

# Licensing Sub-Committee of the Regulatory Committee

10:00am, Friday, 22 May 2015

## Request for Rebate of Fees – Market Operator Licence – Eric Liddell Centre

Item number	5.3
Report number	
Executive/routine	
Wards	

### Executive summary

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The Council has received a request from a representative of the Eric Liddell Centre for a rebate of a Market Operator Licence application fee.

The applicant asks for a 50% rebate on the fee of £539 paid in 2014 for an annual Market Operator Licence.

### Links

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Coalition pledges	<a href="#">P15</a>
Council outcomes	<a href="#">CO20</a>
Single Outcome Agreement	<a href="#">S01</a>

## Request for Rebate of Fees – Market Operator Licence – Eric Liddell Centre

### Recommendations

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The Committee is asked to:

- 1.1 note the terms of the request; and
- 1.2 refuse the request, as it was not submitted timeously and the Council accounts for 2014/15 have been closed.

### Background

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- 2.1 A representative of the Eric Liddell Centre has requested a rebate of 50% of the £539 licence application fee paid for a Market Operator licence in 2014.

### Main report

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- 3.1 A representative of the Eric Liddell Centre has submitted a written request seeking a 50% rebate of the fee paid in 2014 for a Market Operator Licence. A copy of the relevant correspondence is attached to this report at Appendix 1.
- 3.2 The fee structure for 2014/2015 was agreed by the Council. The applicable Market Operator Licence application fee paid was £539. This was the fee applicable for an annual licence for a market with under 50 stalls.
- 3.3 The annual licence was required specifically for markets operating with a frequency of at least once per calendar month, i.e. at least 12 markets. This fee incorporated a discount for frequency.
- 3.4 Correspondence received from the applicant (Appendix 2) states that in 2014/2015 the Eric Liddell Centre in fact held only four markets, rather than the 12 required in order to benefit from the discounted annual licence. Had the applicant applied on that basis the applicable fee for a temporary licence for a charity for this frequency would have totalled  $4 \times £111 = £444$ .
- 3.5 It is recommended that Committee members do not support the request for a 50% rebate on the fee paid by the Eric Liddell Centre in 2014/2015. No other examples of such a rebate have been identified.

- 3.6 A Market Operator Licence application for the Eric Liddell Centre for 2015/2016 is currently pending, as confirmation of the number of markets planned for 2015/2016 is awaited.
- 3.7 Should the Eric Liddell Centre plan to hold four markets in 2015/2016, and charitable status is confirmed, the applicable fee will be  $4 \times \text{£}112 = \text{£}448$ .
- 3.8 The Eric Liddell Centre is a registered charity no. SC003147.
- 3.9 A representative of the Eric Liddell Centre will be invited to address the Committee on the request for the fee rebate.

## Measures of success

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- 4.1 The event is licensed in a proportionate and effective manner.

## Financial impact

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- 5.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2015. Any rebate would be required to be absorbed by the Civic Government (Scotland) Act 1982 licensing budget for 2015/16.

## Risk, policy, compliance and governance impact

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- 6.1 The fee structure was agreed by full Council. Any rebate risks setting a precedent, as no other instance is known where a fee has been refunded 12 months after the licence has been granted. However the Committee has discretion in this matter.

## Equalities impact

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

## Sustainability impact

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

## Consultation and engagement

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- 9.1 Not applicable

## Background reading / external references

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City of Edinburgh Council licence application fees list 2015/16

City of Edinburgh Council licence application fees list 2014/15

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## Links

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<b>Coalition pledges</b>	P15: Work with public organisations, the private sector and social enterprise to promote Edinburgh to investors
<b>Council outcomes</b>	CO20: Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens
<b>Single Outcome Agreement</b>	SO1: Edinburgh's Economy Delivers increased investment, jobs and opportunities for all
<b>Appendices</b>	Appendix 1: Email from applicant dated 1 April 2015 Appendix 2: Letter from applicant dated 5 November 2015