

**Competing Applications for a Stationary  
Street Trading Licence - Donegall Street**

The Committee was advised that competing applications had been received from two persons wishing to trade from a designated site in Donegall Street, opposite the Kremlin nightclub. The Building Control Manager reviewed the applications, one of which had been submitted by the current licence holder, Mr. S. McCallum, who had applied to sell from a hot food trailer hot food and non-alcoholic beverages from Monday to Sunday between the hours of 9.00 p.m. and 4.00 a.m. His business was registered currently by the Council and had been awarded a rating of 3 under the Food Hygiene Rating Scheme.

The second applicant, Ms. L. Swift, was seeking also to sell from a hot food trailer hot food and non-alcoholic beverages from Monday to Sunday between the hours of 9.00 p.m. and 3.00 a.m. Her business was registered currently by Ards and North Down Borough Council and held a food hygiene rating of 5.

The Building Control Manager confirmed that both applicants were in attendance, should the Committee wish to obtain clarification on their proposals for the site.

The Committee agreed that it would be beneficial to hear from each of the applicants and Mr. S. McCallum and Mrs. L. McCallum were welcomed firstly by the Chairperson.

Mr. McCallum informed the Members that he had been trading at the location for approximately fourteen years and that he had created no difficulties for the Police Service of Northern Ireland or for others. He pointed out that, at the end of each night's trading, he methodically cleansed both sides of the street in the vicinity of his trailer, which included an area to the front of a church. He concluded by circulating for the Committee's information letters from a representative of that church and from a nearby business, both of which were supporting his application. Mrs. McCallum highlighted the fact that the business provided a longstanding and reputable service for night-time customers attending local entertainment venues and urged the Committee to grant her husband's application.

The Chairperson then invited Ms. L. Swift, the second applicant, who was accompanied by Mr. D. Sloan, to make her submission.

Ms. Swift informed the Committee that she had been unaware, when submitting her application, that Mr. McCallum had been trading at that location for a considerable period of time. In light of that, she confirmed that she would be willing to consider other suitable sites which might be available.

The Chairperson thanked the applicants for their contribution.

After discussion, the Committee agreed, in its capacity as Licensing Authority, that it was minded to grant to Mr. S. McCallum a Stationary Street Trading Licence permitting him to sell hot food and non-alcoholic beverages from Monday to Sunday between the hours of 9.00 p.m. and 4.00 a.m., at a designated site in Donegall Street, opposite the Kremlin nightclub, on the basis that he had been trading at that location since 2000 and that the other applicant had indicated that she would be willing to consider an alternative site.

As a consequence of the decision to grant the Licence to Mr. McCallum and the fact that there was only one designated site available, the Committee agreed that it was minded to refuse the application which had been submitted by Ms. L. Swift, on the grounds set out in Section 9(1) (a) (iv) of the Street Trading Act (Northern Ireland) 2001, namely, that there were sufficient traders trading at that location in the articles, things or services in which she wished to trade. The Committee authorised Council officers to work with Ms. L. Swift to identify other suitable sites from which she might wish to trade.

The Committee noted that the unsuccessful applicant would be advised that, in accordance with Section 12 (2) (b) of the Street Trading Act (Northern Ireland) 2001, she would be permitted to make written representation to the Council within twenty-one days from the date of notice.