

February 1st Deadline For Submissions On New Casual Trading Draft Bylaws

Members of the public are being reminded that they have just two weeks to forward submissions relating to a range of draft measures aimed at regulating casual trading in Clare.

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Clare County Council's Casual Trading Draft Bylaws were removed from public display today having been viewed by hundreds of people since late November.

The revised bylaws include the formal designation of casual trading areas in Ennistymon, Doolin Pier, Kildysart, Kilfenora, Killaloe, Kilkee, Miltown Malbay, Shannon and Tulla. The effect of designation is that any trading outside of the designated areas, on public property, is prohibited.

Separate Event Trading licences will be required by traders wishing to trade at festivals, fairs and significant events in towns and villages throughout Clare. Events include the Willie Clancy Festival in Miltown Malbay each July, the Lisdoonvarna Matchmaking Festival each September, the Rose of Clare Festival at Cooraclare and the Feakle festival.

The bylaws propose that the Local Authority, in conjunction with local Gardaí and local representatives will agree on the number of licences and category of goods that will cater for the needs of such events and pitches/bays will be allocated to successful applicants.

Meanwhile, the draft bylaws also suggest the introduction of additional management measures, including regulating the heights of stalls, hours of operation and updating of fee structures.

According to Mr. Ger Dollard, Director of Services, Clare County Council, 'Existing Casual Trading Bylaws, introduced by the Local Authority in 1998, are insufficient to deal with the issues that arise in relation to casual trading, in the present day. The revised bylaws will allow a greater level of control over casual trading activity to the benefit of traders and the general public'.

Mr. Dollard explained that Clare County Council has, for some time, been aware of significant difficulties being experienced with casual trading in the county.

'These draft bylaws are not designed to remove traders from their current locations. They simply form part of a process, whereby systems governing casual trading activity are continually reviewed and regulated', he continued.

The 1995 Casual Trading Act transferred the responsibility for issuing Casual Trading licenses from the Department of the Environment & Local Government to the individual local authorities. In 1998, Clare County Council adopted bylaws under the Casual Trading Act 1995.

Mr. James Barry, Senior Staff Officer, Ennistymon Area Office, Clare County Council added, 'The 1998 Casual Trading Bylaws did not formally designate areas for trading throughout the County but permitted such trading on a general basis at any location in the County. Following extensive discussions and consultation, at area committee level, draft Bylaws have now been prepared.'

Written comments should be forwarded to Senior Staff Officer, Ennistymon Area Office, Ennis Road, Ennistymon. Submissions received before 4pm on 1st February 2008 will be taken into consideration.

The Act also provides that any person who is aggrieved by any proposed bylaws may, within 21 days from publication of the notice, appeal to the District Court against the proposed bylaws. The decision of the District Court may also be appealed to the Circuit Court.

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