



Subject:	Competing Applications for the Grant of a Stationary Street Trading Licence – Boucher Crescent
Date:	12th November, 2015
Reporting Officer:	Trevor Martin, Head of Building Control, Ext 2450
Contact Officer:	Stephen Hewitt, Building Control Manager, Ext 2435

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

1.0	Purpose of Report
1.1	Members are reminded that, at your meeting on 16 th September, you considered separate Street Trading Licence applications from Miss Kathy Finn and Mr Christopher Hamill for a vacant designated site on Boucher Crescent.
1.2	After consideration, the Committee agreed that it was minded to grant to Mr Hamill a Stationary Street Trading Licence permitting him to sell hot food and non alcoholic beverages, Monday to Saturday 7.00 a m to 4.00 p m in Boucher Crescent, at a site which has been designated previously for the sale of those commodities, subject to: <ul style="list-style-type: none">• The applicant providing all necessary documentation; and• The receipt of the appropriate licensing fees.
1.3	A copy of the minute of that meeting is attached.

2.0	Recommendations
2.1	The Committee must agree either to: <ol style="list-style-type: none">1. uphold the initial decision of the 16th September 2015 and grant the licence to Mr Hamill for a period of one year and refuse the other application, or2. amend your decision of 16th September 2015.
2.2	If the Committee agrees to amend its decision of 16 th September, it should give the grounds for so doing and agree that a date for a special meeting be arranged to hear from the applicants again before making the final decision.

2.3	On granting a licence Members may attach any reasonable conditions to it.
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3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>As a consequence of agreeing to proceed on the basis that you were minded to grant the Licence to Mr Hamill and also that there was only one designated site available, the Committee agreed that it was minded to refuse the application which had been submitted by Miss Finn. That decision was on the grounds set out in Sections 9(1)(a)(i) and (iv) of the Street Trading Act (Northern Ireland) 2001, namely, that the location at which they wished to trade was unsuitable and that there were sufficient traders trading at that location in the articles, things or services in which they wished to trade.</p>
3.2	Accordingly, Miss Finn was notified that she would be permitted to make written representation to the Council with such representation to be made within twenty-one days from the date of notice.
3.3	Members are advised that Miss Finn has not submitted an appeal.
	<u>Financial and Resource Implications</u>
3.4	<p>If the Committee grants a licence, the Street Trading Licence fee is as follows:</p> <ul style="list-style-type: none"> • application Fee of £100, and • a Licence fee, for Monday to Saturday, of £800.
	<u>Equality or Good Relations Implications</u>
3.5	There are no equality or good relations issues with this report.

4.0	Document Attached
	Minute of meeting of Licensing Committee of 16 th September