

3rd December 2020

TO: EACH MEMBER OF WATERFORD CITY AND COUNTY COUNCIL

Report on proposed amendments to Waterford City and County Council Casual Trading (Control and Designation) Bye-Laws 2017

Background

The current Waterford City and County Council Casual Trading (Control and Designation) Bye-Laws 2017 were adopted on the 14th December 2017 under the Casual Trading Act 1995. The Economic Development and Enterprise SPC considered it appropriate to review the existing Bye-Laws at this time.

Amendments to Casual Trading (Control and Designation) Bye-Laws 2017

There are currently 76 no. designated Casual Trading pitches located in the city, towns and villages dispersed throughout the county.

As a result of the review demand and times for Casual Trading pitches were examined at various locations and new locations for inclusion of designated casual trading areas were also considered having regard to the provisions of the Casual Trading Act.

The following is a summary of the main changes that have been recommended by The Economic Development and Enterprise SPC

PART 1 – Designation.

Amend the existing bye laws to include

That each District Council may move an unused Casual trading Pitch to another area that may be so designated within that district as long as the total number of designated areas within the district is not exceeded.

PART 3 Designated area and times of trading

Changes proposed to existing bye laws outlined below

Metropolitan District				
Town	Existing Location	Existing Pitches	Times of Trading	Proposal
Tramore	Promenade Car Park	8	Currently 10am until 7pm each day May 1 st until August 31 st	6 pitches and Change Times of Trading 8 am to 9pm each day from April 1 st to Sept.30 th
	Old Railway Station, Strand Street	0		20 pitches Times of Trading 8 am to 10pm each day January 1 st to Dec.31 st
	Priest Road Carpark	8	Each Friday 9am to 5pm Each Saturday 9am to 5pm 9am to 6pm for the Seven days preceding 25 th December each year	20 pitches
	Newtown Cove	1	10 to 7pm each day May 1 st to August 31 st	Change Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st to Sept. 30 th
Dunmore East	Councillors Strand Car Park	0		2 Pitches Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st until Sept. 30 th
Woodstown	Lower Car park	1	10am to 7pm each day May 1 st to August 31 st	Change Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st to Sept.30 th
Waterford Greenway	Bilberry Car Park	0		1 Pitch Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st to Sept. 30 th
	Killoteran Car Park	0		1 Pitch Times of Trading 8am to 9pm weekends & public

				holidays October 1 st to March 31 st . Each day April 1 st to Sept. 30 th
	Comeragh District			
Annestown	Beach Car park	2	10am to 7pm each day May 1 st to August 31 st	Change Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st to Sept. 30 th
Bonmahon	Beach Car park	3	10am to 7pm each day May 1 st to August 31 st	Remove 3 pitches as need catered for by existing businesses.
Ballymacarbery	Melody's Car park	1	1pm to 12am each day January 1 st to December 31 st	Change Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st to Sept. 30 th
Mahon Falls	Car Park	1	1pm to 12am each day January 1 st to December 31 st	Remove pitch as need catered for by existing businesses.
Portlaw	The Square	0		2 Pitches Times of Trading Saturday 9am to 5pm & for the Seven days preceding 25 th December each year
Kilmacthomas	Old Train Station	0		6 Pitches Times of Trading Saturday 9am to 5pm & for the Seven days preceding 25 th December each year
	Main Street	0		1 pitch Times of Trading Wednesday 9am to 5pm
	Dungarvan & Lismore District			
Dungarvan	Grattan Square	8	10am – 5pm Third Wednesday of Each Month	Remove 8 pitches as market is infrequently attended and need catered for by existing businesses.
Tallow	Town Centre Carpark	0		6 Pitches Times of Trading Friday & Saturday 8 am to 8 pm & for the Seven days preceding 25 th December each year.
	Square	2		Remove 2 pitches as market is infrequently attended and need will be catered for by town centre carpark pitches

Waterford Greenway	Shancool (Old Train Station)	0		1 Pitch Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st to Sept. 30 th
	Durrow Car Park	0		1 Pitch Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st to Sept. 30 th
Clashmore	Main Street (Raheen Quay Walk Entrance)	0		1 Pitch Times of Trading 8am to 9pm weekends & public holidays October 1 st to March 31 st . Each day April 1 st to Sept. 30 th

It is proposed to amend the existing Casual Trading Bye-Laws accordingly.

Next Steps

Subject to the Council's agreement, it is intended to place the proposed amendments on public display for a period of a month beginning on December 15th 2020. Submissions and representations will be invited from interested parties to the proposed changes. A 2 week period is provided after the end of the period for inspection of the proposed Bye-Laws, to make submissions in writing to the Local Authority in relation to proposed amendments to the Bye-Laws this period expires 29th January 2021. The Local Authority shall, before deciding whether to amend the existing the Bye-Laws, take into consideration any submissions duly made to it and not withdrawn. All existing traders will be notified and the advertisement of the review will be done through the placing of public notices in at least 2 no. local newspapers and on the Council website / through social media. It is intended to bring this review of the Waterford City and County Council Casual Trading (Control and Designation) Bye-Laws 2017 back to the February Plenary Council meeting for approval. If approved by Council the revised bye laws will be effective 30 days after approval. The making of Bye-Laws under the Casual Trading Act 1995 is a reserved function.

Michael Quinn
Director of Economic Development and Planning