

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 1<sup>st</sup> 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

4<sup>th</sup> 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](mailto:street.trading@islington.gov.uk)

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

# Street Trading Conditions and Procedures

|   |           |
|---|-----------|
| <b>CONDITIONS .....</b>   | <b>3</b>  |
| INTRODUCTION .....  | 3         |
| STREET TRADING LICENCE CONDITIONS .....                               | 3         |
| DEFINITIONS .....   | 3         |
| LICENCE COMPLIANCE .....  | 5         |
| USE OF THIS LICENCE .....   | 5         |
| STALL REQUIREMENTS .....  | 5         |
| REFUSE .....  | 7         |
| PRODUCT .....   | 7         |
| TERMS OF OPERATION .....  | 8         |
| MARKET TRADING .....  | 9         |
| ENFORCEMENT .....   | 9         |
| <b>ISLINGTON STREET TRADING PROCEDURES.....</b>                       | <b>11</b> |
| APPLICATION PROCESS.....  | 11        |
| <i>Permanent Licence</i> .....  | 11        |
| <i>Licence Variation</i> .....  | 12        |
| <i>Renewal of Permanent Licences (excluding Arsenal)</i> .....        | 12        |
| <i>Renewal of Arsenal Licences</i> .....                              | 13        |
| <i>Non-renewal</i> .....  | 13        |
| <i>Revocation</i> .....   | 13        |
| <i>Casual Licence</i> .....   | 14        |
| <i>Notes on casual trading</i> .....                                  | 14        |
| <i>Renewal</i> .....  | 15        |
| COMMODITY .....   | 15        |
| <b>STALLS.....</b>  | <b>15</b> |
| <b>PROSECUTIONS .....</b>   | <b>16</b> |
| ROUTINE PROCEDURE .....   | 16        |
| <i>Allocation of Vacant Pitches</i> .....                             | 16        |
| <i>Permanent Licensees wishing to occupy additional pitches</i> ..... | 17        |
| <i>Late arrivals</i> .....  | 17        |
| OWNERSHIP OF THE STREET TRADING LICENCE .....                         | 17        |
| <i>Licence is personal to the holder</i> .....                        | 17        |
| <i>Nominated successor</i> .....                                      | 17        |
| <i>Assistants</i> .....   | 18        |
| <i>Transfer of licence</i> .....                                      | 18        |
| <i>Carer's Leave</i> .....  | 18        |
| PAYMENTS .....  | 19        |
| <i>Street Trading fees and charges</i> .....                          | 19        |
| <i>Payment of full licence fees</i> .....                             | 19        |
| <i>Payment of Temporary and Casual Licence Fees</i> .....             | 19        |
| <i>Payment by cheque</i> .....  | 19        |
| REQUIREMENTS OF OTHER LEGISLATION.....                                | 20        |
| COMPLAINTS .....  | 20        |
| COUNCIL AUTHORISED OFFICERS.....                                      | 20        |
| STREET TRADING ENFORCEMENT OFFICER .....                              | 21        |
| <b>APPENDIX 1: TRADING LOCATIONS .....</b>                            | <b>23</b> |
| <i>Market / Pitch locations</i> .....                                 | 23        |
| <i>Location of Scattered Sites</i> .....                              | 24        |
| <i>Arsenal Pitches</i> .....  | 24        |
| <b>APPENDIX 2: STREET TRADING CHARGES.....</b>                        | <b>1</b>  |
| <b>APPENDIX 3: STREET TRADING – LIST OF COMMODITIES .....</b>         | <b>3</b>  |
| <b>APPENDIX 4: COUNCIL CONTACTS .....</b>                             | <b>5</b>  |

## 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.

### **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.

| <b>Market/area<sup>1</sup></b> | <b>Days of trading</b>  | <b>Commencement of trading</b>                 | <b>Cessation of trading</b>                    |
|--------------------------------|---|--|--|
| Chapel <sup>2</sup>            | Tuesday to Sunday   | 9am Tuesday to Saturday<br>8.30am Sunday       | 6pm Tuesday to Saturday<br>4pm Sunday          |
| Whitecross                     | Monday to Saturday  | 10am Monday to Saturday <sup>3</sup>           | 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 <sup>4</sup>   | 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

<sup>1</sup> Details of each trading location can be found at 1.

<sup>2</sup> Includes White Conduit, Godson and Baron Streets.

<sup>3</sup> Stalls shall not be put out prior to 8.00am on any day.

<sup>4</sup> 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 Prosecutors<sup>5</sup>. 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 of<sup>6</sup>:
    - 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 Concordat<sup>7</sup>.
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.

---

<sup>5</sup> Code of Crown Prosecutions available from [http://www.cps.gov.uk/victims\\_witnesses/code.html](http://www.cps.gov.uk/victims_witnesses/code.html) or on p: 020 7796 8000.

<sup>6</sup> 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.

<sup>7</sup> Enforcement Concordat is available at [www.cabinet-office.gov.uk](http://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.

## Street Trading Conditions and Procedures

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](http://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

## Street Trading Conditions and Procedures

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,

## Street Trading Conditions and Procedures

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](http://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](http://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.



## Street Trading Conditions and Procedures

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](http://www.cabinet-office.gov.uk).

138. Islington officers work to the council's Customer Care Standards<sup>8</sup>, 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;

---

<sup>8</sup> Available from Council's website [www.islington.gov.uk](http://www.islington.gov.uk)

## Street Trading Conditions and Procedures

- 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 Policy<sup>9</sup> 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.

---

<sup>9</sup> 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).

## Street Trading Conditions and Procedures

### Location of Scattered Sites

| <b>Street location</b> | <b>No of designated pitches</b> |
|------------------------|---------------------------------|
| 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

| <b>Street location</b> | <b>No of designated pitches</b> |
|------------------------|---------------------------------|
| 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 1<sup>st</sup> October 2008 Islington Council determined that, from Monday 6<sup>th</sup> 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 1<sup>st</sup> 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

## 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](mailto: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](mailto:licensing@islington.gov.uk)  
[www.islington.gov.uk/Business/Licences/TemporaryLicences](http://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](mailto: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](mailto: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](http://www.islington.gov.uk/services/business-licensing/opportunities/street-trading)

**CONTENTS**

|  |    |
|--|----|
| INTRODUCTION.....                                      | 3  |
| NEW STARTERS PROBATION PERIOD.....                     | 3  |
| LICENCE VARIATION.....                                 | 4  |
| RENEWAL OF PERMANENT LICENCES (EXCLUDING ARSENAL)..... | 4  |
| STREET TRADING FEES AND CHARGES.....                   | 4  |
| RENEWAL OF LICENCES AROUND THE ARSENAL AREA.....       | 5  |
| NON-RENEWAL.....                                       | 5  |
| REVOCAION.....   | 6  |
| CASUAL REGISTRATIONS.....                              | 6  |
| COMMODITY.....   | 6  |
| STALLS/KIOSKS.....                                     | 7  |
| ENFORCEMENT.....                                       | 7  |
| NOMINATED SUCCESSOR.....                               | 7  |
| ASSISTANTS.....  | 8  |
| CARER'S LEAVE.....                                     | 9  |
| REQUIREMENTS OF OTHER LEGISLATION.....                 | 9  |
| PROCEDURES (SPECIFIC TO MARKET TRADERS).....           | 9  |
| COMPLAINTS.....  | 10 |
| AUTHORISED COUNCIL OFFICERS.....                       | 10 |
| APPENDIX 1: STREET TRADING – LIST OF COMMODITIES.....  | 11 |
| APPENDIX 2: COUNCIL CONTACTS.....                      | 13 |
| APPENDIX 3: FEES AND CHARGES.....                      | 14 |

## 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 purpose<sup>2</sup>.

### **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](http://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](mailto: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](mailto:licensing@islington.gov.uk)  
[www.islington.gov.uk/Business/Licences/TemporaryLicences](http://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](mailto: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](mailto:noise.issues@islington.gov.uk)

### **Compliance Manager**

#### **Street Trading**

**222 Upper Street**  
**London N1 1XR**  
**[Street.trading@islington.gov.uk](mailto: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](mailto: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 <sup>1</sup>              | Tuesday to Sunday  | 9am Tuesday to Sunday                          | 6pm Tuesday to Saturday<br>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.

---

<sup>1</sup> 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 15<sup>th</sup> 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 CO<sub>2</sub>

## 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 1<sup>st</sup> 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: [steet.trading@islington.gov.uk](mailto:steet.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  
Public Protection Division  
222 Upper Street  
London  
N1 1XR

«Title» «Name1» «Name3»  
«Address1»  
«Address2»  
«Address3»

T 020 7527 3046  
F 020 7527 3165  
E [houriyedervish@islington.gov.uk](mailto:houriyedervish@islington.gov.uk)  
W [www.islington.gov.uk](http://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 18<sup>th</sup> 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 30<sup>th</sup> 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**