

Local Economies

Town Hall

Upper Street

N1 2UD

Report of: Corporate Director of Community Wealth Building

Meeting of: Licensing Regulatory Committee

Date: 10 June 2024

Ward(s): Junction Ward

Subject: Application to designate an area of the highway on the footway in Junction Road

1. Synopsis

- 1.1 This report deals with an application received by the Council's street trading team, to designate for the purpose of street trading, an area on the footway outside the wall of the Archway tube station, Junction Road, N19 5QT, (herein after referred to as "the location"), measuring 4m x 2.3m running parallel to the existing 2 kiosks; every Monday to Saturday from 08:00 hours to 23.00 hours and Sunday from 08:00 to 21:00 hours.

2. Recommendation

- 2.1. To pass the resolution as set out in the public notice published in the local newspaper, see appendix 1.

3. Background

- 3.1. In mid 2023 the Street Trading Team was approached by a local businessperson (herein after referred to as "the applicant"), with an idea to sell Falafels on the highway in the Archway area. The applicant had previously been selling this

product for one day a week in Navigator Square (part of the Archway Market) but wanted to expand due to customer demand for their product.

- 3.2. Street Trading were unable to assist at the time as there were no vacant pitches in the area they requested. They were therefore advised to consider a location that could be 'Designated' by the council for Street Trading purposes subject to approval.
- 3.3. On the 17 September 2023, the Street Trading team received an application from the applicant identifying an area as a possible location for designation. This area is illustrated in the attached map, Appendix 2a & 2b
- 3.4. Formal consultations were carried out with members of the public, ward councillors, the police, Inclusive Design Team, Highways, Planning and Transport for London.
- 3.5. On 27 February 2024, 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 was 30 April 2024.
- 3.7. Planning have confirmed that as the trading receptacle will be removed at the end of the trading day, planning permission will not be required.

4. Implications

4.1 Financial Implications

4.1.1 The Street Trading budget has an income target of £104k for 2024/25 which sits within the Community Wealth Building directorate.

4.1.2 The costs incurred from designating an area outside of Archway tube station for street trading purposes would include cleansing, administration and enforcement of Part 111 of the provisions of the London Local authorities Act 1990 (as amended). However, these costs are already budgeted for within Street Trading as part of various compliance and waste service level agreements; the additional costs arising from this designation would be immaterial.

4.1.3 The approval of the designation would generate new income for the Street Trading budget in the form of fees charged to the applicant. The exact fee is yet to be determined however, based on current traders in the area, the estimate would be between £2.8k to £4k per annum. This would help contribute towards the Street Trading income target.

4.2 Legal Implications

- 4.2.1 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.
- 4.2.2 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))
- 4.2.3 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.
- 4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

Committee reports need to consider the impacts that proposals will have on the environment. An impact is defined as any change to the environment, whether positive or negative, wholly, or partially resulting from Council activities. Almost all human activity has some impact on the environment, and it is very unlikely that any activity will not have any implications

5 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 is not required in relation to this report, because the Islington council have an EIA/RIA that covers all licensing activities – including designations and applications.

6 Conclusion and reasons for recommendation

- 6.1 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 accounts.

This designation, if approved, also meets with the Councils objectives around creating employment and serving the community.

Appendices:

- Appendix 1
- Appendix 2a & 2b

Background papers:

- London Local Authorities Act 1990 (as amended).

Final report clearance:

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