

# Licensing Sub-Committee of the Regulatory Committee

**9.30am, Monday, 8 August 2022**

## **Request for Fee Reduction – Saughtonhall United Reformed Church**

**Item number**

**Report number**

**Executive/routine**

**Council Commitments**

N/A

**Wards**

Pentland Hills (2)

### **Executive Summary**

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An application for a Public Entertainment Licence has been received from Saughtonhall United Reformed Church. The applicant has written to request that the Licensing Sub-Committee considers either reducing the Public Entertainment Licence fee or refunding the cost of the organisation's Theatre Licence.

## Request for Fee Reduction – Saughtonhall United Reformed Church

### 1. Recommendations

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- 1.1 It is recommended that the Committee:
  - 1.1.1 Hears from the applicant; and refuses the request

### 2. Background

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- 2.1 Saughtonhall United Reformed Church runs an amateur drama group.
- 2.2 The Theatres Act 1968 previously provided a licensing regime for premises which were used for the public performance of plays.
- 2.3 The Theatres Act 1968 was repealed on 27 January 2021. On [19 August 2019](#) the Regulatory Committee resolved under section 9 of the Civic Government (Scotland) Act 1982 to license theatres under its public entertainment licensing regime.

### 3. Main report

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- 3.1 Saughtonhall United Reformed Church was granted a Theatre Licence for the period 1 June to 30 November 2020, and the relevant fee of £776 was paid. Due to restrictions imposed during the COVID-19 pandemic, all of the organisation's planned productions during that period had to be cancelled.
- 3.2 A representative of Saughtonhall United Reformed Church has written to the Council (Appendix 1) to request that the committee considers reducing the application fee paid for a Public Entertainment Licence (£1,153).
- 3.3 Refund of a licence fee granted in a previous year is not possible as the accounts for that period have closed. The charge for Public Entertainment Licence applications is used to offset the significant costs which are incurred in dealing with licensing issues in the city. Waiving the Public Entertainment licence fee after the fact would create an unfunded pressure and risks setting a precedent, in that other licence holders or applicants might seek a similar decision in respect of the fee that they have paid.

- 3.4 A representative of the applicant will be invited to address the Committee on the request for the fee reduction.

## **4 Measures of success**

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- 4.1 The premises are licensed in a proportionate and effective manner.

## **5 Financial impact**

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- 5.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2022.
- 5.2 Committee members should note that the Council approved the following as part of the Budget Motion approved in February 2019:
- 5.2.1 The Administration will adopt a policy of full cost recovery for major events in the city delivered by third parties. We will increase cost recovery through charges levied for licensing and regulatory services, road occupation licences and consents, where permitted by legislation.
- 5.3 The cost of reducing the licence fee will be met from the Licensing budget.

## **6 Risk, policy, compliance and governance impact**

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- 6.1 The process outlined takes account of the relevant statutory provisions.
- 6.2 The fee structure was agreed by Council in April 2022. Any reduction risks setting a precedent. However, the committee has discretion to waive fees where it considers this appropriate.

## **7 Equalities impact**

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

## **8 Sustainability impact**

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

## **9 Consultation and engagement**

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- 9.1 None.

## **10 Background reading/external references**

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- 10.1 [Report to Regulatory Committee 19 August 2019](#)

## **Andrew Mitchell**

Head of Regulatory Services

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## **11 Appendices**

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11.1 Appendix 1 - Email from Saughtonhall United Reformed Church