



<b>Subject:</b>	<b>Application for the Renewal of a Mobile Street Trading Licence</b>
<b>Date:</b>	12th November, 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</b>
1.1	To consider an application for the renewal of a Mobile Street Trading Licence from Mr Kevin McShane for the sale of ice cream, confectionery and non alcoholic beverages from Monday to Saturday between the hours of 2.00 p m and 10.30 p m. in the Turf Lodge, Ladybrook, Finaghy, Andersonstown, Suffolk and Falls areas of the City
1.2	Mr McShane has confirmed that he no longer wishes to trade on a Sunday.
<b>2.0</b>	<b>Recommendation</b>
2.1	Taking into account the information presented and any representations received the Committee is requested to consider the application and decide to:  <ol style="list-style-type: none"><li>1. grant and approve the licence, or</li><li>2. grant and approve the licence with additional conditions, or</li><li>3. refuse the application.</li></ol>
2.2	Members may attach any reasonable conditions when granting a Licence.
2.3	Should you be of a mind to refuse the application you are required to advise the applicant of your intention to do so.
2.4	If the application is refused, the applicant may appeal the Council's decision within 21 days of notification of that decision to the Magistrates Court.

<b>3.0</b>	<b>Main report</b>
	<p data-bbox="260 192 416 226"><b><u>Key Issues</u></b></p> <p data-bbox="153 259 1445 389">3.1 Members are reminded that, at the Licensing Committee meeting on 19<sup>th</sup> February 2014, you considered an application from Mr McShane to vary his Mobile Street Trading licensed route to include the additional area of the Falls, which included Grosvenor Road, Springfield Road and Donegall Road and included the Clonard Electoral Ward.</p> <p data-bbox="153 427 1445 524">3.2 The application had been the subject of objections from other Licensed Mobile Street Traders and had previously been considered by the Licensing Committee at their meeting on the 18<sup>th</sup> September 2013.</p> <p data-bbox="153 562 1445 624">3.3 When Committee granted the variation, they requested that it be reviewed when Mr McShane's Licence was being renewed in November 2015.</p> <p data-bbox="153 663 1445 725">3.4 A copy of the minutes from the Licensing Committee meeting of the 19<sup>th</sup> February 2014 is attached.</p> <p data-bbox="153 763 1445 860">3.5 The Street Trading Act (Northern Ireland) 2001 (the Act) places a statutory obligation on a district council to grant an application for a Street Trading Licence unless there are sufficient grounds to refuse it.</p> <p data-bbox="153 898 1445 960">3.6 Officers are not aware of any issues regarding Mr McShane and he has no licensing infringements.</p> <p data-bbox="153 999 1445 1095">3.7 Since Mr McShane's Licence was varied, the Council has not had any feedback from either the original objectors or from local residents regarding the impact of his trade in the Falls or any other area.</p> <p data-bbox="260 1133 772 1167"><b><u>Financial and Resource Implications</u></b></p> <p data-bbox="153 1205 1378 1238">3.8 If the Committee grants a Street trading Licence to Mr McShane, the fee is as follows:</p> <ul data-bbox="309 1272 979 1335" style="list-style-type: none"> <li>• application Fee of £120, and</li> <li>• a Licence fee, for Monday to Saturday, of £628.</li> </ul> <p data-bbox="260 1373 844 1406"><b><u>Equality and Good Relations Implications</u></b></p> <p data-bbox="153 1444 1219 1487">3.9 There are no equality or good relations issues associated with this report.</p>
<b>4.0</b>	<b>Documents Attached</b>
	Minutes of meeting of 19 <sup>th</sup> February 2014.