



<b>Subject:</b>	<b>Consideration of Designating Resolutions for New Street Trading Sites</b>
<b>Date:</b>	17 <sup>th</sup> June, 2015
<b>Reporting Officer:</b>	Trevor Martin, Head of Building Control, Ext 2450
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>												
1.1	An important feature of the licensing provisions in the Street Trading Act (NI) 2001 is the power of a district council to designate 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 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	Designation applications or expressions of interest have been received for the creation of new designated sites in streets at various locations throughout the City as listed below. <table border="1" data-bbox="284 1579 1422 1921"> <thead> <tr> <th></th> <th><b>Location</b></th> <th><b>Commodity</b></th> </tr> </thead> <tbody> <tr> <td><b>1</b></td> <td>Queens Quay situated beside Lagan Weir foot bridge (3 Sites)</td> <td>Commodity to be determined.</td> </tr> <tr> <td><b>2</b></td> <td>Car park, 220 Stewartstown Road (1 Site)</td> <td>Wet Fish.</td> </tr> <tr> <td><b>3</b></td> <td>Mountpottinger Link at the junction with Mountpottinger Road, situated on the left hand side of the road on the foot path (1 Site)</td> <td>Hot and cold food, non alcoholic beverages, confectionery or similar commodities.</td> </tr> </tbody> </table>		<b>Location</b>	<b>Commodity</b>	<b>1</b>	Queens Quay situated beside Lagan Weir foot bridge (3 Sites)	Commodity to be determined.	<b>2</b>	Car park, 220 Stewartstown Road (1 Site)	Wet Fish.	<b>3</b>	Mountpottinger Link at the junction with Mountpottinger Road, situated on the left hand side of the road on the foot path (1 Site)	Hot and cold food, non alcoholic beverages, confectionery or similar commodities.
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<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is required to consider the applications that have been received for the creation of new designated sites and, subject to any amendments you may have, permission is sought to allow the publication of the statutory 28-day notice of the proposed resolution and to commence consultation with statutory bodies and other persons who may have an interest in the proposals.
2.2	A further report will be brought to Committee, at a later date, detailing the outcome of the process of consultation. At that stage Members will be able to decide on the designation of the streets along with any restriction on the commodity to be sold and any recommendations about the restriction on the times of trading.

<b>3.0</b>	<b>Main report</b>
	<b><u>Key Issues</u></b>
3.1	The Act sets down the procedures which must be followed in considering a designating resolution, including the types of trading which may or may not take place in that street. The main steps the Council must undertake may be summarised as follows: <ul style="list-style-type: none"> <li>a) Give public notice of the proposed resolution;</li> <li>b) Consult with the Police and the Department of Regional Development and other persons it considers appropriate;</li> <li>c) Consider any representations relating to the proposed resolution which it has received;</li> <li>d) After the Council has considered those representations it may, if it thinks fit, pass the designating resolution;</li> <li>e) Publish notice of the outcome for 2 consecutive weeks in 2 or more newspapers, giving not less than 28 days between the date of the publication and the date set out by the Council when the resolution will come into effect.</li> </ul>
3.2	The Committee has previously considered a number of locations throughout the City and determined their appropriateness for designation.
	<b><u>Financial &amp; Resource Implications</u></b>
3.3	The cost of the legal notices is included in current revenue budgets.
	<b><u>Equality or Good Relations Implications</u></b>
3.4	There are no equality or good relations issues.

<b>4.0</b>	<b>Appendices – Documents Attached</b>
	None