

Licensing Sub-Committee of the Regulatory Committee

9.30am, Tuesday, 29 May 2018

Request for Fee Reduction – Market Operator’s Licence – Meadows Festival Association

Item number	3.1
Report number	
Executive/routine	
Council Commitments	
Wards	Leith (13)

Executive Summary

The Council has received a request on behalf of the Meadows Festival Association to agree to accept a reduced application fee for a Market Operator’s Licence.

A fee reduction is sought on the basis of points made in the applicant’s email (Appendix 1).

Request for Fee Reduction – Market Operator’s Licence – Meadows Festival Association

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the terms of the request; and
 - 1.1.2 makes a decision with respect to whether, in these circumstances, granting a fee reduction is appropriate.

2. Background

- 2.1 The Meadows Festival Association has requested that the application fee due for the required Market Operator’s Licence should be reduced.
- 2.2 The Council agreed that the fees charged for licence applications with effect from 1 April 2018 shall remain unchanged from 2017/18.
- 2.3 Prior to 2017 the Meadows generally was included in Ward 11. Since the 2017 elections the section east of Middle Meadow Walk is no longer part of Ward 11.

3. Main report

- 3.1 A representative of the Meadows Festival Association has submitted a written request (Appendix 1), seeking that the application fee due for a Market Operator’s Licence in Meadows Park should be reduced. A copy of the relevant correspondence is attached to this report at Appendix 1.
- 3.2 The fee structure for 2018/2019 was agreed with effect from 1 April 2018. The applicant has paid a partial amount of the fee due. The market is planned to be held on the west side of the Meadows, which falls within Ward 11. As a result higher application fees apply than those for markets outwith Ward 11.
- 3.3 The application fee for a temporary outdoor market in Ward 11 operating less than once per calendar month is £82 per stall, subject to a maximum of £5,000.
- 3.4 In this case, as the application was for 130 stalls ($£82 \times 130 = £10,660$) the fee due is £5,000. The applicant has paid £750.
- 3.5 If the Committee is minded to grant a fee reduction it is requested that it is made clear to the applicant that this level of fee reduction cannot be sustained, as the

cost is being met by other licence holders through their payment of fees, and that the applicant should plan their budget in future years accordingly.

- 3.6 The Council incurs significant costs in dealing with issues arising from licensed premises in the city. These costs are required to be directly recovered from licence fees.
- 3.7 A representative of the applicant will be invited to address the Committee on the request for the fee reduction.

4 Measures of success

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

5 Financial impact

- 5.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2018. Any reduced fee would be required to be absorbed by the licensing budget for 2018/19.

6 Risk, policy, compliance and governance impact

- 6.1 The fee structure was agreed by full Council. Any reduction risks setting a precedent. However the Committee has discretion in this matter.

7 Equalities impact

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

8 Sustainability impact

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

9 Consultation and engagement

- 9.1 Officers of the Council have discussed the licensing requirement with the applicant.

10 Background reading/external references

- 10.1 [City of Edinburgh Council licence application fees list 2017/18](#)

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11 Appendices

11.1 Email correspondence with Meadows Festival Association

11.2 Application form