

Cabinet



Forest Heath
District Council

Title of Report:	Newmarket Market Licence Regulations	
Report No:	CAB/FH/14/011	
Decisions plan reference:	Dec14/12	
Report to and dates:	Cabinet	9 December 2014
	Cabinet	17 February 2015
	Council	27 February 2015
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Lead officer:	Liz Watts Director Tel: 01284 757252 Email: Liz.Watts@westsuffolk.gov.uk	
Purpose of report:	To consider new Draft Market Licence Regulations for Newmarket Market, for consultation with stall holders and agree proposals to improve the Market in Newmarket including plans for a re-launch.	
Recommendation:	It is <u>RECOMMENDED</u> that, Members: (1) Approve the Draft Market Licence Regulations (Appendix A) for consultation with the Newmarket Market traders; and (2) Agree the proposed consultation timetable as set out in paragraph 1.2.3. (3) Agree the proposed three phase approach to improve Newmarket Market. (4) Agree to re-establish the Newmarket Market Liaison Group and appoint a Member to the Group as a Markets Champion.	

<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
<p><i>The decision made as a result of this report will be published within 48 hours and cannot be actioned until seven working days have elapsed. This item is included on the Decisions Plan.</i></p>	
<p>Consultation:</p>	<ul style="list-style-type: none"> • If approved by this meeting the Newmarket Traders will be consulted on the Draft Market Licence Regulations.
<p>Alternative option(s):</p>	<ul style="list-style-type: none"> • Retain existing Licence Regulations.
<p>Implications:</p>	
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • The consultation on the proposed new Market Licence Regulations does not have financial implications, however, there will be a cost to the overall Promotional Campaign for the re-launch of the Market. Details of the cost options will be included in the report to Cabinet on 17 February 2015.
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><i>Are there any legal and/or policy implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • The Council is required to give notice to traders of proposed changes to the market licence regulations; best practice would suggest a consultation with the market traders over a 4 week period. • Following consultation, the responses will need to be considered by Cabinet, the Market Licence Regulations finalised, and subsequently approved by Council.
<p><i>Are there any equality implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • This proposal represents a technical variation rather than a change to a service. However steps will be undertaken to ensure that all market traders have an opportunity to engage in the consultation having regard to the equalities characteristics.

Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
The regulations may be resisted by some market traders	Medium	The regulations are tried and tested in other markets in West Suffolk and if they are carefully introduced (as they have been elsewhere) should improve the market	Low
Ward(s) affected:		All	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Appendix A – Draft Market Licence Regulations	

1. Key issues and reasons for recommendation(s)

1.1 Background

- 1.1.1 The markets operated in Forest Heath provide an essential community facility to residents and visitors and are intended to offer affordable business opportunities for traders. They are an important part of our local communities and ensuring that they continue to thrive and develop, is linked to the Council's economic development and growth priority. The Council intends to ensure that visitors receive an excellent standard of customer service, enjoy a positive experience and want to visit again.
- 1.1.2 The revitalisation of the market is also an Action within the Newmarket Vision Town Centre Delivery Plan. Action 3.8 includes a commitment to "*revitalise the market by rethinking its offer, improving its management, enhancing its visual appeal...*".
- 1.1.3 With these goals in mind, we have developed new regulations, set out as Appendix A, which must be adhered to by a trader granted a licence to trade in the Council's markets. These regulations define the Council's rights as the market operator, and the standards and obligations the Council is placing on the market trader.
- 1.1.4 These regulations are intended to be fair and reasonable whilst providing the flexibility of the Council's market operation to meet the potential future needs of the market's customers. These regulations also set out penalties for breach and include a fair and clearly defined process to appeal certain decisions taken by the Council's Markets Management Team.

1.2 Improving Newmarket Market

- 1.2.1 The Forest Heath District Council Market Regulations were last reviewed and approved by the Community Services Committee 8 November 2005. The Markets Team now operate across West Suffolk and it would seem appropriate to align Markets Regulations, where possible, to make it easier and clearer for traders operating across West Suffolk. The new regulations included as Appendix A have been drafted having regard to this objective.
- 1.2.2 The Newmarket market has been in decline for some time and Officers have been working with the existing and potential new traders to look to improve the offer at the market. The recent budget consultation focus groups included discussions about markets in the district. The general consensus from the focus group attendees was that the Newmarket market "had decreased in size" but that there was value in some low key investment to improve the market offer as they felt that local people would want to use the market. It is proposed that the need for a new set of Market Regulations provides an ideal opportunity to review the market arrangement as a whole.
- 1.2.3 It is suggested that the introduction of new regulations is the first in a three phase programme to improve Newmarket market and look to re-launch a new and improved market offer.

Phase one: Consultation on and adoption of new draft Regulations

- Following consideration of the Draft Market Licence Regulations in Appendix A, it is proposed that traders will be advised in writing of the proposed changes and invited to take part in a consultation from 15 December 2014 to 23 January 2015, this is longer than 4 weeks to reflect the fact it encompasses the Christmas period.
- Traders will be invited to put forward representatives to a Newmarket Market Liaison Group, who will look to co-ordinate responses to the consultation on the proposed new Regulations. The Liaison Group will also be used as a sounding board for the future development and improvement to the market as outlined in phases two and three.

Phase two – adoption, implementation and re-vamp

- The results of the consultation and the agreed new Regulations will be reported to Cabinet on 17 February 2015, before being recommended to Council on 27 February 2015 for approval.
- Following approval at Council, the new Regulations will be provided to all traders with an operational date for the new market of 1 March 2015.
- The report to Cabinet will also include a plan for re-launch of the market, including a promotional campaign with offers for traders and residents. This will form the basis of the phase three re-launch.

Phase three – Re-launch “Love Your Market” fortnight 18-31 May 2015

- Officers are aware that February/March can be a quiet time of the year for markets and therefore a re-launch of the market in March may have a limited impact. It is therefore proposed that the official re-launch of the market (including implementation of the various elements of the promotional campaign) will take place from 18-31 May 2015, also taking advantage of the national “Love Your Market” campaign.

2. Newmarket Market Liaison Group

- 2.1 It is proposed that in order to achieve maximum support from the traders on the market, the Council should look to reinstate the Newmarket Market Liaison Group to oversee this three phase plan. It is also proposed that the Council appoints a Markets Champion to lead this initiative and be the representative on the Newmarket Market Liaison Group.

3. Other Forest Heath Markets

- 3.1 If this model is successfully implemented in Newmarket, we would look to implement in Brandon and Mildenhall during 2015/16 in a timetable to be agreed with traders as appropriate.