



## Belfast City Council

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| <b>Report to:</b>         | Licensing Committee   |
| <b>Subject:</b>           | <b>Revocation of a Mobile Street Trading Licence –<br/>Malone/Ormeau/Skegoneill/Windsor</b> |
| <b>Date:</b>              | 20th 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  |

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| <b>1</b> | <b>Relevant Background Information</b>   |
| 1.1      | The Committee is reminded that, at your meeting of 18th June 2014, you agreed to defer consideration, for a period of two months, of 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 from Monday to Sunday in the Ormeau, Malone, Windsor and Skegoneill areas of the City. |
| 1.2      | The two month deferral was to enable Mr Horner to complete the payment of the arrears on the Mobile Street Trading Licence fee.  |

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| <b>2</b> | <b>Key Issues</b>   |
| 2.1      | Members are advised that Mr Horner has now paid his outstanding debt.                           |
| 2.2      | Mr Horner has been invited to appear before Committee should you be so minded to hear from him. |

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| <b>3</b> | <b>Resource Implications</b>   |
| 3.1      | <b><u>Financial</u></b><br>If the licence is revoked, there will be the potential loss of an annual Licence Fee of £882. |
| 3.2      | <b><u>Human Resources</u></b><br>None  |
| 3.3      | <b><u>Asset and other Implications</u></b><br>None   |

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

| <b>5</b> | <b>Recommendations</b>   |
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| 5.1      | <p>Taking into account the information presented and after considering any representation received, you are required to make a decision to either:</p> <ol style="list-style-type: none"> <li>1. affirm your decision of 19th March and revoke the Street Trading Licence, or</li> <li>2. reverse your decision of 19<sup>th</sup> March and decide not to revoke the Street Trading Licence, as Mr Horner has taken the opportunity to pay off the debt.</li> </ol> |
| 5.2      | <p>If the Committee decides 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, 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.</p>  |
| 5.3      | <p>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.</p>  |

| <b>6</b>   | <b>Decision Tracking</b> |
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| <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> |                          |