

Designating streets for street trading

Revised January 2019

Street trading licensing - Guidance note

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Purpose and aim

The purpose of this policy is to provide guidance on matters which the council considers, when deciding whether to grant a street trading licence.

The aim is to provide consistent decision making by Belfast City Council in the performance of its street trading duties.

Background

The Street Trading Act (Northern Ireland) 2001 (the Act) enables councils to regulate street trading through designating, licensing and enforcement procedures.

The Act empowers the council to designate specific streets, or part of streets, in the city as being suitable for street trading. A licence to trade may only be granted in respect of a street which has been so designated. Designation is designed to be an open process which gives everyone an opportunity to comment on a proposal to permit street trading in a particular street.

General principles

Initially Belfast City Council will consider those streets, or parts of streets, for which applications have been received, or for which licences have been issued for street trading (except those applications which have been previously refused).

The council will consider further streets, or parts of streets, for proposed designation six months from the initial designating resolution and then annually thereafter on a date to be appointed by the council.

The council will consider representations made to it in respect of these streets, or parts of streets. However, the council may exercise the right to make further designating resolutions in exceptional circumstances on dates at its discretion.

Each case must be considered on its own merits, but there are general principles that apply in all cases. Belfast City Council have a duty to make sure that each street is fairly and objectively assessed and that all relevant factors are considered.

Belfast City Council will consult with:

- the District Commander of the Police District Command Unit in which the streets are situated; and
- the Department for Regional Development in regards the Department's roads and regulation of road traffic functions.

The council may also consult other persons, as it considers appropriate. Such consultees may include the following:

- Belfast Planning Service
- the Northern Ireland Fire and Rescue Service
- Belfast Chamber of Trade and Commerce
- Belfast City Centre Management
- the National Market Traders Federation
- such other consultants as it deems appropriate (for example planning consultants, road traffic consultants, conservation area specialist and commercial estate agents)
- nearby street trading licence holders who may be affected
- business and commercial premises in the vicinity of the site in respect of which the application has been received
- Shop Mobility
- Disability Action
- the Northern Ireland Ambulance Service

Without prejudice to its right to take account of any relevant consideration in determining the suitability of each proposed street trading designation, the Belfast City Council will take into account:

- the safety of the public and any risks which may arise;
- the future development plans for the street or areas proximate which may be affected by such designation;



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- the appropriateness and suitability of the street or part of a street and commodities in relation to the location;
- the potential adverse impact that street trading may have upon the character and appearance of the area in question and in particular conservation areas and adjacent listed buildings;
- the extent to which the sale of the commodity will provide a useful service to the local community not otherwise provided in the area;
- the potential environmental effects such as additional litter, cleansing requirements, noise and litter;
- the potential for a proposed designation of a street, or part of a street, to have an adverse effect in terms of anti-social behaviour, public order or public safety;
- any other statutory provision which would be appropriate to consider;
- previous complaints arising from any street trading activities in that street or part of a street designated or licensed for such trading; and
- any relevant planning policy.

This policy may be amended or replaced at any time without consultation of other parties.

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