

WYRE FOREST DISTRICT COUNCIL

CABINET
21ST JULY 2009

Proposed Bewdley Town Market

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME	A better environment for today and tomorrow
CORPORATE PLAN AIM:	A Vibrant Local Economy
CABINET MEMBER:	Councillor Mrs Tracey Onslow
DIRECTOR	Director of Planning and Regulatory Services
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APPENDICES	Appendix 1 – Location Map Appendix 2 – Consultation Responses Appendix 3 – Draft Conditions

1. PURPOSE OF REPORT

- 1.1 To give authority to Bewdley Development Trust to grant permission to hold a weekly market on the Quayside, Bewdley (*Appendix 1*) for a period of 12 months.

2. RECOMMENDATION

The Cabinet is asked to DECIDE that:

- 2.1 **Bewdley Development Trust be authorised to grant permission (subject to conditions) to persons to hold a market on a weekly basis (Saturday) not exceeding 5 stalls for a period of 12 months from the date of grant on the land shown in *Appendix 1*.**

3. BACKGROUND

- 3.1 Wyre Forest District Council has ancient charter rights to hold markets and fairs in Kidderminster and Bewdley and statutory rights to hold markets and fairs anywhere in the Wyre Forest District.
- 3.2 The Charter Rights and operation of markets within the district are such that the Council has market authority and can claim protection from rival markets and fairs set up anywhere within a distance of six and two third miles from the Kidderminster or Bewdley Town boundaries.
- 3.3 Any person therefore who holds a market within this area needs to have the permission of the Council or its nominated agent.

- 3.4 A market has been held in Bewdley for some years on land off Dog Lane but the current operator has stated that this position has now become untenable and has expressed an interest in relocating to the Quayside area in Severnside South.
- 3.5 Temporary markets have been held on an ad hoc basis in this location for some time without causing any discernable problems. It is felt that a well run attractive market would add to the vibrancy and commercial success of the area attracting visitors and local people alike.
- 3.6 Bewdley Development Trust has expressed an interest in overseeing the running of the market and, as the Trust is more locally accountable to the local population and businesses and has been involved with previous markets on the site it is felt that the appropriate way to proceed would be to grant the Development Trust the right to award the market rights to its preferred operator for a period not exceeding 12 months. Any such granting would be subject to conditions relating to issues such as what can be sold, appearance of stalls etc. and the Council would reserve the right to terminate this right at anytime within the 12 month period.

4. KEY ISSUES

- 4.1 Local people and business have been consulted on the siting of a market on the Quayside as indicated in *Appendix 1* The Council has received responses as detailed at *Appendix 2*. As can be seen, there is overwhelming support for the market and, as far as possible, any concerns have been addressed through the conditions.
- 4.2 The Bewdley Town Council has been involved in the development of this proposal and is fully supportive of the proposal.
- 4.3 The delegation or agreement to the Bewdley Development Trust can be terminated at anytime with notice and will be reviewed at the end of the 12 month period.
- 4.4 Draft conditions as to the operation of the Market are attached at *Appendix 3*.

5. FINANCIAL IMPLICATIONS

- 5.1 As Bewdley Development Trust will be taking on the responsibility for the day to day management of the market it is not the Council's intention to charge for the delegation of authority but the Development Trust may wish to charge the Operator a fee for using the site.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The Council has the right under the Markets Charter to delegate to the Bewdley Development Trust the right to hold a weekly market.
- 6.2 The holding of the market will be subject to conditions which will be part of the delegation to the Bewdley Development Trust.

7. **RISK MANAGEMENT**

7.1 There are no risk management issues arising from this report.

8. **CONCLUSION**

8.1 Allowing the Bewdley Development Trust to hold a weekly market will add a vibrancy and support commercial success of Bewdley as a market town.

9. **CONSULTEES**

9.1 Local residents, businesses, Bewdley Town Council, local Councillors and County Councillor.

10. **BACKGROUND PAPERS**

10.1 None