

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

**SUBJECT: Application to waiver the fee for a charitable, non-commercial event(s)
for Magor Benefice Churchmen**

DIRECTORATE: Chief Executives

MEETING: Licensing and Regulatory Committee

Date to be considered: 3rd May 2016

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 Information of the approved waiver of fee for the day block street trading event on 2nd May 2016 at Magor Square, submitted by Magor Benefice Churchmen, and approved by the Chair of the Licensing & Regulatory Committee. (Request to waiver the fee attached as Appendix A and authorisation of fee waiver attached as Appendix B)
- 1.2 To consider the waiver of fees for future applications submitted by Magor Benefice Churchmen for day block street trading consents.

2. RECOMMENDATION(S):

It is recommended that:-

- 2.1 Members consider the waiver of fees for future applications submitted by Magor Benefice Churchmen for day block street trading consents.

3. KEY ISSUES

- 3.1 An application was received on 28th March 2016 for a day block street trading consent from Mr Kevin Gunn, on behalf of Mr Robert Ollerton of Magor Benefice Churchmen for Magor Square. The application was for a day block street trading consent for the Magor Mayfayre event for stalls on 2nd May 2016.
- 3.2 The applicant on submitting the application referred to in 3.1 above further requested by e-mail on 28th March 2016 the fee be waived for this event stating *"it is run on an entirely voluntary basis, and all events are put on to raise money for local charities and charitable causes."* (attached as Appendix A)
- 3.3 Item 9 of the Street Trading Policy adopted by this Authority on 9th April 2016 states:-
 - A fee will not be required for fetes, carnivals and similar charitable and non-commercial events in certain exceptional circumstances, and at the approval of the Licensing and Regulatory Committee. In such circumstances, each application will be treated on its own merit.
- 3.3 The request was unable to go to the full Licensing and Regulatory Committee for a decision as the Committee following submission of the application would not be heard until 3rd May 2016 and the event is on 2nd May 2016.
- 3.4 As such, an urgent request was made by the Licensing Section with the Chair of the Licensing and Regulatory Committee on 20th April 2016 to decide whether the fee should be waived. The request was made following consultation of the

application, of which no responses against the grant of the consent was received. The Chair, on behalf of the Licensing and Regulatory Committee agreed to waive the fee by e-mail on 20th April 2016, and the consent has been duly processed. (attached as Appendix B)

- 3.5 Magor Benefice Churchmen hold a similar event in December in Magor Square, referred to as Magor Frost Fayre. The report request Members consider the waiver of fees for all future events organised by Magor Benefice Churchmen who run non-commercial charitable events.
- 3.6 Magor Benefice Churchmen will still be required to apply for a consent for each event and the Licensing Section will request they confirm the event on each application is processed is of a similar nature.
- 3.7 If Members approve the waiver of fees as mentioned in 3.5 above for future events. The Licensing Section will assess each application made for a consent and if there is any element of doubt as to the nature of the event the matter will be deferred to the Licensing and Regulatory Committee for a decision.

4. REASONS

- 4.1 To determine the application to waive the fee for future charitable, non-commercial events for day block street trading events for Magor Benefice Churchmen.

5. RESOURCE IMPLICATIONS

- 5.1 All Licensing fees and charges are recovered on a cost recovery basis.

6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS

- 6.1 The 'Future Generations' template is attached as Appendix C.

7. CONSULTEES:

Nil

8. BACKGROUND PAPERS:

Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 Part III
Monmouthshire Street Trading Policy, approved 9th February 2016

9. AUTHOR:

Linda O'Gorman
Principal Licensing Officer

CONTACT DETAILS:

Tel: 01633 644214
Email: lindaogorman@monmouthshire.gov.uk

APPENDIX A

Hello Linda and Chris

I have attached the two applications in PDF format as I know sometimes the word documents can be distorted. If there are any queries please let me know. If Nia has any queries regarding the stalls could she contact Dave as he has organised those and has all the details required.

I am also attaching below a request for the waiver of the fee for the Block Trading Licence from Rob Ollerton our Chairman for consideration at your next meeting.

To whom it may concern:

We wish to request a waiver of all licence fees for our event, the May Fayre in Magor Square on May 2nd.

Magor Churchmen is run on an entirely voluntary basis, and all events are put on to raise money for local charities and charitable causes.

Any expenses that we incur (such as licence fees) reduces the amount we can donate. I would ask that all those concerned with the decision to allow a waiver of licence fees to consider this.

The Fayre has its 30th Anniversary this year, and is a major part of the community's calendar

Thank You

Rob Ollerton

Chairman

Kind Regards

Kevin
Secretary

From: O'Gorman, Linda [mailto:LindaO'Gorman@monmouthshire.gov.uk]

Sent: Monday, March 14, 2016 4:12 PM

To:

Cc: Rann, Chris W. <ChrisRann@monmouthshire.gov.uk>

Subject: Magor Frost Fayre

F.A.O. Kevin Gunn

With reference to our conversation today, please find attached your application for a Block Street Trading Consent for Magor Frost Fayre. I refer you to item 9 of the Street Trading Policy as follows:-

- A fee will not be required for fetes, carnivals and similar charitable and non-commercial events in certain exceptional circumstances, and at the approval of the Licensing and Regulatory Committee. In such circumstances, each application will be treated on its own merit.

As you have indicated in the past that your event is a non-commercial event, you may qualify for the fee to be waived. However, the decision on this rests with the Licensing and Regulatory Committee and upon submission of your application form I would request you put in writing a request for the waiver of fees and your reasons for this request in order for Licensing to submit a report to Committee for a decision.

I have also attached the Temporary Event Notice application form for the alcohol sales at the event.

I have copied in Chris Rann, the Senior Licensing Officer for that area who will be dealing with your applications. His telephone number is 01644 644835.

Many thanks

Linda O'Gorman

Principal Licensing Officer / Prif Swyddog Trwyddedu
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Follow us on Twitter / Dilynwch ni ar Twitter: www.twitter.com/monmouthshirecc

APPENDIX B

Thank you for this I welcome that the fee is waived, thanks for the detailed email.

LINDA GUPPY

Monmouthshire County Councillor
Rogiet Ward

From: O'Gorman, Linda
Sent: 20 April 2016 14:23
To: Guppy, Linda; Strong, Brian
Cc: Jones, David H; Rann, Chris W. <ChrisRann@monmouthshire.gov.uk>
Subject: FW: Magor Frost Fayre (STR027)

Councillor Guppy and Councillor Strong

Licensing has received an application for a block street trading consent. The consent is ready to be issued as no objections have been received against this application. However, before we are able to issue the consent I need clarification if we can waive the fee as requested below. I refer you to item 9 of the Street Trading Policy (attached) which was adopted by this Authority which states:-

- A fee will not be required for fetes, carnivals and similar charitable and non-commercial events in certain exceptional circumstances, and at the approval of the Licensing and Regulatory Committee. In such circumstances, each application will be treated on its own merit.

Unfortunately, we are unable to defer this to the full Licensing and Regulatory Committee as the next Committee is to be held on 11th May 2016 and they wish to have the consent to be able to operate on the 2nd May 2016.

David Jones is aware of this application and I have discussed the matter with him and he has instructed me to contact yourselves as Chair and Vice-Chair of the Licensing and Regulatory Committee to request a decision on whether you agree to waive the fee for this event. The applicant has stated it is a non-commercial event and proceeds are for local charities and charitable causes.

Should you agree to a waiver on this occasion. I will present a report at the next Licensing and Regulatory Committee on the 11th May regarding the waiver of fee for the event of 2nd May but will also request that the fee is waived for this organisation for future events, thus relieving Licensing from submitting a report to Committee on every occasion Magor Benefice Churchmen submit an application. We have asked for clarification with the applicant on how many events the Churchmen hold at Magor Square each year and I will clarify this within the report. They are required to apply for a block street trading consent with Licensing on each event they organise of this nature and Licensing will monitor if there are any change in circumstances with the applicant. Should such changes occur the matter will then be deferred back to the Licensing and Regulatory Committee for a decision whether to continue to allow a waiver of fee. Licensing are aware this organisation tend to operate a Christmas Fayre in December.

I await your decision for the 2nd May event.

Regards

Linda O'Gorman

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