

Northleach with Eastington Town Council

Market Licensing Policy

1. Introduction

- 1.1. Northleach with Eastington Town Council ("the Council) by virtue of its statutory powers, enjoys Market Rights within its jurisdiction, as established under the Food Act 1984 and affirmed by the Council on 20 March 2024.
- 1.2. The council's market rights extend 6 2/3 miles from the Parish of Northleach with Eastington; however, it is the policy of the council to only exercise this policy within the town centre i.e. the Market Place and The Green. The council does however reserve the right to exercise its rights anywhere in the parish and within its legal limit should the establishment of a new market outside the parish compete with markets within the parish.
- 1.3. Markets also operate under a Royal Charter which was first granted during the reign of Henry II, granting permission for a weekly market on Wednesdays.
- 1.4. A market is defined as a "concourse of buyers and sellers" comprising five or more stalls, stands, vehicles, or pitches.
- 1.5. This policy applies to all markets, including but not limited to car boot sales, craft fairs, farmers' markets, and general markets, whether held indoors or outdoors.

2. Market Categories

- 2.1. **Commercial Markets:** Operated for profit, where traders sell goods for business purposes.
- 2.2. **Community-based Markets:** Organised by local organisations, or operating on a purely non-profit basis, and aiming to raise funds for specific charities or to celebrate special events.

3. Application Process

- 3.1. Applications for a market licence must be submitted to the Town Clerk using the prescribed form, accompanied by a site plan detailing the market's extent and proposed stall layout.
- 3.2. Applications should be submitted well in advance to allow adequate time for consideration. The Council will endeavour to determine applications within eight (8) weeks of receipt.
- 3.3. The Town Clerk has delegated authority to consider and grant licences for:
 - (a) Community-based markets.
 - (b) Commercial markets comprising fewer than 15 stalls.
- 3.4. Applications not meeting these criteria will be referred to the Property & Premises Management Committee for determination.
- 3.5. All decisions to grant market licences are at the discretion of the Council.

4. Licence Conditions

4.1. Market operators must:

- (a) Obtain all necessary consents and licences, including landowner permissions, traffic orders (if road closures or parking restrictions are required), planning permissions, and any licences required under the Licensing Act 2003.
- (b) Ensure compliance with trading standards, health and safety regulations, and any other relevant legislation.
- (c) Hold public liability insurance with a minimum cover of £5 million and ensure all stallholders have similar coverage.
- (d) Conduct risk assessments, providing copies to the Council upon request.

4.2. Market licences are non-transferable and valid for a maximum of 12 months.

Operators wishing to continue beyond this period must reapply at least one month before the current licence expires.

4.3. The Council reserves the right to revoke a market licence if the operator fails to comply with the terms and conditions set out in this policy.

5. Fees

5.1. Licence fees are determined based on the market type and size. The current fee schedule is given in Appendix A.

5.2. Fees are subject to annual review by the Council.

6. Enforcement

6.1. The Council will monitor compliance with this policy. Unauthorised markets or breaches of licence conditions may result in enforcement action, including legal proceedings to prevent the market from being held and/or claims for damages as appropriate.

6.2. Operators found in contravention of licence conditions risk immediate termination of their licence and may be barred from future applications.

6.3. Any costs incurred by the Council due to enforcement actions will be recovered from the market operator.

7. Appeals

7.1. If an application is refused, the Council will provide the applicant with written reasons for its decision.

7.2. There is no right of appeal against the refusal of a market licence.

8. Date of Commencement.

8.1. This policy was adopted by the council on 19 February 2025.

Appendix A: Fees

Licence fees are determined based on the market type and size.

Where the market is operated on a non-profit basis for the benefit of a charity or as a community event, then the licence will be free of charge.

The base licence fee includes up to 15 stalls per event day. Additional stalls are subject to the per stall fee as outlined above.

Fees are subject to annual review by the Council.

The current fee structure is as follows:

Commercial Markets

- **Base Licence Fee:**
 - Single Market Event: £35.00
 - Up to 12 Market Events: £30.00 per event
 - More than 12 Market Events: £25.00 per event
- **Per Stall Fee (for stalls exceeding 15):**
 - Single Market Event: £2.00 per stall
 - Up to 12 Market Events: £1.50 per stall
 - More than 12 Market Events: £1.00 per stall