

NORTH LINCOLNSHIRE COUNCIL

**LEADER OF THE COUNCIL -
REGENERATION, MARKETING & STRATEGIC FINANCE
CABINET MEMBER**

MARKETS POLICY

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To approve the process of establishing a policy to regulate the provision of markets across North Lincolnshire.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Council currently operates a number of markets in Scunthorpe, Ashby, Brigg and Barton.
- 2.2 In recent years there has been a significant increase in the number of privately run markets across the area. A market is defined as more than five stalls selling goods and includes car boot sales. Some are held to raise money for charity but many are commercial enterprises.
- 2.3 Markets can play a valuable role in the local economy, but there is currently no requirement for a private market operator to risk-assess their market, hold adequate insurance or arrange safe and suitable access. There is a clear need to have in place controls to ensure that all markets are run in a safe and responsible manner and not cause disturbance or annoyance to residents and nearby businesses.
- 2.4 In 2010 a policy was drafted to allow the Council to grant a 'Market Consent' to a person, body or organisation to operate a market. An annual charge is proposed for this Market Consent, depending upon the number of stalls and frequency. If markets are held principally to raise funds for charity, this fee will be waived.
- 2.5 The first draft of the policy was sent out for consultation in 2010 and was subsequently amended to take into account the comments received. It is now proposed to enter a further 13-week consultation period with a view to the policy coming into force in July 2011.

- 2.6 It is intended that the development of the policy will follow the timetable set out in Appendix 1.
- 2.7 Before the policy comes into force, staff will contact the organisers of all known and proposed events and offer advice on how it might affect them.
- 2.8 Street trading activities that do not fall under definition of a market or fair are still covered under the council's Licensing Policy - Street Trading and Collections.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are two options available for the Cabinet Member to consider, as follows.
- **Option 1:** Do nothing.
 - **Option 2:** Approve the policy development

4. ANALYSIS OF OPTIONS

- 4.1 **Option 1:** Do nothing.

Advantages

- There is no cost to the council
- New markets will continue to grow across the area

Disadvantages:

- There is no guarantee as to the quality of new markets
- There is no control over the location of the markets
- Shoppers are at risk from poor Health and Safety awareness
- Businesses in established retail centres are at risk as shoppers move away from town centres
- Traffic congestion around markets will swell, increasing the risk of road traffic accidents

- 4.2 **Option 2:** Approve the policy development

Advantages

- New markets will continue to grow across the area, in suitable locations and run to improved standards
- North Lincolnshire's reputation as a market destination is upheld
- The Market Consent holder can be held responsible for the market, increasing accountability and protecting the consumer

Disadvantages:

- Formalising the process may be seen as bureaucratic
- The council will incur some costs enforcing non-compliance

4.3 Option 2 is therefore suggested as the best option.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

The council will incur some costs enforcing non-compliance, this will however be offset by the income from fees.

5.2 Staffing

There may be changes to job descriptions as a result of enforcing non-compliance.

5.3 There are no property or IT related implications.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 The policy aims to reduce the environmental impact of markets by encouraging accessibility by public transport.

7. OUTCOMES OF CONSULTATION

7.1 The draft policy was amended to take account of comments received via the first period of consultation. The second period of consultation will run from 25 February for a period of 13 weeks.

8. RECOMMENDATIONS

8.1 The Cabinet member approves the timescales outlined in this report.

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Background Papers used in the preparation of this report: None

Appendix 1

Timescales for Markets Policy

Date	Action
22 February	Report to the Cabinet Member for Regeneration, Markets & Finance outlining the proposed policy and timescales
25 February	Consultation period starts, letters to be sent out to consultees
Early April	Consultation Meeting
Early May	Consultation Meeting
27 May	Consultation period ends
June	Report to Cabinet Member for Regeneration, Markets & Finance
June	Report to Full Council
July	Policy implemented