



Subject:	Consideration of a Designating Resolution for a Street Trading Site - Cupar Way
Date:	14th February, 2018
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext 2435
Contact Officer:	Patrick Cunningham, Assistant Building Control Manager, Ext 6446

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	The Committee will recall that, at its meeting on 13th December 2017, it considered proposals for Designating Resolutions for a number of Street Trading sites across the City.
1.2	The Committee deferred some of these proposals to allow for additional information to be obtained. One of those proposals related to Cupar Way and further information has now been received for consideration.
2.0	Recommendations
2.1	Based on the information presented, the Committee is requested to consider the proposal and to decide whether to:

	<p>1. approve a Designating Resolution to designate the site, where it may allocate a street trading pitch. The Designating Resolution will include the operational date and may stipulate either:</p> <ul style="list-style-type: none"> • only specified articles, things or services or classes of specified articles, things or services that may be sold or supplied; or • specified articles, things or services or classes of specified articles, things or services that are prohibited. <p>2. Decide not to proceed with the proposal.</p> <p>2.2 In addition to making any Designating Resolution, the Committee may, having considered all of the comments, record any reasonable conditions that should be applied to a subsequent licence. For example, hours of trade, days of trade, duration of licence, etc.</p> <p>2.3 Members are reminded that, once a site becomes designated, you will have to consider any applications that may be received for a Street Trading Licence on that site.</p> <p>2.4 At that time, you will assess the suitability and quality of the proposals and may decide to grant or refuse a licence within the requirements of the Act. Any Street Trading Licence granted may also be subject to reasonable conditions which can be used to control the commodities being sold, and potential nuisance, etc.</p>
3.0	Main Report
	<p><u>Key Issues</u></p> <p>3.1 The designation process involved seeking comments from interested parties, including relevant statutory bodies, through public advertisement and consultation.</p> <p>3.2 The Street Trading Act (NI) 2001 requires the Council to ensure that each application is fairly and objectively assessed, that all relevant factors are considered and, in doing so, the Council must consult with the:</p> <ul style="list-style-type: none"> b) PSNI, and c) Department for Infrastructure - Roads. <p>3.3 The Council may also consult other persons as it considers appropriate. Such consultees may include:</p> <ul style="list-style-type: none"> a) Relevant Belfast City Council Departments. b) Belfast City Centre Management Company (BCCM) c) Nearby Street Trading Licence holders who may be affected. d) Local residents, business and commercial premises in the vicinity of the site in respect of which the application has been received. <p>3.4 The Service has received responses to the application from a variety of interested parties and individuals.</p> <p>3.5 Members are advised that BCCM conducts its business within a determined geographical area of Belfast City Centre and has therefore not responded to this proposal.</p> <p>3.6 Copies of the responses are attached.</p>

3.7	A map and photographs of the proposed site along Cupar Way will be presented at your meeting.
	<u>Cupar Way</u>
3.8	The proposal is for tourist souvenirs or similar commodities on a site which will operate during the day. No details have been provided regarding how the commodities will be sold, such as a stall, etc.
3.9	The proposed site is opposite the Peace Wall, operating in front of the perimeter fence bounding Cranmore Court and Cranmore Street.
	PSNI
3.10	No objection.
	DFI Roads
3.11	The Department has advised that this part of the footway is quite narrow because of the placement of street trees. They recommend that the street trading pitch would need to be away from these trees to provide a minimum 1.8m passing room for pedestrians.
	Visit Belfast
3.12	Visit Belfast have stated that they believe the application needs further discussion with the communities. They also recommend that feedback would be required from Fáilte Feirste Thiar and Greater Shankill Partnership.
3.13	Following Visit Belfast's recommendation, we contacted both Fáilte Feirste Thiar and Greater Shankill Partnership for their views.
	Published 28-day Notice
3.14	No responses were received to the notice.
	<u>Deferred Actions</u>
3.15	The Committee deferred consideration to allow for responses to be sought from Fáilte Feirste and the Greater Shankill Partnership and to seek the views of Coiste and the Ex-Prisoners Interpretative Centre (EPIC), both of which provide cultural tours in that area.
3.16	Despite further efforts to obtain feedback at the time of writing this report only one response has been received from these organisations.
	EPIC
3.17	EPIC has stated that it agrees with the proposal to have a designated pitch for trading located on Cupar Way. EPIC has conducted tours for many years that include this area and it would be beneficial to have some further tourist revenue invested for the benefit of the local area.
3.18	EPIC have recently formed a partnership with Twaddell and Woodvale Residents Association (TWRA) and established a Community Interest Company (CIC), "The Belfast Experience"; the objective being to further the range of services provided in community tourism and encourage wider community involvement.

<p>3.19</p> <p>3.20</p>	<p><u>Financial and Resource Implications</u></p> <p>The cost of all notices is included in current revenue budgets. The required notice to confirm the designation will cost approximately £5,000 as our policy states that it must be placed in three newspapers for two consecutive weeks.</p> <p><u>Equality or Good Relations Implications</u></p> <p>There are no equality or good relations issues.</p>
<p>4.0</p>	<p>Document Attached</p>
	<p>Copies of correspondences received</p>