

# Appeal letter



Dear licensing committee,

Kindly accept this as my appeal against the decision you made to deny me a stationary street trading pitch on fountain street and to grant it to Mr Donnelly on Wednesday 14<sup>th</sup> August 2019. First of all i would like to start of by saying that i sent an email to Neil Melville on the 11<sup>th</sup> August to give to the committee which outlined who i was willing to sell tours for which was all and every tour and the fact i would pay the first years fees up front which i realised after my presentation you did not receive this email i have enclosed a copy of this email now for you to have a look as i believe it was a big part of the presentation and to show you how much of a fare and level playing field i was offering because i want to be a one stop shop for tours as stated in the email.

Mr Donnelly stated in the audio that is quite tough for them as a business as there only outlet is visit Belfast that sell their tickets. I can assure you that upon investigation and knowing ticket sellers in the town i knew this was not there only outlet as SS Moore athletic shop sell titanic and city tour tickets and the post office in Howard street so i was able to walk in and buy tickets for their tour in these 2 outlets so i have supplied evidence i.e the ticket sold to me and the pictures of the advertising they have outside those outlets stating they sell their tickets. So not only do they have these two outlets they have the visitors centre and their bus stop and god knows how many other places they have. These places are in short walking distance from the pitch you minded to grant them so they have ample places in that area to sell their tickets. Many other hotels stated that their concierge would be able to get customers tickets for this company if they asked for them.

[REDACTED]  
[REDACTED] before young Sean Donnelly got the directorship in his name, his father Sean Donnelly was the director, who assaulted a member of street staff and got convicted of it, i enclosed the headline from BBC news incase you where not familiar with this.

Billy Hutchinson then asked Mr Donnelly that the committee had a concern that if people are only selling one ticket they are giving them some sort of monopoly over everybody else so he wanted to know what tickets Mr Donnelly would sell and if he would sell them for other tour operators. Mr Donnelly stated that other outlets in the city are not selling their tickets that they would be selling their own ticket and only their own. If that was a concern why give the pitch to a company only willing to sell their own ticket.

Someone stated there is quite a bit of controversy going on in the city centre over bus tour tickets so the committee would only grant the sale of bus tour tickets for one year the reason there is controversy is because the sale of bus tour tickets is not a fair process. People only want to sell one ticket and that causes problems. Mr Donnelly wants to sell his own tickets and Mr Brown only wants to sell city sightseeing tickets. I on the other hand wanted to create a level playing field where i wanted to sell all tickets so the person buying the ticket would not feel pressurised into buying a certain ticket i would be an independent ticket sales agent that has no connection with any company that only wants the best experience given to the tourists who come to see our beautiful city.

Mr Brown stated that city sightseeing tours don't own any stall in the city centre correcting Mr Donnelly because he said they do. Due to me working in this industry the past 10+ years i know for a fact city sightseeing don't own any stalls, they have street traders selling there tickets but that's it,



I felt my presentation was the most fair. I know committee don't have to ask questions but why did John Hussey ask Mr Donnelly questions and not Mr Brown or myself. What i would like to know is how can you give a pitch to someone on the basis of their mix of products when Mr Donnelly and myself are selling the same variety of products only i am selling more because tours is only half of my business, tours is Mr Donnelly's full business just to make clear souvenirs especially i would be selling caps, T.Shirts, mugs, fridge magnets things to do with Belfast and northern Ireland as a whole. The likes of game of thrones, titanic, harland and wolff, giants causeway pictures of iconic buildings i.e Belfast city hall, crumlin road gael and the peace walls and postcards and stuff like that. So not only do i cater for the tourists and tourism, i feel it is also very important to cater for our own people of Belfast and northern Ireland because without them you couldn't survive that's why i would also be selling halloween, Christmas, st patricks day, mothers day, fathers day, easter, valentine's day, 12<sup>th</sup> july, gay pride and the christmas lights switch on plus seasonal stock. That's why i don't cater for one type of person in life i cater for everyone, as much as the tourists bring a lot of business to the city we also have to remember our local people keeping us going throughout the year. My stock line and the tours go hand in hand with seasonal tour offers.

John Hussey stated that one of his pros for picking Mr Donnelly is because their tours where not being sold at other stalls but you have to ask yourself why are they not being sold ?? (Due to the information i give you earlier in the letter being a big factor) he also stated that it is different from other stalls due to what Mr Donnelly would be selling. But i am selling all tour tickets including Mr Donnelly's tour tickets but on a bigger scale, but one thing i wouldn't accept is any violence or nonsense around my stall that's why i would be keen to put a code of conduct in place for the tour operators that they abide by certain rules.

Someone in the committee then wants to know what applicant one would be selling that applicant two and three aren't. So they brought Geraldine in who had made a list of all three. She stated that Mr Donnelly would be selling the game of thrones tours memorabilia giants causeway t shirts hats seasonal offers Halloween Christmas that sort of thing walking tours and guided tours. She then stated they would be open to selling other tours which is incorrect as Mr Donnelly made clear he would only be selling his own tours, Geraldine then states that she thinks and takes it in the back of her own head that that's like opera tickets and that sort of thing a bit like London. Never did Mr Donnelly and Mr Rogan state that and that's Geraldine's own thinking of it and putting words in other peoples mouths. Everything she said they sell different to applicant two and three i actually proposed to sell all the same and a lot more. Then there was a concern about HBO that Mr Donnelly did not clarify he had authorised memorabilia.

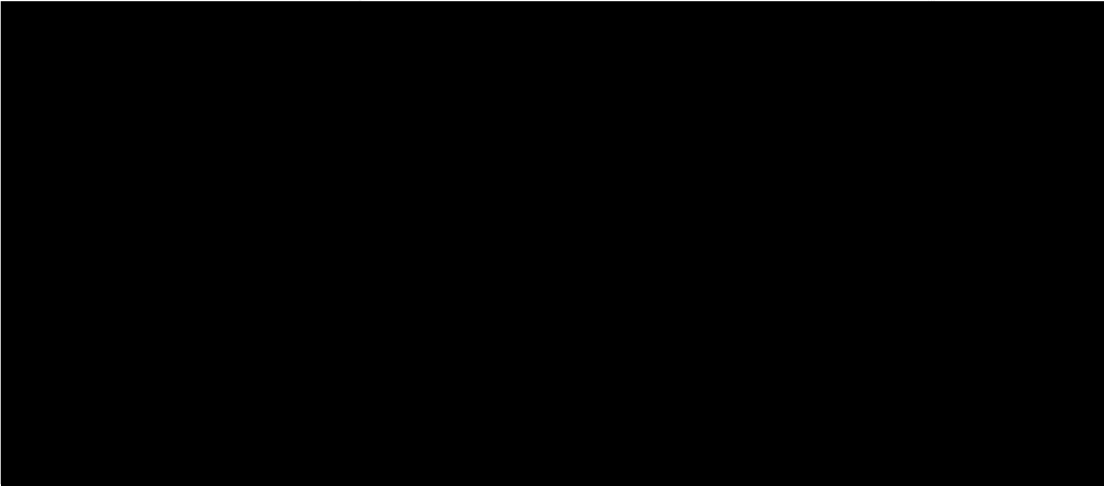
When i left that night after the decision being made i felt that number one. The decision was already made for Mr Donnelly to get this pitch as you can see on an email i sent the night of the 14<sup>th</sup> august to Neil Melville i provided this to show you.

Number 2. I felt the committee had a bad light on me because of my brother joseph Kerr as when the committee refused me the street trading pitch, the same committee on the same night also revoked josephs other stall. I feel like they are tarring me with the same brush as i am nothing like



my brother and due to his actions has completely ruined my life. I have no relationship with Joseph at all and want to make that clear.

Number 3. I really feel on the committee not asking me questions to elaborate on what I was selling really hindered my application as it was partly my fault as I assumed you received the email I sent to Neil Melville on 11<sup>th</sup> August which I asked him to pass on to committee, on tours I intended to sell and being a one stop shop for tours.



I want to make this committee very aware they are playing God with my livelihood, Mr Donnelly can continue to work, Mr Brown can continue to work. I can't I am unemployed due to this like I say this is my heritage, I was born into street trading, this is all I know I have no qualifications due to always being at the stall as a youngster but I am fully qualified in street trading and know it like the back of my hand as this qualification isn't taught in a school it is passed down through generation to generation and all I wanted was a fair shot at it and don't feel like I did get a fair shot that is why this appeal letter is going above and beyond with all the evidence I can get to show you, I believe I was the fairest applicant and would be providing a far better service for our city.

Thank you for listening to my appeal and look forward to hearing from you.

Yours sincerely

Michael Kerr



**Email sent on**

**the 11<sup>th</sup>**

**August to Neil**

**Melville**

**stating what i**

**was willing to**

**sell**

6 September 2019, 23:12

## Fwd: Information



Sent from my iPhone

Begin forwarded message:

**From:** michael kerr [REDACTED]  
**Date:** 11 August 2019 at 13:46:51 BST  
**To:** Neil Melville <[MelvilleN@BelfastCity.gov.uk](mailto:MelvilleN@BelfastCity.gov.uk)>  
**Subject:** Information

Hello Neil I've a few questions can anymore applications be put in for fountain street pitch at this late stage plus I'd also like yourself and the committee know that if the license is issued in my name I'd like to pay the first year in full. Plus I also want committee know that in regards to tours I don't intend in selling just one company I intend on selling all bus tours all walking tours all-black taxi tours all other tours that are available to sell I'll give you examples of all the tours I want to sell because I'd like to be at a point where I'd be a one stop shop for all tours linked with Belfast and Northern Ireland. Some examples

Trout tours ni  
Wee toast tours  
Belfast city sightseeing  
Titanic and city tours  
Black taxi tours  
Taxi Trax  
Cic taxis and tours  
Giants causeway  
Game of thrones tour  
McCombs travel  
Travel Ireland  
Walking tours  
Titanic tours  
Ghost tours  
Boat tours  
Bike tours

These are just a few to mention again I'm interested in selling all and every tour available also find enclosed pictures of two styles of trailers that I could take ideas off both and make it my own with my own brand on it and merchandise and products. I'm fully open to stall design and I'm more than happy to work with Belfast city council on this many thanks Michael kerr

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<50F90625-1B1B-4EA1-81FA-F83A09CA165D.jpeg>

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# Mickeys

Tours and Souvenirs



Sweet Tooth

FRESH FRUITES  
SWEETS  
COLD DRINKS  
HOT DRINKS



Slash Puppies



CANDY FLOSS  
MINI DONUTS  
POP CORN  
TEA AND COFFEE



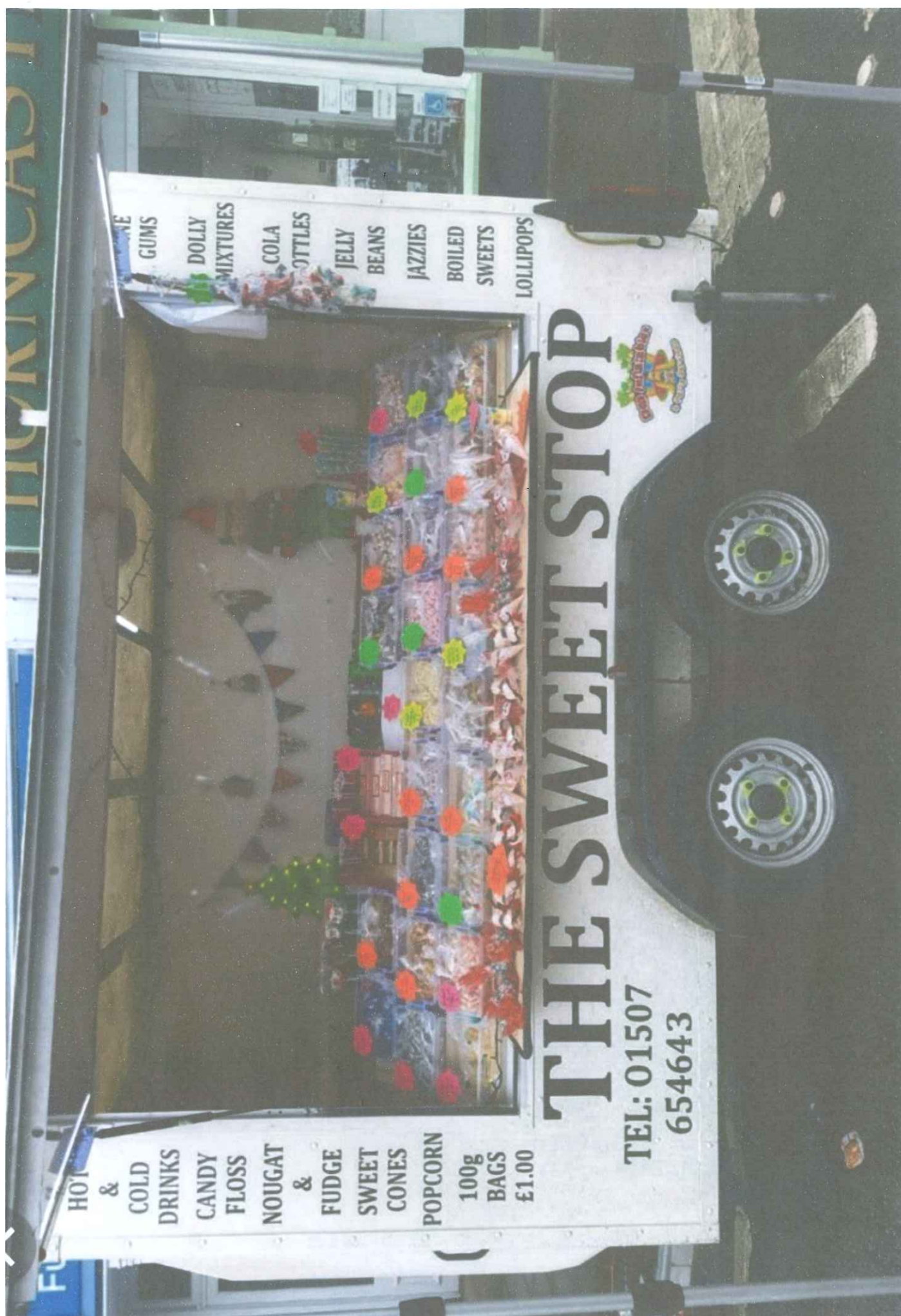


HOT  
&  
COLD  
DRINKS  
CANDY  
FLOSS  
NOUGAT  
&  
FUDGE  
SWEET  
CONES  
POPCORN  
100g  
BAGS  
£1.00

NE  
GUMS  
DOLLY  
MIXTURES  
COLA  
OTTLES  
JELLY  
BEANS  
JAZZIES  
BOILED  
SWEETS  
LOLLIPOPS

# THE SWEET STOP

TEL: 01507  
654643



**BBC News**

**headline**

**stating Mr**

**Donnelly snr**

**having an**

**assault charge**

**against him**



## NEWS



N. Ireland



# Belfast bus tour boss Sean Donnelly convicted of assault on competitor

 8 April 2015

Belfast Magistrates' Court heard the incident happened in Callender Street



Belfast bus tour boss Sean Donnelly convicted of assault on competitor

8 April 2015

Share

Laganside Courts Complex

Image caption

Belfast Magistrates' Court heard the incident happened in Callender Street

A bus tour company boss has been convicted of attacking a rival employee during an alleged row over a code of conduct for operators in Belfast.

Titanic and City Tours managing director Sean Donnelly, 50, had denied a charge of assault occasioning actual bodily harm by punching an employee of Belfast City Sightseeing.

He claimed he was taunted and spat at by staff from a competitor company.

One of Donnelly's workers, James Moore, was also convicted of common assault.

The victim, Kevin Boyle, claimed his nose was broken in the incident on 11 May last year.

Donnelly, of St James' Park in the city, claimed he had been on the streets to try to stop aggravation between the rivals. He told Belfast Magistrates' Court that his firm had signed up to a code of conduct following meetings with City Centre Management and the Department of the Environment.

According to Donnelly's account, Mr Boyle and a colleague approached him and started to taunt him.

"They said 'Stick your code of conduct up your hole,'" the tour boss claimed.

Donnelly alleged that he went to their manager in a bid to get him to intervene, only to suffer further abuse.

'Frustrated'

The court heard claims that Mr Boyle spat in his direction, started to film him on a phone and tried to coax him into striking out.

"I just got frustrated and tried to grab the mobile phone, and I pushed him. That's all I did," he said.

Accepting Mr Boyle "stumbled" to the ground, he denied punching him at any stage.

Donnelly also revealed that he had suffered a minor stroke just days before the incident.

It was claimed that Moore, 30, of Rathvarna Park in Lisburn, County Antrim, punched and kicked Mr Boyle after arriving at the scene on Callender Street.

He disputed the allegations, insisting instead that he only told the victim to lie on the ground until the situation calmed.

"I was making sure there was nothing more going to happen because of Squirt (Donnelly) having taken a stroke," Moore told the court.

"I didn't want anything more happening to him."

Despite both defendants denials, the judge convicted both of the charge against them.

They were released to return for sentencing next month

**My email sent**

**to Neil**

**Melville on the**

**night of the**

**14<sup>th</sup> August**



6 September 2019, 23:14

## Fw: Dispute decision



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**From:** michael kerr [REDACTED]  
**Sent:** 14 August 2019 21:22:10  
**To:** Neil Melville <[MelvilleN@BelfastCity.gov.uk](mailto:MelvilleN@BelfastCity.gov.uk)>  
**Subject:** Dispute decision

I want to find out how I go to appeal the decision made. [REDACTED] Why was Seán Donnelly the only one to be asked questions and myself and the other applicant wasn't also why was my list of people I wanted to sell tours for not give to the committee and the fact I wanted to pay the first year up front. Can you please send me the recordings of the minutes so I can send it to my solicitor.

Tickets i was  
able to buy in  
ss moore and  
howard street  
post office/  
pictures  
included also

Please check ticket detail is correct at time of purchase.

## City Tours Belfast

*Hop on -  
Hop off*



+44 028 9032 1912  
www.citytoursbelfast.com

# Belfast's Original City Sightseeing Tour!

- Tour departs from High street.
- Every 30 minutes from 9.45am.
- Tours are hop-on / hop-off.
- Tour duration approximately 90 minutes.

- ☒ Adult £12.50  
☐ Senior / Student £10.50  
☐ Family (2 adults /  
3 children up to 12 years) £31.00

Date:

11/9/19

Total £

12.50

106981

## CITY TOURS BELFAST



Date:

11/9/19

- ☒ Adult £12.50  
☐ Senior / Student £10.50  
☐ Family (2 adults / 3 children  
up to 12 years) £31.00

Total £

12.50

106981

## SS MOORE

*Sports Specialists*

SS Moore Ltd  
6-10 Chichester Street  
Belfast  
BT1 4LA  
(028) 9032 2966

CODE	COL	DESCRIPTION	PRICE	SIZE	QTY
OPD	CALENDAR		12.50		1
SUB-TOTAL:			12.50		1
TOTAL:			12.50		

PAID BY Cash 20.00  
CHANGE GIVEN 7.50

DATE: 11 September 2019 TIME: 11:25:55  
Your assistant today was John

Full Price items may be returned for a refund  
within 7 days, or for a credit note or an  
exchange up to 28 days after purchase, provided  
you have proof of purchase and the item is in  
original condition with all packing and labels  
attached. Thank you for your business.  
Shop online at [www.ssmoore-sports.co.uk](http://www.ssmoore-sports.co.uk)



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BELFAST BT1 4LA  
Tel: 028 9032 2966  
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# STONES AND THRONES

OFFICIAL GAME OF THRONES TOUR

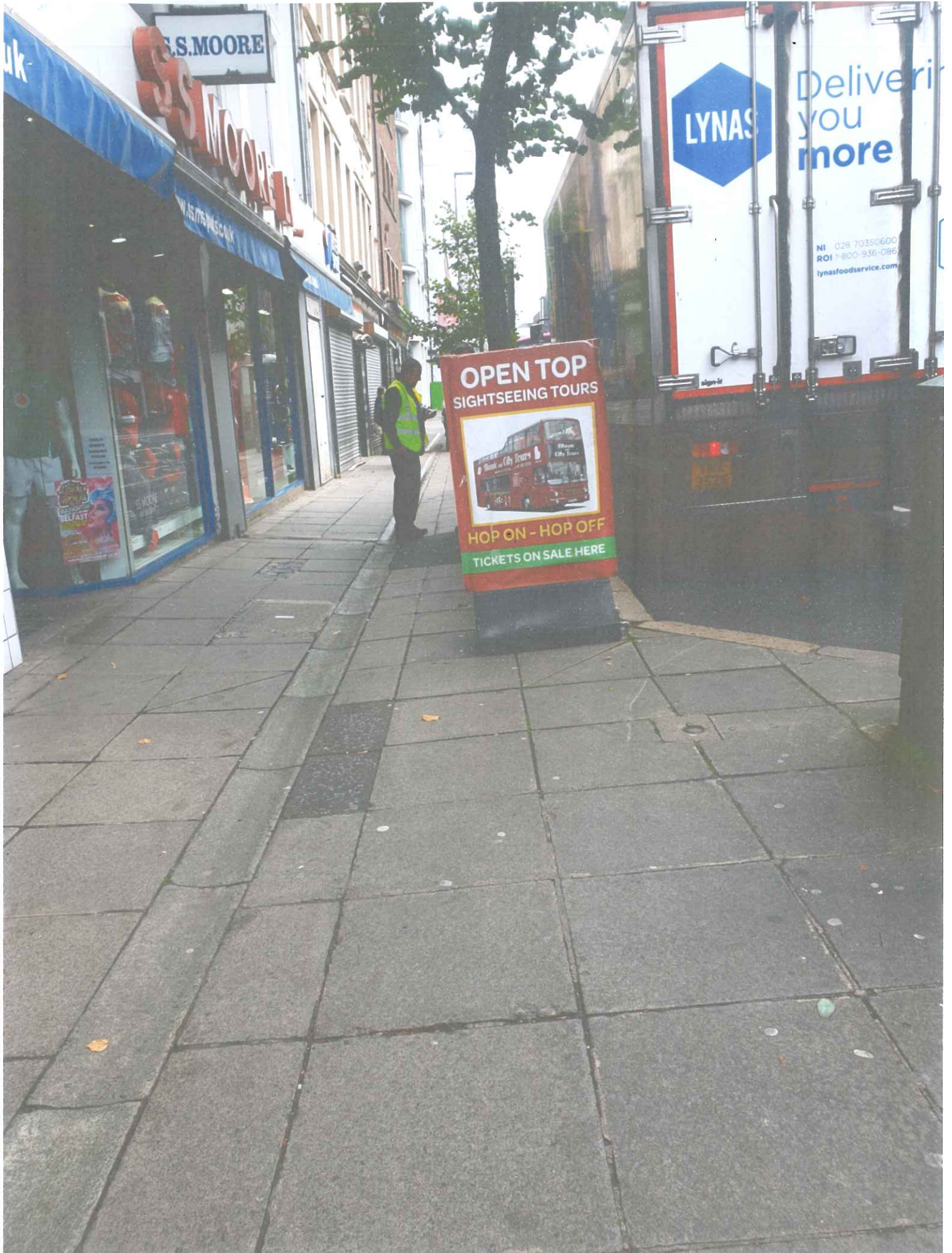
SEE FILMING  
LOCATIONS &  
GIANTS  
CAUSEWAY



[www.stonesandthronestour.com](http://www.stonesandthronestour.com)

HIT APPLY  
PROMO  
CODE AT  
CHECKOUT

ENTER  
**TICKET** &  
SAVE 10%





Please check ticket detail is correct at time of purchase.

**City  
Tours  
Belfast**

*Hop on -  
Hop off*



+44 028 9032 1912  
www.citytoursbelfast.com

## Belfast's Original City Sightseeing Tour!

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Date:

11/9/19

- |   |        |
|---|--------|
| <input type="checkbox"/> Adult  | £12.50 |
| <input checked="" type="checkbox"/> Senior / Student                      | £10.50 |
| <input type="checkbox"/> Family (2 adults /<br>3 children up to 12 years) | £31.00 |

Total £

10.00

107397

**CITY TOURS BELFAST**



Date:

11/9/19

- |   |        |
|---|--------|
| <input type="checkbox"/> Adult  | £12.50 |
| <input checked="" type="checkbox"/> Senior / Student                      | £10.50 |
| <input type="checkbox"/> Family (2 adults / 3 children<br>up to 12 years) | £31.00 |

Total £

10.00

107397

Howard  
Street  
Post Office  
P.O

# STONES AND THRONES

OFFICIAL GAME OF THRONES TOUR

SEE FILMING  
LOCATIONS &  
GIANTS  
CAUSEWAY



HIT APPLY  
PROMO  
CODE AT  
CHECKOUT

ENTER  
**TICKET** &  
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