

# Licensing Sub Committee of the Regulatory Committee

10:00, Friday, 15 November 2013

## Request for Refund of Fees – Market Operator Licence – St Mary’s Market

Item number	4.1
Report number	
Wards	City Centre

### Links

Coalition pledges	<a href="#">P20</a>
Council outcomes	<a href="#">CO8</a>
Single Outcome Agreement	<a href="#">SO1</a>

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Head of Service

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# Executive summary

## Request for Refund of Fees – Market Operator Licence – St Mary’s Market

### Summary

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To refer to Committee a request for a refund of the application fee for an annual Market Operator Licence for ‘St Mary’s Market’. The application fee paid was £524.

### Recommendations

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- 1 It is recommended that Committee:
  - a) notes the terms of the request and to refuse the request.

### Measures of success

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Not applicable.

### Financial impact

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The Council’s scale of fees for licensing applications was approved with effect from 1 April 2013. Any refunded fee would be required to be absorbed by the Civic Government (Scotland) Act 1982 licensing budget for 2013/14.

### Equalities impact

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There is no equalities impact arising from the contents of this report.

### Sustainability impact

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There is no environmental impact arising from the contents of this report.

### Consultation and engagement

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Not applicable

### Background reading / external references

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[City of Edinburgh Council licence application fees list](#)

## Request for Refund of Fees – Market Operator licence – St Mary’s Market

### 1. Background

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- 1.1 Victoria MacDonald, on behalf of Edinburgh Markets, has requested that the fee paid for an annual Market Operator Licence be refunded for the ‘St Mary’s Market’.

### 2. Main report

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- 2.1 Victoria MacDonald, a representative of Edinburgh Markets has submitted a written request, seeking that the application fee paid for a Market Operator Licence be refunded.
- 2.2 The applicable annual Market Operator Licence fee is £524. The licenceholder has provided details of the basis upon which the request has been made. A copy of relevant correspondence is attached to this report at [Appendix 1](#).
- 2.3 The application for ‘St Mary’s Market’ specifies that the licensed area is “Public Space outside St Mary’s Metropolitan Cathedral, Top Of Broughton Street”.
- 2.4 On 14 December 2012 the Committee agreed to refund a previous year’s application fee for this market. This refund was for £509. The reasons given in the current request for discount are broadly similar.
- 2.5 Historically, fee reductions or refunds for large Market Operator events of this type have only been granted if the organiser is a charity or a community group. The applicant describes this market as a ‘social enterprise’. The committee is asked to refuse the request on the basis a) that previous financial relief has been given to the operator and b) giving repeated discount to this market would place competitors at a commercial disadvantage.
- 2.6 A representative of Edinburgh Markets has been invited to address the committee on the terms of the request for the fee to be refunded.

### 3. Recommendations

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- 3.1 It is recommended that Committee:
- a) note the terms of the request and to refuse the request.

**Susan Mooney**

Head of Service

## Links

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<b>Coalition pledges</b>	Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city
<b>Council outcomes</b>	Edinburgh's economy creates and sustains job opportunities
<b>Single Outcome Agreement</b>	Edinburgh's Economy delivers increased investment, jobs and opportunities for all
<b>Appendices</b>	<a href="#">Appendix 1</a> - Extract of email from Victoria MacDonald, Edinburgh Markets re: St Mary's Market