

**Bristol City Council
Audit Committee
27 November 2015**

Report of: Service Manager (Facilities Management)

Report Title: Application of the Markets Charter

Ward: City Wide

Officers presenting report: Adrian Randall, Service Manager (Facilities Management)
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RECOMMENDATION

That the Audit Committee note, and comment as appropriate, on the information in this report

SUMMARY

Bristol City Council holds Market Charter Rights making it possible for the council to control market activity in the city and charge a fee in exchange for permission to operate.

A commercial review is being undertaken with consultants to evaluate St Nicholas Market as the main hub for markets in the city and revise the current licence arrangements.

The findings will be used to bring greater consistency to the application and permission process for existing and future markets across the city.

SIGNIFICANT ISSUES IN THE REPORT ARE:

Changes in the demand for markets throughout the city in recent years have created an opportunity for the council to review the application of its Market Charter Rights

A revised approach to applying the Market Charter Rights would improve the quality and distribution of the markets offer in the city and potentially bring additional income to the council to fund a better markets service.

Policy

There is currently no formal policy regarding the Markets Charter but it is managed and protected through an application process.

Consultation:

Internal: Legal Services, Finance and Property Management

External: National Association of Bristol Market Authorities (NABMA), Jones Lang LaSalle (consultant) and Marketplace (independent markets consultant)

1. Background and Context

Bristol City Council holds market charter rights which allow it to control and manage market activity within a common law distance of 6 2/3 miles from its main central market (St Nicholas Market) and this covers both private and public land. The common law distance extends beyond Bristol however it is commonly accepted that local authorities only manage market activity within their own administrative boundary.

This right is exercised through granting permission for other markets to operate under licence conditions and protect the council's run market at St Nicholas from any attempt to set up a rival market or in some way deprive it of the benefit of its market without authority. Bristol City Council has the right to charge a fee in exchange for a licence to operate a market. The fee is currently set at £2 per market stall or an administration charge for smaller markets. The fee does not make a distinction between different types or size of stall or their location, in areas of high or low footfall for example.

2. Markets in Bristol

A summary of main known markets and the current licensing situation is given below:

| Markets licensed under Markets Charter | Markets not licensed under Markets Charter |
|---|--|
| Harbourside Market (£2 per stall per event) | Temple Quay Market (private land) |
| Hengrove Car Boot Sale (50p per car per event plus site fee to Parks Department) | Market at the Moon (private land) |
| German Christmas Market (included within site fee – Cabot Circus/Markets Team split) | Tobacco Factory Market (private land) |
| Bearpit Markets (included within site fee – Highways/Markets Team split) | Whiteladies Road Farmers' Market (mixed) |
| BS4/Totterdown Market (£2 per stall) | Eastgate market (private land) |
| Various other one-off and small-scale markets, car boot sales and fetes (£20 admin fee plus £2 per stall) | East Street Market (public land) |
| | St Philips (Wholesale Fruit Market) (private land) |
| | Brunel Square Market (land leased to ss Great Britain) |

| |
|---|
| Fishponds Farmers' Market (public land) |
| Greenbank Market, Easton (private land) |
| Westbury-on-Trym Market (private land) |

3. Work in Progress

The Markets Team are working with Property Services and consultants (Jones Lang LaSalle) to produce a report focussed on St Nicholas Market as the hub of market activity in the city. This work includes reviewing and revising the current licensing arrangements for the Council's permanent and outdoor market traders. This work will also identify trends, needs and growth sections within the markets industry. This baseline data will be used to develop, monitor, manage and apply a revised licensing process for third party markets across the city taking into account the Market Charter Rights. The report will be available in January 2016.

Other Options Considered

Not applicable.

Risk Assessment

Equalities Impact Assessment

None necessary for this report

Legal and Resource Implications

Legal –
Resources -

Appendices

LOCAL GOVERNMENT ACCESS TO INFORMATION