



## Belfast City Council

<b>Report to:</b>	Licensing Committee
<b>Subject:</b>	<b>Revocation of a Stationary Street Trading Licence – Berry Street</b>
<b>Date:</b>	20 <sup>th</sup> August, 2014
<b>Reporting Officer:</b>	Trevor Martin, Head of Building Control, ext 2450
<b>Contact Officer:</b>	Stephen Hewitt, Building Control Manager, ext 2435

<b>1</b>	<b>Relevant Background Information</b>
1.1	Committee is reminded that, at your meeting on 18 <sup>th</sup> June, you considered the revocation of a Stationary Street Trading Licence previously granted to Miss Monika Szczesna to sell hand crafts, e-cigarettes, e-cigarette accessories and refills, seasonal accessories (Christmas, Easter, Halloween, etc.) leather goods and jewellery from Monday to Sunday from a traditional market stall in Berry Street.
1.2	The Committee, having considered the matter, agreed, in its capacity as Licensing Authority, that 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) and has, without reasonable excuse, failed to avail herself to a reasonable extent of her Licence pursuant to Section 10 (1) (c) of the Street Trading Act (N.I.) 2001.
1.3	As a consequence of that decision, Miss Szczesna was notified of the Committee's decision and was informed that she would be permitted to make personal and written representation to Committee regarding this.
1.4	No representation has been received.
1.5	At the time of writing this report, no payments have been made and the debt, which remains outstanding, is £423.75

<b>2</b>	<b>Key Issues</b>
2.1	Miss Szczesna has been invited to appear before the Committee and make a brief presentation and to answer any questions from Members. To date, she has not confirmed that she will be attending but you are required to hear from her should she do so.

<b>3</b>	<b>Resource Implications</b>
3.1	<b>Financial</b> If the licence is revoked, there will be the potential loss of an annual Licence Fee of £1,017. The outstanding debt will be recovered.

3.2	<b><u>Human Resources</u></b> None
3.3	<b><u>Asset and other Implications</u></b> None

<b>4</b>	<b>Equality and Good Relations Considerations</b>
4.1	There are no equality or good relations issues.

<b>5</b>	<b>Recommendation</b>
5.1	<p>Taking into account the information presented and after considering Miss Szczesna representation, you are required to either:</p> <ol style="list-style-type: none"> <li>1. Affirm your decision of 18<sup>th</sup> June and revoke the Street Trading Licence, or</li> <li>2. Reverse your decision of 18<sup>th</sup> June and decide not to revoke the Street Trading Licence in order to allow Miss Szczesna the opportunity to pay off the debt.</li> </ol>
5.2	If the Committee decides not to revoke the Licence, Members are asked to consider making it a requirement upon renewal that Miss Szczesna must pay her Licence fee in full, 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.

<b>6</b>	<b>Decision Tracking</b>
<p>If you affirm 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>	