

 <b>Executive</b>		<b>Agenda Item No.</b>  <b>5</b>
<b>Title</b>	Markets Policy	
<b>For further information about this report please contact</b>	David Butler 01926 456012 david.butler@warwickdc.gov.uk	
<b>Service Area</b>	Development Services	
<b>Wards of the District directly affected</b>	All wards	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>		
<b>Background Papers</b>		

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	Yes
<b>Included within the Forward Plan? (If yes include reference number)</b>	No

Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant Deputy Chief Executive, Head of Service, Finance, Monitoring Officer and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	12/07/12	Chris Elliott
Head of Service	12/07/12	Tracy Darke
CMT	12/07/12	Chris Elliott, Andy Jones, Bill Hunt
Section 151 Officer	12/07/12	Mike Snow
Monitoring officer	12/07/12	Andy Jones
Finance	12/07/12	Jenny Clayton
Portfolio Holder(s)	12/07/12	John Hammon
Consultation Undertaken		
Please insert details of any consultation undertaken with regard to this report. N/A		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		
Further reports as necessary.		

## **1. SUMMARY**

- 1.1 This report proposes a Markets Policy (Appendix 1) to be adopted by Warwick District Council.
- 1.2 If the Council is minded to adopt this policy, it will also be necessary to adopt Section 37 of The Local Government (Miscellaneous Provisions) Act 1982 (Appendix 2)

## **2. RECOMMENDATION**

- 2.1 To agree to the proposed Policy, as set out in Appendix 1.
- 2.2 To agree that the provisions of Section 37 of The Local Government (Miscellaneous Provisions) Act 1986, as detailed in Appendix 2, shall apply to the District of Warwick

## **3. REASONS FOR THE RECOMMENDATION**

- 3.1 Warwick District Council currently has a number of successful Markets in its towns. However, it does not have a Markets Policy to support their ongoing success or to regulate the creation new markets.
- 3.2 The Policy attached in Appendix 1 applies the appropriate legislation to Markets, and clearly indicates what new markets must do in order to comply with this. The creation of a clear application process will ensure that markets take place in a controlled manner, and cements the District Council at the centre of the decision making process.
- 3.3 Markets can be an important area of economic growth, allowing business enterprise by providing a low-risk, low-cost opportunity. A clear Policy framework gives clarity to new and emerging Markets, and makes the process of setting up a Market simpler. This, it must be highlighted, does not mean we will have a proliferation of Markets within the District as permission will need to be granted (and is made enforceable) by the Market Policy.
- 3.4 The adoption of this Policy will also require the adoption of Section 37 of The Local Government (Miscellaneous Provisions) Act 1986, as detailed in Appendix 2. This will require a statutory notice of adoption to be placed in the local press within 14 days of its adoption, and it is proposed that it, and therefore the Markets Policy, will come into effect on 1<sup>st</sup> September, 2012.

## **4. ALTERNATIVE OPTION CONSIDERED**

- 4.1 Should the Council wish, we could continue without a clear Markets Policy. Without this, we may be vulnerable to multiple competing Markets within the District and have no recourse to removing them.
- 4.2 The Council may wish to have a more onerous Markets Policy, in order to discourage or make financial gain from the various Markets that occur currently. However, the collection of such fees may be disproportionately onerous and more importantly, would also discourage an important area of economic activity and growth.

## 5. **BUDGETARY FRAMEWORK**

- 5.1 The adoption of the Policy and of Section 37 of the Local Government (Miscellaneous Provisions) Act 1986 does not have an impact on the current budgetary framework.

## 6. **POLICY FRAMEWORK**

- 6.1 The Markets Policy does not conflict with any existing Policies, or bring forward any changes.

## 7. **BACKGROUND**

- 7.1 Markets have taken place in Warwick District for hundreds of years giving residents access to affordable fresh food and other commodities. The markets provide focal points for communities and make a significant contribution to the vitality and character of the District's town centres. They also support business enterprise by providing a low-cost, low-risk opportunity for new businesses to start up, innovate and grow. The Markets Policy is in response to the requirements to safeguard the future of our established markets and to encourage the sustainable growth of new markets.