

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:-</b>	<b>Cabinet Member for Town Centres</b>
<b>2.</b>	<b>Date:-</b>	<b>24 January 2011</b>
<b>3.</b>	<b>Title:-</b>	<b>Rival Market Application Ward 2 Boston Castle</b>
<b>4.</b>	<b>Directorate:-</b>	<b>Environment &amp; Development Services</b>

### **5. Summary**

To report on an application received from a private market operator requesting permission to hold craft markets in Rotherham Borough.

### **6. Recommendations**

- **The request to hold markets is refused.**
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## **7. Proposals and Details**

An e-mailed application has been received from a private market operator; Candice Foers-Bates, requesting permission to hold craft markets in Rotherham at the following venues in 2011:

Holiday Inn Hotel Whiston, 3<sup>rd</sup> April, 4<sup>th</sup> September, 23<sup>rd</sup> October.  
Mechanics Institute Wentworth 17<sup>th</sup> April, 3<sup>rd</sup> July, 2<sup>nd</sup> October, 6<sup>th</sup> November.

The proposed dates do conflict with other planned markets. The dates for the Mechanics Institute markets are all within a week of the licensed farmers and craft market at Wentworth Garden Centre. The 3 April and 4 September dates at the Holiday Inn are within a week of the town centre craft market and craft market at Rosehill Park. The proposed date of the 23<sup>rd</sup> October at the Holiday Inn does not conflict to the same extent with other markets

RMBC currently have plans for the following Craft type markets in 2011:

1. A Farmers & Craft market in the Town Centre on the last Wednesday of each month.
2. A licensed Farmers & Craft market at Wentworth Garden Centre on the second Sunday of each month.
3. Craft markets in Rosehill Park on Easter Sunday 24<sup>th</sup> April, Spring Bank Holiday Monday 30<sup>th</sup> May, August Bank Holiday Monday 29<sup>th</sup> August and Party in the Park 30<sup>th</sup> & 31<sup>st</sup> July.
4. A two day Garden Lovers Fayre in May.
5. Town centre craft markets 10<sup>th</sup> September & 3<sup>rd</sup> December.
6. A Christmas Craft market at Clifton Park 12<sup>th</sup> December.

There is a Council policy which allows organisations to request permission to hold up to three markets per year for charitable or fund raising purposes, a number of these are also craft type events. It is our opinion that Ms Foers-Bates is running a private commercial market rather than a charitable or fund raising operation.

RMBC also license Wales Parish Council to hold a market and car boot sale on Tuesday, Friday and Sunday each week.

## **8. Finance**

If allowed the proposed craft markets would attract a license fee of twenty five pounds per market.

## **9. Risks and Uncertainties**

RMBC hold Market Franchise Rights which have been used previously to restrain by means of injunction; rival market operations which may have damaged its own markets.

There is a risk that in relaxing the enforcement of these rights and increasing the number and frequency of rival craft type markets in the Borough it may make it difficult to attract traders to our own markets/events and adversely affect visitor numbers.

There is a further risk that other private operators may seek to create markets in the area.

In the granting of licences to Wales Parish Council and the private operator at Wentworth Garden Centre, there may be a contractual or implied obligation on the Authority to use its best endeavours to prevent the establishment of rival markets within its area.

## **10. Policy and Performance Agenda Implications**

The markets division supports regeneration priorities by providing a sustainable environment for small business and business start up.

## **11. Background Papers and Consultation**

Consultation has taken place with RMBC Legal Services.

A letter of objection to the holding of Craft markets in Wentworth has previously been received from the licensed operator of the Garden Centre farmers and craft market.

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