

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**

16th March, 2026

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following item(s) will also be considered at the meeting to be held at 5.15 pm on Wednesday, 18th March, 2026.

Yours faithfully,

JOHN WALSH

Chief Executive

AGENDA:

6. **Non-delegated Item - Street Trading at the Fleadh** (Pages 1 - 16)

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Subject:	Temporary Street Trading Scheme (excluding alcohol) at the Fleadh Cheoil na hÉireann
Date:	18 March 2026
Reporting Officer:	Kate Bentley, Director of Planning & Building Control, Ext. 2300
Contact Officer:	Stephen Hipkins, Building Control Manager, Ext. 2435

Restricted Reports									
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
<p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 30px; height: 20px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime 									
<p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 30%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		After Committee Decision	<input type="checkbox"/>	After Council Decision	<input type="checkbox"/>	Sometime in the future	<input type="checkbox"/>	Never	<input type="checkbox"/>
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Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report
1.1	This report outlines the proposed processes for a temporary street trading application scheme (excluding the sale of alcohol) for streets and sites within the city centre road closure pedestrianised area for the Fleadh in Belfast 2-9 August 2026.
2.0	Recommendations
2.1	<p>The Committee is requested to note the contents of the report and agree to the processes as outlined for a temporary street trading application scheme for period of the Fleadh 2-9 August 2026, and specifically to agree:</p> <ul style="list-style-type: none"> • That applications should only be accepted under this scheme within the road closure area for the streets and locations identified as suitable for street trading and that applications will not be accepted for the sale of alcohol. • The procedure to invite applications and criteria for applications. • To waive the second application fee for applications for an eight-day licence to cover the whole of the Fleadh period. • The method of selection of successful applicants including how a surplus of applications will be dealt with (competing applications) • That delegated authority be given to the Director of Planning and Building Control in conjunction with the City Solicitor for rejecting applications and making decisions concerning oversubscribed /competing applications under the scheme.
3.0	Main Report
3.1	<p><u>Key Issues</u></p> <p><u>Background</u></p> <p>Members will recall that at your meeting of the 18 February 2026 as part of a report on Licensing Procedures and the Fleadh you agreed that to ensure fairness, applications for any temporary street trading licence opportunities for the Fleadh would be invited within a set timeframe, and you were asked to note that a further report on Street Trading at the Fleadh would be brought to the Committee to determine locations and processes.</p> <p>Under Section 14 of the Street Trading Act (Northern Ireland) 2001 the Council may grant a temporary street trading licence to an individual where an annual stationary licence is not appropriate, such as for special events. The legislation allows a council to formulate criteria and have regard to those criteria when considering whether to grant a temporary licence.</p> <p>Applications for temporary street trading in locations outside of the Fleadh’s road closure pedestrianised area will be accepted as normal and will follow normal processes. To allow processing we suggest applications to be made by the end of May 2026, failure to submit by this date may result in applications not being able to be processed in time.</p>

3.4	However, due to the length and scale of the Fleadh and the potential large volume of applicants requesting a licence within the Fleadh's road closure pedestrianised area in the city centre, a different approach is necessary to how applications are sought and processed for this area for the period of the Fleadh.
3.5	While most of the Council's existing temporary street trading policy (See Appendix 1) is still applicable, a number of changes are required to be included in such a scheme.
3.6	The proposed scheme is only for temporary street trading (excluding the sale of alcohol) on identified sites in within the Fleadh's road closure pedestrianised area by street traders. Applications from street traders for other locations within the road closure pedestrianised area will not be accepted under this scheme.
3.7	The details of the proposed temporary street trading scheme for applications within the road closure pedestrianised area of the Fleadh including assessment criteria are contained in Appendix 2.
<u>Key points of the scheme</u>	
<u>Streets and sites within road closure/pedestrianised area suitable for street trading</u>	
3.8	Within the road closure pedestrianised area, specific streets have been identified as potentially suitable in terms of public health and safety for temporary street trading by the Fleadh Event Team's Health & Safety consultant, using crowd dynamics modelling, and agreed with Statutory Partners involved in Fleadh working groups. However, it should be noted that whilst detailed plans are in place for the key components of the Fleadh there continues to be the potential for change, including proposals which may come forward from the private sector. This may impact on final decisions in relation to the suitable locations for temporary street trading
3.9	At this stage, the streets that have been approved as potentially suitable locations for temporary street trading are: <ul style="list-style-type: none"> <li data-bbox="300 1227 1149 1261">• Bridge Street, High Street, Royal Avenue (Sunday – Sunday)
3.10	Further work is required to finalise the number of potential sites and site locations. Engagement with organisations representing businesses in the city centre, including the BIDs is ongoing, to mitigate against any issues regarding the details of individual trading site locations and commodities that may or may not be appropriate.
<u>Inviting and processing of applications</u>	
3.11	Once the exact number and location of site locations are determined, applications will be invited within a six week time frame – anticipated to be from Monday 20 April to Friday 29 May 2026.
3.12	Applications will only be accepted for streets agreed as suitable locations based on public safety with applicants being asked to state their preference of street, however this will not be guaranteed.
3.13	Only one application per individual will be accepted.
3.14	Applications will not be determined until after closing date, when a set of assessment criteria will be applied.

3.15	Applicants may apply for whatever number of days of the Fleadh they wish to trade on. However, preference may be given to applicants wishing to trade throughout the available days for the street applied for. Prospective applicants should not apply for days they do not intend to trade on.
3.16	Applications for the full eight days of the Fleadh will only be asked to submit one completed application form along with one application fee of £180, although the daily licence fees must be paid if the application is granted. (Total fee of £570)
3.17	The legislation allows a temporary street trading licence to be issued for a maximum of seven consecutive days, and therefore two applications should be made and two application fees paid. We do not believe this to be appropriate for this scheme and therefore ask the Committee to agree to waive the second application fee, both for this scheme and for any applications received for outside the road closure/pedestrianised area for the Fleadh period.
3.18	The opening and closing dates and details of the application process and requirements will be communicated on the council website and various media channels with the assistance of the Corporate Communications team. The Service will also directly inform those individuals that have contacted us or previously made an application that has been returned.
	<u>Commodities</u>
3.19	While it is anticipated that applications for a wide variety of commodities will be received, experience suggests the majority may be for hot 'fast food' offerings.
3.20	It is proposed to limit the number of street trading sites permitted to sell hot food. This is to help support the Event's food markets, St George's Market, existing city centre food retailers and hospitality sector, and to reduce the potential for litter.
3.21	Applications for the sale of alcohol will not be accepted under this scheme. Street trading involving the sale of alcohol may be subject to a further consideration by the Committee where this impacts on the City Council's licensing regimes.
	<u>Statutory consultations</u>
3.22	DfI (Roads) and the PSNI are the Statutory Consultees for street trading applications, who provide responses on location and commodity suitability. As both these statutory consultees will have been involved in the identification of the suitable streets and sites; to expedite the process we do not intend to consult with them on each individual application.
	<u>Dealing with a surplus of applications (competing applications)</u>
3.23	Competing applications do not normally occur with temporary street trading licences; however, for the Fleadh it is likely that there will be too many acceptable applications for available licences for the sites available.
3.24	It is proposed to select successful applicants by assessing each application under a set of criteria, based on the policy for competing applications for designated sites, but with additional criteria, for example whether application is from an existing Belfast street trader or business. See Appendix 2 for the full criteria.
3.25	Once sites in a preferred street are all filled, unallocated applications will be offered spaces in other streets if available and any remaining applications will be held on a waiting list.

3.26	<p><u>Refusing applications</u></p> <p>It is likely that some applications received under the scheme will need to be refused, in particular as it is expected that many more applications will be received than licences available. Refusing street trading licence applications is not currently a delegated matter and therefore must normally be brought to the Committee for consideration. In order to expedite the process of dealing with applications for street trading within the Fleadh’s road closure pedestrianised area, we request the Committee to give delegated authority to the Director of Planning and Building Control to refuse applications in the following circumstances:</p> <ul style="list-style-type: none"> • More than one application from that individual has been received • The application is for a street/site within the road closure/pedestrianised area other than that identified. • An objection is received from the PSNI, DfI or Fleadh Event Team. • The commodities applied for are deemed inappropriate, or any other application criteria considered not met. • When more applications are received for a street, for limited sites for a particular commodity, or overall, than there are licences available (Competing Applications) <p>and also</p> <ul style="list-style-type: none"> • to deem refused any application where all required supporting documentation is not provided within 6 weeks of the application being received.
4.0	<p>Financial and Resource Implications</p>
4.1	<p>This significant event will bring an increased workload in terms of the administering of street trading applications, which will be covered with existing resource and within the existing budget and fee income for this activity. However, the enforcement activity that is anticipated for the Fleadh may require additional resources to be allocated.</p>
5.0	<p>Equality and Good Relations Implications/Rural Needs Assessment</p>
	<p>There are no issues associated with this report.</p>
6.0	<p>Appendices – Documents Attached</p> <ul style="list-style-type: none"> • Appendix 1 - Existing temporary street trading policy • Appendix 2 – Temporary street trading scheme for the Fleadh

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Licensing Unit. Building Control Service Temporary Street Trading Policy	Procedure ST Temp Licence Page No. 1 of 4 Edition/Issue No. 1/1 First Issue Date 1 st Nov 2001 Reference: JC Service: Building Control
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1 Purpose

By virtue of Section 14 of the Street Trading Act (Northern Ireland) 2001 the Council may grant to a person a Temporary Licence authorising him to engage in Street Trading in a street or part thereof in its District.

The purpose of this Policy is to provide guidance on matters which should be considered when deciding whether to grant to a person a Temporary Street Trading Licence. Its aim is to provide, insofar as is possible, consistent decision making so as to develop and thereafter maintain public confidence in Belfast City Council's performance of its duties.

2 Scope

This Policy is intended to ensure that Belfast City Council Members and Officers are aware of those matters to be taken into consideration when determining whether to grant a Temporary Licence.

3 References

3.1 Street Trading Act (Northern Ireland) 2001.

3.2 Guide to the Street Trading Act (Northern Ireland) 2001.

4 Background

The Street Trading Act (Northern Ireland) 2001 enables District Councils to regulate Street Trading through designating, licensing and enforcement procedures. The Act received Royal Assent on the 5th April 2001, with a run in period of 6 months and becomes operative on the 1st October 2001. The new Act repealed most of the provisions of the 1929 Street Trading (Regulation) Act, except Section 10 which contains the provisions whereby Market Rights can be acquired or extinguished.

Section 14(5) of the Act requires the City Council to formulate, and make available to any person on request, criteria with respect to the granting of Temporary Street Trading Licences by it under this Section and requires that the City Council have regard to those criteria when considering whether to grant a Temporary Street Trading Licence.

5 General Principles

- 5.1 Each case must be considered on its own merits, but there are general principles that apply in all cases. The duty of Belfast City Council is to make sure that each Temporary Street Trading Licence application is fairly and objectively assessed and that all relevant factors are considered.
- 5.2 Belfast City Council will consider applications to permit Temporary Street Trading at special events organised within the City Council Area. The City Council will determine each case in light of the prevailing circumstances and relevant information made available to it. Events in the nature of the Lord Mayors Parade, Christmas Lights Switch-on, New Years Eve, Halloween Events, Festival & Civic Events, Community Organised Events and Cultural Parades/Events may be treated as special events for the purposes of the Street Trading Act (NI) 2001.
- 5.3 In circumstances other than those referred to in Paragraph 5.2 the Council subject to appropriate consultation with relevant parties, may consider applications to permit 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.
- 5.4 Applications must be received by Belfast City Council not less than 42 days before the date of the first day of the proposed event. Belfast City Council may consider such applications for Temporary Street Trading where this time period cannot be complied with.
- 5.5 Belfast City Council will consult with -
- (a) The District Commander of the Police District Command Unit in which the streets are situated;
 - (b) The Department for Regional Development as regards that Department's functions with respect to roads and regulation of road traffic;
- 5.6 The Council may also consult other persons, as it considers appropriate. Such Consultees may include the following:
- (i) The organiser or organising committee of the specified event.
 - (ii) Belfast Chamber of Trade and Commerce.
 - (iii) Belfast City Centre Management
 - (iv) Nearby Street Trading Licence holders who may be affected.
 - (v) Business and Commercial premises in the vicinity of the site in respect of which the application has been received.
 - (vi) N.I. Ambulance Service and /or other Emergency Services.
 - (vii) National Market Traders Federation.

5.7 Without prejudice to its right to take account of any relevant consideration in determining the suitability of each Temporary Street Trading Licence, the Belfast City Council will take into account:

- (a) The safety of the public and any risks which may arise.
- (b) The appropriateness and suitability of the street or part thereof and commodities in relation to the location.
- (c) The potential adverse impact that Temporary Street Trading may have upon the character and appearance of the area in question.
- (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;
- (e) The potential environmental effects such as additional litter, cleansing requirements, odour and noise.
- (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.
- (g) Any other Statutory provision which would be appropriate to consider;
- (h) Previous complaints arising from any Street Trading activities in that street or part thereof.
- (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.
- (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.

5.8 This policy may be considered, amended or replaced at any time without any further requirement to consult other parties.

Proposed scheme for temporary street trading applications (excluding the sale of alcohol) within the road closure pedestrianised area of the Fleadh Belfast 2-9 August 2026

Streets within the Fleadh road closure pedestrianised area available for temporary street trading

Within the road closure pedestrianised area, a number of streets have been identified as suitable in terms of public health and safety for temporary street trading by the Fleadh Event Team's Health & Safety consultant using crowd dynamics modelling, and these streets have been agreed with Statutory Partners involved in Fleadh working groups. However, it should be noted that whilst detailed plans are in place for the key components of the Fleadh there continues to be the potential for change, including proposals which may come forward from the private sector. This may impact on final decisions in relation to the suitable locations for temporary street trading.

At this stage, the streets that have been approved as suitable locations for temporary street trading are:

- Bridge Street, High Street and Royal Avenue (Sunday – Sunday)

Further work is required to finalise the number of potential sites. Engagement with organisations representing businesses in the city centre, including the BIDs will help to mitigate against any issues regarding the details of individual trading site locations and commodities that may or may not be appropriate.

Applicants will not be able to specify a preferred individual site, the Service will allocate traders to site taking into account the proposed commodities, the existing near-by businesses and in order to get a spread of offerings over the streets.

Impact on existing stationary street traders

All existing stationary street traders trading on designated sites within the road closure pedestrianised area will be contacted to discuss their specific situation and how access to their normal site can be facilitated throughout the Fleadh period. A few traders are required to move and through agreement will be accommodated at another location.

No temporary street trading licence with similar commodities will be granted within the vicinity of an existing stationary street trader.

Inviting and Processing of applications

Applications will be invited within a 6 week time frame from Monday 20 April 2026 with a closing date of Friday 29 May 2026.

The opening and closing dates and details of the application process and requirements will be communicated on the council website and various media channels by the Service and the Fleadh Event Team with the assistance of the Corporate Communications team.

The Service will also directly inform those individuals that have contacted us or previously made an application that was returned and refunded.

We will not process applications until after closing date, when a set of assessment criteria will be applied.

After the closing date any applications received will be held in a waiting list (fee not paid) in case unallocated sites remain after all acceptable applications are assessed.

Applications will only be accepted for the streets identified as suitable locations based on public safety with applicants being asked to state their preference of street, however allocation in this street will not be guaranteed.

Reason – to help ensure health and safety, taking into account likely crowd densities at certain times and locations during the period of the Fleadh and to avoid multiple applications for any one particular site.

Within the road closure pedestrian area we will only be accepting applications under this scheme for temporary street trading licences from street traders proposing to sell commodities, excluding alcohol, for these identified streets and sites, with any applications for other streets or sites within this area being considered invalid, and applicants being informed of the acceptable locations for applications.

There will be another scheme for dealing with street trading applications for the sale of alcohol.

Applications from businesses within the road closure pedestrianised area to enable trading from a pavement café area will be dealt with outside this scheme and will follow normal processes and assessment, including careful consideration of public health and safety during the event.

Applications for street trading at locations outside of the road closure pedestrianised area will be accepted as normal and will follow normal processes.

Only one application per individual will be accepted.

(However, this does not exclude an applicant from applying for the whole duration of the Fleadh which would normally require two applications - see below.)

Reason: To help ensure a spread of successful applicants and a variety of offerings in terms of stalls and commodities sold or services offered, to enhance the vitality of the event.

Applicants can apply for whatever number of days of the Fleadh they wish to trade on, however preference may be given to applicants wishing to trade throughout the available days for the street applied for.

Prospective applicants should not apply for days they do not intend to trade on. If issued temporary licences are not used this may be taken into account when the Council is considering any street trading licensing applications made by those individuals in the future.

Reason: To help ensure temporary street trading sites are occupied on as many days as possible to enhance the vibrancy of those streets and variety of offerings available while they are pedestrianised for the event.

Fees

If applying for the full eight days of the Fleadh, we will only ask for one completed application form to be submitted along with one application fee of £180, although the daily licence fees must be paid if the application is granted. This will equate to a total fee of £570 for the eight days.

Reason – the legislation only allows a temporary street trading licence to be issued for a maximum of seven consecutive days, and therefore two applications should be made and two application fees paid. We do not believe this to be appropriate for this particular scheme.

We will process eight-day applications as two applications, but the Council will waive the second application fee, both for this scheme for inside the Fleadh road closure area and also for any other applications related for the period of the Fleadh anywhere in Belfast.

However, applicants should be aware that the application will count as two of the five temporary applications any individual is permitted under the legislation to make to the Council in any one year.

Commodities

The suitability of commodities will be considered as part of the assessment of applications and in the allocations of specific sites.

Alcohol is not a suitable commodity under this scheme, and applications proposing to sell alcohol will not be accepted.

Arts and crafts goods and artisan products as well as high quality souvenirs and food and soft drink offerings are considered among the commodities considered suitable.

However, sites permitted to sell hot and cold food and drinks (excluding ice cream), in particular the selling of hot 'fast food' such as burgers will be limited. This is to support the Event's food markets, St George's Market, existing city centre food retailers and the hospitality sector in general, and to reduce the potential for litter.

In allocating individual sites, where possible temporary street traders will be positioned remote from those shops and hospitality businesses selling similar offerings – for example we will not locate a trader selling jewellery outside a jeweller's shop.

Statutory Consultations

DfI (Roads) and the PSNI are the Statutory Consultees for street trading applications, who provide responses on location and commodity suitability.

Due to the expected volume of applicants and necessary length of time that consulting individually could take, and as both these statutory consultees have been involved in the identification of the suitable streets and sites; and hence have been consulted through this process already, we do not intend to consult with them on each individual application we receive.

Statutory consultees will, as normal, receive copies of all issued licences.

The Council may also consult with other individual individuals and organisations as it considers appropriate, such as the organiser of the event, Belfast City Centre Management, BIDs etc.

The Fleadh Event Team and the Service are involved in ongoing consultation with relevant groups representing businesses in the city centre, to mitigate against any issues regarding the details of individual trading site locations and commodities that may or may not be appropriate.

Proposals will be presented at the Event Operations Sub-Committee for Fleadh Cheoil na hÉireann Belfast 2026 for consideration and agreement. This forum has representatives present from BIDS, Belfast Chamber, NIAS, PSNI etc.

Documentation required

As part of the application process prospective applicants will still be required to provide all normal documentation including a current Access NI Certificate and Public Liability Insurance.

If an applicant has not submitted all standard documentation required for a street trading licence within six weeks of making the application, the application will be deemed refused, and the site reallocated.

Refusing applications – due to non- suitability of application or commodity

Temporary applications will be refused when:

- More than one application from that individual has been received
- The application is for a street/site within the road closure/pedestrianised area other than that identified.
- An objection is received from the PSNI, DfI or Fleadh Event Team,
- The commodities applied for are deemed inappropriate, or any other application criteria considered not met.

Criteria with respect to granting temporary applications under the scheme

The appropriateness of the proposed commodities – proposed commodities will be assessed in relation to the location, including the extent to which the sale of the commodity will provide a useful service to the event not otherwise provided in the area, including if a stationary licence for the same commodities has already been issued within the same street.

The potential environmental effects such as additional litter, cleansing requirements, odour and noise and the context of the commodity or service proposed to be offered will also be considered.

If commodities are deemed unsuitable, the application will be refused. Alcohol is an unsuitable commodity under this scheme and applications for selling alcohol will not be accepted.

Criteria for making decisions when more acceptable applications (for a street/limited sites identified for hot food/overall) than licences available (Competing Applications)

Competing applications do not normally occur with temporary street trading licences; however, it is likely in this case that there will be too many acceptable applications for available licences. It is proposed to select successful applicants by assessing each application under each of the following criteria in turn.

The criterion for differentiation is based existing competing applications policy for designated stationary street trading sites; however, further criteria have been included to help determine successful applications.

- Differentiation in terms of merits of each application in the context of the street and event, the quality of the offerings, the design of the stall, the detail of the commodities and whether it will provide a useful service and add to the area and event and how the business will be operated. (Based on existing competing application policy for stationary licences)
- Eight-day applications preferred over shorter periods
- Applications from existing Belfast City Council stationary or mobile street trading licensees
- Applications from individuals representing a business located in Belfast
- The shortest geographical distance from Belfast City Hall to the home address of the applicant or business location for an individual applying on behalf of a business
- Date and time of receipt of application.

Once a sites in a preferred street are all filled, unallocated applications will be offered spaces in other streets if available. Any remaining applications will be held on a waiting list in case a space becomes available, and applicants kept informed.

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