

# Licensing Committee

Wednesday, 16th May, 2018

## MONTHLY MEETING OF LICENSING COMMITTEE

Members present: Councillor O'Hara (Deputy Chairperson) (in the Chair);  
the High Sheriff (Councillor Howard);  
Alderman L. Patterson; and  
Councillors Boyle, Campbell, Clarke, Canavan, Craig,  
Dudgeon, Groves, Hussey, Hutchinson, McConville and  
Milne.

In attendance: Mr. S. Hewitt, Building Control Manager;  
Mrs. L. McGovern, Solicitor; and  
Mr. H. Downey, Democratic Services Officer.

### **Apologies**

Apologies for inability to attend were reported from the Deputy Lord Mayor (Councillor Copeland) and Councillors Collins, Heading and McReynolds.

### **Minutes**

The minutes of the meeting of 18th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st May, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### **Declarations of Interest**

No declarations of interest were reported.

## **THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT UNDER STANDING ORDER 37(d)**

### **Licences issued under Delegated Authority**

The Committee noted a list of licences which had been issued under the Council's Scheme of Delegation.

### **Review of Stationary Street Trading Licences – Fountain Lane and Fountain Street**

The Building Control Manager informed the Committee that Mr. Joseph Kerr had, for several years, held a Stationary Street Trading Licence for each of the above-mentioned sites.

He reported that, during that time, he had failed consistently to pay his annual licence fee and reminded the Committee that it had, in the past, agreed that it was

minded to revoke both licences. The Committee had subsequently agreed only to rescind its decision upon being advised that the outstanding fees had been paid in full. He drew the Members' attention to the fact that Mr. Kerr had again failed to pay his licence fees and that, despite efforts by officers to contact him, he owed currently £1,577.54 in total. In addition, inspections had revealed that he was trading only sporadically and that he seldom utilised both sites.

The Building Control Manager pointed out that the Street Trading Act (Northern Ireland) 2001 stipulated that the Council could, in certain circumstances, revoke a licence at any time after it had been granted. Such circumstances would include, as in this case, the non-payment, without reasonable explanation, of fees and charges and a failure to avail to a reasonable extent of a licence. He explained that, should the Committee be minded to revoke Mr. Kerr's Licence, the aforementioned Act required that he be provided with advance notification to that effect and be invited to either make written representation to the Committee or to attend a future meeting in person.

After discussion, the Committee agreed that it was minded to revoke the Stationary Street Trading Licences held by Mr. Joseph Kerr in respect of the designated sites at Fountain Lane and Fountain Street and agreed that he be invited to make representation to the Committee regarding that decision.

The Committee agreed also that a report be submitted to a future meeting providing information on those street traders who had failed to pay their licence fees and on those who were not utilising their licences on a regular basis.

Chairperson