



Subject:	Designation of Street Trading Sites
Date:	19 th June 2019
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
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Restricted Reports

Is this report restricted?

Yes

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No

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If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Some time in the future

Never

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Call-in

Is the decision eligible for Call-in?

Yes

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No

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1.0	Purpose of Report or Summary of main Issues
1.1	An important feature of the licensing provisions in the Street Trading Act (NI) 2001 (the Act) is the power of a district council to Designate or to rescind the Designation of specific streets or parts of streets as being suitable for street trading.
1.2	The Act also allows a council to vary a previous Designating Resolution in relation to the commodities or services to be supplied in specific streets.
1.3	If a street or the commodity to be offered has not been Designated under the Act the Council cannot issue a Licence for street trading from a stationary position in that street.
1.4	The Council has received a request from Victoria Square Management to designate land at the entrance into Victoria Square from Ann Street for the sale of hot and cold food and non-alcoholic beverages or similar commodities.

1.5	Council has also received a request from Department for Communities, Belfast Regeneration Directorate as landowner of Queen's Quay asking that the 3 Designated sites on their land at Queen's Quay be rescinded (letter attached as Appendix 2).
2.0	Recommendations
2.1	<p>Taking into account the information presented for the creation of a new designated site and the rescinding of 3 designated sites Committee is asked to:</p> <ol style="list-style-type: none"> 1. Permit the publication of the statutory 28-day notice of the proposed resolution, and 2. Authorise consultation with statutory bodies and other persons who may have an interest in the proposals.
3.0	Main report
3.1	<p><u>Key Issues</u></p> <p>The Act sets down the procedures which must be followed in considering whether to designate a site or rescind a designation. The steps the Council must undertake are summarised as follows:</p> <ol style="list-style-type: none"> a) Give public notice of the proposed resolution; b) Consult with the PSNI, Department for Infrastructure, licence holders (if any) and other persons it considers appropriate; c) Consider any representations relating to the proposed resolution which it has received; d) After the Council has considered those representations it may, if it thinks fit, pass the Designating Resolution; e) Publish notice of the outcome for 2 consecutive weeks in 2 or more newspapers, giving not less than 28 days between the date of the publication and the date set out by the Council when the Designating Resolution will come into effect.
3.2	<p>A further report will be brought before the Committee, at a future meeting, detailing the outcome of the process of consultation. At this stage, Members will be able to determine whether to designate the site and whether it wishes to restrict the commodities to be sold, times of trading etc.</p> <p>Proposed Site</p>
3.3	Victoria Square Management have applied to the Council requesting that a site, measuring 14ft by 15ft, is designated on their land at the entrance into Victoria Square from Ann Street for the sale of hot and cold food and non-alcoholic beverages or similar commodities.
3.4	The intention is to use the site to have a coffee van type of operator trading in the area. A map of the proposed site is attached as Appendix 1.
3.5	<p>Committee may wish to note that the Act applies to land which is privately owned, if the public have access.</p> <p>Rescinding the Designation of sites</p>
3.6	The procedures that must be followed for rescinding a Designating Resolution are the same as those for making the Designation in the first place.

3.7	Department for Communities, Belfast Regeneration Directorate as landowner of Queen's Quay have written to the Council (letter attached as Appendix 2) and have asked that the 3 Designated sites on their land at Queen's Quay are rescinded.
3.8	<p>Since July 2016, when the sites were created, no Licences have been issued and the area is now being used for operational activities associated with the management of the river Lagan.</p> <p><u>Financial and Resource Implications</u></p>
3.9	<p>The cost of all notices is included in current revenue budgets.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>
3.10	There are no issues associated with this report.
4.0	Appendices – Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Map for Victoria Square • Appendix 2 – Letter from Department for Communities