



2001 CHAPTER 8

Licensing of street traders

Temporary licences

14.—(1) Subject to the provisions of this section, a council may, if it considers it appropriate to do so on receipt from any person of an application under subsection (2), grant to that person a temporary licence authorising him to engage in street trading in its district.

(2) An application for the grant of a temporary licence—

(a) shall be made—

(i) in writing to the council for the district in which the applicant wishes to trade, and

(ii) in such form and at such time as the council may specify;

(b) shall contain such particulars relevant to street trading as the council may reasonably require;

(c) shall, if the council so requires, be accompanied by 2 photographs of the applicant which are acceptable to the council; and

(d) shall be accompanied by such fee as the council may require under section 15.

(3) Where a council receives an application under subsection (2), it shall within a reasonable time give notice in writing to the applicant of its decision with respect to the application.

(4) Subsections (1) and (2) of section 8 shall apply to an application under subsection (2) in like manner as they apply to an application under section 5.

(5) A council shall formulate, and make available to any person on request, criteria with respect to the granting of temporary licences by it under this section

and shall have regard to those criteria when considering whether to grant a temporary licence.

(6) A council may at any time amend or replace the criteria it has formulated under subsection (5).

(7) In granting a temporary licence, a council may authorise the applicant—

- (a) to trade at such places and in such manner as appears appropriate to the council; and
- (b) to sell such articles or things or to supply such services as the council may specify in the licence.

(8) A temporary licence—

- (a) shall be in such form as appears to the council to be appropriate;
- (b) shall remain in force for such period, not exceeding 7 days, as is specified in the licence; and
- (c) shall be subject to such conditions as the council may specify in the licence.

(9) A council shall grant no more than 5 temporary licences to an applicant during any year.

(10) Where it appears to a council—

- (a) that the holder of a temporary licence has failed to comply with any condition specified in the licence, and
- (b) that, having considered any representations made to it by the holder of the temporary licence, it is appropriate in the circumstances to do so,

the council may revoke the licence.

(11) A person aggrieved by a decision of a council to refuse an application for a temporary licence may, at any time before the expiration of the period of 21 days from the date on which notice of the decision is given under subsection (3), appeal to a court of summary jurisdiction by notice under Part VII of the [Magistrates' Courts \(Northern Ireland\) Order 1981 \(NI 26\)](#).

(12) On an appeal under subsection (11), a court of summary jurisdiction may make such order as it considers appropriate and the council shall give effect to that order.