



<b>Subject:</b>	<b>Application for the Variation of a Stationary Street Trading Licence – Lombard Street</b>
<b>Date:</b>	16th March, 2016
<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/Summary of main Issues</b>
1.1	To consider an application for the variation of a Street Trading Licence from Mr Francis Brown from Lombard Street to the designated site in Fountain Lane, 60ft. from its junction with Donegall Place.
1.2	This is to facilitate the environmental improvements being planned in the Rosemary Street and Lombard Street area as part of a streetscape scheme. Unfortunately, the site which Mr Brown trades from will become unavailable for a period during the works.
1.3	Under the Council's policy for dealing with changed circumstances affecting licensed street trading, we offered Mr Brown the choice of any vacant Designated Street Trading Pitch permitting the sale of his commodities and he agreed to utilise the Fountain Lane site.
1.4	The site allows for the commodity to be determined but excludes the sale of hot food. However, this will be of no detriment to Mr Brown as this would allow for the sale of his commodities, which consists of Belfast themed artwork and photographs, baseball caps, t-shirts, bookmarks, key rings, tablemats, diaries, belts, calendars, ponchos, Celtic crafted plaques, hurling sticks, St Patricks day and Pride hats, flags, whistles and necklaces and bus tour tickets from Monday to Sunday between 0900 hrs to 2100 hrs.
1.5	When the works in Lombard Street are sufficiently completed Mr Brown will be allowed to return to his Fountain Lane site to continue trading as normal, which he intends to do.

<b>2.0</b>	<b>Recommendations</b>
2.1	<p>Taking into account the information presented and any representation received, the Committee is requested to determine whether to:</p> <ol style="list-style-type: none"> <li>1. grant and approve the variation, or</li> <li>2. refuse the application.</li> </ol>
2.2	Should you be of a mind to refuse the application, you are required to advise the applicant of your intention to do so.
2.3	If, subsequent to hearing the applicant, you refuse the application the applicant may appeal that decision to the Magistrates Court.

<b>3.0</b>	<b>Main report</b>
	<b><u>Key Issues</u></b>
3.1	Section 11 of the Street Trading Act (N.I.) 2001 provides that the Council may at any time vary the conditions specified in a Street Trading Licence where an application is made under Section 5 by the licence holder (Mr. Brown).
3.2	The Act only allows the Council to vary what the licence holder has requested - in this case the variation is for a change of location.
3.3	In light of the issues regarding bus tour tickets and recent considerations by this Committee on the matter, we thought it was another appropriate reason to bring this matter for your attention and consideration, as granting this variation will permit the sale of bus tour tickets to be sold from the Fountain Lane site.
3.4	However, Members may wish to note that the adjoining site in Fountain Lane, which is 45ft. from the junction with Donegall Place, also sells bus tour tickets.
	<b><u>Financial and Resource Implications</u></b>
3.5	None
	<b><u>Equality or Good Relations Implications</u></b>
3.6	There are no equality or good relations issues.

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