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| Subject: | Fees for Street Trading Licences |
| Date: | 19th April, 2017 |
| Reporting Officer: | Stephen Hewitt, Building Control Manager, ext. 2435 |
| Contact Officer: | Patrick Cunningham, Assistant Building Control Manager, ext. 6446 |

| | |
|---|---|
| Restricted Reports | |
| Is this report restricted? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If Yes, when will the report become unrestricted? | |
| After Committee Decision | <input type="checkbox"/> |
| After Council Decision | <input type="checkbox"/> |
| Sometime in the future | <input type="checkbox"/> |
| Never | <input type="checkbox"/> |

| | |
|---------------------------------------|---|
| Call-in | |
| Is the decision eligible for Call-in? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

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| 1.0 | Purpose of Report/Summary of Main Issues |
| 1.1 | To consider proposed options regarding the appropriate level of fees which Belfast City Council may charge for Street Trading Licences. |
| 2.0 | Recommendations |
| 2.1 | <p>The Committee is requested to consider the contents of the report and the deferred Street Trading Fees report from your meeting in January 2017 and:</p> <ol style="list-style-type: none"> 1. choose which fee charging option you consider most appropriate to introduce for a Street Trading Licence, or 2. determine appropriate fees for a Street Trading Licence arising from your discussions on the various options presented. |

| 3.0 | Main Report | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | <p data-bbox="276 241 432 275"><u>Key Issues</u></p> <p data-bbox="165 315 1469 479">3.1 Members will recall that, at your meeting in January, you considered the outcome of the public consultation on the proposed fees for Street Trading Licences and agreed to defer the report to enable officers to provide additional information, to examine options for introducing the proposed fees on a phased basis over the term of a licence and for establishing a fee for a one day licence.</p> <p data-bbox="165 517 1251 551">3.2 A copy of the minute from your January meeting is attached at Appendix 1.</p> <p data-bbox="165 589 1469 651">3.3 Below is a summary of the proposed fees which you provisionally agreed at your meeting on 15th June, 2016.</p> <table border="1" data-bbox="400 714 1342 1227"> <thead> <tr> <th colspan="2" data-bbox="400 714 1206 748">STATIONARY and MOBILE LICENCE</th> <th data-bbox="1206 714 1342 748">Fee</th> </tr> </thead> <tbody> <tr> <td data-bbox="400 748 1206 792">Application Fee - <i>Non refundable</i></td> <td data-bbox="1206 748 1342 792"></td> <td data-bbox="1206 748 1342 792">£617</td> </tr> <tr> <td data-bbox="400 792 1206 837">Renewal Application Fee - <i>Non refundable</i></td> <td data-bbox="1206 792 1342 837"></td> <td data-bbox="1206 792 1342 837">£523</td> </tr> <tr> <td data-bbox="400 837 1206 882">Licensed for Monday to Friday</td> <td data-bbox="1206 837 1342 882"></td> <td data-bbox="1206 837 1342 882">£1,500</td> </tr> <tr> <td data-bbox="400 882 1206 927">Licensed for Monday to Sunday</td> <td data-bbox="1206 882 1342 927"></td> <td data-bbox="1206 882 1342 927">£1,570</td> </tr> <tr> <td data-bbox="400 927 1206 972">Licensed for Weekend</td> <td data-bbox="1206 927 1342 972"></td> <td data-bbox="1206 927 1342 972">£1,350</td> </tr> <tr> <td data-bbox="400 972 1206 1016">Licensed for Sunday</td> <td data-bbox="1206 972 1342 1016"></td> <td data-bbox="1206 972 1342 1016">£1,220</td> </tr> <tr> <th colspan="2" data-bbox="400 1016 1206 1061">TEMPORARY LICENCE</th> <th data-bbox="1206 1016 1342 1061"></th> </tr> <tr> <td data-bbox="400 1061 1206 1106">Application Fee - <i>Non refundable</i></td> <td data-bbox="1206 1061 1342 1106"></td> <td data-bbox="1206 1061 1342 1106">£677</td> </tr> <tr> <td data-bbox="400 1106 1206 1151">Licence Fee</td> <td data-bbox="1206 1106 1342 1151"></td> <td data-bbox="1206 1106 1342 1151">£130</td> </tr> <tr> <td data-bbox="400 1151 1206 1196"></td> <td data-bbox="1206 1151 1342 1196"></td> <td data-bbox="1206 1151 1342 1196"></td> </tr> <tr> <td data-bbox="400 1196 1206 1227">Variation of Licence Particulars</td> <td data-bbox="1206 1196 1342 1227"></td> <td data-bbox="1206 1196 1342 1227">£440</td> </tr> </tbody> </table> <p data-bbox="276 1296 727 1330">Implementation of Revised Fees</p> <p data-bbox="165 1364 1469 1464">3.4 Members may wish to note that, when they set revised fees our existing Stationary and Mobile, licensees will only pay the new licence fee at the commencement of their next trading year.</p> <p data-bbox="165 1503 1469 1603">3.5 For example, a trader who was granted a 3 year licence in December 2016, will not pay any reviewed annual licence fee until December 2017. Additionally they will not pay the revised renewal fee until December 2019.</p> <p data-bbox="276 1637 448 1671"><u>Fee Options</u></p> <p data-bbox="165 1704 1469 1805">3.6 A number of fee charge options are outlined below for consideration following your previous meeting. To assist the Committee, an overview of all of the options below is attached at Appendix 2.</p> | STATIONARY and MOBILE LICENCE | | Fee | Application Fee - <i>Non refundable</i> | | £617 | Renewal Application Fee - <i>Non refundable</i> | | £523 | Licensed for Monday to Friday | | £1,500 | Licensed for Monday to Sunday | | £1,570 | Licensed for Weekend | | £1,350 | Licensed for Sunday | | £1,220 | TEMPORARY LICENCE | | | Application Fee - <i>Non refundable</i> | | £677 | Licence Fee | | £130 | | | | Variation of Licence Particulars | | £440 |
| STATIONARY and MOBILE LICENCE | | Fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Application Fee - <i>Non refundable</i> | | £617 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Renewal Application Fee - <i>Non refundable</i> | | £523 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Licensed for Monday to Friday | | £1,500 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Licensed for Monday to Sunday | | £1,570 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Licensed for Weekend | | £1,350 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Licensed for Sunday | | £1,220 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TEMPORARY LICENCE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Application Fee - <i>Non refundable</i> | | £677 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Licence Fee | | £130 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Variation of Licence Particulars | | £440 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

OPTION 1

- 3.7** By far the largest single expense identified in dealing with the Street Trading Licensing scheme arises from the tasks associated with the application for the grant of a new licence.
- 3.8** We have critically re-visited the amount of time spent on each task and have identified some areas where processes could be streamlined with enhanced use of IT systems in an effort to reduce costs.
- 3.9** We have also examined the current frequency of licence compliance checks for permanent traders to determine if we can reduce that element of the costs.
- 3.10** Currently, Stationary and Mobile traders are inspected 4 times a year. It is proposed to reduce the number of inspections to 1 compliance visit per year. Should Members agree to this option, the effectiveness of this reduced level of compliance checks will be monitored closely.
- 3.11** A detailed review of the reports brought before Committee for consideration was undertaken. Approximately 50% of Stationary and Mobile licence applications and 33% of Temporary Licence applications are considered at Committee.
- 3.12** By recovering the respective percentage cost for the applications that are considered by Committee and spreading it across all of the respective licences we are further able to reduce each application cost.
- 3.13** In 2002, when the first fees were calculated, it was envisaged that Designation would not happen yearly. Members will be well aware that Designation has subsequently become an annual consideration as there have been regular requests from both the Council and from members of the public for new areas to be designated.
- 3.14** For this option, it is proposed that Designation will not take place yearly, but every other year, thus the Designation cost can be halved and spread across two years.
- 3.15** This saving will not change the cost of a Temporary Licence as the Designation costs are not applied to this type of licence.
- 3.16** By undertaking these proposals the following revised fees have been calculated:

| STATIONARY and MOBILE LICENCE | | Proposed fee | |
|---|------------|---------------------|-----------------|
| | | | |
| Application Fee - <i>Non refundable</i> | £ 432.25 | £ 430 | |
| Renewal Application Fee - <i>Non refundable</i> | £ 337.50 | £ 340 | |
| | | | |
| | | | <i>Per Week</i> |
| Licensed for Monday to Friday | £ 1,064.75 | £ 1,065 | £ 20.48 |
| Licensed for Monday to Sunday | £ 1,086.50 | £ 1,085 | £ 20.87 |
| Licensed for Weekend | £ 956.00 | £ 956 | £ 18.38 |
| Licensed for Sunday | £ 956.00 | £ 956 | £ 18.38 |

| TEMPORARY LICENCE | | | |
|---|-----------------|--------------|--|
| Application Fee - <i>Non refundable</i> | £ 432.25 | £ 400 | |
| Licence Fee | £ 130.50 | £ 130 | |
| | | | |
| Variation of Licence Particulars | £ 315.75 | £ 315 | |

- 3.17** What these new fees will mean for an existing mobile trader who trades Monday to Sunday is shown below. Over the 3 years the cost of having a licence will increase by £829 or on average £276 per year which equates to £5.30 per week.

| | Year 1 | Year 2 | Year 3 | over 3 years |
|---------|--------|--------|--------|--------------|
| Old fee | £1,002 | £882 | £882 | £2,766 |
| New fee | £1,425 | £1,085 | £1,085 | £3,595 |

- 3.18** The cost of a Temporary licence for the 12th July or Saint Patrick's day is currently £165. Under this option it will be now be £530, an increase of £365.

OPTION 2

- 3.19** Another option to consider would be to apply the cost of inflation to the current fees set in 2002 to determine the 2017 fees.

- 3.20** Adopting this option will give Committee, in any future fee review exercise, a better baseline for comparison as these fees will be more relevant to present day monetary value.

- 3.21** However, this option will not address the significant shortfall in cost recovery for the licensing application process.

- 3.22** This option would also require the use of the current charging structure and not the proposed new fee structure consulted on in June 2016 which had included, for example, a reduced fee for the renewal of a licence and the harmonisation of mobile and stationary licence fees.

- 3.23** However, by using the original fee structure this would address Members concerns regarding the increased cost of a Temporary Licence for one day.

- 3.24** The cost of inflation increase was determined using the Bank of England's inflation calculator.

| STATIONARY LICENCE | Current | Inflation | Proposed fee |
|---|----------------|------------------|---------------------|
| Application Fee - Non refundable | £ 100 | £ 149.29 | £ 150 |
| | | | |
| Licensed for Monday to Friday | £ 629 | £ 939.02 | £ 940 |
| Licensed for Monday to Saturday | £ 800 | £1194.30 | £1,195 |
| Licensed for Monday to Sunday | £1017 | £1518.26 | £1,520 |
| Licensed for Saturday | £ 426 | £ 635.97 | £ 635 |
| Licensed for Sunday | £ 472 | £ 704.64 | £ 705 |

| MOBILE LICENCE | | | |
|---|-------|----------|---------------|
| Application Fee - Non refundable | £ 120 | £ 179.15 | £ 180 |
| Licensed for Monday to Friday | £ 429 | £ 640.44 | £ 640 |
| Licensed for Monday to Saturday | £ 628 | £ 937.53 | £ 940 |
| Licensed for Monday to Sunday | £ 882 | £1316.72 | £1,315 |
| Licensed for Saturday | £ 199 | £ 297.08 | £ 295 |
| Licensed for Sunday | £ 254 | £ 379.19 | £ 380 |
| TEMPORARY LICENCE | | | |
| Application Fee - <i>Non refundable</i> | £ 120 | £ 179.15 | £ 180 |
| Licensed for Monday to Friday, per day | £ 26 | £ 38.81 | £ 39 |
| Licensed for Saturday | £ 36 | £ 53.74 | £ 54 |
| Licensed for Sunday or Public holiday | £ 45 | £ 67.18 | £ 67 |
| Variation of Licence Particulars | £ 50 | £ 74.64 | £ 75 |

- 3.25** What these new fees will mean for an existing mobile trader who trades Monday to Sunday is shown below. Over the 3 years the cost of having a licence will increase by £1,359 or on average £453 per year which equates to £8.71 per week.

| | Year 1 | Year 2 | Year 3 | over 3 years |
|---------|--------|--------|--------|--------------|
| Old fee | £1,002 | £882 | £882 | £2,766 |
| New fee | £1,495 | £1,315 | £1,315 | £4,065 |

- 3.26** The cost of a Temporary licence for the 12th July or Saint Patrick's day is currently £165. Under this option it will be now be £247, an increase of £82.

OPTION 3

- 3.27** For completeness a further option is to consider the proposed fees you provisionally agreed at your meeting of 15th June 2016:

| STATIONARY and MOBILE LICENCE | Fee |
|---|---------------|
| Application Fee - <i>Non refundable</i> | £ 617 |
| Renewal Application Fee - <i>Non refundable</i> | £ 523 |
| Licensed for Monday to Friday | £1,500 |
| Licensed for Monday to Sunday | £1,570 |
| Licensed for Weekend | £1,350 |
| Licensed for Sunday | £1,220 |

TEMPORARY LICENCE

| | |
|---|--------------|
| Application Fee - <i>Non refundable</i> | £ 677 |
| Licence Fee | £ 130 |
| Variation of Licence Particulars | £ 440 |

3.28 What these new fees will mean for an existing mobile trader who trades Monday to Sunday is shown below. Over the 3 years the cost of having a licence will increase by £2,467 or on average £822 per year which equates to £15.80 per week.

| | Year 1 | Year 2 | Year 3 | over 3 years |
|---------|--------|--------|--------|--------------|
| Old fee | £1,002 | £882 | £882 | £2,766 |
| New fee | £2,093 | £1,570 | £1,570 | £5,233 |

3.29 The cost of a Temporary licence for 12th July or Saint Patrick's day is currently £165. Under this option it will be now be £807, an increase of £642.

Additional Request from the Committee

Trading one Day a Week - Monday to Friday

3.30 Committee, at your meeting in January 2017, asked Officers to consider the fee for a permanent trader who has a Monday – Friday licence but only trades on one day during the week.

3.31 It must be stated that the costs associated with processing the grant or renewal of the licence is the same whether it is used for one day or every day of the week. However, based on the original proposed fees of £1,500 (Mon-Fri) Members may wish to consider using a fifth of that cost and decide that a fee of £300 is set specifically for one day's trade. This fee can be set dependant on what Options above Committee agree on.

Financial and Resource Implications

3.32 There are significant financial and resource implication associated with this report.

3.33 The proposed Licence fees at option 3 are most likely to ensure the cost of the operational and administration processes are proportionate to the licensing scheme; particularly in relation to the costs for processing a grant or renewal of licence application.

Equality or Good Relations Implications

3.34 The Council's Equality and Diversity Officer has been consulted and there are no issues with regards to the setting of fees.

4.0 Documents Attached

- Appendix 1 – Copy of the minute – January, 2017
- Appendix 2 – Overview of fee options

Extract of Minutes
Licensing Committee
Wednesday, 18th January, 2017

Fees for Street Trading Licences

The Committee agreed to defer until its next meeting a report in respect of proposed fees for Street Trading Licences to enable officers to provide additional information and to examine options for introducing the proposed fees on a phased basis over the term of a licence and for establishing a fee for a licence to cover one day only.

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Appendix 2

| | Current | Option 1 | Option 2 | Option 3 |
|---|----------------|-----------------|-----------------|-----------------|
| STATIONARY LICENCE | | | | |
| Application Fee - Non refundable | £ 100 | £ 430 | £ 150 | £ 617 |
| Renewal Application Fee - Non refundable | £ 100 | £ 340 | £ 150 | £ 523 |
| Licensed for Monday to Friday | £ 629 | £ 1,065 | £ 940 | £ 1,500 |
| Licensed for Monday to Saturday | £ 800 | | £ 1,195 | |
| Licensed for Monday to Sunday | £ 1,017 | £ 1,085 | £ 1,520 | £ 1,570 |
| Licensed for Saturday | £ 426 | | £ 635 | |
| Licensed for Sunday | £ 472 | £ 956 | £ 705 | £ 1,220 |
| | | | | |
| Licensed for Weekend* | £ 898 | £ 956 | £ 1,340 | £ 1,350 |

| MOBILE LICENCE | | | | |
|---|-------|---------|---------|---------|
| Application Fee - Non refundable | £ 120 | £ 430 | £ 180 | £ 617 |
| Renewal Application Fee - Non refundable | £ 120 | £ 340 | | £ 523 |
| Licensed for Monday to Friday | £ 429 | £ 1,065 | £ 640 | £ 1,500 |
| Licensed for Monday to Saturday | £ 628 | | £ 940 | |
| Licensed for Monday to Sunday | £ 882 | £ 1,085 | £ 1,315 | £ 1,570 |
| Licensed for Saturday | £ 199 | | £ 295 | |
| Licensed for Sunday | £ 254 | £ 956 | £ 380 | £ 1,220 |
| | | | | |
| Licensed for Weekend* | £ 453 | £ 956 | £ 675 | £ 1,350 |

| TEMPORARY LICENCE | | | | |
|---|-------|-------|-------|-------|
| Application Fee - Non refundable | £ 120 | £ 400 | £ 180 | £ 677 |
| Licence Fee (for up to 7 days) | £ 211 | £ 130 | £ 316 | £ 130 |
| | | | | |
| Licensed for Monday to Friday, per day | £ 26 | | £ 39 | |
| Licensed for Saturday | £ 36 | | £ 54 | |
| Licensed for Sunday or Public holiday | £ 45 | | £ 67 | |

| | | | | |
|---|------|-------|------|-------|
| Variation of Licence Particulars | £ 50 | £ 315 | £ 75 | £ 440 |
|---|------|-------|------|-------|

* Weekend fees do not currently exist, they were proposed as part of the fee structure. Under the old structure if a trader only wanted weekend trade, a Saturday Fee and a Sunday Fee would be combined.

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Mr. Boyd and Mr. Murray then provided clarification on a number of issues which had been raised by the Members, particularly, around the financial impact which the failure to have the Entertainments Licence renewed had had upon the company and the utilisation of the new area to date, and were thanked by the Chairperson.

The Chairperson then welcomed to the meeting two representatives of the Police Service of Northern Ireland, namely, Inspector J. Hughes and Constable S. O'Hare.

Constable O'Hare confirmed that he met with Mr. Boyd on a regular basis and that he had always been helpful in providing, for example, statements, evidence or CCTV footage. He provided information on the number of assaults and other incidents which had been recorded in and around Thompson's Garage in recent years, some of which were still ongoing, and highlighted the fact that, since Patterson's Place was linked for recording purposes with Donegall Square East and Upper Arthur Street, not all of those could be attributed directly to that venue.

Inspector Hughes informed the Committee that, in the opinion of the Police Service, the company had implemented all possible measures to address the issues which had been raised previously around door supervisors, including the use of body cameras and the provision of training and, on that basis, it could offer no objections to the renewal of the Entertainments Licence.

The representatives were thanked by the Chairperson for their contribution.

After discussion, the Committee agreed, in its capacity as Licensing Authority, to renew a Seven-Day Annual Indoor Entertainments Licence in respect of Thompson's Garage, 3 Patterson's Place, with a condition to be attached requiring the licensee to attend, as and when required, meetings with the Police Service of Northern Ireland, the Security Industry Authority and other relevant parties, to be facilitated by the Council, to discuss any issues arising from the operation of the premises.

Non-Delegated Matters

Fees for Street Trading Licences

The Committee agreed to defer until its next meeting a report in respect of proposed fees for Street Trading Licences to allow for Members to give it further consideration and for officers to provide additional information, including the number of traders registered currently under each licence type.

Chairperson