



Date: 7th January, 2022.

To: *The Cathaoirleach & Each Member of Kilkenny County Council*

Re: *Casual Trading Bye-Laws 2021 for The Municipal Districts of Castlecomer, Callan-Thomastown & Piltown*

A Chara,

Kilkenny County Council has carried out a review of the Casual Trading Bye-Laws for the Municipal Districts of Castlecomer, Callan Thomastown and Piltown in accordance with Section 6 of the Casual Trading Act, 1995 and Section 19 of the Local Government Act, 2001.

The Draft Bye-Laws 2021 were put on public display from the 29th October to the 2nd December, 2021. Submissions were invited and the closing date for all submissions was the 10th December, 2021.

The local authority having considered the submissions received and matters arising during the public consultation period propose to make two amendments to the published Draft Bye-Laws to include two additional casual trading areas for the Piltown Municipal District. I attach herewith recommendation of the Director of Services.

Having considered the submissions made as set out in the attached report, I recommend that the Draft Casual Trading Bye-Laws 2021 for the Municipal Districts of Castlecomer, Callan-Thomastown & Piltown as attached be adopted by the Elected Members.

Mise le Meas,

Colette Byrne,
Chief Executive Officer.



Date: 7th January, 2022.

To: Ms. Colette Byrne, Chief Executive

*Re: Casual Trading Bye-Laws 2021 for The Municipal Districts of
Castlecomer, Callan-Thomastown & Piltown.*

I wish to confirm that a review has been undertaken of the Casual Trading Bye-Laws for the Municipal Districts of Castlecomer, Callan - Thomastown and Piltown in accordance with Section 6 of the Casual Trading Act, 1995 and Section 19 of the Local Government Act, 2001.

The review entailed examination of the current bye-laws and existing trading bay areas and the consideration of new trading bays that may be suitable taking into consideration road safety. This process was carried out in consultation with each Area Engineer for the relative Municipal District.

The purpose of the bye-laws is to set out the procedures for licencing for casual trading including for special events. The bye-laws also set out the conditions attached to casual trading in relation to litter management, food hygiene, insurances, fees, penalties and other matters in detail.

The Draft Bye-Laws were presented to the SPC 4 for Environment Protection, Climate Action & Energy at their meeting held on the 1st of October, 2021 and they were broadly welcomed by the Members of the Committee.

The Draft Bye-Laws were approved by the Members at the October Plenary Council meeting to proceed to public consultation. The Draft Bye-Laws 2021 were put on public display from the 29th of October to the 2nd December, 2021. Written submissions were invited and the closing date for all submissions was the 10th of December, 2021.

A period of 2 months must elapse following the advertising before the Bye-laws can be confirmed. Once approved by the Elected Members the Bye-laws must be commenced within 30 days of that decision by publication of a notice in Iris Oifigiúil.

The submissions received are summarised in the attached report from Anne Marie Shortall, Senior Executive Officer. Having considered the submissions received and the attached report, I recommend that the Draft Casual Trading Bye Laws 2021 with the amendment to include two additional casual trading areas in the Municipal District of Piltown be presented to Council for adoption by the Elected Members.

Mise le meas,

Sean McKeown,
Director of Services.



Casual Trading Bye-Laws 2021 for The Municipal Districts of: Castlecomer, Callan - Thomastown & Piltown.

The Draft Bye-Laws 2021 were put on public display from the 29th of October to the 2nd December, 2021. Written submissions were invited and the closing date for all submissions was the 10th December, 2021.

A notice was publicised in the Kilkenny People to notify the public of the public consultation period. The Draft Bye-Laws were also made available online to view or to make a submission via consult.kilkenny.ie. The public consultation was also widely publicised across all of Kilkenny County Council's social media platforms.

There were three submissions received in total, one via consult.kilkenny.ie, one through elected representations at the Piltown Municipal District meeting and one late submission received by email.

Summary of Submissions:-

Submission By	Summary of Submission Details	Comment
Freshford.ie Community Group Via consult.kilkenny.ie	Support for Casual Trading Bye - Laws in Freshford. This submission was made in order to support the addition of a new Casual Trading Area at Market Square in Freshford which was traditionally a market area and will encourage local growers and artisan food produces to have a weekly market.	The Draft Bye-Laws include a new Casual Trading Area at Market Square, Freshford. The Area is designated for 1 Trading Bay only and therefore only one trader at a time so will not facilitate multiple traders for market type trading. Submission considered in consultation with the Area Engineer. It is considered that there is room for only 1 designated Trading Bay taking into account, parking and road safety.

Submission By	Summary of Submission Details	Comment
Cllr. Tomas Breathnach	<p>Matter raised at Piltown Municipal District Meeting during period of Public Consultation.</p> <p>Request to consider the inclusion in the Bye-Laws of designated Casual Trading Area at a suitable location near the South East Green Way in order to allow for Casual Trading close to this amenity.</p>	<p>Matter considered and proposal to amend the Draft Bye-Laws in order to include two additional Casual Trading Areas in the Piltown Municipal District.</p> <p>The Schedule in Part 3 of the Draft Bye-Laws has been amended to include two designated casual trading areas, one at Glenmore, to be located in the new car park to be constructed as part of the SE Greenway and one in Ferrybank located in the new car park to be constructed as part of the SE Greenway.</p>
Late Submission Received from Olivia Lyng	<p>Received via email on 22nd December, 2021.</p> <p>Request that the Local Authority consider a new casual trading area in Castlecomer. The area concerned is beside a bus stop (opposite Bank of Ireland). The submission was made by an existing casual trader and considers this a more suitable area to trade.</p>	<p>Consideration given to the matters raised.</p> <p>Following consultation with the Area Engineer, it is considered that the proposed area is not a safe place for a Casual Trading Bay and no change is recommended.</p> <p>The Draft Bye-Laws provide for 3 designated Trading Bays in the Casual Trading Area in Castlecomer, which are considered adequate and suitable to the area.</p>

I attach copies of submissions with full details. Having considered all of the above, I have amended the Schedule in Part 3 of the Draft Casual Trading Bye-Laws to include the additional designated Casual Trading Areas for the Piltown Municipal District adjacent to the South East Greenway. It is proposed to have one Trading Bay in each area at the Greenway car parks in Glenmore and Ferrybank. The exact location of the Trading Bays will be delineated on maps and approved by the Elected Members at a later date following the completion of the new car parks in the areas concerned.

I recommend that the Draft Casual Trading Bye-Laws with amendment are presented to the Council for adoption by the Elected Members.

*Anne Marie Shortall,
Senior Executive Officer.*

FULL DETAILS OF SUBMISSION

1. Support for Casual Trading Bye-Laws in Freshford
(received via consult.kilkenny.ie during public consultation period)

On behalf of Freshford.ie , the umbrella community group in Freshford, I would like to make a submission in support of extending the Casual Trading Bye-Laws to cover the Fowl Market Square in Freshford, which was a traditional market spot (as can be gleaned from its name).

We think this would contribute greatly in encouraging local growers and artisan food producers to start a weekly market in the area.

2. Matters Arising at Piltown Municipal District Meeting
(received during public consultation period)

Representations received at Piltown Municipal District Meeting 3rd November, 2021, with regard to the Draft Casual Trading Bye-Laws and request that consideration be given to Casual Trading close the South East Greenway development and that same be incorporated into the new Casual Trading Bye Laws for the Municipal District of Piltown.

3. Late Submission Received for Olivia Lyng
(received late by email 22nd December, 2021)

I am writing this letter in the hope that you could consider an area in Castlecomer town that is directly across from the Bank of Ireland beside just to the right of the bus stop as a designated trading area. I am very grateful to have a trading licence in Castlecomer and sincerely thank you so much for this.

My truck is small and tidy and fits in safely in front of the tree and it doesn't seem to get in the way of parking cars coming in and out and it is a large open space. It seems to be the perfect area for the kind of clientele I want to target to sell my cakes coffee and teas. There is a clear view for people coming from and going in and out through Castlecomer town. I really hope you will consider it as designated trading bay. It is quieter than up the top of town where there seems to be an overflow of traffic wanting to park to get there grocery's and local produce from other local traders and cars seem to want to park more up in that area. I feel I would trade better here due to my type of service I'm offering. I have got great feedback from people in the community and they said it brightens up there day when they see my truck. I am aware there is bylaws to consider but I ask you in the hope you could consider all the positives of utilising this part of town as a trading area and I feel it could be a nice addition to the bus stop for people getting on and off the bus I have had a good amount of customers from that area when they are waiting for bus and getting off bus. My service is quick on the go so customers wouldn't be there long as they just want to grab and go. Thank you for accepting my late submission to consider this in the review of the bylaws.