



Subject:	Consideration of Designating Resolution for Street Trading Sites at Queen's Quay
Date:	17 April 2024
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext 2435
Contact Officer:	James Cunningham, Senior Licensing Officer, Ext. 3375

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	Under the provisions of the Street Trading Act (NI) 2001 a district council has powers to designate and rescind the designation of specific streets or parts of streets as being suitable for street trading. The Act also allows a council to vary a previous designating resolution in relation to the commodities or services to be supplied in specific streets.
1.2	If a street or the commodity to be offered has not been designated under the Act the Council cannot issue a licence for street trading from a stationary position in that street.
1.3	The process of considering and reviewing the designation of streets is therefore an essential part of the legal framework within which the Council is enabled to regulate street trading in the City.

1.4	Committee will recall that, at your meeting of 17 January this year, you granted approval to initiate the statutory process for the designation of 4 sites at Queen's Quay which had been identified as a result of an expression of interest received from Maritime Belfast Trust to allow trade from new sites.
2.0	<u>Recommendations</u>
2.1	<p>Based on the information presented the Committee is requested to consider the proposal and to:</p> <ol style="list-style-type: none"> 1. Approve a Designating Resolution to designate the whole street or part of the street (site/s), where it may allocate street trading pitches. The Designating Resolution will include the operational date and may stipulate either: <ul style="list-style-type: none"> • Only specified articles, things or services or classes of specified articles, things or services that may be sold or supplied; or • Specified articles, things or services or classes of specified articles, things or services that are prohibited. <p>OR</p> <ol style="list-style-type: none"> 2. Decide not to proceed with any or all of the proposal.
2.2	In addition to making any Designating Resolution, Members may, having considered all comments, record any reasonable conditions that should be applied to a subsequent licence. For example, these may include hours of trade, days of trade, duration of licence, etc.
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>The designation process involved seeking comments from interested parties, including relevant statutory bodies, through public advertisement and consultation.</p> <p>The Street Trading Act (NI) 2001 requires the Council to ensure that each application is fairly and objectively assessed, that all relevant factors are considered and, in doing so, the Council must consult with the:</p> <ol style="list-style-type: none"> a) PSNI, and b) Department for Infrastructure - Roads. <p>The Council may also consult other persons as it considers appropriate. Such consultees may include local residents, business and commercial premises in the vicinity of the site in respect of which the application has been received.</p> <p>The purpose of this report is to enable the Committee to consider the proposal in conjunction with the submissions received and make a decision on whether or not to designate the sites proposed.</p> <p>Where appropriate, the commodities are also considered in addition to a synopsis of the comments received during the consultation period. Copies of all the responses are also attached to this report for your information as Appendix 1 and a location map is included at Appendix 2.</p>
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	<u>Queen's Quay (4 sites)</u>
3.6	Maritime Belfast Trust made the application with the consent of the Department for Communities, who are the landowner. The proposal is for commodities to be later determined in conjunction with Maritime Belfast/ the Department for Communities, however there will be no late-night hot food trading.
3.7	Department for Communities (DfC) The DfC is supportive of the designation of these trading pitches on Queen's Quay but highlight the need for flexibility as to their specific location, as the area remains an important access point and operational area for their River Management Team. The DfC is content to support the application for the trading pitches subject to the flexibility in location being confirmed.
3.8	Committee may wish to note that Queen's Quay is being proposed for designation for 4 trading pitches within a defined area. This will allow the final positioning to be decided by the DfC, to meet their operational requirements.
3.9	This would be the same approach previously used when the designation of Donegall Quay on the opposite side of the river, which is also managed by DfC, was agreed for 6 sites.
3.10	Police Service of Northern Ireland Police have no objection and acknowledge that no night-time hot food trading sites are being considered.
3.11	DFI Roads The Department have no objection to the proposal as the location is not part of the adopted road network.
3.12	Published 28 day Notice No responses were received as a result of the public notice.
3.13	Members are reminded that the designation process is about the principle of a street trading pitch being at the location. Matters regarding the suitability of a particular person, the stall and the ability to manage the site are considered as part of the licensing process.
3.14	The person requesting a site to be designated, is merely a 'trigger' for the process and they may not be the person who is ultimately granted the Street Trading Licence to operate at the site. Members are reminded that on occasions the Committee has considered multiple competing licence applications for a street trading site.
3.15	<u>Financial and Resource Implications</u> The cost of all notices is included in current revenue budgets.
3.16	<u>Equality or Good Relations Implications/Rural Needs Assessment</u> There are no issues associated with this report.
4.0	Appendices – Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Location map • Appendix 2 – Copies of correspondence received