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**ALFRETON TOWN COUNCIL**

Rodgers Lane, Alfreton, Derbyshire DE55 7FF. Telephone 01773 520032

**#**

**MINUTES OF THE REGENERATION COMMITTEE HELD ON 23rd MAY 2023 AT 1PM IN THE TEAROOMS, ALFRETON HOUSE**

Chair of Committee: Councillor D Taylor

Councillors: Hannah Jowett-Frost, Mary Kerry, Chloe Morcombe

01/23r To receive apologies for absence

Apologies were received from Cllr M Memmott-Richardson (personal)

02/23r To receive any declarations of interest from Members

There were none

03/23r Public Participation

Cllr M Bennett attended the meeting

04/23r To consider any items which should be taken in exclusion of

the press and public

There were none

05/23r To read and consider the minutes of the last meeting

The minutes were read

06/23r To Approve the minutes of the last meeting as a correct record

The minutes were approved as a correct record

07/23r An update on progress so far

* Arts Trail

Meeting held in April by Tony Fisher. Well attended.

* Business Forum

No update

* Interpretation Boards

Miner Wheel launch 18/06/23

Schools – obtain history to make further boards

Additional boards/ideas

Lady Palmer Moorwood

Robert Watchorn

Benjamin Outram

Lewis Carroll

Solar Farm/Walks

0 miles marker

Heritage Centre to be invited to provide information

Plan of locations of existing and planned to be prepared

**RESOLVED**

To purchase a hard drive for images from Heritage Centre

* Memorial Bench

Installed. Positive feedback received.

Unveiliing planned for 08/07 at the Big Summer Event

**RESOLVED**

That RSM invoice for installation of £120.00 is approved

* Litter Pick

Plan for 24/06/23, 29/07/23, 28/09/23

**RESOLVED**

Social media post to invite suggested locations.

* Phone Box

Next cover Alfreton Big Summer Event. Also, Christmas Event.

**RESOLVED**

Invite Enchanted Rose to do a floral display

* Decx – flags and displays

Umbrella display received very well

Flags across town need to be bigger

08/23r To consider the steering group for Youth Services

**RESOLVED**

Invite representative to a meeting on Wednesday 7th June at

7pm

09/23r To consider the use and layout of Alfreton House

**RESOLVED**

To explore options for Alfreton House

10/23r To approve a Market Policy for ATC

**RESOLVED**

The draft policy was approved under the Markets Charter and Part III of the Food Act 1984.

Attached as Appendix 1

A full policy will be introduced when the markets are

Established. Attached as Appendix 2

11/23r To approve payments from the Regeneration Budget 22/23

and 23/24 so far

**RESOLVED**

1. Kaydor £300.00 (22/23)
2. Cubit £202.50 (22/23)
3. Decx £5,000.00 (22/23)
4. Alfreton in Bloom budget £200.00

12/23r To review the budget 23/24 (following page)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Accrued | Spend | Balance of accurals 22/23 | Budget 23/24 | Project | Spend | Remaining |
| 22/23 | 22/23 |  | 23/24 | 23/24 |
|  |  |  | £1,000.00 | Membership and advice for market rights | 384 | £616.00 |
|  |  |  | £10,000.00 | Town Brand/Festoons | 6265 | £3,735.00 |
| £1,437.60 | £1,437.60 | £0.00 | £2,000.00 | Hanging Baskets |  | £2,000.00 |
| £200.00 | £0.00 | £200.00 |  | Business Forum |  | £0.00 |
| £2,300.00 | £947.60 | £1,352.40 |  | Artist Trail | 64.46 | -£64.46 |
| £200.00 | £0.00 | £200.00 |  | Phone Box (Arts Trail) |  | £0.00 |
| £544.00 | £0.00 | £544.00 | £1,000.00 | Interpretation Boards | 360 | £640.00 |
| £1,000.00 | £120.00 | £880.00 |  | Memorial Bench |  | £0.00 |
|  |  |  | £200.00 | Alfreton in Bloom |  | £200.00 |
| £5,681.60 | £2,505.20 | **£3,176.40** | **£14,000.00** | **TOTAL** | 7073.46 | **£6,926.54** |
|  |  |  | **Budget** | **£15,000.00** |  | £15,000.00 |
|  |  |  | Underspend from 2022/23 | **£2,001.50** |  | £2,001.50 |
|  |  |  |  |  | -£7,073.46 |
|  |  |  | **Total** | **£17,001.50** | 7073.46 | **£9,928.04** |



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**MARKETS POLICY**

|  |  |  |
| --- | --- | --- |
| **Issue**  **Number** | **Date Agreed** | **Details of amendments** |
| 1 | 23/05/23 | **Adopted by Regeneration Committee** |
|  | 20/06/23 | **Received and noted by Full Council** |

**Introduction**

Alfreton Town Council recognises the importance of markets in the local economy and the character of the area. They remain important to the Council and contribute in a number of ways to the local communities they serve.

The Council’s markets are described in more detail in this policy and they represent an important partnership between Alfreton Town Council and Amber Valley Borough Council in delivering economic regeneration and town centre vitality. The aim is that in partnership with Amber Valley Borough Council, Alfreton Town Council organise alternative and complimentary markets within the town of Alfreton.

The Councils have powers to establish and operate markets under the Markets Charter and Part III of the Food Act 1984.

The Council recognises the important role of a wide range of community events which include on occasions, a market element.

Where appropriate Alfreton Town Council will work with other authorities and communities who have or have had a market charter to become market authorities in their own right, to regenerate the Town.

**Scope**

A statement of the proposal you seek to implement detailing the day, the anticipated scale and management arrangements.

Under their market powers the council is entitled to give approval to the holding of other markets within 6 2/3 miles of the location of the Council’s own markets. The Councils are aware of the existence of a number of other markets falling within the 6 2/3 mile radius but this policy is only intended to apply to new commercial markets which might be established in the future within the 6 2/3 mile radius of the markets held in Alfreton.

The Councils are keen to maintain the balance of markets throughout its town and also ensure that there is consistency in the way that markets are organised. In this context the Town Council has decided to implement a markets policy which sets out the basis upon which markets are held.

**Powers**

The Councils have powers to establish and operate markets under the Markets Charter and Part III of the Food Act 1984.

The Markets will be held between 9am – 3pm on days to be determined by the Town Council. They can be held from Sunday to Saturday.

The Trading Conditions and Stall Holders Guide form must be completed and signed.

The charge per stall will be £30.00[[1]](#footnote-1).

The Council’s markets policy is intended to cover all market events held by Alfreton Town Council.



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The Council’s markets are described in more detail in this policy and they represent an important partnership between Alfreton Town Council and Amber Valley Borough Council in delivering economic regeneration and town centre vitality. The aim is that in partnership with Amber Valley Borough Council, Alfreton Town Council organise alternative and complimentary markets within the town of Alfreton.

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Where appropriate Alfreton Town Council will work with other authorities and communities who have or have had a market charter to become market authorities in their own right , to regenerate the Town.

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A statement of the proposal you seek to implement detailing the day, the anticipated scale and management arrangements.

Under their market powers the council is entitled to give approval to the holding of other markets within 6 2/3 miles of the location of the Council’s own markets. The Councils are aware of the existence of a number of other markets falling within the 6 2/3 mile radius but this policy is only intended to apply to new commercial markets which might be established in the future within the 6 2/3 mile radius of the markets held in Alfreton.

The Councils are keen to maintain the balance of markets throughout its town and also ensure that there is consistency in the way that markets are organised. In this context the Town Council has decided to implement a markets policy which sets out the basis upon which markets are held and the process by which applications for new markets will be considered. The Town Council recognises that there are many different types of market activities and the policy adopted by the Council is intended to cater for each type of market. In particular, the Council’s policy distinguishes between commercial markets and those that are largely community-based with a strong charitable element.

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The Markets will be held between 9am – 3pm on days to be determined by the Town Council. They can be held from Sunday to Saturday.

The Trading Conditions and Stall Holders Guide form must be completed and signed.

The charge per stall will be £30.00[[2]](#footnote-2).

The Council’s markets policy is intended to cover all market events held by Alfreton Town Council.

**What is a Market Event**

The Council’s markets policy is intended to cover all market events held on their land and where permission is given.

In order that potential market operators are fully aware of the Council’s definition of a market the following guidelines are provided:

• The legal definition of a market if a ‘concourse of buyers and sellers’ (this means that the public are entitled to attend market events to buy and sell);

• A market will comprise not less than five stalls, stands, vehicles, whether moveable or not or pitches from which articles are sold;

• There will be an operator of the market who will be responsible for the organisation and delivery of the event;

• The term ‘market event’ includes car boot sales, antiques and craft markets, general markets, farmers’ markets and charity markets; and,

• A market may sometimes be held as an integral part of a special event/festival and where this arises the market element will fall within the Council’s markets policy.

The Council’s markets policy differentiates between markets of a commercial nature and community-based markets which have a strong charitable element. This markets policy does not cover street trading activities. Where this is the case the appropriate Council’s licensing section should be consulted.

**Licensing/Agreement of Markets under the Council’s Markets Policy**

The Council’s consent to a market event must be given before the market takes place. Markets will only be licensed once an application for a markets licence has been successfully pursued and the Trading Conditions and Stall Holders Guide.

Any market that takes place on Town Council land without such an agreement is in breach of the Council’s markets policy and will be subject to enforcement action as described.

The Council will consider applications in respect of the following categories of market events:

• Commercial markets

• Community-based markets with a strong charitable element.

**Commercial Markets**

A commercial market is one which is operated for profit and where the traders are engaged in a business activity of selling goods for their own purposes.

The Council will consider applications in respect of commercial markets having regard to the following requirements:

• No new market will be authorised within 6 and 2/3 mile radius of Stratford-upon-Avon markets, unless it can be demonstrated that the new market will not undermine the existing market and not prejudice the overall market offer;

• In respect of any consent the operator must have adequate insurances, comply with trading standards guidelines, health and safety requirements and any other statutory provision laid down by the Council;

• A fee will be paid in respect of any consent given by the Council and the fee will be based on the size of the market and the frequency of the market.

• The goods to be sold on the market will be approved by the Council;

• A Trading Conditions and Stall Holders Guide agreement will be entered into between the operator and the Council and such agreement must be concluded before the market takes place;

• The Council will insist on such other requirements as are deemed appropriate to ensure consumer and public safety standards.

**Community-Based Markets** **with a Strong Charitable Element** Community-based markets are organised by local communities or organisations with the intention of raising funds for a specific charity or celebrating a special event.

The Council will consider applications in respect of community-based markets having regard to the following requirements:

• The markets must be operated on a non-profit making basis to assist a charity or community event and the operator shall supply relevant information to the Council if requested.

While it is acknowledged that some traders will be selling goods for their own purposes, the Council will look for the event to have a strong charitable element in the way the event is organised;

• In respect of any consent the operator must have adequate insurances, comply with trading standards guidelines, health and safety requirements and any other statutory provisions laid down by the Council;

• A Trading Conditions and Stall Holders Guide agreement will be entered into between the operator and the Council and such agreement must be concluded before the market takes place; and,

• The Council will insist on such other requirements as are deemed appropriate to ensure consumer and public safety standards.

**Section 37 of the Local Government (Miscellaneous Provisions)Act 1982**

The Council at its xx xx xx approved the adoption of Section 37 of the Local Government (Miscellaneous Provisions) Act 1982.

This Section deals with temporary markets and any operator of a temporary market, together with the occupier of land on which the market is to be held, are required to give to the Council not less than one month’s notice of the holding of the market.

No notice is required if the proceeds of sale of the temporary market are to be applied solely or principally for charitable, social, sporting or political purposes. The Council reserves the right, in appropriate circumstances, to require evidence in respect of such matters.

Any notice given by the operator and the occupier of the land shall state: • The full name and address of the person intending to hold the market;

• The day or days on which it is proposed that the market will be held and its proposed opening and closing times;

• The site on which it is proposed that the market will be held; and,

• The full name and address of the occupier of the land if he is not the person intending to hold the market.

It is important to emphasise that the requirements of Section 37 are quite separate to the licensing of event under the Council’s Markets Policy set out above.

The operator and the occupier of the land should ensure that a notice is given to the Council under the requirements of Section 37 as soon as proposals for a temporary market are under consideration.

This will enable the Council to give preliminary consideration to a proposal and indicate its likely view on a subsequent application for a markets licence. Failure to give a notice under Section 37 is a criminal offence and liable to a summary conviction in the Magistrates’ Court.

**Other Approvals**

It is important to emphasise that any approval given by the Council in respect of its market policy does not remove the requirement for other relevant approvals to be obtained. In particular the operator of a market should ensure that where the market is being held on private land, the approval of the landowner is obtained.

The Council may wish to receive evidence of such approval. Planning permission might also be required and any market operator should consult with the Council’s Planning Department to ascertain whether any planning considerations are relevant.

Attention is also drawn to the provisions of the Licensing Act 2003 in respect of any entertainment provided at the market or where a Temporary Events Notice might be required of the sale of hot food or alcohol.

**Enforcement**

The Council will monitor the application of its markets policy and any market event which is established after the date of the implementation of this markets policy will be subject to the Council’s requirements. Any market which is not approved by the Council under this its market policy will be subject to legal action and the Council will seek an appropriate remedy in the courts to prevent the market being held and/or damages as appropriate.

In addition, any market operator acting in contravention of any market licence granted by the Council will run the risk of the licence being terminated by the Council on such terms as the Council determines and, in such circumstances, the Council reserves the right to refuse any future applications for market licences submitted by the operator concerned or any person or organisation associated with the operator.

1. This will be reviewed annually and may change without notice [↑](#footnote-ref-1)
2. This will be reviewed annually and may change without notice [↑](#footnote-ref-2)