



AGENDA FOR THE LICENSING REGULATORY COMMITTEE

Members of the Licensing Regulatory Committee are summoned to a meeting which will be held in Committee Room 1 at Islington Town Hall, Upper Street, N1 2UD on **21 June 2022 at 4.00 pm**.

Enquiries to : Mary Green
Tel : 020 7527 3005
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Despatched : 13 June 2022

Membership

Councillor Marian Spall (Chair)
Councillor Phil Graham (Vice-Chair)
Councillor Martin Klute
Councillor Asima Shaikh

Substitute Members

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. Minutes of the previous meeting 1 - 2
5. Membership, terms of reference and dates of meetings of the Licensing Regulatory Committee in 2022-23 3 - 8
6. Procedure for the meeting - this is attached 9 – 10

B. LICENSING MATTERS

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1. London Local Authorities Act, 1991 Part II - Renewal of the Special Treatment Licence held in respect of London Grace, 35 Camden Passage, London N1 8EA (to follow)

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)

1. London Local Authorities Act, 1991 Part II - Renewal of the Special Treatment Licence held in respect of London Grace, 35 Camden Passage, London N1 8EA - exempt appendix (to follow)

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 20 September 2022

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London Borough of Islington

Licensing Regulatory Committee - 11 January 2022

Non-confidential minutes of the meeting of the Licensing Regulatory Committee held at Islington Town Hall on 11 January 2022 at 4.30 pm.

Present: **Councillors:** Marian Spall (Chair), Phil Graham (Vice-Chair) and Theresa Debono

Councillor Marian Spall in the Chair

1 APOLOGIES FOR ABSENCE (Item 1)

None received.

2 DECLARATION OF SUBSTITUTE MEMBERS (Item 2)

None.

3 DECLARATIONS OF INTEREST (Item 3)

None.

4 APPLICATION TO DESIGNATE AN AREA OF THE HIGHWAY IN BOWMAN'S MEWS, N7 6FS FOR STREET TRADING PURPOSES (Item B1)

The Street Trading Manager introduced the report, which sought approval to the designation for street trading purposes of an area on the public highway to the left of the gates of Grafton School in Bowman's Mews N7 (previously parking bays), measuring 10m x 1.5m, every Saturday and Sunday, between the hours of 9am and 5pm.

She reported that, prior to 2016, the large level of footfall in Hercules Place had attracted much anti-social behaviour which included unlicensed illegal street traders in Hercules Place and Bowman's Mews. Working with the Police at weekends, Public Protection had deterred the illegal trading. However, when this preventative work was scaled down, the illegal trading recommenced.

A meeting involving a number of stakeholders was held in April 2016 and the consensus was that the preferred way forward was for the area to be designated for street trading purposes and for the market operator to run a few stalls in Bowman's Mews/Hercules Place, which could be monitored. Since 2016, the Council's Parking Team had been applying parking suspensions to the bays in the area to accommodate the temporary street trading pitches, but a long-term solution to this arrangement was overdue.

Licensing Regulatory Committee - 11 January 2022

In response to members' questions, it was noted that the trading area was outside of Grafton School's gates and was therefore not on school grounds and not licensed

The Committee noted that the Police had made no representations to the current application and that a satisfactory temporary solution to the issues in the area had been agreed with local stakeholders, with the market operator running 2 or 3 stalls situated in Bowman's Mews/Hercules Place and at the same time policing the area by the Council.

RESOLVED:

That the application by the Council's Street Trading Team for the designation, for street trading purposes, of the area on the public highway to the left of the gates of Grafton School in Bowman's Mews, N7 (previously parking bays), measuring 10m x 1.5m, every Saturday and Sunday, between the hours 9am and 5pm, be approved, with effect from 11 January 2022.

Reasons for decision

The Committee considered all of the written and oral evidence.

The Committee noted the history of anti-social behaviour prior to 2016, including illegal trading in Hercules Place and Bowmans Mews and the work by the Council's Public Protection Team and the Police to deter this behaviour.

The Committee noted that there had been one objection to the application and three representations in favour. The Committee was satisfied that approval to the designation of the specified area for street trading purposes would assist in alleviating anti-social behaviour in the area and support the objectives contained in the Council's Street Trading Strategy 2017 – 2022.

The Committee therefore concurred with the view of the Street Trading Manager that the area specified in the notice be designated for street trading purposes, with effect from 11 January 2022.

The meeting ended at 4.50 pm

CHAIR

Resources
Town Hall, Upper Street, London N1 2UD

Report of: Director of Law and Governance and Monitoring Officer

Meeting of: Licensing Regulatory Committee

Date: 21 June 2022

Ward(s): None

Subject: MEMBERSHIP, TERMS OF REFERENCE AND DATES OF MEETINGS OF LICENSING REGULATORY COMMITTEE in 2019/20

1. Synopsis

To inform members of the remit and administrative arrangements for the Licensing Regulatory Committee.

2. Recommendation

To note the membership of the Licensing Regulatory Committee, appointed by the Council on 26 May 2022, its terms of reference and dates of meetings for the municipal year 2022/23, as set out at Appendix A.

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 2022/23 are also set out at Appendix A for information.

4. Implications

4.1. Financial Implications

None.

4.2. Legal Implications

None.

4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

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.

4.4. Equalities 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.

An equalities 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.

5. Conclusion and reason for recommendation

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

Appendices: Appendix A

Final report clearance:

Signed by:

A handwritten signature in black ink, appearing to read "P Felber", is centered on the page. The signature is written in a cursive style.

Director of Law and Governance and Monitoring Officer

Date: 13 June 2022

Report author: Mary Green, Principal Executive Officer
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Email: mary.green@islington.gov.uk

APPENDIX A

1. COMMITTEE MEMBERSHIP 2022/23 – Quorum is three councillors

| Councillors | Substitute Members |
|-------------------------------------|---------------------------|
| Councillor Marian Spall (Chair) | |
| Councillor Phil Graham (Vice-Chair) | |
| Councillor Martin Klute | |
| Councillor Asima Shaikh | |

2. MEETING DATES (all at 4.00pm)

21 June 2022

20 September 2022

5 December 2022

7 March 2023

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 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.
6. 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.
7. To determine the amount of any fees and charges to be made for any approval, consent, licence, permit or registration within the terms of the reference of the Committee.
8. To set the standard conditions for street trading licences

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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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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