



Belfast City Council

Report to: Licensing Committee

Subject: **Revocation of a Mobile Street Trading Licence – Malone/Ormeau/Skegoneill/Windsor**

Date: 18th June 2014

Reporting Officer: Trevor Martin, Head of Building Control, ext 2450

Contact Officer: Stephen Hewitt, Building Control Manager, ext 2435

1	Relevant Background Information
1.1	The Committee is reminded that, at your meeting on 19th March, you considered the revocation of a Mobile Street Trading Licence previously granted to Mr Terry Horner for the sale of ice cream, confectionery and non-alcoholic beverages which allows him to trade Monday to Sunday in the Ormeau, Malone, Windsor and Skegoneill areas of the City.
1.2	The Committee, after considering the matter agreed that, in its capacity as Licensing Authority, it was minded to revoke the Licence as it was satisfied that the licence holder had, without reasonable explanation, failed to pay any fees or charges due to the Council pursuant to Section 10 (1) (f) of the Street Trading Act (N.I.) 2001.
1.3	As a consequence of that decision, Mr Horner was notified of the Committee decision and was informed that he would be permitted to make personal and written representation to Committee regarding this. To date written representation has not been received.
1.4	At the time of writing this report, some payments have been made and the debt which remains outstanding is £196.50. The debt as at your meeting on 19th March was £626.00. Mr Horner is continuing to pay off the debt on a weekly basis in agreement with the Council's Central Transactions Unit.

2	Key Issues
2.1	Mr Horner has been invited to appear before Committee and make a brief presentation and to answer any questions you may have. The Committee is therefore required to hear Mr Horner.

3	Resource Implications
	<u>Financial</u>
3.1	If the licence is revoked, there will be the potential loss of an annual Licence Fee of £882. The outstanding debt will be recovered.
	<u>Human Resources</u>
3.2	None

3.3	<u>Asset and other Implications</u> None
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4	Equality and Good Relations Considerations
4.1	There are no equality or good relations issues.

5	Recommendations
5.1	<p>Taking into account the information presented and after considering Mr Horner's representation, you are required to make a decision to either:</p> <ol style="list-style-type: none"> 1. Confirm your decision of 19th March and revoke the Street Trading Licence, or 2. Reverse your decision of 19th March and decide not to revoke the Street Trading Licence to allow Mr Horner the opportunity to pay off the debt.
5.2	If Committee decide not to revoke the Licence Members are asked to consider making it a requirement upon renewal that Mr Horner must pay his Licence fee in full in advance, instead of the current Council policy of offering any applicant the opportunity to pay their fee over the term of the licence, and that any subsequent licence must be renewed annually.
5.3	If the licence is revoked, the licensee may appeal the Council's decision within 21 days of notification of that decision to the Magistrates' Court. If an appeal is lodged the Licensee may continue to operate under the terms of the existing licence until such times as the Court make a determination in relation to the appeal.

6	Decision Tracking
<p>If you confirm your decision and revoke the licence, the Licensee will be advised in writing within 7 days of their right of appeal regarding this decision. The person responsible for this action is Henry Downey, Democratic Services Officer.</p>	