

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