



**Resources Department
Town Hall, Upper Street, London, N1 2UD**

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, Islington Town Hall, Upper Street, N1 2UD on **16 March 2020 at 4.00 pm.**

Enquiries to : Mary Green
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Despatched : 5 March 2020

Membership

Councillor Nurullah Turan (Chair)
Councillor Marian Spall (Vice-Chair)
Councillor Alice Clarke-Perry
Councillor Michelline Safi Ngongo

Substitute Member

Councillor Theresa Debono

Quorum: is 3 Councillors

Procedures to be followed at the meeting are attached.



A. FORMAL MATTERS

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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 - 6

B. Urgent non-exempt/non-confidential matters **Page**

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.

C. 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.

D. Exempt/confidential matters

1. Breach of street trading conditions 7 - 56

E. 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 provisionally scheduled for
13 July 2020

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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 - 9 September 2019

Non-confidential minutes of the meeting of the Licensing Regulatory Committee held at the Town Hall, Upper Street, N1 2UD on 9 September 2019 at 4.00 pm.

Present: **Councillors:** Nurullah Turan (Chair), Marian Spall (Vice-Chair)
and Michelline Safi-Ngongo

Councillor Nurullah Turan in the Chair

20 **APOLOGIES FOR ABSENCE (Item 1)**

None received.

21 **DECLARATION OF SUBSTITUTE MEMBERS (Item 2)**

None.

22 **DECLARATIONS OF INTEREST (Item 3)**

None.

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

RESOLVED:

That the minutes of the meeting held on 11 June 2019 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

24 **VARIATION OF THE STANDARD STREET TRADING LICENCE CONDITIONS UNDER SECTION 27- LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED) (Item 6)**

In his introduction and welcome to the meeting, the Chair explained the procedure to be followed and informed all present that Committee members had read all of the written material presented to them with the agenda. In addition, a number of email representations had been received since the agenda was published and these had also been read by Councillors.

The Service Manager for Street Trading and Trading Standards introduced his report, which sought a variance to some existing conditions to Council-run street trading licences, which had last been reviewed and approved in June 2016. He stated that the Council was passionate and proud of its markets and wanted to ensure that they represented local people, that they were clean and safe and offered value for money to shoppers. Alongside all of this, the Council wanted to maintain high standards in its street markets. Markets were social hubs in the community and the Council wished to maintain them as such.

As part of the recent review of the standard conditions on street trading licences, officers had clarified and strengthened traders' responsibility with regard to health and safety, such as risk assessments for inclement weather, fire and electrical safety. Officers had also reviewed the types of goods which could be sold. As the Head of Trading Standards in Islington, he was particularly keen to ensure that young people were not able to get hold of age-restricted goods, such as knives. Only the products specified in paragraph 38 of the proposed revised standard conditions could be sold and it was each trader's responsibility to write to the Council if they wished to change the products they wished to sell. Also included in paragraph 38 of the revised standard conditions relating to products which were and were not permitted for sale, was a proposal to forbid the sale, supply or distribution of real fur products, or products containing real fur. He had first been alerted to this by the Council's Trading Standards staff, who in turn had been alerted by animal rights' groups about the sale of goods containing real fur in the Borough. He commented that it was as cheap now to include real fur as fake fur in many products. However, people preferred to purchase products which did not contain real fur. He suggested that the new proposal was unlikely to have major effects on street traders and that they should ask their wholesalers to provide products containing fake fur only.

In addition, proposed conditions 47 and 48 had been updated to take account of hate crime and condition 60 had been updated to include enhanced food hygiene conditions, requiring food traders to achieve and maintain for the duration of their licence a Food Hygiene Rating Standard of 3 or higher. Proposed paragraph 60(b) would require food traders to display a copy of their Food Hygiene Rating in a prominent position so that it could be easily read by consumers. Trading Standards staff worked closely with their colleagues in Environmental Health to help ensure that all traders achieved a Food Hygiene Rating of at least 3. All of the proposed conditions would help to improve the street markets and ensure that consumers could be confident of a cleaner and safer environment in the markets. Market traders had been consulted on the new proposals and officers had met with Chapel Market, Whitecross Street, Exmouth and Archway market traders, and staff at scattered sites and kiosks, who were now all aware of the proposed changes.

He noted that, in accordance with legal requirements, a public notice had been published in a local newspaper, detailing the proposals and inviting any objectors to the proposals. As a result, one objection had been received, which had been circulated with the agenda pack at Appendix D. Subsequent to this, a number of responses had been received from supporters of the ban on fur.

The Committee noted that all new licence applications from 1 October 2019 would be subject to the new conditions and all existing licences would be subject to them from 1 January 2020. The Service Manager for Street Trading and Trading Standards said that, subject to agreement of the proposals in his report, he would write to all street trading licence holders to confirm the new requirements and request that they be taken on board immediately. He knew of one trader who sold real fur products who had agreed to cease those sales.

With the agreement of the Chair, a number of members of the public addressed the Committee in favour of the ban on real fur in Islington's street markets. They drew attention to a public petition in favour of the ban, which had attracted over 3,000 signatures in a week. In response to a question, the Service Manager for Street Trading and Trading Standards said that the new conditions would be monitored as part of street enforcement officers' daily routine.

The Committee agreed unanimously to approve the recommendation in the report.

The Chair was pleased to note that Islington would be the first London borough to ban the sale of real fur products in its street markets.

RESOLVED:

That the revised street trading licence conditions outlined in Appendix A of the report of the Service Director for Public Protection be approved.

Reasons for the decision

To ensure that street traders are aware of their legal obligations. Continued trader education and stronger, consistent enforcement through the application of the conditions would ensure a cleaner, fairer and safer shopping environment for all users.

The meeting ended at 4.32 pm

CHAIR

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By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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