at which street trading may be engaged in by a street trader, and includes any temporary alternative place approved by the Council
 - j) **'Nominated Successor'** A person shall be treated as being related to another if the person is the wife, husband, civil partner, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, grand-daughter, stepson, stepdaughter, brother, sister, half-brother or half-sister of the applicant. These relationships are also recognised in cases of illegitimacy or adoption

Street Trading Conditions

- k) **'Premises'** means a shop, house or block of flats immediately behind a licensed pitch.
- l) **'Receptacle'** includes a vehicle or receptacle and any basket, bag, box, vessel, stand, stall, easel, board, tray or thing which is used (whether or not constructed or adapted for such use) as a container for or the display of any article or thing or equipment used in the provision of any such service.
- m) **'Refuse'** includes any waste material.
- n) **'Stall'** means any structure used by a trader for the display of goods, or in connection with his/her business, and includes all goods offered or to be offered for sale and any additional structure or equipment used as part of a stall business. This also includes rubbish created as a result of the business.
- o) **'Stall limits'** means the authorised ground markings defining the area within which the stall is to be contained.
- p) **'Street trading'** shall have the meaning ascribed in Section 27 (1) of the London Local Authorities Act 1994. A licence granted under the Act and valid for the period specified therein being not less than six months and not more than three years.
- q) **'Temporary licence'** means a licence granted under the Act valid for a single day or for such period as may be specified in the Licence not exceeding six months.
- r) **'Temporary licensee'** means a licence holder who is on a six month probationary period.
- s) **'Us'** and **'we'** mean the London Borough of Islington's Street Trading Section.
- t) **'You'** means the trader or person named as the holder of this licence authorising street trading from a licensed pitch. Where a licence is held in more than one name, 'you' means each person named and applies to each person both individually and collectively. 'Your' shall be read in this context.
- u) **'Your pitch'** means the pitch (es) identified on the licence.

Licence compliance

- 4) The business activity of the stall shall be undertaken in compliance with other legislation enforced by the Council or other Agencies, e.g. Environmental Health, Health and Safety, Food Safety, Trading Standards, Fire Prevention, Waste Management and Highways Regulations.
- 5) The licence is the approval to trade under the Act. It does not constitute any other approval that a trader might need, under bye-laws, regulations or other enactments.
- 6) Council may vary the conditions of this licence or attach additional conditions at any time or on application by the licence holder.
- 7) Where Council provides its approval under this licence, it may attach any conditions or restrictions that are deemed reasonably appropriate.

Street Trading Conditions

- 8) If you wish to vary any of the licence terms or conditions you must make it in writing to Council.

Use of this Licence

- 9) This licence is for your sole use. You may not assign it to anyone else. You must be able to produce your licence, which must be carried at all times when trading, if requested by an authorised officer of the Council or Police Officer.
- 10) You must, whilst trading, display a stall card supplied by the Council, indicating the licence and pitch number, name and photograph of licensee, location and size of pitch, market and commodities sold.
- 11) If a nominated assistant is trading in the absence of the Licensee, they must display their stall card.
- 12) Trading may only take place on the days and during the times specified on the licence/stall card.
- 13) The Council reserves the right to suspend a licence if the activity of the trader compromises the health and safety of members of the public, officers of the Council or other traders.

Stall Requirements

- 14) You shall only trade from the location which is indicated on your licence unless agreed by the Council.
- 15) The trading area shall not be larger than the size stated on your licence and any stall limits marked on the ground unless agreed by the Council.
- 16) You shall only use receptacles approved by us. All goods and containers or other articles need to be contained within the licensed pitch area and not extend outside.
- 17) The design and appearance of the stall and display will be as agreed at the commencement of the licence. Variations to the agreed design/appearance will require written approval from the Council
- 18) Tarpaulins should be clear at the back unless agreed by the Council.
- 19) The stall needs to be easily and immediately removed in the case of an emergency. You or your assistant must remove the stall and goods for as long as required in the event of an emergency, or when requested by an authorised officer of the Council or Police Officer.
- 20) The height of any stall or display shall not exceed 2.6m (8'6") unless agreed, in writing, by the Council.
- 21) Stalls not removed from the pitch at the cessation of trading may be removed by the Council to a place of storage. The Council has the right to recover from you any costs incurred by the Council for removal and storage of your stall.
- 22) Once removed at the end of the trading day, stalls and other trading receptacles should not set up or placed in the market again until the allowed setting up time for the following day.

Street Trading Conditions

- 23) Stalls or accessories must not damage the carriageway or footway.
- 24) No advertisement shall be displayed on your pitch which relates to any goods, commodities or services apart from those being offered for sale from your pitch.
- 25) The use of advertising boards (A Boards) is not permitted unless it is kept within your licensed pitch.
- 26) The operation of your stall must not cause a nuisance to other traders or the general public.

Use of Kiosks

- 27) The maintenance and upkeep of all kiosks used by traders on scattered sites is the responsibility of the licensed trader. There is to be no advertising on these kiosks apart from the traders name banner; unless approved by the Council. Such advertising is subject to planning consent. The display boxes are for the sole use of Council campaigns and will be maintained by the Council.

Electrical Safety

- 28) All electrical equipment should be tested regularly by someone competent to carry out the test. Portable appliance testing (PAT) should be carried out on all portable appliances annually and six monthly for handheld devices in accordance with the IEE Code of Practice for in-service Inspection and testing of Electrical equipment. Certification to be provided to the Council.
- 29) External plugs and sockets must be waterproof and the circuit breakers must work effectively.
- 30) Cables must not be a tripping hazard and should be protected from accidental damage. If for outdoor use; cables must be of industrial grade BS7179 (HO7RN-F or equivalent) rubber, with a minimum voltage designation of 450/750v (heavy duty flexible as a minimum as defined in BS7540-1) and resistant to abrasion and water
- 31) Electrical power shall only be used for the purpose of lighting and the operation of electrical scales and tills, or other agreed services. Fires and heaters of any description are not permitted
- 32) You will be held liable for any damage to any electrical installation provided by the Council if it is shown that the damage was caused by your actions or neglect.
- 33) You may only run electric cables for lighting or other agreed services between your stall and other stalls or premises. Any electrical connections shall be easily detached and the detailed arrangements agreed with the Council. Electrical cables hung over the public highway will require a minimum clearance of 2.6m (8'6") from the footway surface and 5.6m (18'6") from the carriageway surface.
- 34) Only equipment that has been authorised by the Council shall be connected to the Councils electrical supply.

Street Trading Conditions

- 35) Mobile electrical generators can only be used with the prior approval in writing from the Council.
- 36) If the Council needs to have any appliance tested; a fee as set out in the Council's schedule of fees will be charged to the trader.
- 37) Electrical boxes or pillars must be kept clean and clear of any debris or litter and kept shut / locked at all times whether or not in use.

Refuse

- 38) You are responsible for all refuse arising as a result of your activities. You must at all times comply with the requirements of the Environmental Protection Act 1990 (or any superseding legislation) with regard to your waste.
- 39) In keeping with the Council's environmental sustainable initiatives you are to support the following practices where practical:
 - a) Keep packaging of goods to a minimum or use recycled packaging where possible
 - b) Keep the use of non-recyclable carrier bags to a minimum;
 - c) Where possible compost food waste in line with the Council's policy of composting
- 40) Recycle all refuse where appropriate in line with Council's policy.
- 41) All refuse, food debris, waste, and litter must be contained within sacks on your pitch at the end of the trading day or transported to containers that may be provided by the Council as directed
- 42) The trader shall collect and dispose of any food debris and wrappings caused by their activities, within a 2 metre radius of their pitch at the end of the trading day and as often as necessary during the trading day
- 43) Traders must ensure that all waste water and any kind of oil is collected in a secure container and disposed of or discharged legally and not be poured into drains or placed in litter bins
- 44) You must break down boxes to their smallest size before placing them in bins provided
- 45) You are not permitted to use the Street Market waste collection service/facilities if your licence is linked to fixed premises. In these circumstances you must make your own separate arrangements for waste collection.

Product

- 46) Only the goods specified on the licence may be sold on your pitch.
- 47) You must not sell or distribute political material or religious material designed to incite hatred. The following goods are also banned; weapons and explosives, any pornographic material, illegal substances or counterfeit goods. Failure to comply with this condition will result in the

Street Trading Conditions

immediate seizure of all goods and may result in revocation of your licence and prosecution.

Attendance

- 48) You must be in personal attendance on your pitch for the majority (at least 50 per cent) of the working day, apart from absences for illness or holidays unless otherwise approved by the Council.
- 49) You must attend and trade for a minimum of three days each week unless otherwise approved by the Council.
- 50) You may **NOT** enter the market with a vehicle to remove your goods or stall until the end of the official market trading day or at a time agreed with the Council.

Trader Conduct

- 51) You must give all reasonable assistance to an authorised officer of the Council carrying out their duties.
- 52) You must immediately notify the Council in writing and provide evidence of any change of your name or address or place of storage of commodities and trading receptacles
- 53) You must ensure that you have the required level of Public Liability Insurance (£5 million) throughout the duration of the licence and be able to produce this on request.
- 54) You must ensure that you and your staff are competent, courteous and helpful and ensure all members of the general public are treated fairly and with courtesy. The Council does not tolerate abuse of any sort. Any complaints of serious abuse of any nature against Council officers, other street traders or members of the public may be regarded as grounds for revocation of a street trading licence.
- 55) You must be in position, have your goods displayed and contained within the pitch, and able to commence trading from your stall by no later than 45 minutes after the commencement times listed below. If your pitch is not utilised by you at commencement of trading we may re-let the pitch for the day.
- 56) Hours of commencement and cessation may be varied, in individual cases with prior written consent by us. Unless specifically agreed in writing, stalls should not put out 2 hours prior to commencement of trading
- 57) The stall and goods are to be removed from your pitch to your nominated storage area, as stated on the application form or agreed in writing by the Council, within one hour of the cessation of the day's trading (i.e. the time shown on your licence to end trading for that day),

Street Trading Conditions

Market/area	Days of trading	Commencement of trading	Cessation of trading
Chapel ¹	Tuesday to Sunday	9am Tuesday to Sunday	6pm Tuesday to Saturday 4pm Sunday
Whitecross	Monday to Friday	10am Monday to Friday	5pm Monday to Friday
Exmouth	Monday to Friday	9am Monday to Friday	6pm Monday to Friday
Camden Passage	Wednesday and Saturday	9am Wednesday and Saturday	6pm Wednesday and Saturday
Islington High St/Camden Passage	The area is designated for street trading on a Sunday but currently no trading is carried out.		
Archway	Thursday & Saturday 12.00 noon – 6.00 pm		
Torrens Street	The area is designated for street trading on a Sunday but currently no trading is carried out.		
Scattered sites	Monday to Sunday	9am Monday to Sunday (unless otherwise stated)	6pm Monday to Sunday (unless otherwise stated)
Arsenal Area	First Team and International Matches	Two hours prior to start of match	One hour after cessation of match (unless otherwise stated)

Late arrivals in markets

- 58) If a licensee arrives after the commencement time it is the discretion to the street trading officer to locate them at the most appropriate pitch (even if the licensees pitch is available).
- 59) Vehicles will not be permitted to stay or enter the market 45 minutes after the commencement of trading until the agreed end of trading day.

Ownership of the Street Trading Licence

- 60) Licence is personal to the holder
- 61) A licence is granted only to the person named on it. It may not be transferred, assigned, sold or sub-let. Any such instances of the above may result in the revocation or non-renewal of the licence.

Fee and Charges

- 62) All licence fees and charges must be paid in advance.
- 63) Your account will be on charge from the start date as stated on your licence.

¹ Includes White Conduit,

Street Trading Conditions

- 64) Fees (other than administration and casual vouchers) will be invoiced per calendar month; payments must be made by the 15th of the month or collected via direct debit on the agreed date.

Surrender of Licenced Pitches

- 65) If you decide to surrender the pitch; you are required to provide written confirmation by post or email to the street trading team. You will still be liable to pay the remaining months fees. Part refunds will not be given for the month in which you surrender.

Conditions Specific to Food Traders

- 66) All licensed food traders shall achieve and maintain for the duration of their licence a Food Hygiene Rating Standard of 3 or higher. New traders will be required to achieve this standard within timescales specified by the Council

67) Storage, Display, Service and Transport of food

- a) To avoid possible contamination, food must not be placed directly onto the floor (all unwrapped food needs to be stored off the ground by at least 45cm)
- b) There should be protection of high risk foods from the public touching, coughing or sneezing in the display area. This can be achieved by use of sneeze guards or other coverings. There should be adequate covers available to protect foods from insects
- c) Food handlers are required to wear clean protective over-clothing when handling unwrapped food.

68) Hand Washing Facilities

- a) Where open high-risk food is handled there must be good hand washing facilities. These must include a basin or sink with a supply of hot and cold water.
- b) Hot water may be supplied from an urn that has a constant supply of hot water but NOT from a kettle where hot water is not necessarily immediately available

69) Fire Hazards

- a) The food business operator must carry out a fire risk assessment.
- b) All combustible materials that could promote fire spread need to be identified and stored away from any ignition source. Structures, curtains and drapes that could promote fire due to their proximity to an ignition source should be treated with a flame retardant
- c) Appropriate fire extinguishers must be provided and checked every 12 months. The following is required:
 - Stalls cooking food - 4kg dry powder or four litres of foam.
 - Stalls with generators/electrical equipment – 4kg dry powder or Carbon Dioxide CO₂

Street Trading Conditions

- Stalls not cooking food – 4.5 litres of water
- d) If deep fat frying is taking place, gas equipment should be fitted with a flame failure device and there should also be a suitably located fire blanket. Fryers should be fitted with an automatic high temperature-limiting device (operates at a fat temperature of 250°C or lower)

70) Liquefied Petroleum Gas (LPG)

- a) Gas fixtures and systems require appropriate annual certification from a competent person who is Gas Safe registered for LPG appliances. Certification to be provided to the Council.
- b) Cylinders should be fitted with automatic cut-off valves and be protected from tampering.
- c) All pipes should be protected from abrasion or mechanical damage (armoured if subject to temperatures over 50°C). All pipes should be renewed every two years.
- d) All gas appliances must be fitted with a flame failure device and adequately ventilated.
- e) Staff that use gas equipment should be trained in how to use it and in how to carry out visual checks for obvious faults. This will include such things as damaged pipework and connections, inoperative flame supervision devices (these shut off the gas supply automatically if the flame disappears), and smells of escaping gas. All staff should be familiar with what to do in these situations. Routine tasks such as connecting and disconnecting plug-in gas connections to appliances when moving for cleaning, or changing LPG cylinders or hoses, can be carried out by persons who are not Gas Safe registered, but they must be competent.

Conditions specific to Casual trading (Markets)

- 71) If you do not trade for a period of three consecutive months your casual licence will lapse and no further trading vouchers will be issued.
- 72) No trading will be permitted without the surrender of a valid voucher
- 73) Vouchers are not transferable
- 74) Unspent vouchers returned to Council within three months from date of issue will be eligible for a full refund. No refund will be given for vouchers outside of this time frame.
- 75) Casual Registrations must be renewed in the first week of January every year. No trading will be permitted unless registrations are renewed.
- 76) Assistants may only trade in the presence of the licensee
- 77) There is no right of appeal against the revocation of a temporary or a casual licence.
- 78) Casual trading vouchers are valid for the duration of their registration providing there is no change to the fees.

Street Trading Conditions

- 79) Traders are required to purchase a minimum of 5 of each type of voucher.
- 80) A refund on unused vouchers is subject to an administrative fee and is only applicable to vouchers that have been issued within 3 months prior to the date of surrender.

APPENDIX D

We would like to remind you that the Islington Council Street Trading Conditions are currently under review. If you wish to comment we will welcome any feedback received by 5pm 7th December 2015.

The new conditions will come into force on 1st January 2017.

APPENDIX E



ISLINGTON

**LONDON LOCAL AUTHORITIES ACT
1990 (as amended)**

**NOTICE OF INTENTION TO:
VARY THE STREET TRADING
LICENCE CONDITIONS**

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

That the proposed variation of the existing street trading licence conditions be approved to take effect from 1 December 2016.

It is proposed that the Council's Licensing and Regulatory Committee meeting on Monday 18 July 2016 at 4pm in Islington Town Hall, Upper Street, London N1, will consider this application. Anyone wishing to object to the intention must give notice within four weeks of this publication, specifying the grounds of their objections. On the hearing of the said application, any person to whom notice is given and any other person who would be aggrieved by the making of the Order to which this application relates shall have the right to be heard.

A copy of the draft varied street trading conditions can be obtained online from the council's web site or upon request via email

Dated this: 2nd June 2016

HOURIYE DERVISH

Street Trading Manager
Public Protection Department
London Borough of Islington
222 Upper Street
London N1 1XR

Email: street.trading@islington.gov.uk

Web: <http://www.islington.gov.uk/services/business-licensing/opportunities/street-trading/market-trader-information/Pages/market-pitch-conditions.aspx>



ISLINGTON

Environment and Regeneration

Street Trading Support
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«Address1»
«Address2»
«Address3»

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E houriyedervish@islington.gov.uk
W www.islington.gov.uk

Please reply to: **Houriye Dervish**
Our ref:
Your ref:

Date: 31 May 2016

Dear «Title» «Name3»

REVISED STREET TRADING CONDITIONS AND PROCEDURES

A revised version of the standard Street Trading Conditions is now at the consultation stage. It is proposed that the Council's Licensing Regulatory Committee meeting on Monday 18th July; will consider this application.

Though you can object in person, I strongly suggest that you raise any concerns with representatives of the Whitecross Street Stallholders Association, so they may present your case collectively to the council. Any representations / objections must be presented to the council via email or post by no later than the 30th June 2016, specifying the grounds.

The revised conditions and street trading guidelines can be viewed on the council's website: <http://www.islington.gov.uk/services/business-licensing/opportunities/street-trading/market-trader-information/Pages/market-pitch-conditions.aspx>

A revised copy of the street trading procedures and guidelines can also be found. Street Trading will maintain an updated version of the document on the council's website as a reference point for traders at all times.

If you are unable to access the web, copies can be obtained by contacting the office or through your association.

Yours sincerely

Houriye Dervish
Street Trading Manager