



Subject:	To consider the minded to decision to refuse Stationary Street Trading Licence application for Dargan Crescent – at Musgrave Cash and Carry site.
Date:	13 April 2022
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	James Cunningham, Senior Licensing Officer, ext. 3375

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

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	At the Licensing Committee meeting of 19 January 2022, Members considered an application for the grant of a Street Trading Licence from Mr David Reilly to trade at the available designated site in Dargan Crescent at Musgrave Cash and Carry.
1.2	After hearing from Mr Reilly's legal representative, the Committee agreed, that it was minded to refuse to grant Mr Reilly a licence on the discretionary grounds set out in Section 9 (1) (c) of the Street Trading Act (Northern Ireland) 2001. In that the applicant was, on account of misconduct or some other reason relating to trading activities, unsuitable to hold a Street Trading Licence.
1.3	A copy of the minutes from that meeting is attached to this report as Appendix 1.

2.0	Recommendations
2.1	Based upon the information presented Members must agree either to: <ol style="list-style-type: none"> 1. Uphold the initial decision of 19 January 2022 and refuse the grant of the Stationary Street Trading Licence, or 2. Rescind your decision of 19 January 2022 and decide not to refuse the grant of the Stationary Street Trading Licence.
2.2	If the Licence is refused, Mr Reilly may appeal the Council's decision within 21 days of notification of that decision to the Magistrates' Court
3.0	Main report
	<u>Key Issues</u>
3.1	Following your decision in January, Mr Reilly was notified of the outcome and was informed that he would be permitted to make personal and written representation to Committee with such representation to be made within 21 days from the date of notice.
3.2	No representation was received within the 21 days from Mr Reilly.
3.3	Mr Reilly has now verbally informed the Council's Senior Licensing Officer that he (Mr Reilly) does not wish to appeal your decision or make any representation.
	<u>Financial and Resource Implications</u>
3.4	If this Licence is refused it is expected it will be filled within a short time.
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.5	There are no issues associated with this report.
4.0	Appendices – Documents Attached
	<ul style="list-style-type: none"> • Appendix 1 – Minutes of 16 January 2022