

Cabinet



Forest Heath
District Council

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| Title of Report: | Newmarket Market Licence Regulations - Post Consultation | |
| Report No: | CAB/FH/15/011 | |
| Report to and dates: | Cabinet | 17 February 2015 |
| | Council | 27 February 2015 |
| Portfolio holder: | David Bowman Portfolio Holder for Economic Development and Tourism Tel: 07711 593737 Email: david.bowman@forest-heath.gov.uk | |
| 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: | <p>It is <u>RECOMMENDED</u> that, Members:</p> <p>(1) Approve the Draft Market Licence Regulations (Appendix A) for implementation from 1 March 2015 on Newmarket Market; and</p> <p>(2) Agree the proposed approach to improve Newmarket Market.</p> | |
| <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> | | |

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| Consultation: | <ul style="list-style-type: none"> The Newmarket Traders will be consulted on the Draft Market Licence Regulations via the re-established Newmarket Market Liaison Group. |
| Alternative option(s): | <ul style="list-style-type: none"> Retain existing Licence Regulations. |
| Implications: | |
| <p>Are there any financial implications? If yes, please give details</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. The promotion campaign will be developed and approved in liaison with the Portfolio Holder as it will be from within existing budgets. |
| <p>Are there any staffing implications? If yes, please give details</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> |
| <p>Are there any ICT implications? If yes, please give details</p> | <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> |
| <p>Are there any legal and/or policy implications? If yes, please give details</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>Are there any equality implications? If yes, please give details</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> | |
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| 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 At its meeting in December 2014, the Cabinet considered a revised draft of the Newmarket Market Licence Regulations for consultation with Newmarket Market Traders.
- 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 committed to "revitalise the market by rethinking its offer, improving its management, enhancing its visual appeal...".
- 1.1.3 The new Regulations were developed with these goals in mind. The regulations define the Council's rights as the market operator, and the standards and obligations the Council is placing on each market trader.
- 1.1.4 The 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 It was suggested that the introduction of new regulations was the first in a three phase programme to improve Newmarket market and look to re-launch a new and improved market offer. Details of the plan are set out below:

Phase one - Consultation on and adoption of new draft Regulations

Phase two – adoption, implementation and re-vamp

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

2. Consultation with Traders - Newmarket Market Liaison Group

- 2.1 Following consideration at Cabinet, Newmarket Market Traders have been advised in writing of the proposed changes and were invited to take part in a consultation from 15 December 2014 to 23 January 2015.
- 2.2 Traders put forward representatives to a Newmarket Market Liaison Group, which looked 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.
- 2.3 The group have subsequently met and have held several meetings to discuss the Draft Newmarket Market Licence Regulations. A number of minor amendments were suggested by the Markets Officer and the Market Traders and these have been incorporated in the new Newmarket Market Licence Regulations now attached as Appendix A.

3. Next Steps

- 3.1 Members are invited to approve the attached Newmarket Market Licence Regulations before being recommended on to Council on 27 February 2015 for approval. Following approval by Council the Licence Regulations will be provided to all traders with an operational date of 1 March 2015.
- 3.2 Officers are aware that February/March can be a quiet time of the year for markets and therefore a re-launch of the market will not take place until May, to coincide with the 'Love Your Market' campaign. The re-launch will include promotional activities including special offers to attract new stalls, initiatives to encourage additional visitors to the market such as children's activities etc. These promotional activities will be developed and approved in consultation with the Portfolio Holder as it will be within existing budgets.

3. Other Forest Heath Markets

- 3.1 Once 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.