



<b>Subject:</b>	<b>Applications for the Grant of Temporary Street Trading Licences - East Bridge Street / Great Victoria Street</b>
<b>Date:</b>	17th May, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, Ext 2435
<b>Contact Officer:</b>	Patrick Cunningham, Assistant Building Control Manager, Ext 6446

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<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 two Temporary Street Trading Licence applications from Miss Nichola Coffey of Mixtape Marketing who are acting on behalf of Lucozade.
<b>2.0</b>	<b>Recommendation</b>
2.1	The Committee is requested to decide whether to:-  1. grant and approve either or both licences, or 2. grant and approve either or both licences with additional conditions, or 3. refuse either or both licences.
2.2	The Committee may attach any reasonable conditions when granting a licence.

2.3	If any of the applications are 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="272 322 432 353"><b><u>Key Issues</u></b></p> <p data-bbox="165 394 1471 488">3.1 Miss Coffey proposes to operate one sampling stand measuring 1m in height and 0.8m in width and two sampling trays at the entrance to Central Station on East Bridge Street on 2nd June 2017 from 11.00 am to 3.00 pm.</p> <p data-bbox="165 528 1471 591">3.2 The applicant also proposes to operate a second sampling stand and two sampling trays, of equal size, at Great Victoria Street near the junction with Glengall Street at the same time.</p> <p data-bbox="165 631 1471 694">3.3 Miss Coffey plans to hand out complimentary bottles of Lucozade Zero to members of the public in order to promote the product.</p> <p data-bbox="165 734 1214 766">3.4 The locations of the proposed sites are attached at Appendices 1 and 2.</p> <p data-bbox="165 797 1471 896">3.5 Section 14 of the Street Trading Act (N.I.) 2001 permits the Council to issue a Temporary Licence where a full-term licence may not be appropriate, for example, for special events such as festivals, fairs, etc.</p> <p data-bbox="165 936 1471 1034">3.6 In recognition of the possibility that applications may need to be processed quickly and because of the ad-hoc nature of the events for which a Temporary Licence is designed to cater for, the wording of the legislation permits a wide degree of discretion to the Council.</p> <p data-bbox="165 1066 1471 1128">3.7 The Council is given the discretion to allow trading at any place or in any manner and has the discretion to permit trading in such goods or services as it wishes.</p> <p data-bbox="165 1169 1471 1299">3.8 Under the Act, the Council is required to develop criteria for making decisions on applications for a Temporary Licence. The Council is free to set the criteria it considers appropriate, for example, the types of occasions/events, the types of trading, the size/number of stalls, the positioning of stalls, etc.</p> <p data-bbox="165 1339 1471 1402">3.9 Members are advised that the Council agreed a Temporary Street Trading Policy in 2001. A copy of the Policy is attached at Appendix 3.</p> <p data-bbox="165 1442 1471 1572">3.10 The Council may also attach any conditions it considers appropriate to the grant of a Temporary Licence. These may be similar to those which the Council might attach to a full term licence but the Act allows the freedom to respond to the special nature of such licences with different rules.</p> <p data-bbox="165 1603 1471 1666">3.11 A Temporary Licence cannot be granted for a period exceeding 7 days and the Council can issue no more than five Temporary Licences to any person in any year.</p> <p data-bbox="165 1706 1471 1908">3.12 The application has been assessed against the Council's Temporary Street Trading Policy and Members are advised that it does not fully comply with it, in that:</p> <ol data-bbox="272 1809 1471 1908" style="list-style-type: none"> <li>1. Applications to permit Temporary Street Trading are normally at special events such as Christmas Lights Switch-on, New Year's Eve, Halloween Events, Festival and Civic Events, Community Organised Events and Cultural Parades/Events.</li> </ol> <p data-bbox="165 1939 1050 1971">3.13 This application is not connected to any such special event.</p>

3.14	However, the Policy allows for Temporary Street Trading which adds colour, ambience, novelty and/or tradition in particular locations and/or may consider such applications in the context of seasonal/festive periods.
3.15	<p>In determining the suitability of each Temporary Street Trading Licence, 5.7 in the Policy allows the Council to take into account:</p> <ul style="list-style-type: none"> <li>(a) The safety of the public and any risks which may arise;</li> <li>(b) The appropriateness and suitability of the street or part thereof and commodities in relation to the location;</li> <li>(c) The potential adverse impact that Temporary Street Trading may have upon the character and appearance of the area in question;</li> <li>(d) The extent to which the sale of the commodity will provide a useful service to the event or occasion not otherwise provided in the area;</li> <li>(e) The potential environmental effects such as additional litter, cleansing requirements, odour and noise;</li> <li>(f) The potential for the proposed said Temporary Street Trading Licence to have an adverse effect in terms of anti-social behaviour and public disorder;</li> <li>(g) Any other statutory provision which would be appropriate to consider;</li> <li>(h) Previous complaints arising from any Street Trading activities in that street or part thereof;</li> <li>(i) The conditions pertaining to the event e.g. road closures, provision of marshals, off-street activities and venues, numbers of persons anticipated and age profile; and</li> <li>(j) The number of Temporary Street Trading Licences already granted for a street or part thereof for a specified period and adequacy in the context of the commodity or service proposed to be offered.</li> </ul> <p><b><u>Consultation</u></b></p>
3.16	DRD Transport N.I. has been consulted and had confirmed that it has no objections to the proposals.
3.17	The PSNI has been consulted and has confirmed that it has no objections to the proposals.
3.18	Translink has been consulted and has confirmed by telephone that it has no objections to the proposals. It hasn't confirmed in writing.
3.19	Belfast City Centre Management has also been consulted but has not provided a response.
3.20	A copy of all consultation responses are attached at Appendix 4.
	<b><u>Process</u></b>
3.21	The applicant has been invited to appear before the Committee and make a brief presentation on matters such as how they propose to operate and amange the promotion from the site, and address any concerns associated with the proposal.

3.22	<p>After considering representation from the applicant, you will then be required to determine the application.</p> <p><b><u>Financial and Resource Implications</u></b></p>
3.23	<p>If the Committee grants the Temporary Street Trading Licence, the fee is as follows:</p> <ul style="list-style-type: none"> <li>• Application Fee of £120, and</li> <li>• A Licence Fee of £26 for Friday</li> </ul> <p><b><u>Equality or Good Relations Implications</u></b></p>
3.24	<p>There are no equality or good relations issues associated with this report.</p>
<b>4.0</b>	<b>Documents Attached</b>
	<p>Appendix 1 - Map for proposed East Bridge Street site</p> <p>Appendix 2 – Map for proposed Great Victoria site</p> <p>Appendix 3 – Temporary Street Trading Policy</p> <p>Appendix 4 – Consultation Responses</p>