



May 4th, 2020

**Notice Of Meeting**

You are invited to attend the Enterprise Regeneration & Tourism Committee Meeting to be held on **Monday, 10th June 2019 at 3:00 pm** in **Boardroom Council Offices Monaghan Row Newry.**

**Councillor R Mulgrew**

**Councillor D Curran**

**Councillor T Andrews**

**Councillor R Burgess**

**Councillor W Clarke**

**Councillor C Enright**

**Councillor O Hanlon**

**Councillor G Hanna**

**Councillor V Harte**

**Councillor M Larkin**

**Councillor D McAteer**

**Councillor A McMurray**

**Councillor H Reilly**

**Councillor M Ruane**

**Councillor G Stokes**

# Agenda

**1.0 Apologies and Chairpersons' remarks.**

**2.0 Declarations of Interest.**

**3.0 To agree start time for ERT Committee Meetings from June 2019 - April 2020. (Proposed timetable attached)**

 *Proposed Cmtte Start Times.docx*

*Page 1*

**4.0 Action Sheet - arising from Enterprise Regeneration & Tourism Committee Meeting March 2019. (Copy attached)**

 *ERT Action Sheet March 2019 for June ERT.docx*

*Page 2*

## ***Enterprise, Employment and Regeneration Items***

**5.0 ERT Business Plan. (Copy attached)**

 *ERT Business Plan 2019-20 Report.docx*

*Page 11*

 *ERT Business Plan 2019-20 Appendix.docx*

*Page 13*

**6.0 Working Groups. (Copy attached)**

 *Rpt re Task and Finish Working Groups.docx*

*Page 30*

**7.0 Sponsorship - NI Small Business Conference. (Copy attached)**

 *Small Business Conference.docx*

*Page 32*

**8.0 Sponsorship - NI Economic Conference. (Copy attached)**

 *8 NI Economic Conference - EER.docx*

*Page 34*

**9.0 Review of Council's Statutory Job Creation Target for new "Go for It" Programme (post 2021) .(Copy attached)**

 *Statutory Job Creation Target - EER.docx*

*Page 37*

**10.0 Update re: Applications to ERDF Investment for Growth and Jobs. (Copy attached)**

 *ERDF Applications - EER.docx*

*Page 40*

## **11.0 Public Realm Enhancement Works Scheme. (Copy attached)**

 *Public Realm Enhancement.docx*

*Page 43*

## **12.0 Local Full Fibre Network (LFFN Funding Bid) (Copy attached)**

 *FFNI.docx*

*Page 45*

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### ***Building Control & Regulations***

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## **13.0 Reveiw of Street Trading Policies. (Copies attached)**

- (a) Stationary Licence Policy
- (b) Street Trading - Temporary Licence Policy
- (c) Mobile Licence PolicyDesignation Policy
- (d) Designation Policy
- (e) Enforcement/Seizure Policy
- (f) Stall Design and Trading Policy
- (g) Policy for Dealing with changed circumstances affecting Licensed Street Trading

 *Rpt re Street Trading Policies.docx*

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 *Appendix a) Stationary Licence Policy 2019.doc*

*Page 51*

 *Appendix b) Temporary Street Trading Policy 2019.doc*

*Page 61*

 *Appendix c) Mobile Licence Policy 2019.doc*

*Page 71*

 *Appendix d) Designation Policy 2019.doc*

*Page 78*

 *Appendix e) Enforcement & Seizure Policy 2019.doc*

*Page 87*

 *Appendix f) Stall Design and Trading Policy 2019.doc*

*Page 94*

 *Appendix g) Dealing with Changed Circumstances Policy 2019.doc*

*Page 101*

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### ***Tourism, Culture and Events Items***

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## **14.0 Mountain Bike Track - Events and Trails. (Copy attached)**

 *MTB Events and Trails.docx*

*Page 109*

## **15.0 Slieve Gullion DAERA Application. (Copy attached)**

 *SGFP - DAERA Application.docx*

*Page 113*

## **16.0 Food and Drink Tourism Initiatives. (Copy attached)**

## 17.0 Transfer of Assets. (Copy attached)

 *Transfer of Assets.docx*

Page 117

### *Planning*

## 18.0 Consultancy Support for Local Development Plan. (Copy attached)

(a) Landscape Consultants

(b) Retail Consultants

 *(a) LDP - Landscape Consultants.docx*

Page 122

 *(b) LDP - Retail Consultants.docx*

Page 129

### *Exempt Information Items*

## 19.0 Red Bull Event. (Copy attached)

This item is deemed to be restricted by virtue of Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public, may by resolution, be excluded during this item of business.

 *Restricted Item - Red bull TNI.DOCX*

*Not included*

## 20.0 Slieve Gullion - request from Clanyre Group for extension of Lease and use of Giants Lair. (Copy attached)

This item is deemed to be restricted by virtue of Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public, may by resolution, be excluded during this item of business.

 *Restricted Item - Slieve Gullion - Clanyre Group.docx*

*Not included*

### *Notices of Motion*

## 21.0 To consider the following Notice of Motion arising from Council Meeting held on Monday 1 April 2019: (Copy attached)

Newry Mourne and Down District Council enters into discussions with the Annesley Estate proposing that Council leases the woodland known as Donard Demesne Newcastle, in order that this woodland area can be properly maintained and made an attractive area to compliment the amenities already existing in Donard Park, with the view to improving the recreational, health and wellbeing and tourism potential. This



area is an important habitat that requires adequate management.

 *Notice of Motion - Donard Demesne.docx*

*Page 138*

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***For Noting***

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**22.0 Update re: NI Business Start Up Programme. (Copy attached)**

 *Noting - NIBSUP Update.docx*

*Page 143*

**23.0 Strangford Lough and Lecale Outdoor Recreational Plan.  
(Copy attached)**

 *Noting - SLLP Outdoor Recreation Plan.docx*

*Page 145*

**24.0 Environment Fund Letter of Offer for Ring of Gullion and  
Strangford Lough & Lecale AONB. (Copy attached)**

 *Noting - Environment Fund LoO.docx*

*Page 147*

**25.0 Update re: City Deal. (Copy attached)**

 *Noting - City Deal update - EER.docx*

*Page 149*

**26.0 EER Financial Assistance Applications. (Copy attached)**

 *Noting - EER financial assistance applications.docx*

*Page 152*

**27.0 Applications to "Live Here, Love Here" - AONB projects.  
(Copy attached)**

 *Noting - Live Here Love Here.docx*

*Page 154*

**28.0 Update re: Newcastle and Warrenpoint Beaches. (Copy  
attached)**

 *Noting - Newcastle and Warrenpoint Beaches Update.docx*

*Page 156*

**29.0 Update re: Golf Tourism (EPIC Event/TNI Fam trip). (Copy  
attached)**

 *Noting - Golfing update.docx*

*Page 158*

**30.0 Planning Performance. (Copy attached)**

- (a) Planning Committee Performance Report.
- (b) Committee Report

- (c) Appeals and Decisions

 *a. APRIL 2019 Planning Committee Performance Report.docx* **Page 161**

 *b. 29 May 2019 Committee Report.docx* **Page 165**

 *c Planning Appeals and Decisions April 2019.pdf* **Page 166**

### **31.0 Scheme of Delegation. (Copy attached)**

 *Scheme of Delegation for June 2019 ERT.pdf* **Page 215**

### **32.0 Historic Action Tracker. (Copy attached)**

 *ERT Historic Action Tracker Sheet for JUNE Mtg 2019.docx* **Page 216**

# Invitees

Cllr Terry Andrews

Cllr Gregory Bain

Cllr Patrick Brown

Cllr Robert Burgess

Cllr Pete Byrne

Mr Gerard Byrne

Mrs Dorinnia Carville

Cllr charlie casey

Cllr William Clarke

Cllr Dermot Curran

Cllr Laura Devlin

Ms Louise Dillon

Cllr Sean Doran

Cllr Cadogan Enright

Cllr Hugh Gallagher

Cllr Mark Gibbons

Cllr Oonagh Hanlon

Cllr Glyn Hanna

Mr Liam Hannaway

Cllr Valerie Harte

Cllr Harry Harvey

Cllr Terry Hearty

Cllr Roisin Howell

Mr Colum Jackson

Mrs Sheila Kieran

Cllr Liz Kimmins

Cllr Mickey Larkin

Miss Mary Lennon

Cllr Alan Lewis

Mr Michael Lipsett

Sandra Magee

Cllr Oonagh Magennis

Cllr Gavin Malone

Cllr Cathy Mason

Colette McAteer

Cllr Declan McAteer

Cllr Leeanne McEvoy

Jonathan McGilly

Marian McIlhone

Cllr Harold McKee

Patricia McKeever

Cllr Karen McKevitt

Mr Roland Moore  
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Margaret Morrow  
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Cllr Roisin Mulgrew  
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Cllr Barra Ó Muirí  
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Linda O'Hare  
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Cllr Gerry O'Hare  
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Mr Andy Patterson  
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Cllr Henry Reilly  
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Martin Robinson  
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Cllr Michael Ruane  
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Cllr Michael Savage  
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Cllr Gareth Sharvin  
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Donna Starkey  
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Cllr Gary Stokes  
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Sarah Taggart  
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Cllr David Taylor  
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Cllr Jarlath Tinnelly  
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Cllr John Trainor  
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Cllr William Walker  
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Mrs Marie Ward  
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**ENTERPRISE, REGENERATION AND TOURISM COMMITTEE****Proposed start times for consideration at ERT Committee Mtg  
June 2019**

<b>Date</b>	<b>Time</b>	<b>Location</b>
10 June 2019	3pm	Boardroom, Monaghan Row, Newry
12 August 2019	5pm	Boardroom, Monaghan Row, Newry
9 September 2019	3pm	Boardroom, Monaghan Row, Newry
14 October 2019	5pm	Boardroom, Monaghan Row, Newry
11 November 2019	3pm	Boardroom, Monaghan Row, Newry
9 December 2019	5pm	Boardroom, Monaghan Row, Newry
13 January 2020	3pm	Boardroom, Monaghan Row, Newry
10 February 2020	5pm	Boardroom, Monaghan Row, Newry
9 March 2020	3pm	Boardroom, Monaghan Row, Newry
Wednesday 15 April 2020	5pm	Boardroom, Monaghan Row, Newry
11 May 2020	3pm	Boardroom, Monaghan Row, Newry

## ACTION SHEET – ENTERPRISE REGENERATION &amp; TOURISM COMMITTEE MEETING

MONDAY 11 MARCH 2019

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
<b>ERT/ 038/2019</b>	TOLLYMORE FOREST PARK	<b>Decision taken at Council Mtg March 2019</b> To amend <b>ERT/038/2019</b> to reflect Cllr Clarke's proposal that Council seek expressions of interest alongside negotiating with Forestry Service with regard the Tea Rooms in Tollymore Forest Park.	A Patterson	Forest Service have appointed a mobile vendor and Council have reverted to FS on proposed lease arrangements	N
<b>ERT/ 025/2019</b>	NEWCASTLE & WARRENPOINT BEACHES	<b>Decision taken at Council Mtg March 2019</b> Regarding <b>ERT/025/2019</b> , it was agreed Council seek external funding options for an artificial beach in Newcastle and bring a business case to ERT Committee for decision.	A Patterson	Update on ERT June	Y
ERT/ 043/2019	NEWRY CANAL PROJECT LOCK 5 AND 6	(a) Council transfer any underspend from the Lock No.5 Restoration to Lock No.6 Restoration Project.  (b) Subject to budget transfer, Council	M Robinson	Works ongoing in regards to Lock No.5 – expected completion in late summer 2019 (additional Schedule Monument Consent being	N

Minute Ref	Subject	Decision	Lead Officer	Actions Taken/ Progress to date	Remove from Action Sheet Y/N
ERT/ 044/2019	SERVICE LEVEL AGREEMENTS ARTISAN MARKETS NEWCASTLE & DOWNPATRICK	<p>carry out the required survey/design studies and actual contractual works for restoration now required to Lock No.6.</p> <p>(a) To approve the renewal of the Service Level Agreements with Down Community Collective and Unit T to deliver 10 Artisan markets in each location in the 2019/20 financial year.</p> <p>(b) Council Officials to update Councillor McAteer regarding a date for Warrenpoint Market as part of the ongoing Revitalisation Project for Warrenpoint.</p> <p>(c) Council Officials to investigate the option of supporting an Artisan market in Saintfield.</p>	M Robinson	<p>obtained)</p> <p>Condition survey work now underway (May 2019)</p> <p>(a) Completed</p> <p>(b) Warrenpoint Market scheduled for 8<sup>th</sup> June</p> <p>(c) Review underway and an options paper will be brought to future meeting of ERT</p>	N
ERT/ 045/2019	FINANCIAL SUPPORT MADE IN MOURNE TRADE VISIT WASHINGTON / NEW YORK MARCH 2019	To note Council have provided support in the sum of £1,250 for 2 No. representatives from Made in Mourne to undertake an international Trade visit to America in March 2019 in order to develop international trading opportunities for the 70+ creative business within the Made in Mourne network	M Robinson	Completed and evaluation report on file	Y



Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
ERT/ 046/2019	NMDDC STRANGFORD LOUGH & LECALE PARTNERSHIP COASTAL COMMUNITIES FUNDING	<p>(a) To note a funding application has been submitted to the Coastal Communities Fund for the delivery of actions 3.4 and 3.5 of the Strangford &amp; Lecale AONB Action Plan 2017-22, and if successful Council proceed to implement the project as per a Letter of Offer.</p> <p>(b) A further report to be tabled notifying the Council of the outcome of the application and if successful, the outputs of the final programme of activity.</p>	M Robinson	Application submitted and under assessment. Outcome expected July.	N
ERT/ 047/2019	BELFAST REGION CITY DEAL	<p>(a) To approve and sign the Belfast Region City Deal Heads of Terms Agreement with the BRCD partners, UK Government and the NI Government which confirms the collective commitment to work in partnership and ensure delivery of the Belfast Region City Deal programme.</p> <p>(b) To convey back to the Partners, sentiments expressed by Councillor P Byrne regarding the need to clarify wording contained in Page 9 of the Agreement on the UK Government's</p>	M Ward	Complete  Heads of Terms signed. Query on wording clarified with Cllr Byrne.	Y



Minute Ref	Subject	Decision	Lead Officer	Actions Taken/ Progress to date	Remove from Action Sheet Y/N
		commitment to match the figure of £350 million as it currently stated "up to £350 million" whereas the other partners state "investing £350 million".			
ERT/ 048/2019	SERVICE LEVEL AGREEMENTS	<p>(a) To approve the list of Service Level Agreements as contained in Report dated 11 March 2019 from Mr A Patterson Assistant Director Tourism Culture &amp; Events (Point 2.1) regarding Service Level Agreements 2019/20.</p> <p>(a) Arrangements be made in order that Councillors can view the contents of Service Level Agreements.</p>	A Patterson	Complete	Y
ERT/ 049/2019	TYRELLA MASTERPLAN	(a) To appoint a design and build contract from the Council Framework to upgrade the car park at Tyrella beach, improve visitor servicing thus improving the visitor experience on the basis of budget provision of £275,000 which will complement £40,000 commitment previously agreed by Council to undertake minor aesthetic improvements around the site as per the business case.	A Patterson	Ongoing	Y

Minute Ref	Subject	Decision	Lead Officer	Actions Taken/ Progress to date	Remove from Action Sheet Y/N
		(b) Council Officials arrange for potholes to be addressed at the Car Park at Tyrella Beach before the summer season.			
ERT/ 050/2019	CRANFIELD BEACH	<p>(a) To appoint a contractor to undertake remedial works to improve Breakwater, disabled and pedestrian access, minor improvements to Ameracam Lane and drainage and repair damage to manholes on beach as per the Business Case.</p> <p>(b) To undertake a structural assessment of the breakwater to identify work required to ensure it is structurally sound.</p> <p>(c) Council Officials to examine a suggestion from Councillor R Burgess for Greencastle Castle to be opened to the public.</p>	A Patterson	Complete	Y
ERT/ 118/2017	LEASE OF PAVILION	To refer a request from Cllr J Tinnelly for the Lease at Rostrevor Tennis	A Patterson	Ongoing	Y

Minute Ref	Subject	Decision	Lead Officer	Actions Taken/ Progress to date	Remove from Action Sheet Y/N
	ROSTREVOR TENNIS CLUB	Club Pavilion not to be finalised until such times as discussions regarding the Football Club changing rooms are completed, to the Regulatory & Technical Services Department for consideration.			
ERT/ 057/2019	TOURISM EVENTS FUND	Council Officials to provide information on the criteria for applications for financial assistance under the Tourism Events Fund.	A Patterson	Complete	Y
ERT/ 058/2019	LICENCE HERON'S NEST DELAMONT COUNTRY PARK	(a) To approve a Licence Agreement with the Education Authority for a period of approximately 26 weeks, for the use of the Heron's Nest building at Delamont Country Park, subject to obtaining a valuation from Land and Property Services (LPS)  (c) To ensure the Council are indemnified during lease period.	A Patterson	Complete	Y
ERT/ 059/2019	FULL FIBRE NORTHERN IRELAND (FFNI)	(a) To enter into the Consortium Agreement with NMDDC as the lead Council. (b) To proceed to work with Consortium members to meet the	M Ward	Complete  Consortium Agreement in draft with FFNI partners.	Y



Minute Ref	Subject	Decision	Lead Officer	Actions Taken/ Progress to date	Remove from Action Sheet Y/N
		<p>specified conditions set out in the checkpoints by DCMS to meet the assurance process</p> <p>(c) To approve the appointment of an external consultant to assist the FFNI team with the design of technical procurements and calls off</p> <p>(d) To proceed to develop procurement calls for fibre and launch procurements for all sites in phase 1 and authorise the award of contracts.</p> <p>(e) To accept the Letter of Offer in line with all Governance requirements and compliance being met.</p> <p>(f) To note this cost is funded by DCMS through the LFFN funding.</p> <p>(g) To take on board the points raised by Councillors regarding the lack of broadband in rural areas for households and business premises.</p>		Letter of Offer received for £15 million up to 31 March 2021	
ERT/ 060/2019	APPLICATION HERITAGE LOTTERY FUND CASTLEWELLA N FOREST PARK	<p>(a) To approve the Business Case for Integrated Consultancy Team for Grange and Traffic as part of NLHF Round One Development works in Castlewellan Forest Park.</p> <p>(b) To approve the Business Case for Horticultural Consultant for Grange and Traffic as part of NLHF Round One Development works in</p>	M Robinson	Complete	Y

Minute Ref	Subject	Decision	Lead Officer	Actions Taken/ Progress to date	Remove from Action Sheet Y/N
		<p>Castlewella Forest Park.</p> <p>(c) Proceed with issuing ITT for Integrated Consultancy Team for Grange and Traffic as part of NLHF Round One Development works in Castlewella Forest Park.</p> <p>(d) Proceed with issuing ITT for Horticultural Consultant as part of NLHF Round One development works in Castlewella Forest Park.</p> <p>(e) Proceed with issuing RFQ for Biodiversity/ Ecological Surveys as part of NLHF Round One Development Works Castlewella Forest Park.</p> <p>(f) Proceed with recruitment of NLHF Project Officer for Castlewella Forest Park.</p> <p>(g) Set up Inter-Departmental Team for Castlewella Forest Park across Council Directorates: Team to contribute to development of application as required by NLHF.</p> <p>(h) NMDDC to provide letter to NLHF that they will cover the shortfall of £16,000 in case of an unsuccessful DAERA application.</p>			
ERT/ 061/2019	SLIEVE GULLION FOREST PARK REPAIRS TO	To approve the Business Case for capital works at Slieve Gullion Forest Park for repairs to the Plateau Path.	M Robinson	Complete	Y

Minute Ref	Subject	Decision	Lead Officer	Actions Taken/ Progress to date	Remove from Action Sheet Y/N
	PLATEAU PATH				
END					

<b>Report to:</b>	Enterprise Regeneration and Tourism Committee
<b>Subject:</b>	Business Plan 2019-20
<b>Date:</b>	10 <sup>th</sup> June 2019
<b>Reporting Officer:</b>	Marie Ward, Director Enterprise, Regeneration and Tourism
<b>Contact Officer:</b>	Marie Ward, Director Enterprise, Regeneration and Tourism

### Decisions Required

Members are asked to note the contents of the report, give consideration and agree to:  
The Enterprise, Regeneration and Tourism Business Plan (2019-20)

<b>1.0</b>	<p><b>Purpose and Background</b></p> <p>Directorate Business Plans are an essential part of the Council's Business Planning and Performance Management Framework, which provides for the cascade of Members' priorities throughout the organisation and their subsequent performance management.</p> <p>The Business Plans provide important information in relation to planned activity during 2019-20 which will contribute to the achievement of important strategic outcomes for the Council; most notably in relation to the Community Plan, Corporate Plan, Performance Improvement Plan and other key strategies. Business Plans are aligned with the Council's budget for the same period, with other Directorates also tabling Plans for 2019-20 to their respective parent Committees in June 2019.</p>
<b>2.0</b>	<p><b>Key Issues</b></p> <p>Performance Review</p> <p>Receives and makes decisions on the majority of planning applications Enforces breaches of planning permission Makes tree preservation orders Produced a local development plan outlining how land in Down and South Armagh should be used and developed in the future.</p> <p>Business Plans</p> <p>Copies of The Enterprise, Regeneration and Tourism Business Plans (2019-20) are provided at Appendices.</p>
<b>3.0</b>	<p><b>Recommendations</b></p> <p>Members are asked to note the contents of the report, give consideration and agree to: The Enterprise, Regeneration and Tourism Business Plan (2019-20)</p>
<b>4.0</b>	<p><b>Resource Implications</b></p> <p>There are resource implications arising from this report as the delivery of actions within the respective Business Plans will be resourced from the agreed budget for 2019-20.</p>
<b>5.0</b>	<p><b>Equality and Good Relations implications</b></p> <p>There are no equality or good relations implications arising from this report, however</p>

	specific tasks within each Business Plan may be subject to their own statutory screening. The outcomes of which will be reported to Members as part of future Officer recommendations.
<b>6.0</b>	<b>Appendices</b> Enterprise, Regeneration and Tourism Directorate Business Plan (2019-20)



# Enterprise, Regeneration and Tourism Directorate

## Annual Business Plan 2019-20



Comhairle Ceantair  
an Iúir, Mhúrn  
agus an Dúin

**Newry, Mourne  
and Down**  
District Council

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## 1.0 Introduction

1.1 The Enterprise, Regeneration and Tourism (ERT) Directorate is responsible for the following key functions of Council:

- **Economic Development**
- **Regeneration**
- **Tourism Development and Promotion**
- **Tourism Facilities Management and Development**
- **Arts and Culture**
- **Heritage**
- **EU Funding**
- **AONB Management**
- **Planning Development Management and Control**
- **Local Development Plan**
- **Building Control**
- **Licencing**
- **Council Car Parks**
- **Events**
- **International Relations**

## 2.0 Background and Context

- 2.1 The ERT Business Plan is developed within the context of the Community Plan, Corporate Plan and Performance Improvement Plan. The Community Plan sets out the long term outcomes for the District, based on the needs and aspirations of local people. The Corporate Plan sets out the key priorities for the Council between 2015-19, and how it will contribute to achieving the community planning outcomes. The Performance Improvement Plan highlights the positive outcomes stakeholders can expect to see through the annual performance improvement objectives, which are clearly aligned to community planning outcomes and corporate priorities.
- 2.2 The Community Plan, Corporate Plan and Performance Improvement Plan are cross cutting and strategic in nature. They guide all activity within the organisation, as well as the subsequent allocation of resources, and sit within a hierarchy of plans, as outlined in the 'Business Planning and Performance Management Framework' (Figure 1).
- 2.3 The Business Planning and Performance Management Framework drives and provides assurance that the Council is delivering its corporate vision and priorities, whilst securing continuous improvement in the exercise of functions. It provides a mechanism to join up and cascade the various plans and strategies across the organisation, demonstrating how employees contribute to achieving community planning outcomes and corporate priorities, for the ultimate benefit of the citizens we serve.

**Figure 1: Business Planning and Performance Management Framework**



- 2.4 The ERT Business Plan provides an overview of the key operational activities for the coming year. These activities are explicitly linked to corporate priorities, and coupled with 'business as usual' service delivery, provide clear direction for all employees within the Office (Figure 2). The ERT Business Plan is published annually and is the basis upon which performance is managed and reviewed by full Council, the Enterprise, Regeneration and Tourism, Regulatory and Technical Service Committee's and Senior Management Team.

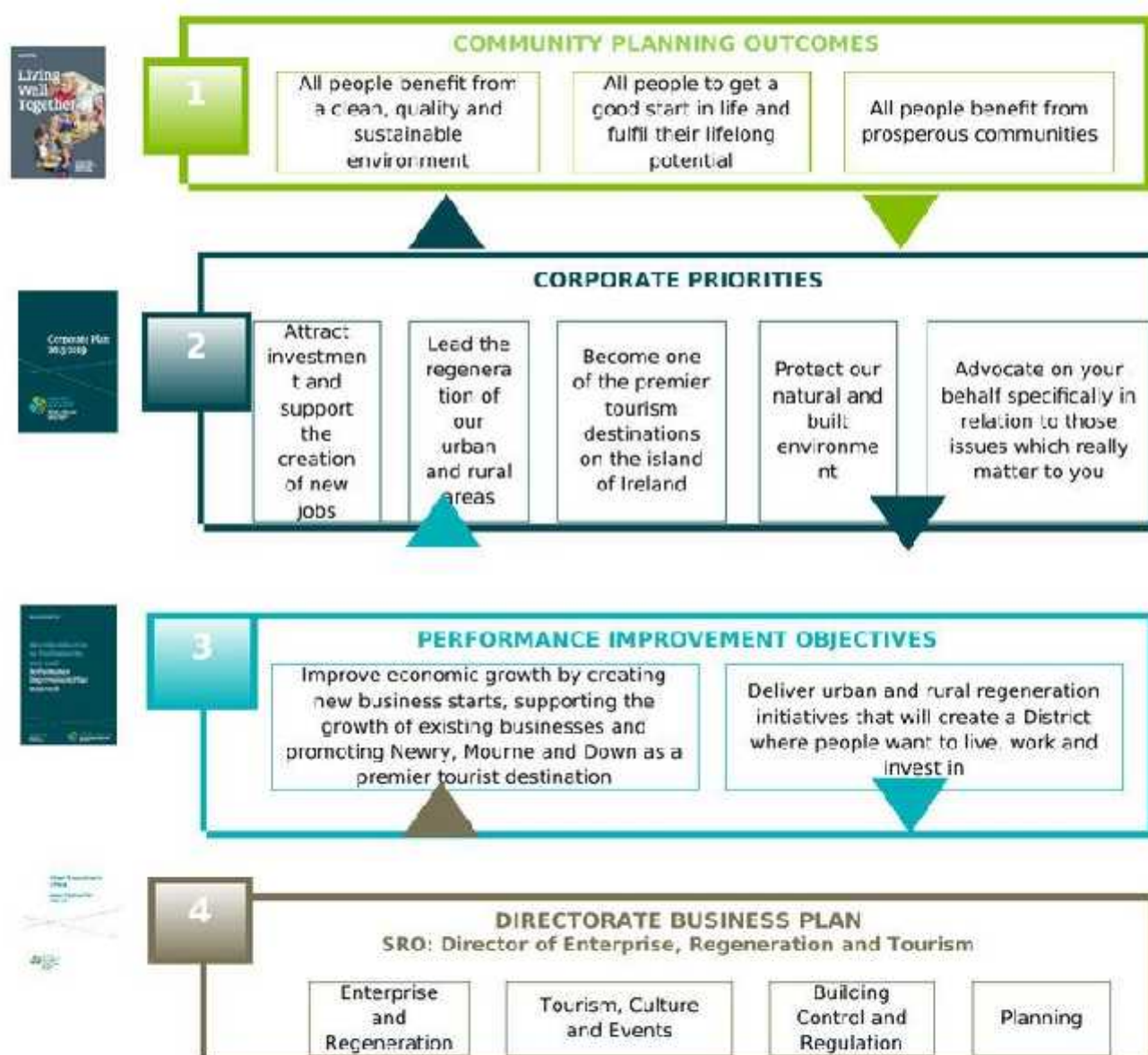


## 3.0 Purpose and Values

### 3.1 Purpose

3.1.1 The ERT Directorate's primary purpose is to develop, implement and monitor key strategies and plans to deliver economic, regeneration, tourism, arts and culture outcomes for the Council that contribute to the delivery of community planning outcomes and corporate priorities.

**Figure 2: ERT Alignment across the Business Planning and Performance Management Framework**



## 3.2 Values

3.2.1 The Directorate adheres to the Council's values which are outlined in the Corporate Plan 2015-19:

We Will Be	What This Means
Citizen Focused	We will actively encourage citizen and community engagement, as well as be a listening and responsive Council.
Accountable	We will make decisions based on an objective assessment of need and operate in a transparent way as well as openly report on our performance.
Collaborative	We will actively encourage and pursue working in partnership and at all levels to deliver for our District.
Sustainable	We will take into account the social, economic and environmental impacts of our decisions on current and future generations.
Fairness	We will proactively target actions at those who are marginalised in our community.

3.2.2 In accordance with the Section 75 requirements of the Northern Ireland Act (1998), the CEO is committed to carrying out its functions having due regard to the need to promote equality of opportunity and regard for the desirability to promote good relations. All new and revised policies, procedures and programmes of work will be subject to an equality screening and rural needs impact assessment (where appropriate).

## 4.0 Challenges and Opportunities

4.1 The ERT was established in 2017 following the reorganisation of the former Strategic Planning and Performance Directorate and Regulatory and Technical Services Directorate. The directorate continues to evolve in line with organisational change, and remains committed to developing and embedding the necessary plans, policies and processes to deliver improvement across the organisation.

4.2 Influences within the external and internal environment continuously present challenges and opportunities, which have an impact on the overall management and operation of the ERT Directorate. These influences can be summarised as follows:

### External Environment

Potential considerations:



- Brexit and the impact on EU funding on existing and future programmes of work
- City Deal
- Political uncertainty in relation to funding from the DFC
- Finalising/closing the rural development programme
- Consumer demand for arts and culture initiatives
- Technological advancements / broadband etc
- **Legislation:** Ensuring legislative compliance with The Local Government (NI) Act 2014 and subsequent Orders, specifically in relation to the Duty of Community Planning, Duty of Improvement and Political Governance.
- **Strategic Alliances:** Collaborating with stakeholders to address the impact of Brexit and continue to operate amidst wider political uncertainty.
- **Community Planning:** Strengthening existing partnerships and progressing the implementation of the four Thematic Delivery Plans to support the achievement of the long term community planning outcomes.
- **Local Government Reform:** Addressing legacy issues and successfully integrating the new powers and functions created by Local Government Reform.
- **Evidence Based Decision-Making:** Ongoing collation of national, regional and local datasets to inform and influence local decision-making, policy development and service provision.
- **Global trends:** Considering the impact of complex social issues, the needs of a growing and ageing population, increased demand for public services and rising customer expectations on public service provision.

## Internal Environment

- **Management:** Successfully establishing the Office in terms of its structure, governance, internal processes and increased responsibilities. Tier 4 positions are now in place and the focus is on recruiting to Tier 5 positions.
- **Resources:** Identifying and securing the financial and non-financial resources required for the Office to successfully develop and discharge its responsibilities amidst increased budgetary constraints and austerity.
- **Democracy:** Ensuring Elected Members and the Council's decision-making structures are provided with appropriate levels of support to enable the effective and efficient discharge of their responsibilities.
- **Transformation and Improvement:** Leading the development and implementation of a transformational programme of change at both strategic and operational levels, enabling employees and Elected Members to drive forward improvements that meet resident needs and aspirations.

- **Performance Management:** Monitoring and reviewing Council performance, highlighting areas of high-performance, identifying areas for intervention and facilitating the development of a performance improvement culture.
- **Risk Management:** Managing potential risks and opportunities in achieving the key actions outlined in the CEO Business Plan by adhering to the Corporate Risk Management Policy and reviewing the CEO Risk Register on a quarterly basis.

## 5.0 ERT Supporting Actions

### Key Office Actions

**Enterprise and Regeneration** – Work with partners to lead the implementation of the Economic, Regeneration and Investment Strategy.

**Tourism, Culture and Events** – Work with partners to lead the implementation of the Tourism Strategy. Lead the development and implementation of Culture and Arts Strategy

**Building Control and Regulation** – A statutory duty to apply the Building Regulations and licencing obligations of Council. The management of Car Park facilities owned and operated by Council

**Planning** – Receives and makes decisions on the majority of planning applications, enforces breaches of planning permission, makes tree preservation orders. Produce a local development plan outlining how land in Down and South Armagh should be used and developed in the future.

Key ERT Actions		Timescale
Enterprise, Employment and	Implement and deliver ERDF funded business mentoring programmes to support the continued growth of our existing business case.	Q1-Q4
	Establish a cohesive Social Enterprise Programme that compliments and adds value to the work of other agencies (DfC, INI etc) that operate in this sector.	Q1-Q4
	Delivery of NI Business Support Programme in collaboration with 10 partner Councils and Invest NI	Q1-Q4
	Develop a new funding proposal for continued Business Start Up support for March 2021 onwards that delivers against statutory job creation targets.	Q4
	Sign Heads of Terms for the Belfast Region City Deal bid in co-operation with 5 partner Councils and	Q1-Q4



Regeneration	continued development of the City Deal investment pillars and associated Governance arrangements.	
	To continue to explore and engage in opportunities to build international relations and stimulate investment opportunities for local businesses.	Ongoing
	Deliver a National Lottery Heritage Fund (NLHF) Development Phase at Castlewellan Forest Park and prepare a second round application for funding to develop the park as a heritage led visitor and tourist destination.	Q1-Q4
	Warrenpoint Municipal Park: Implement the Activity Plan as per the National Lottery Heritage Fund Letter of Offer	Q1-Q4
	Delivery of the NI Rural Development Programme as per strategy for 2019/20	Q1-Q4
	Implementation and delivery of RDP Funded Village Renewal schemes across the NMD area.	Q1-Q4
	Implementation and delivery of a regeneration schemes in Derrymore Demense, Bessbrook	Q1-Q4
	Delivery of the SEA FLAG Fisheries Programme as per strategy for 2019/20	Q1-Q4
	Conclude development brief exercises for sites at Warrenpoint Baths	Q2
	Conclude development brief exercise for Lisburn Street Carparks Ballynahinch	Q2
	Secure all lands and carry development brief process to realise the regeneration of the former PSNI station site and adjacent lands in Downpatrick.	Q3
	Further development of the Regeneration forward plan and implementation of public realm works along lower Hill Street, Newry	Q1-Q4
	Secure a preferred partner for the development of Theatre, Conference and Civic Centre for Newry City.	Q1
	Establish an effective programme and structure for AONB management across the 3 AONBs in the District.	Q2
	To secure funding for the implementation of a new 3 year action plan for the Ring of Gullion and Strangford Lough and Lecale AONB	Q1

	Implementation of the LPS for Ring of Gullion as per agreed action plan.	Q2
	Continued development of collaboration across all sectors to promote regeneration, business growth and international investment within the District.	Ongoing
	Work in partnership with Councils and other partners in relation to Brexit.	Ongoing
	Deliver an Innovation Conference for the District	Q3
	Deliver a Tourism Marketing Programme in line with Tourism NI's new Tourism Strategy and Marketing Brand Proposition to support the district becoming one of the premier tourist destinations and reinforce the position of Outdoor Capital.	Q4
	Create destination experiences through: <ol style="list-style-type: none"> <li>1. The development and delivery of Visitor Experience Plans;</li> <li>2. Experiential Package Development;</li> </ol>	Q1-Q4
	Create and deliver a new Tourism Business Support Programme to support micro-tourism businesses to: <ol style="list-style-type: none"> <li>1. Develop new commercially-sustainable visitor experiences;</li> <li>2. Grow business capacity and skills</li> <li>3. Grow tourism revenue</li> </ol>	Q3-Q4
	Collaborate and engage with key stakeholders to ensure the ongoing delivery of the Tourism Strategy and to reinforce a strong partnership approach to tourism growth and leadership: <ol style="list-style-type: none"> <li>1. Tourism Forum of industry stakeholders</li> <li>2. Cross-party Tourism Task and Finish group</li> <li>3. Cross-departmental Project Teams from Cleansing, Estates, Leisure, Community to address key issues</li> </ol>	Ongoing
	Develop and deliver a new Tourism Events Programme in line with strategic priority of growing the economic impact of tourism in the district.	Q4
	Work with key partners in industry and Government to create a Sustainable Tourism Growth Plan for the region, to address: <ol style="list-style-type: none"> <li>1. Environmental impact of tourism growth in rural areas</li> </ol>	Q3-Q4



	<ol style="list-style-type: none"> <li>Traffic and visitor management at key sites</li> <li>Maintaining and improving quality standards and visitor experience, whilst ensuring tourism growth</li> </ol>	
	Continue to prioritise the reorganisation of the structure within ERT to ensure delivery of tourism development, visitor services and marketing, tourism event delivery, and heritage and arts development.	Ongoing
	<p>Develop sales plans and deliver key projects to prioritise growth in the following Key Tourism Sectors:</p> <ol style="list-style-type: none"> <li>Food and drink; 2. Golf Tourism; 3. Screen Tourism;</li> <li>Incentive Tourism</li> </ol>	Q4
	<p>Continue to progress key Tourism Capital Investment Projects in partnership with Government stakeholders:</p> <ol style="list-style-type: none"> <li>Gateway to the Mourne as part of the BRCD</li> <li>Investment in our Forest Parks, Country Park, and Beaches</li> <li>Newry Canal Blueway concept and Great Eastern Greenway</li> </ol>	Ongoing
	Submit a full application for the UNESCO Geopark Project to International Geoscience and Geopark Programme (IGGP) by November 2019.	Q3
Tourism, Culture, Heritage and Events	<p>Launch the Council's new Arts, Culture and Heritage Strategy and Action Plan to:</p> <ol style="list-style-type: none"> <li>Grow and develop our arts and heritage offering in Council venues;</li> <li>Increase participation and engagement of communities throughout the district in our arts and heritage offering;</li> <li>Support key events organisers, musicians, artists and arts groups to promote and celebrate the unique arts, culture and heritage offering of this district</li> </ol>	Q2
		Q3
	Collaborate and engage with key stakeholders through a newly formed Arts Forum to deliver the Arts, Culture and Heritage Strategy and to reinforce a strong partnership approach to growth of the sector.	Q1-Q4
	Progress the development of the major new Theatre, Arts and Conference facility in Newry under BRCD and as part of the delivery of the new Arts, Culture and	

	Heritage Strategy.	
Building Control and regulation	Increase the online/automated phone applications for Dog Licences from 20% to 40%	Q3
	Introduce the online facility for BN and RG BC applications	Q2
	Introduce the online facility for Licences (General)	Q4
	Set performance targets for Licensing applications	Q3
	Rationalise the alignment of bye-laws enforcement of the off street car parking service through the district.	Q3
	Maintain an effective monitoring and reporting procedure to demonstrate effective performance within Building Control and Licensing.	Ongoing
	Work in conjunction with DfI and Translink to identify and develop P&R and P&S sites within the district.	Ongoing
	Maintain an effective information sharing procedure between Building Control and Planning	Ongoing
	Rationalise the alignment of bye-laws enforcement of the dog control service throughout the District.	Q3
	Implementation of the car park strategy in line with overall regeneration objectives for the district, initially concentrating on Newry.	Ongoing
Planning	Replace NI Direct call management system with Council's own internal call management.	Q3
	To process 60% of local applications within 15 weeks.	Q4
	To process 75% of major applications within 30 weeks.	Q4
	Conclude 75% of enforcement cases within 39 weeks.	Q4
	Publish Draft Local Development Plan Strategy by end of 2020	Ongoing
	NI Planning IT System - complete the procurement exercise for the new IT System.	Q3
	Develop Council guidance and checklists for the submissions of planning applications.	Q4

## 6.0 Performance



- 6.1 In addition to managing and monitoring financial and human resources, the following performance measures will be monitored during 2019-20:

Measures of Success
<b>Economic Development (statutory):</b> <ul style="list-style-type: none"> <li>• The number of Business Plans approved (target: 301)</li> <li>• The number of jobs promoted (target: 155)</li> <li>• The number of new business starts (target: 205)</li> </ul>
<b>Building Control:</b> <ul style="list-style-type: none"> <li>• Domestic Building Control applications processed within 21 days from the date of submission Target: 77%</li> <li>• Commercial Building Control applications processed within 35 days from the date of submission target: 77%</li> <li>• All Building Control applications processed within 56 days from date of submission (target: 100%)</li> <li>• Amendments to applications (BR3 returns) to be processed within 14 days from date of re-submission (target: 82%)</li> <li>• All Building control applications to be validated within 7 days from the date of submission – Target 100%</li> </ul>
<b>Tourism, Culture and Events:</b> <ul style="list-style-type: none"> <li>• Tourism visitor revenue</li> <li>• Tourism visitor volume (overnights)</li> <li>• Tourism jobs supported</li> <li>• Visitor revenue in arts, culture and heritage venues</li> <li>• Visitor volume in arts, culture and heritage venues</li> <li>• Engagement of local communities in arts, culture and heritage programmes</li> </ul>
<b>Planning (statutory):</b> <ul style="list-style-type: none"> <li>• Local planning applications to be processed within an average of 15 weeks.</li> <li>• Major planning applications to be processed within an average of 30 weeks.</li> <li>• 70% of all enforcement cases concluded within 39 weeks of complaint receipt.</li> </ul>

### ERT Plans and Strategies

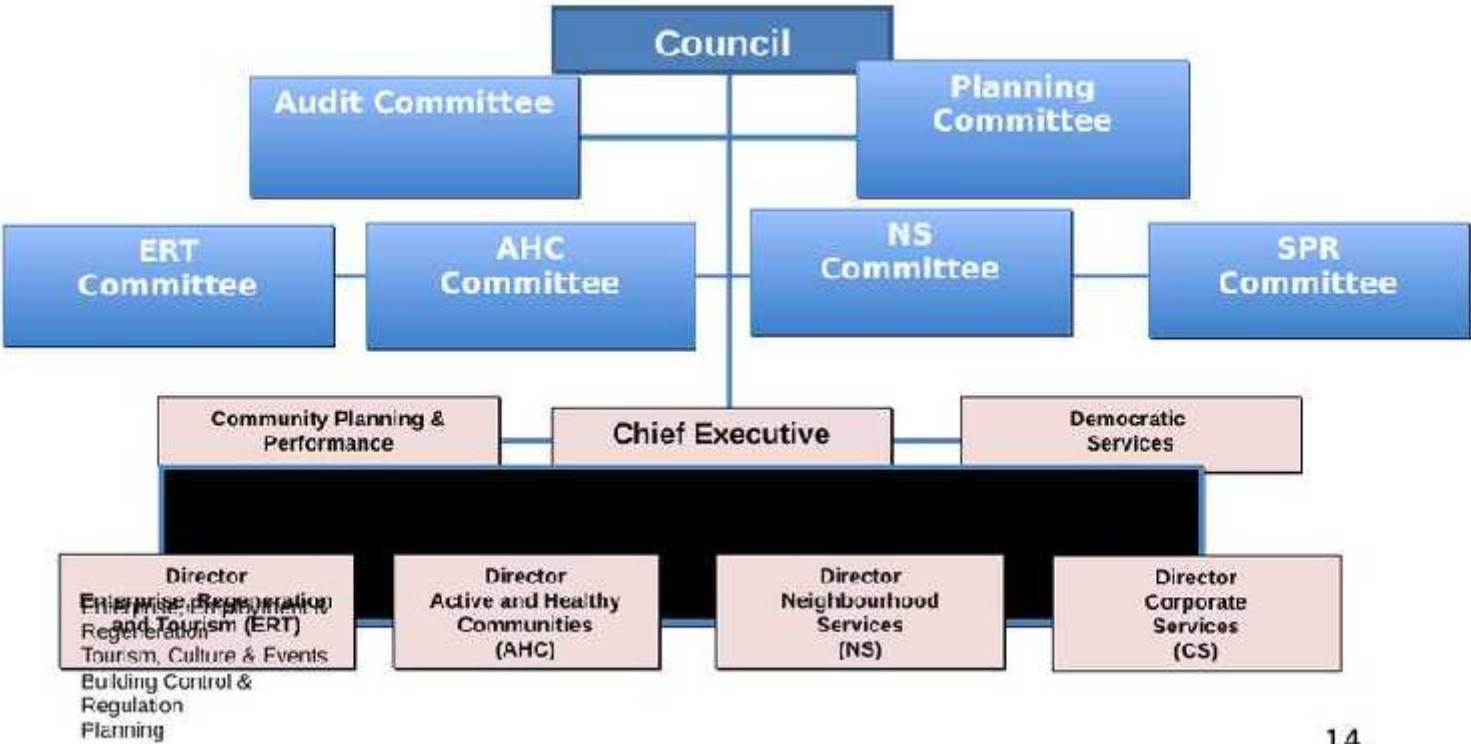
- 6.3 The ERT Directorate is responsible for leading the development, implementation and review of the following plans and strategies, which influence the work of the Office and Council:
- Economic, Regeneration and Investment Strategy
  - Tourism Strategy
  - Rural Development Strategy
  - Arts and Culture Strategy

- Local Development Plan - Preferred Options Paper

7.0 Organisation and Directorate Structure

7.1 The ERT Directorate is one of five Departments, which together, comprise the Management structure of the Council. The management structure of the Council is set-out in Figure 3.

Figure 3 - Council Management Structure



Leisure  
Health & Wellbeing  
Community Engagement

Waste Management  
Facilities Management &  
Maintenance

Corporate Planning & Policy  
Finance  
Administration  
Human Resources  
Estate and Capital Projects

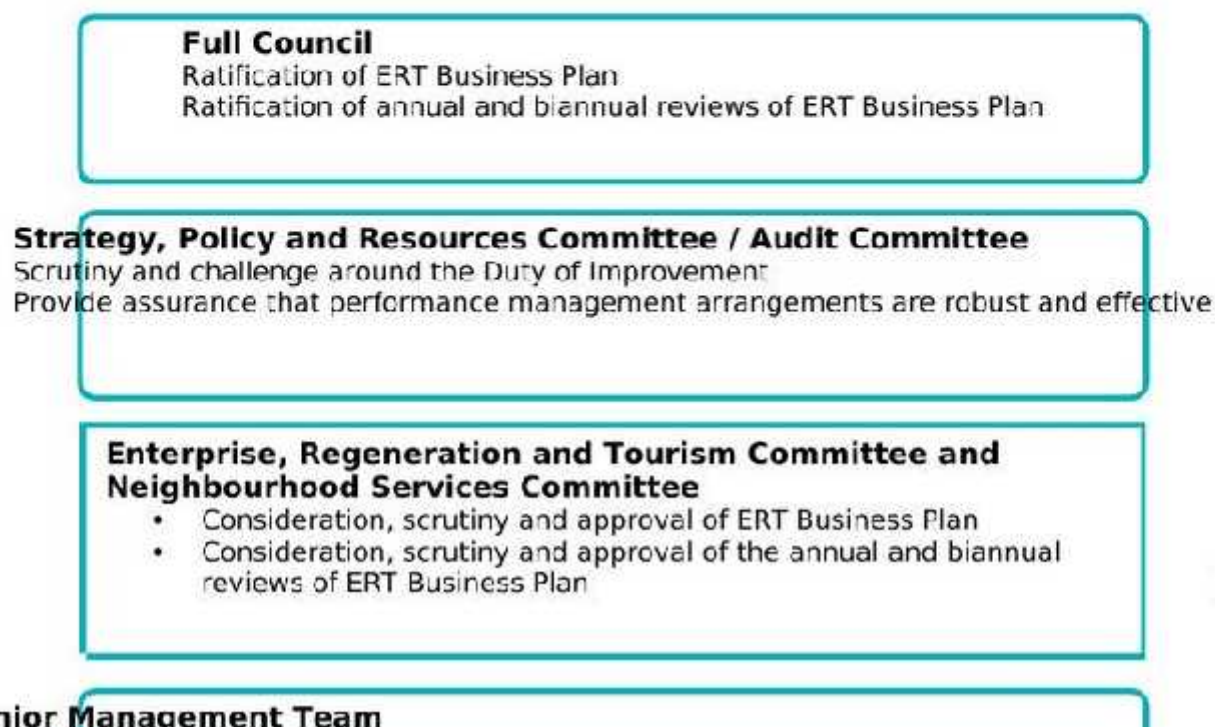
## 8.0 Financial Information

Net estimated expenditure Revenue (2019-20)	
Enterprise, Employment and Regeneration	£1,186,061
Tourism, Culture, Heritage and Events	£5,858,667
Building Control and Regulation	£235,318
Planning	£911,757
<b>TOTAL: ERT Directorate</b>	<b>£8,191,804</b>

## 9.0 Governance Arrangements

- 9.1 Reviewing performance and reporting progress to Elected Members and other key stakeholders facilitates transparency, accountability and improvement in everything the Council does. The political and organisational governance arrangements to develop, monitor and report the Council's progress in implementing the ERT Business Plan are outlined below, and are supplemented by regular reviews by the ERT Director and her team. The governance arrangements the Council has put in place to deliver continuous improvement are also subject an annual audit and assessment by the Northern Ireland Audit Office.

**Figure 5: Governance Arrangements**







## Ag freastal ar an Dún agus Ard Mhacha Theas Serving Down and South Armagh

0300 013 2233 (Council)  
0300 200 7830 (Planning)  
[council@nmadd.org](mailto:council@nmadd.org)  
[www.newrymournedown.org](http://www.newrymournedown.org)

**Oifig an Lúir  
Newry Office**  
O'Hagan House  
Monaghan Row  
Newry BT35 8DJ

**Oifig Dhún Pádraig  
Downpatrick Office**  
Downshire Civic Centre  
Downshire Estate, Ardglass  
Road  
Downpatrick BT30 6GQ

<b>Report to:</b>	Enterprise Regeneration and Tourism
<b>Date of Meeting:</b>	10 <sup>th</sup> June 2019
<b>Subject:</b>	Working Groups
<b>Reporting Officer (Including Job Title):</b>	Marie Ward Director Enterprise, Regeneration and Tourism
<b>Contact Officer (Including Job Title):</b>	Marie Ward Director Enterprise, Regeneration and Tourism

Confirm how this Report should be treated by placing an x in either:-

For decision	X	For noting only					
1.0	Purpose and Background						
1.1	A number of groups were agreed in ERT Committee in the 2015 - 2019 term of Council and these will continue to operate in this term of Council for the purposes of providing political guidance and support.						
2.0	Key issues						
2.1	<p>It has been agreed that the following working groups would be made up from the members of the ERT committee and that the make up of the groups would remain as before:</p> <table><tr><td><b>Brexit Forum</b>  1 Sinn Fein 1 SDLP 1DUP 1UUP 1 Alliance/Independent</td><td><b>Tourism/Arts Task and Finish</b>  2 Sinn Fein 2 SDLP 1 DUP 1 UUP</td></tr><tr><td colspan="2"><b>Economic Forum</b> 2 Sinn Fein 2 SDLP 1 DUP 1 UUP 1 Alliance/Independent</td></tr></table> <p>The Arts and Culture Strategy is in the process of development and will be due to be publicly consulted on in August/September 2019. It is recommended that the remit of the Tourism Task and Finish Group is extended to cover the Arts and Culture.</p>			<b>Brexit Forum</b>  1 Sinn Fein 1 SDLP 1DUP 1UUP 1 Alliance/Independent	<b>Tourism/Arts Task and Finish</b>  2 Sinn Fein 2 SDLP 1 DUP 1 UUP	<b>Economic Forum</b> 2 Sinn Fein 2 SDLP 1 DUP 1 UUP 1 Alliance/Independent	
<b>Brexit Forum</b>  1 Sinn Fein 1 SDLP 1DUP 1UUP 1 Alliance/Independent	<b>Tourism/Arts Task and Finish</b>  2 Sinn Fein 2 SDLP 1 DUP 1 UUP						
<b>Economic Forum</b> 2 Sinn Fein 2 SDLP 1 DUP 1 UUP 1 Alliance/Independent							
3.0	Recommendations						
3.1	<p>To provide names of party members from ERT as outlined above.</p> <p>To extend the remit of the Tourism Task and Finish Group to incorporate Arts and Culutre.</p>						

<b>4.0</b>	<b>Resource implications</b>
4.1	Available within current budgets.
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon rural proofing.
<b>7.0</b>	<b>Appendices</b>
	None
<b>8.0</b>	<b>Background Documents</b>
	None

<b>Report to:</b>	Enterprise Regeneration and Tourism
<b>Date of Meeting:</b>	10 <sup>th</sup> June 2019
<b>Subject:</b>	Sponsorship for NI Small Business Conference, to be held in Newry City Sept 2019
<b>Reporting Officer (Including Job Title):</b>	Martin Robinson Assistant Director for Enterprise, Employment and Regeneration
<b>Contact Officer (Including Job Title):</b>	Amanda Smyth Head of Regeneration and Business Development

Confirm how this Report should be treated by placing an x in either:-

<b>For decision</b>	<b>X</b>	<b>For noting only</b>	
<b>1.0</b>	<b>Purpose and Background</b>		
<b>1.1</b>	<p>Newry Chamber of Commerce and Trade are bringing forward an event to recognise and celebrate small businesses across NI as part of their "Supporting Business - Building Excellence" work plan. The event will be held in September 2019 and potential venues considered are Newry Townhall or Arts Centre</p> <p>The objective of this conference is to provide owner/managers of small businesses with important, relevant information and advice on how to develop and grow their business. It will also profile best practice examples and incorporate facilitated networking sessions and dedicated workshops. The conference will be an opportunity for small businesses to learn from experts in their area, as well as an opportunity to showcase successful small businesses located within our District. An important outcome will be opportunities for businesses to potentially work with each other on mutually beneficial projects as a direct result of engagement at the conference.</p> <p>It will provide essential information and advice covering all key aspects of business activity, including, advice on marketing, sales, finance, export, R&amp;D, e commerce, shared space working; HR and business growth strategies. The interactive nature of the programme which will include keynote speakers and themed workshops, will ensure valuable learning opportunities and insights for our local businesses.</p> <p>Ultimately this conference will highlight this region as an exemplar of small business enterprise and entrepreneurship on a Northern Ireland stage, demonstrating that the District is a place to invest and do business in.</p>		
<b>2.0</b>	<b>Key issues</b>		
<b>2.1</b>	<p>The Chamber would like to deliver this event in partnership with Council; Council will be recognised as the lead sponsor. Council will take a lead role in helping to shape the programme and the themes to ensure that it fits with the Council's economic development objectives. In addition to being</p>		

	<p>involved in the development of the programme, the Council would also receive:</p> <ul style="list-style-type: none"> <li>▪ A number of stands at the event for promotion of business support programmes</li> <li>• Speaking opportunity on the agenda</li> <li>• Council branding on conference material</li> <li>• Council branding on all PR material surrounding the conference;</li> <li>• Press coverage will include supporting quotations and photograph opportunities</li> <li>• Acknowledgement as principal sponsorship in all pre and post event press releases</li> </ul> <p>This conference offers a unique opportunity to showcase to NI the indigenous micro and small businesses located within the District, how small and micro businesses are recognised on the international stage, and to showcase the District as a dynamic place to invest in and to do business with.</p>
<b>3.0</b>	<b>Recommendations</b>
3.1	To support the NI Small Business Conference delivered by Newry Chamber of Commerce and Trade through a lead sponsorship contribution of £10,000
<b>4.0</b>	<b>Resource implications</b>
4.1	£10,000 which is available in existing budgets
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon rural proofing.
<b>7.0</b>	<b>Appendices</b>
	None
<b>8.0</b>	<b>Background Documents</b> None

<b>Report to:</b>	Enterprise Regeneration and Tourism
<b>Date of Meeting:</b>	10 <sup>th</sup> June 2019
<b>Subject:</b>	Sponsorship for NI Economic Conference (delivered by Agenda NI)
<b>Reporting Officer (Including Job Title):</b>	Martin Robinson Assistant Director for Enterprise, Employment and Regeneration
<b>Contact Officer (Including Job Title):</b>	Amanda Smyth Head of Regeneration and Business Development

Confirm how this Report should be treated by placing an x in either:-

<b>For decision</b>	<b>X</b>	<b>For noting only</b>	
<b>1.0</b>	<b>Purpose and Background</b>		
<b>1.1</b>	<p>Northern Ireland Economic Conference is Northern Ireland's premier economic analysis event and is unique in being the only forum which takes a high level look at the performance of, and prospects for the local economy. Now in its 24th year, the conference is firmly established as the annual autumn 'summit' for Northern Ireland's economic community, including policy-makers and business leaders.</p> <p><u>The Northern Ireland Economic Conference 2019</u></p> <p>In line with the established format, the conference will open with a presentation of the Northern Ireland regional economic forecast, which looks ahead across a range of economic indicators to assess exactly how well the local economy is performing, behind the headline figures. Other issues to be addressed may include:</p> <ul style="list-style-type: none"> <li>• Economic Priorities</li> <li>• Sub-regional economic development, outside Belfast;</li> <li>• Impact of Brexit on the regional economy;</li> <li>• The role of manufacturing in the regional economy</li> <li>• Sectoral / industry updates: agri-food, financial services, manufacturing, construction, ICT;</li> <li>• Tourism in the economy</li> <li>• Promoting &amp; fostering innovation</li> <li>• Promoting entrepreneurship</li> <li>• Infrastructure investment</li> <li>• Boosting productivity</li> <li>• Increasing exports</li> <li>• Role of education and skills</li> <li>• Sectoral / industry updates</li> </ul> <p>The Conference takes place in the autumn, attracting 300 senior industry and economic representatives.</p>		



<b>2.0</b>	<b>Key issues</b>
2.1	<p><u>Opportunity for Newry, Mourne and Down District Council</u></p> <p>Agenda NI have engaged with Council, to host the 2019 Northern Ireland Economic Conference. Association with Northern Ireland's major annual economic conference is a valuable opportunity to reinforce the Council's Identity and highlight its economic development activities with a key audience of economic policy-makers and decision-makers from across Northern Ireland and further afield.</p> <p>Sponsorship benefits</p> <ul style="list-style-type: none"> <li>• Newry, Mourne and Down District Council to act as the host for the 2019 Northern Ireland Economic Conference</li> <li>• Council logo on all marketing and promotional materials, including high profile corporate brochure direct-mailed to 6,000 individuals on specialist database and distributed via AgendaNI magazine (circulation 7,000)</li> <li>• Council Chairperson to 'open' the conference</li> <li>• Opportunity to provide a keynote speaker – opportunity to influence key players and highlight Council's economic leadership and vision</li> <li>• Opportunity to provide branded banner/pull-up stands for display during conference</li> <li>• Council logo projected onto conference screen on official event slide, to be displayed during all breaks</li> <li>• Council logo on all conference documentation</li> <li>• Council may provide appropriate insert for inclusion in the delegate documentation packs (A4, maximum 4 pages)</li> <li>• Council may provide corporate gift for distribution to delegates</li> <li>• Ten complimentary delegate places and additional places at significant discount</li> <li>• Council logo featured on conference website and on all digital / online marketing and will be included in social media promotion</li> </ul> <p>It would be recommended that this conference takes place in Newcastle.</p>
<b>3.0</b>	<b>Recommendations</b>
3.1	To support the 2019 NI Economic Conference delivered by Agenda NI, through a lead sponsorship at a cost of £10,000.
<b>4.0</b>	<b>Resource implications</b>
4.1	£10,000 which is available in existing budgets
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon rural proofing.

7.0	<b>Appendices</b>
	None
8.0	<b>Background Documents</b>
	None

<b>Report to:</b>	Enterprise Regeneration and Tourism
<b>Date of Meeting:</b>	10 <sup>th</sup> June 2019
<b>Subject:</b>	Review of Council's Statutory Job Creation Target for new "Go for It" Programme (post 2021)
<b>Reporting Officer (Including Job Title):</b>	Martin Robinson Assistant Director for Enterprise, Employment and Regeneration
<b>Contact Officer (Including Job Title):</b>	Amanda Smyth Head of Regeneration and Business Development

Confirm how this Report should be treated by placing an x in either:-

<b>For decision</b>	<b>X</b>	<b>For noting only</b>	
<b>1.0</b>	<b>Purpose and Background</b>		
1.1	<p>Northern Ireland Business Start Programme (NIBSUP aka 'Go For It') is a regional business start programme, through which entrepreneurs receive support to develop a quality assured business plan. Business start was one of the functions which transferred to Councils in April 2015, following Local Government Reform. Through the Programme, delivered by the Councils since 2015, NIBSUP's key outputs are completed and approved business plans, with the 'jobs promoted' then calculated at a conversion rate, determined by previous programme evaluations of actual jobs created.</p> <p>Following RPA in 2015, statutory targets were allocated to each of the new Councils, totalling 1,625 jobs, as required by the Programme for Government. NMD Council's target is currently 155 jobs, the 5<sup>th</sup> highest of Councils, accounting for 9.5% of the overall 1,625 jobs target.</p>		
<b>2.0</b>	<b>Key issues</b>		
2.1	<p><b>Review of Councils' Statutory Targets (Business Start Activity)</b></p> <p>There has been a lack of clarity as to how job creation targets were allocated across Councils. To ensure the programme targets are fit for purpose going forward and reflect current economic conditions, NI Councils collaboratively appointed Capaxo Ltd to complete an Economic Review of the Statutory Targets by Council Area set under the Review of Public Administration, and make recommendations for a formula to be used to calculate new targets for each Council.</p> <p>Capaxo's Report proposes a Proportional Formula on the basis of three indices to provide a range of job creation targets. They include:</p> <ul style="list-style-type: none"> <li>• Proportion of NI Small Businesses within Council Areas (2018)</li> <li>• Proportion of NI Micro Enterprises within Council Areas (2018)</li> <li>• Proportion of NI Business Births by Council Area (2017)</li> </ul>		

Each Council's share of these indicators is calculated and then added to each Council's share of the working age population. The 3 statistics used are strong indicators of business start-up and small business activity and are good barometers of the extent of entrepreneurial activity in each Council area. They provide regional comparisons and are also official government statistics, compiled from large sample sizes with regular data

The Proportionate Formula for each has then been calculated to propose targets for each area. The recommendation for NMD District Council is to revise the target upwards from 155 jobs to 173 jobs.

	<b>Small Business</b>	<b>Micro Enterprise</b>	<b>Birth</b>	<b>Range</b>	<b>Median</b>
NMDDC	172	170	175	170 - 175	<b>173</b>

Each Council is now considering the recommendations from the Capaxo report. Each Council's decision will then be presented to the Department for the Economy for consideration. The next steps for Councils is to indicate if they are in favour of the proposed review of their individual targets. Agreeing a target in principle will inform the targets to be included in new Go for It Programme which is being developed and which will succeed the current NIBSUP post 2021.

#### Pervious performance

NMD Council has exceeded its statutory target of 155 jobs, and forecasts for the current programme also indicate an over performance.

	<b>ACTUAL 2016/2017</b>	<b>ACTUAL 2017/2018</b>	<b>ACTUAL 2018/2019</b>	<b>FORECAST 2019/2020</b>
NMDDC	192	168	185	185
% achieved against 155 stat target	124%	108%	119%	119%

On the basis of the review, it is recommended that Council agrees to adjust the Statutory target to the median with 173 jobs created from start-ups.

This is then to be used as a baseline in the new Business Start Programme



	and to be suggested to DfE when considering new Statutory targets relating to job creation arising from the Business Start up programme.
<b>3.0</b>	<b>Recommendations</b>
3.1	To recommend a revised jobs target of 173 jobs to be used as a baseline in the new Business Start Programme and to be suggested to DfE when considering new Statutory targets relating to job creation arising from the Business Start up programme
<b>4.0</b>	<b>Resource implications</b>
4.1	N/A
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon rural proofing.
<b>7.0</b>	<b>Appendices</b>
	None
<b>8.0</b>	<b>Background Documents</b> <i>Capaxo report available upon request</i>

<b>Report to:</b>	Enterprise Regeneration and Tourism
<b>Date of Meeting:</b>	10 <sup>th</sup> June 2019
<b>Subject:</b>	Update on applications to ERDF Investment for Growth and Jobs
<b>Reporting Officer (Including Job Title):</b>	Martin Robinson Assistant Director Enterprise Employment and Regeneration
<b>Contact Officer (Including Job Title):</b>	Amanda Smyth Head of Regeneration and Business Development

Confirm how this Report should be treated by placing an x in either:-

<b>For decision</b>	<input checked="" type="checkbox"/>	<b>For noting only</b>	<input type="checkbox"/>
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<b>1.0</b>	<b>Purpose and Background</b>
1.1	<p>ERDF is the main EU Structural and Investment Fund used to support economic development to help drive economic growth. Invest NI are the intermediary funding body for priority ERDF Axis 2 Objective 4 which is to "Increase employment in NI micro and small businesses".</p> <p>Council Officers have been working closely with INI to develop business support proposals suitable for ERDF funding. The main criteria for proposals are that they are targeted at Small and Micro sized enterprises located within the District, and a key output of the programme is job creation.</p>
<b>2.0</b>	<b>Key issues</b>
2.1	<p>Council have now secured funding for the delivery of 3 mentoring programmes:</p> <p><u>Business Growth</u> (already operational)</p> <ul style="list-style-type: none"> <li>This programme will offer businesses mentoring support across a range of areas aimed at assisting businesses to overcome challenges to growth. Support available is via one to one mentoring, half day workshops and 5 x half day thematic programmes.</li> <li>The programme commenced in October 2018 and will deliver support up to Dec 2022. Over the duration of the programme Council will deliver 1,170 mentoring days, engage with 758 businesses, and create 500 new employment positions</li> </ul> <p><u>Procurement and Supply Chain Programme</u> (new programme)</p> <ul style="list-style-type: none"> <li>This programme will support businesses to develop their procurement processes from identification of suitable private sector tender opportunities, perfecting their tender writing, and more efficient and effective management of their contracts through their relationships with suppliers, management of their costings, and ensuring a high standard of delivery. Key to this development will be engagement with key buyers,</li> </ul>

	<p>learning of their procurement opportunities, their process and requirements for issuing, assessing and awarding tenders.</p> <ul style="list-style-type: none"><li>The programme will commence in Spring 2019 and will deliver support up to Dec 2022. Over the duration of the programme Council will deliver 510 mentoring days, engage with 170 businesses, and create 145 new employment positions</li></ul> <p><u>Digital (new programme)</u></p> <ul style="list-style-type: none"><li>This is a joint programme in partnership with North Down and Ards Council, with Newry Mourne and Down District Council as the administrative lead.</li><li>This programme will offer 2 tiers of support (1) enhancement of basic digital skills to improve efficiency and development within business practices and (2) Exploration of emerging technologies i.e. IOT, AR, VR, AI, Big data for the expansion and development of existing businesses</li><li>The programme will commence in Spring 2019 and will deliver support up to Dec 2022. Over the duration of the programme the programme will deliver across both Council areas: 630 mentoring days, engage with 260 businesses, and create 185 new employment positions</li></ul> <p><u>Future applications</u></p> <p>Invest NI are in a position to accept new applications up to March 2020. Council officials will continue to explore further opportunities for business support programmes that would be eligible for ERDF funding. The key requirements of the programme are as follows:</p> <ul style="list-style-type: none"><li>Minimum programme value is £250,000</li><li>Minimum job creation output per programme: 250</li><li>Support offering: mentoring (capped value) and thematic programmes /events</li></ul>																
<b>3.0</b>	<b>Recommendations</b>																
3.1	<ul style="list-style-type: none"><li>For the two new programmes that are yet to be established (Procurement &amp; Supply Chain and Digital): Proceed as per LoO requirements, to work with NMD and CPD to procure and appoint suitable delivery agents for implementation of programmes</li><li>To continue to engage with Invest NI and other relevant stakeholders and Councils to explore other potential applications that may be eligible for ERDF IGJ funding</li></ul>																
<b>4.0</b>	<b>Resource implications</b>																
4.1	<p>Total project cost for ERDF Business Growth programmes is supported financially 60% ERDF / 20% Invest NI / with 20% balance match funding from Council</p> <table><tr><th></th><th>Grant</th><th>Council Cost</th><th>Total Cost</th></tr><tr><td>NMD growth Oct 18 - Dec 22</td><td>£378,220</td><td>£94,555 - NMD Cost</td><td>£472,775</td></tr><tr><td>Procurement and Supply Chain Spring 19 - Dec 22</td><td>£200,104</td><td>£50,026 - NMD Cost</td><td>£250,130</td></tr><tr><td>Digital (NMD and North Down and Ards)</td><td>£200,400</td><td>£50,100 - NMD + N Down</td><td>£250,500</td></tr></table>		Grant	Council Cost	Total Cost	NMD growth Oct 18 - Dec 22	£378,220	£94,555 - NMD Cost	£472,775	Procurement and Supply Chain Spring 19 - Dec 22	£200,104	£50,026 - NMD Cost	£250,130	Digital (NMD and North Down and Ards)	£200,400	£50,100 - NMD + N Down	£250,500
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			& Ards	
<b>5.0</b>	<b>Equality and good relations implications</b>			
5.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations.			
<b>6.0</b>	<b>Rural Proofing implications</b>			
6.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon rural proofing.			
<b>7.0</b>	<b>Appendices</b>			
	None			
<b>8.0</b>	<b>Background Documents</b>			
	None			



<b>Report to:</b>	Enterprise, Regeneration and Tourism Committee
<b>Date of Meeting:</b>	Monday 10 <sup>th</sup> June 2019
<b>Subject:</b>	General Public Realm Enhancement Works Scheme
<b>Reporting Officer (Including Job Title):</b>	Martin Robinson - Assistant Director Enterprise Employment & Regeneration.
<b>Contact Officer (Including Job Title):</b>	Seamus Crossey - Project Manager

Confirm how this Report should be treated by placing an x in either:-

For decision	x	For noting only	
<b>1.0</b>			<b>Purpose and Background</b>
1.1			<p>Following previous ERT approval in Nov 2017, Council agreed to: Approve an 'Outline Urban Regeneration Public Realm Future Work Plan' to allow continued lobbying of Department for Communities (DFC) in regards their Newry Mourne and Down budget allocations.</p> <p>Council is now seeking to progress to consultancy appointment for the 'General Public Realm Refurbishment works' scheme. (Focus on the 6 Council Urban centres)</p> <p>Following consultancy appointment, they will be asked to look at older, previously completed schemes across the district to assess their current condition. Key elements of installed environmental improvements inclusive of Pathways, Signage, Street Furniture and Planting will be examined to see what is and is not performing to standard. An Economic Appraisal and Planning Applications (if needed) will then be completed.</p> <p>Council funding in 19/20 will be used to cover the initial RIBA stages 1-3. Only after DFC have approved a funding package can progress then be made in terms of appointing a contractor and proceeding with the on-site works.</p>
<b>2.0</b>			<b>Key issues</b>
2.1			<p>In order to make an application to the DFC, to trigger release of 90% of the required funding for the scheme, Council now need to proceed with appointment of the Integrated Consultancy Team (ICT) for the Design, Economic Appraisal and Planning Permission (if required) Stages of the project (RIBA 1-3).</p> <p>While Council have already approved the Work Plan, the requirement is now to approve the appointment of the Consultants and the supporting Business Case.</p>
<b>3.0</b>			<b>Recommendations</b>
3.1			<b>1.) Approve the appointment of an Integrated Consultancy Team to deliver the design for the proposed 'General Public Realm Enhancement Works Scheme'.</b>
<b>4.0</b>			<b>Resource implications</b>
4.1			Over the next 4 Financial Years, Council have agreed to consider Capital and Revenue match funding contributions for future Public Realm projects. The

	Councils required funding (up-to £160k) for this project have been agreed in the rates process for the next 4 years and will cover the initial RIBA Stages 1-3 and then match fund DFC (Seeking up-to 500k from them) in regards covering the main contract costs.
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	It is not anticipated the recommendation will have an adverse impact upon equality of opportunity and good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	The recommendation has been considered within the scope of the Rural Needs Act and the proposal has not been subject to a rural needs impact assessment.
<b>7.0</b>	<b>Appendices</b>
	N/A
<b>8.0</b>	<b>Background Documents</b>
	N/A

<b>Report to:</b>	Enterprise, Regeneration and Tourism Committee
<b>Date of Meeting:</b>	10 June 2019
<b>Subject:</b>	Local Full Fibre Network (LFFN) Funding Bid
<b>Reporting Officer (Including Job Title):</b>	Marie Ward, Director of Enterprise, Regeneration and Tourism
<b>Contact Officer (Including Job Title):</b>	Michael Forster – Business Intelligence Officer

Confirm how this Report should be treated by placing an x in either:-

<b>For decision</b>	<b>x</b>	<b>For noting only</b>	
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<b>1.0</b>	
<b>1.1</b>	<p><b>Summary</b></p> <p>The FFNI (Full Fibre Northern Ireland) consortium is a consortium of the ten councils outside Belfast, hosted by Newry, Mourne and Down District Council.</p> <p>The consortium made a successful collective bid for £15m funding from the Department for Digital, Culture, Media and Sport (DCMS) Local Full Fibre Networks Challenge Fund, to support digital infrastructure development across Northern Ireland.</p> <p>The Consortium has now received the Letter of Offer from DCMS, confirming that the capital grant of £15m has been approved.</p> <p>This paper requests permission from the Committee for the Council's officers, on behalf of the consortium, to sign the and accept the Letter of Offer, and to initiate the procurements to deploy the funding.</p> <p><b>Background</b></p> <p>The DCMS LFFN funding must be spent by 31<sup>st</sup> March 2021. It is therefore essential to proceed rapidly with the procurements to deploy the funding, in order to give suppliers the maximum time for delivery.</p> <p>The £15m grant will be divided equally between the Consortium Members, so that, after consortium costs are covered, approximately £1.473m will be spent on fibre connectivity in each Consortium Member area.</p> <p>The procurements will buy full fibre connections for public sector</p>

buildings. Most buildings are Council sites, but other sites such as schools are also proposed, subject to agreement of the organisations responsible for them.

The buildings in each procurement will be selected from a long list authorised by DCMS to optimise value for money from the market.

Multiple procurements are necessary to ensure an effective competition that delivers best value.

Newry, Mourne and Down District Council will operate the procurements on behalf of the consortium and other public sector bodies. Each organisation will contract with the selected supplier(s) for the connections to its own buildings.

Permission to proceed into procurement is three-fold:

- From the Council as a participating Consortium Member
- From each of the other participating Consortium Members
- From DCMS

### **Procurement**

The market from which we will procure the services is complex. To secure the best value outcome for the consortium, the procurements are designed to encourage strong competition between a range of suppliers.

The Council expects to run 3 procurements on behalf of the consortium, but up to 5 could be necessary to ensure maximum value and coverage.

Each procurement will be carefully constructed to deliver the best value from the market, including spreading the delivery effort across multiple supply chains to reduce risk. The European Journal (OJEU) Open Procurement Procedure is planned.

The site list is primarily based on funding eligibility rules set by DCMS. The consortium aims to procure services to as many of the sites as possible within the funding constraints. The sites eventually selected will be determined through the procurements to deliver best value based on the market response.

### **Approximate Timescales**

Subject to agreement from each Consortium Member and from DCMS, the first of the procurements will start in early July.



	Each procurement will take approximately 10 weeks.
<b>2.0</b>	<b>Key issues</b>
2.1	The timescales for spending DCMS funding are challenging. The FFNI Programme must make rapid progress to meet the 31 <sup>st</sup> March 2021 deadline.
<b>3.0</b>	<b>Recommendations</b>
3.1	<ul style="list-style-type: none"> <li>i. Authorise officers to sign the Letter of Offer on behalf of the consortium, for £15m of funding from the DCMS (Department for Digital, Culture, Media and Sport) under their LFFN Challenge Programme.</li> <li>ii. Authorise officers to operate the procurements on behalf of the consortium to deploy the funding.</li> </ul>
<b>4.0</b>	<b>Resource implications</b>
4.1	<p>The procurements will be run by the FFNI Operations Team. The Newry, Mourne and Down District Council procurement team will oversee the procurement process.</p> <p>NMDDC has secured £15m from DCMS for this programme. It is anticipated that this will meet all project financial requirements including resources. The breakdown of funding and costs for this programme have been previously presented to Members. Any additional unforeseen costs which may arise will be brought back to Council for consideration.</p> <p>The costs of the Operations Team will be met from the grant funding.</p> <p>The estimated costs of the procurement and delivery, and the resource to support it, formed part of the Financial Case of the consortium Bid to DCMS, and have previously been shared with Council.</p> <p>There are no material changes from previously submitted estimated costs.</p>
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	Having considered the proposal, it is not anticipated the proposal will have an adverse impact upon equality of opportunity or good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	Beneficiaries include urban and rural businesses and residents and the outcome will have a positive impact on improving connectivity across all Councils including Newry, Mourne and Down public buildings
<b>7.0</b>	<b>Appendices</b>
	None
<b>8.0</b>	<b>Background Documents</b>

	None
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<b>Report to:</b>	Enterprise Regeneration and Tourism Committee
<b>Date of Meeting:</b>	10 June 2019
<b>Subject:</b>	Street Trading Policies
<b>Reporting Officer (Including Job Title):</b>	Colum Jackson, Assistant Director, Enterprise Regeneration and Tourism Dept.
<b>Contact Officer (Including Job Title):</b>	Fintan Quinn, Head of Services Enterprise Regeneration and Tourism Dept.
<b>Decisions required:</b>	
Members are asked to consider and approve the attached Street Trading Policies.	
<b>1.0</b>	<b>Purpose and Background:</b>
1.1	<p>The Council's Licensing Section set down Policies for dealing with the Designation, Granting and Enforcement of its Street Trading function. The powers of the Council are laid out in Legislation under: The Street Trading Act (Northern Ireland) 2001.</p> <p>Council to review Policies every 4 years.</p>
<b>2.0</b>	<b>Key issues:</b>
2.1	<p>The following Policies are set down for review:</p> <ol style="list-style-type: none"> <li>1. Designation Policy</li> <li>2. Stationary Licence Policy</li> <li>3. Mobile Licence Policy</li> <li>4. Temporary Licence Policy</li> <li>5. Stall Design and Trading Policy</li> <li>6. Changed circumstances Policy</li> <li>7. Enforcement and Seizure Policy</li> </ol>
<b>3.0</b>	<b>Recommendations:</b>
3.1	To consider and approve the attached Street Trading Policies.
<b>4.0</b>	<b>Resource implications</b>
4.1	<ul style="list-style-type: none"> <li>• Review of existing policy documents</li> <li>• Preparation of amendments.</li> </ul>
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	The Policies have been Equality Screened

	<b>Rural Needs Impact Assessment</b>
	The Policy has Rural Needs Impact Assessed
<b>6.0</b>	<b>Appendices</b>
	<ol style="list-style-type: none"> <li>1. Designation Policy</li> <li>2. Stationary Licence Policy</li> <li>3. Mobile Licence Policy</li> <li>4. Temporary Licence Policy</li> <li>5. Stall Design and Trading Policy</li> <li>6. Changed circumstances Policy</li> <li>7. Enforcement and Seizure Policy</li> </ol>





Comhairle Ceantair  
**an Iúir, Mhúrn  
agus an Dúin**

**Newry, Mourne  
and Down**  
District Council

# **Street Trading**

## **Stationary Licence Policy**

**NEWRY, MOURNE AND DOWN DISTRICT COUNCIL**

**ENTERPRISE REGENERATION AND TOURISM DEPARTMENT**

**Dated: 22 May 2019**

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## 1. Purpose

By virtue of Section 1 of The Street Trading Act (Northern Ireland) 2001 The District Council may grant to a person a licence to trade in a stationary position on a designated site.

The purpose of this policy document is to provide guidance on matters, which should be considered when deciding whether to grant or refuse an application for a Stationary Trading Licence. Its aim is to provide, in so far as is possible, consistent decision making so as to develop and thereafter maintain public confidence in Newry, Mourne and Down District Council's (here after called 'the District Council') performance of its duties.

This Stationary Street Trading Policy should be read in conjunction with the Policy for Dealing with Changed Circumstances Affecting Licensed Street Trading, Street Trading Enforcement Policy and Street Trading Stall Design and Trading Policy.

## 2. Scope

This Policy is intended to ensure that the District Council Members and Officers are aware of those matters to be taken into consideration when determining whether to grant a Stationary Street Trading Licence.

## 3. References

3.1 Street Trading Act (Northern Ireland) 2001

3.2 Guide to the Street Trading Act (Northern Ireland) 2001

## 4. Background

The Street Trading Act (Northern Ireland) 2001 (here after called 'the Act') enables District Councils to regulate Street Trading through designating, licensing and enforcement procedures. The Act received Royal Assent on the 5 April 2001, with a run-in period of 6 months and became operative on 1 October 2001. The new Act repealed most of the provisions of the 1929 Street Trading (Regulation) Act, except Section 10, which contains the provisions whereby market rights can be acquired or extinguished.

Section 1 of the Act empowers District Council's to issue Stationary Street Trading Licences.

## 5. General Principles

- 5.1 Each case must be considered on its own merits, but there are general principles that apply in all cases. The duty of the District Council is to make sure that each stationary street trading licence application is fairly and objectively assessed and that all relevant factors are considered.
- 5.2 The District Council will consider applications, in writing on the prescribed form, to permit stationary trading at a designated site within the boundaries of the District Council.

### 5.3 Mandatory grounds for refusing an application:

- (1) A District Council shall refuse an application under section 5 of the Act if the applicant: -
- (a) is not an individual; or
  - (b) has not reached the upper limit of compulsory school age, within the meaning of Article 46 of the Education and Libraries (Northern Ireland) Order 1986 (NI 3)

The District Council will consider all applications received in accordance with section 5 of this Act for Stationary Trading. However, District Council are required to refuse an application under Section 8, Mandatory Grounds for Refusing an application and may refuse an application under Section 9, Discretionary grounds for Refusing an Application of this Act.

### 5.4 Discretionary grounds for refusing an application

- (1) A District Council may refuse an application under section 5 on any of the following grounds-
- (a) that -
    - I. the location at which the applicant wishes to trade as a stationary trader is unsuitable;
    - II. the space is in the designated street in which the applicant wishes to trade as a stationary trader is inadequate for the applicant to do so without causing undue interference or inconvenience to persons or vehicles using the street;
    - III. the area or areas of the District in which the applicant wishes to trade as a stationary trader are unsuitable for the applicant to do so without causing undue interference or inconvenience to persons or vehicles in the area or areas;
    - IV. there are sufficient traders trading in the street, or at premises adjoining it, in the articles, things or services in which the applicant wishes to trade; or
    - V. the nature of the articles, things or services in which the applicant wishes to trade in such that their sale or supply, would adversely affect the general amenity of the area in which the applicant wishes to trade;
  - b) that the applicant has, in connection with the application, made a statement in which he knows to be false in a material particular;
  - c) that the applicant is, on account of misconduct or some other reasons, relating to trading activities, unsuitable to hold a street trading licence.
  - d) that the applicant has, without reasonable excuse, failed to avail himself to a reasonable extent of a previous street trading licence.
  - e) that the applicant has at any time been granted a street trading licence by the District Council, which was revoked or could have been revoked on the grounds that he had refused or neglected to pay fees or other charges due to the District Council in respect of the licence;
  - f) that the applicant has failed to provide the particulars required by the District Council to deal with the application;
  - g) that the applicant has failed to provide or identify suitable or adequate arrangements for storing any articles, things or receptacles in or with which he proposed to trade.
- 2) if the District Council considers that grounds for refusal exist under subsection (1) (d), it may grant the applicant a licence subject to conditions which permit him/her.



- a) to trade on fewer days or during a shorter period in each day than is specified in the application; or
- b) to trade in a different designated street or in a different area from that specified in the application.

- a. In addition to Mandatory Grounds and Discretionary Grounds for refusing an application, the District Council will also consider: -
  - (a) The safety of the public and any risks which may arise
  - (b) The potential environmental effects such as additional litter, cleansing requirements, odour and noise.
  - (c) The potential for the proposed said stationary street trading licence to have an adverse effect in terms of anti-social behaviour and public disorder.
  - (d) Previous complaints arising from street trading activities in the area or part thereof.
  - (e) Any other Statutory provision which would be appropriate to consider.

## 6. General

- 6.1 The District Council retains its right to amend or replace this Policy at any given time.
- 6.2 All licence '**application fees**' are non-refundable
- 6.3 An application for stationary street trading will be deemed valid only if it is in the approved application form, fully completed and accompanied by all requested documentation and payment of fees.
- 6.4 It shall be a condition of licence that all receptacles are registered with the District Council's Environmental Health Section and are licensed to trade in such commodities being offered for sale.
- 6.5 Licences will only permit trading on the stated days and times on the licence. The time during which the licence holder may sell or supply articles, things or offer services must be agreed with the District Council prior to the issuing of the licence.
- 6.6 It shall be the policy of the District Council that a trader must obtain a separate licence for each designated street trading pitch used.
- 6.7 If a stationary trader wishes to cease trading, they must give 28 days notice in writing to the District Council.
- 6.8 Stationary licences cannot be sub-let, sold on or transferred.
- 6.9 All stationary traders must comply strictly with the requirements of the Highway Code.
- 6.10 The following method of payment to the District Council of fees and charges imposed under Section 15 of the Street Trading Act (Northern Ireland) 2001 will apply: **Payment made three months in advance of trading.**

- 6.11 Refunds of **'street trading licence fees'** will only be given when the licence holder has not been able to trade due to circumstances beyond their control, for example when a road is closed, or a site is inaccessible for any purpose such as road works etc. In the event of this occurring, the District Council must be informed no later than the day of trading.
- 6.12 Stationary Street Trading Licences can be issued for a maximum period of 3 years or for such term as the District Council will determine.
- 6.13 All available Stationary Street Trading sites will be advertised in one local newspaper circulating in the vicinity of the proposal, **the District Council's website and facebook page**. All Stationary Street Trading sites will be advertised after 1 October in each year.

## 7. Criteria

- 7.1 The criteria is laid out in the applicant criteria and the criteria for the award of street trading licences shall apply. The District Council retains its right to amend or replace these criteria at any given time.
- 7.2 Application criteria for inclusion:
- All applicants must provide proof of identity via photographic means
  - All applicants must provide a photograph of his/her stall when fully erected.
  - All applicants must provide confirmation of public liability insurance. (games stall trader to ensure correct public liability insurance cover)
  - All applicants must submit a completed application form with the correct fee.
  - The successful applicant's receptacles will be required to be registered by the District Council's Environmental Health Section to trade in such commodities being offered for sale.
  - Multiple applications will not be accepted either by person or for receptacle.
  - All applicants must provide the exact size of receptacle when erected including tow bar, accurate dimensions must be given.
  - The District Council will stipulate the type of trading allowed for the event/events. It will also provide a list of items that are banned from sale.

### 7.3 CRITERIA FOR THE AWARD OF STATIONARY TRADING LICENCES:

Persons fitting into the first criteria 7.3 (1) will be awarded a Street Trading Licence subject to the number of pitches being available. If no applicants meet the first criteria, then the District Council shall continue down the following list (in order) until an applicant meet one of the criteria: -

- 7.3 (1) Applicant who is presently trading at that location and has no relevant convictions in relation to that trading or breaches under Section 9 (Parts b – g inclusive) of the 2001 Street Trading Act.
- 7.3 (2) Applicant who has previously traded at that location and has no relevant convictions in relation to that trading or breaches under Section 9 (Parts b – g inclusive) of the 2001 Street Trading Act.
- 7.3 (3) Applicant who has previously traded within the District Council area and has no relevant convictions in relation to that trading or breaches under Section 9(Parts b – g inclusive) of the 2001 Street Trading Act.
- 7.3 (4) A new Applicant with or without trading history either inside or outside of the District subject to no history of relevant trading convictions or breaches under Section 9(Parts b – g inclusive) of the 2001 Street Trading Act.

Section 9 of the Street Trading Act (NI) 2001 outlines discretionary grounds for refusing an application. In addition, the criteria outlined in 7.3(5) to 7.3(8) will apply. The District Council reserves the right to award a street trading licence where these criteria may apply and subject to any condition to trade that the District Council may deem appropriate.

- 7.3 (5) Applicant who has previously traded within the District who has been guilty of a breach under Section 9 of the Act (Parts b - g inclusive).
- 7.3 (6) Applicant who has previously traded outside the District Council area and has been guilty of a breach under Section 9 of the Act (parts b - g inclusive).
- 7.3 (7) Applicant who has previously traded within the District (as a Street Trader under the 2001 Act or 1929 Act) and has been convicted of an offence relating to trading (subject to the District Council's approval).
- 7.3 (8) Applicant who has previously traded anywhere (as a Street Trader under the 2001 Act of 1929 Act) and has been convicted of an offence relating to trading (subject to the District Council's approval).

In the situation of 2 or more Applicants meeting any of the above criteria then the following scores will be awarded to their application and the highest score will be awarded the Licence.

2 or more verbal or written warnings	- minus	5 Points
Fixed Penalty in previous 12 months (each)	- minus	5 Points
Breaches under Section 9 of the Street Trading Act 2001 (b-g inclusive) (each) –	- minus	5 Points
Appearance and Appropriateness of stall/vehicle by assessment of the following subject matters:	- plus	0-8 Points



*Consumer Protection, Food Hygiene, Health & Safety, Aesthetic appearance, Odour, Compatibility of Commodity, Litter control and/or Noise*

- 7.4 Where two or more applicants meet the same criteria the District Council will allocate the licence to trade at the site/area via a lottery system.

Where necessary a District Council Elected Member (The Mayor or Deputy Mayor) will carry out the Lottery within 2-3 days of the closing date of applications. Applicants will be notified of the results of the lottery within 2 days after the lottery is carried out.

## 8. Fees

- 8.1 Section 15 of The Street Trading Act (Northern Ireland) 2001 enables a District Council to charge: -

- (a) for the grant or renewal of a street trading licence;
- (b) for varying under Section 11(1) (a) the conditions specified in a street trading licence

Such fees as the District Council may determine and as may be sufficient in the aggregate, taking one year with another to cover any reasonable administrative or other costs (excluding the costs mentioned in subsection (2) (c) in connection with its functions under this Act, not otherwise recoverable.

The District Council may determine the time and manner in which fees or charges are to be paid.

- 8.2 The following detailed costing for stationary street trading fees are based on actual costs of administering the District Council's functions in dealing with applications, enforcement of licensed traders and designation (in relation to stationary traders) costs. These costs do not take into account the cost of enforcement and seizure of unlicensed trading.

- 8.3 The Stationary Street Trading Fees are:

<u>TYPE OF LICENCE</u>	<u>APPLICATION FEE</u> <u>(Non-refundable)</u> <u>£</u>	<u>LICENCE FEE</u> <u>(Including Application Fee)</u> <u>£</u>
Stationary Licence	£80.00	£930 per annum £460 (October-April incl)
Variation	£55.00	n/a

(Table 1)

**9. Policy Owner**

Mrs Marie Ward, Director of Enterprise Regeneration and Tourism.

**10. Contact details in regard of this policy are:**

Mr Colum Jackson,  
 Assistant Director of Enterprise Tourism and Development  
 (Building Control and Regulation)  
 Newry, Mourne and Down District Council  
 O'Hagan House  
 Monaghan Row  
 Newry  
 BT35 8DJ  
 Tel 028 3031 3000

**11. Policy Authorisation**

Enterprise Regeneration and Tourism Committee	10 June 2019
Council authorised on	1 July 2019

**12. Policy Effective Date – 1 August 2019**

**13. Policy Review Date – 1 June 2023 (or sooner as required)**

*The policy will be reviewed in line with the Council's agreed policy review cycle i.e. every 4 years (as per Council's Equality Scheme commitment 4.31).*

**14. Procedures**

Refer to the Stationary Licence Street Trading Procedure

**15. Equality Impact Assessment**

**This policy has been screened in accordance with the provision of Section 75 of the Northern Ireland Act 1998.**

**16. This policy has been Rural Impact Assessed**

Version 1.0





Comhairle Ceantair  
**an Iúir, Mhúrn  
agus an Dúin**

**Newry, Mourne  
and Down**  
District Council

# **Street Trading**

# **Temporary Licence Policy**

**NEWRY, MOURNE & DOWN DISTRICT COUNCIL**

**ENTERPRISE REGENERATION AND TOURISM DEPARTMENT**

**Dated: 22 May 2019**

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## 1. Purpose

By virtue of Section 14 of the Street Trading Act (Northern Ireland) 2001 the District Council may grant to a person a temporary licence authorising him to engage in street trading in a street or part thereof in its District.

The purpose of this policy is to provide guidance on matters, which should be considered when deciding whether to grant to a person a Temporary Street Trading Licence. Its aim is to provide, insofar as is possible, consistent decision making so as to develop and thereafter maintain public confidence in Newry, Mourne and Down District Council's (here after called 'the District Council') performance of its duties.

This policy should be read in conjunction with Street Trading Enforcement Policy and Street Trading Stall Design and Trading Policy.

## 2. Scope

This policy is intended to ensure that the District Council's Members and Officers are aware of those matters to be taken into consideration when determining whether to grant a Temporary Licence.

## 3. References

- 3.1 Street Trading Act (Northern Ireland) 2001
- 3.2 Guide to the Street Trading Act (Northern Ireland) 2001

## 4. Background

The Street Trading Act (Northern Ireland) 2001 (here after called 'the Act') enables District Council's to regulate Street Trading through designating, licensing and enforcement procedures. The Act received Royal Assent on the 5<sup>th</sup> April 2001, with a run-in period of 6 months and became operative on the 1<sup>st</sup> October 2001. The new Act repealed most of the provisions of the 1929 Street Trading (Regulation) Act, except Section 10, which contains the provisions whereby Market Rights can be acquired or extinguished.

Section 14 of the Act empowers the District Council to issue a temporary licence where a full licence may not be appropriate, for example, for special events such as festival and fairs. The District Council is given the discretion to allow temporary street trading at any place or any street within the District and in such manner as appears appropriate to the District Council.

The temporary licence may remain in force for such periods not exceeding seven consecutive days and no more than five temporary licences may be granted to an individual during any **calendar year**.

## 5. General Principles

- 5.1 Temporary street trading licences will be considered having due regard to those criteria as set out under section 7 of this policy.
- 5.2 Each case must be considered on its own merits, but there are general principles that apply in all cases. The duty of the District Council is to make

sure that each temporary licence application is fairly and objectively assessed and that all relevant factors are considered.

- 5.3 Applications must be received by the District Council not less than 42 days before the date of the first day of the proposed special event/trading date. The District Council however reserves the right to consider applications for temporary trading where this time period cannot be complied with.
- 5.4 Without prejudice to its right, to consider the previous guidance (Section 5.2) the District Council (in consultation with interested parties) may consider applications to permit temporary street trading outside of this broad definition in order to add colour, ambience, novelty and/or tradition in particular locations and during seasonal periods.
- 5.5 An application for temporary street trading will be deemed valid only if it is in the approved application form, fully completed and accompanied by all requested documentation and payment of fees.
- 5.6 The District Council will where possible within time constraints consult with-
  - (a) The Sub-Divisional Commander of the Police Service of Northern Ireland (PSNI) in which the streets are situated;
  - (b) The Department for Regional Development as regards that Department's functions with respect to roads and regulation of road traffic;
  - (c) Criminal Records Office with regard to previous Trading related convictions.
- 5.7 Without prejudice to it's right to take account of any relevant consideration in determining the suitability of each temporary street trading licence, the District Council will take into account:
  - (a) The safety of the public and any risks, which may arise.
  - (b) The appropriateness and suitability of the street or part thereof and commodities in relation to the location.
  - (c) The potential adverse impact that temporary street trading may have upon the character and appearance of the area in question.
  - (d) The extent to which the sale of the commodity will provide a useful service to the event or occasion not otherwise provided in the area;
  - (e) The potential environmental effects such as additional litter, cleansing requirements, odour and noise.
  - (f) The potential for the proposed said temporary street trading Licence to have an adverse effect in terms of anti-social behaviour and public disorder (for example trading outside licensed premises late at night).
  - (g) Any other Statutory provision which would be appropriate to consider;



- (h) Previous complaints arising from any street trading activities in that street of part thereof.
- (i) The conditions pertaining to the event e.g. road closures, provision of marshals, off-street activities and venues, number of persons anticipated and age profile.
- (j) The number of temporary street trading licences already granted for a street or part thereof for a specified period and adequacy in the context of the commodity or service proposed to be offered.
- (k) Fitness of the applicant in respect of any previous trading offences, including verbal and written warnings.

5.9 This policy may be reviewed, amended or replaced at any time without any further requirement to consult other parties.

## **6. General**

- 6.1 A temporary licence shall remain in force for such period, not exceeding seven days, as may be specified in the licence.
- 6.2 A temporary licence will be subject to such conditions as the District Council may specify in the licence and as set out in Temporary Street Trading Licence Criteria.
- 6.3 The District Council will grant no more than five temporary licences to an applicant during any year.
- 6.4 The District Council retains its right to amend or replace this policy at any given time.
- 6.5 Temporary licences cannot be sub-let
- 6.6 Any person engaged in temporary trading must ensure that he/she complies strictly with the provisions of the Highway Code.
- 6.7 Temporary trading will not be permitted outside of the allocated times specified in the licence.
- 6.8 It shall be the policy of the District Council that a trader must obtain a separate licence for each receptacle used as defined in Section 25 of the Act.
- 6.9 In the circumstance that an applicant cannot trade, a refund will only be given if the District Council is informed in writing 7 days before trading is due to commence.

## **7 CRITERIA**

- 7.1 The District Council will allocate the number of pitches to be made available for the event.
- 7.2 The District Council will stipulate the type of trading allowed for the event/events. It will also provide a list of items that are banned from sale.
- 7.3 The District Council will stipulate the type of receptacle to be allowed on the pitch.
- 7.4 The District Council retains its right to amend or replace these criteria at any given time.

## 7.5 CRITERIA FOR THE AWARD OF TEMPORARY STREET TRADING LICENCES:

Persons fitting into the first criteria 7.5 (1) will be awarded a Street Trading Licence subject to the number of pitches being available. If no applicants meet the first criteria, then the District Council shall continue down the following list (in order) until an applicant meet one of the criteria: -

- 7.5 (1) Applicant who currently holds a Street Trading Licence for the DEA and has no relevant convictions in relation to that trading or breaches under Section 9 (Parts b – g inclusive) of the 2001 Street Trading Act.
- 7.5 (2) Applicant who has previously traded within the DEA and has no relevant convictions in relation to that trading or breaches under Section 9(Parts b – g inclusive) of the 2001 Street Trading Act.
- 7.5 (3) A new Applicant with or without trading history either inside or outside of the District and has no history of relevant trading convictions or breaches under Section 9(Parts b – g inclusive) of the 2001 Street Trading Act.

Under Section 9 of the Act the District Council have discretion for refusing an application on the following grounds. In addition, the District Council will apply the following criteria as discretionary grounds for refusal. The District Council reserves the right to award a street trading licence where these criteria may apply and subject to any condition to trade that the District Council may deem appropriate.

- 7.5 (4) Applicant who has previously traded within the District Council area and who has been guilty of a breach under Section 9 of the Act (Parts b - g inclusive).
- 7.5 (5) Applicant who has previously traded outside the District Council area and has been guilty of a breach under Section 9 of the Act (parts b - g inclusive).
- 7.5 (6) Applicant who has previously traded within the District (as a Street Trader under the 2001 Act or 1929 Act) and has been convicted of an offence relating to trading.
- 7.5 (7) Applicant who has previously traded anywhere (as a Street Trader under the 2001 Act of 1929 Act) and has been convicted of an offence relating to trading.

In the situation of 2 or more Applicants meeting any of the above criteria then the following scores will be awarded to their application and the highest score will be awarded the Licence.

2 or more verbal or written warnings	- minus	5 Points
Fixed Penalty in previous 12 months (each)	- minus	5 Points
Breaches under Section 9 of the Street Trading Act 2001 (b-g inclusive) (each) –	- minus	5 Points
Appearance and Appropriateness of stall/vehicle by assessment of the following subject matters: <i>Consumer Protection, Food Hygiene, Health &amp; Safety, Aesthetic appearance, Odour, Compatibility of Commodity, Litter control and/or Noise</i>	- plus	0-8 Points

- 7.6 Where two or more applicants meet the same criteria the District Council will allocate the licence to trade at the site/area via a lottery system.

Where necessary a District Council Elected Member (The Mayor or Deputy Mayor) will carry out the Lottery within 2-3 days of the closing date of applications. Applicants will be notified of the results of the lottery within 2 days after the lottery is carried out.

## 8.0 Fees

- 8.1 Section 15 of The Street Trading Act (Northern Ireland) 2001 enables a District Council to charge: -

- (a) for the grant or renewal of a street trading licence;
- (b) for the grant of a temporary licence; or
- (c) for varying under Section 11 (1) (a) the conditions specified in a street trading licence

Such fees as the District Council may determine and as may be sufficient in the aggregate, taking one year with another to cover any reasonable administrative or other costs (excluding the costs mentioned in subsection (2) (c) in connection with its functions under this Act, not otherwise recoverable.

The District Council may determine the time and manner in which fees or charges are to be paid.

- 8.2 The following detailed costing for temporary street trading fees are based on actual costs of administering the District Council's functions in dealing with applications, enforcement of licensed traders and designation (in relation to stationary traders) costs. These costs do not take into account the cost of enforcement and seizure of unlicensed trading.

- 8.3 The temporary street trading fees are:

<u>TYPE OF LICENCE</u>	<u>APPLICATION FEE</u> <u>(Non-refundable)</u> £	<u>LICENCE FEE</u> <u>(Including Application Fee)</u> £
Temporary Licence	£80.00	£80 for first application £50 for each subsequent application (maximum of four per calendar year). Increase the fee for a double pitch to £160 standard pitch size is 5 x 2 m
Variation	£55.00	n/a

(Table 1)

## 9.0 Policy Owner

Mrs Marie Ward, Director of Enterprise Regeneration and Tourism

## 10.0 Contact details in regard of this policy are:

Mr Colum Jackson,  
Assistant Director of Regulatory and Technical Services  
(Building Control and Regulation)  
Newry, Mourne and Down District Council  
O'Hagan House  
Monaghan Row  
Newry  
BT35 8DJ  
Tel 028 3031 3000

## 11.0 Policy Authorisation

Enterprise Regeneration and Tourism committee  
Council Authorised on

10 June 2019  
1 July 2019

## 12.0 Policy Effective Date – 1 August 2019

## 13.0 Policy Review Date – 1 June 2023 (or sooner as required)

*The policy will be reviewed in line with the Council's agreed policy review cycle i.e. every 4 years (as per Council's Equality Scheme commitment 4.31).*

## 14.0 Procedures

Refer to the Temporary Street Trading Procedure

## 15.0 Equality Impact Assessment

**This policy has been screened in accordance with the provision of Section 75 of the Northern Ireland Act 1998.**

## 16.0 This policy has been Rural Impact Assessed.

Version 1.0





Comhairle Ceantair  
an Iúir, Mhúrn  
agus an Dúin

**Newry, Mourne  
and Down**  
District Council

# Street Trading

## Mobile Licence Policy

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

ENTERPRISE REGULATION AND TOURISM DEPARTMENT

Dated: 22 MAY 2019

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## **1. Purpose**

By virtue of Section 1 of the Street Trading Act (Northern Ireland) 2001 the District Council may grant to a person a mobile licence permitting him/her to go from place to place, stopping for a time for the purpose of trading in its District.

The purpose of this policy document is to provide guidance on matters, which should be considered when deciding whether to grant or refuse an application for a Mobile street trading licence. Its aim is to provide, in so far as is possible, consistent decision making so as to develop and thereafter maintain public confidence in Newry, Mourne and Down District Council's (here after called 'the District Council') performance of its duties.

This policy is to be read in conjunction with Street Trading Enforcement Policy and Stall Design and Trading Policy.

## **2. Scope**

This Policy is intended to ensure that the District Council's Members and Officers are aware of those matters to be taken into consideration when determining whether to grant a mobile street trading licence.

By virtue of Section 6 of the Street Trading Act (Northern Ireland) 2001 the District Council may grant to a person a mobile trader's licence authorising them to engage in trading in an area or areas of the District.

## **3. References**

- 3.1 Street Trading Act (Northern Ireland) 2001
- 3.2 Guide to the Street Trading Act (Northern Ireland) 2001

## **4. Background**

The Street Trading Act (Northern Ireland) 2001 (here after called 'the Act') enables District Council's to regulate street trading through designating licensing and enforcement procedures. The Act received Royal Assent on the 5 April 2001, with a run in period of 6 months and became operative on 1 October 2001. The new Act repealed most of the provisions of the 1929 Street Trading (Regulation) Act, except Section 10, which contains the provisions whereby Market Rights can be acquired or extinguished. Section 1 of the Act empowers District Council's to issue mobile street trading licences.

## **5. General Principles**

- 5.1 Under Section 25 of the Act the definition of a 'mobile trader' means a person authorised by a street trading licence to trade from a vehicle which goes from place to place, stopping for a time for the purpose of trading.
- 5.2 Each case must be considered on its own merits, but there are general principles that apply in all cases. The duty of Newry, Mourne and Down District Council's is to make sure that each mobile street trading application is fairly and objectively assessed and that all relevant factors are considered.
- 5.3 The District Council will consider applications, in writing on the prescribed form, to permit mobile street trading within the boundaries of Newry, Mourne and Down.

## **6. General**

- 6.1 An application for mobile street trading will be deemed valid only if it is in the approved application form, fully completed and accompanied by all requested documentation and payment of fees.
- 6.2 An applicant wishing to trade as a mobile trader must state the area or areas in which trading is to take place.
- 6.3 The District Council retains its right to amend or replace this Policy at any given time.
- 6.4 It shall be the policy of the District Council that a trader must obtain a separate licence for each vehicle used for the purpose of going from place to place, stopping for a time for the purpose of trading.
- 6.5 For the purpose of enforcement procedure a mobile trader will be deemed to be stationary trading if the trader remains at the same location more than 10 minutes after the last sale. (Refer to paragraph 5.1 above)
- 6.6 Mobile trading will not be permitted in such commodities or offer for sale or supply any product which would have a detrimental effect on the surrounding area.
- 6.7 A mobile trader must give notice in writing to the District Council that trading has ceased.
- 6.8 Mobile licences cannot be sub-let, sold on, or transferred
- 6.9 All mobile traders must adhere strictly to the provisions of the Highway Code.

6.10 All receptacles as defined in Section 25 of the Act, used for mobile trading will be required to be registered by the District Council's Environmental Health Section to trade in such commodities being offered for sale.

6.11 Licences will be issued annually and will permit trading up to seven days per week from 9.00 am until 11.00 pm. These times may be altered subject to approval by the District Council.

## 7. Fees

7.1 Section 15 of The Street Trading Act (Northern Ireland) 2001 enables a District Council to charge: -

- (a) for the grant or renewal of a street trading licence;
- (b) for varying under Section 11 (1) (a) the conditions specified in a street trading licence

Such fees as the District Council may determine and as may be sufficient in the aggregate, taking one year with another to cover any reasonable administrative or other costs (excluding the costs mentioned in subsection (2) (c) in connection with its functions under this Act, not otherwise recoverable.

The District Council may determine the time and manner in which fees or charges are to be paid.

7.2 The following detailed costing for mobile street trading fees are based on actual costs of administering the District Council's functions in dealing with applications, enforcement of licensed traders and designation (in relation to stationary traders) costs. These costs do not take into account the cost of enforcement and seizure of unlicensed trading.

7.3 The mobile licence fees are as follows: -

TYPE OF LICENCE	APPLICATION FEE (Non-refundable) £	LICENCE FEE (Including Application Fee) £
Mobile Licence	£80.00	£320
Variation of Licence	£55.00	N/A

(Table 1)



## **8. Criteria**

- 8.1 The District Council can limit the number of mobile traders within its District.
- 8.2 The District Council will stipulate the type of trading allowed for mobile street trading licences. It will also provide a list of items that are banned from sale.
- 8.3 The District Council will stipulate the type of receptacle to carry out mobile street trading.
- 8.4 The District Council retains its right to amend or replace these criteria at any given time.
- 8.5 Applicants must provide the following information:
  - All applicants must provide proof of identity via photographic means
  - All applicants must provide a photograph of the receptacle
  - All applicants must provide confirmation of public liability insurance
  - All applicants must submit a completed application form with the correct fee.
  - The applicant's receptacles will be required to be registered with the District Council's Environmental Health Section to trade in such commodities being offered for sale.
  - All applicants must give a description of the articles, things or services in which they propose to trade.

## **9. Policy Owner**

Mrs Marie Ward, Director of Enterprise Regeneration and Tourism

## **10. Contact details in regard of this policy are:**

Mr Colum Jackson,  
 Assistant Director of Regulatory and Technical Services  
 (Building Control and Regulation)  
 Newry, Mourne and Down District Council  
 O'Hagan House  
 Monaghan Row  
 Newry  
 BT35 8DJ  
 Tel 028 3031 3000

## **11. Policy Authorisation**

Enterprise Regeneration and Tourism committee	10 June 2019
Council Authorised on	1 July 2019

**12. Policy Effective Date – 1 August 2019**

**13. Policy Review Date – 1 June 2023 (or sooner as required)**

*The policy will be reviewed in line with the Council's agreed policy review cycle i.e. every 4 years (as per Council's Equality Scheme commitment 4.31).*

**14. Procedures**

Refer to the Mobile Licence Trading Procedure

**15. Equality Impact Assessment**

**This policy has been screened in accordance with the provision of Section 75 of the Northern Ireland Act 1998.**

**16. This policy has been Rural Impact Assessed.**

Version 1.0



Comhairle Ceantair  
**an Iúir, Mhúrn  
 agus an Dúin**  
**Newry, Mourne  
 and Down**  
 District Council

# Street Trading

## Designation Policy

**NEWRY, MOURNE & DOWN DISTRICT COUNCIL**

**ENTERPRISE REGENERATION AND TOURISM DEPARTMENT**

**Dated: 22 May 2019**



























































































































































































































































































































































































