

## Northstowe Town Council

*Report by: Market Development Working Group (Events & Markets Committee)*

**Date: 1st December 2022**

Report for: Finance & Governance Committee – deferred to Full Council

**Meeting date: 20<sup>th</sup> December 2022**

**Report for agenda item: 198/22-23 Declaration of market powers**

- 1) To receive a report on market rights and market powers (below)
- 2) To approve the proposed declaration of market powers.

### **Background information**

1) As advised by the National Association of British Market Authorities (NABMA), and outlined by a SLCC legal note Northstowe Town Council needs to pass a resolution to establish itself as a market authority.

2) The Council is entitled to avail itself of the provisions of Part III of the Food Act 1984 to operate its market activities. Part III covers a miscellany of market powers including the establishment of a Market, fixing the charges, days and hours and providing for Byelaws to manage the Market. It is the modern statutory framework for operating local authority Markets. All that is required to utilise Part III is a Council resolution. There is no consultation or prescribed procedure to follow. It simply a case of making a statement regarding the use of Part III.

3) NABMA has a standard report template for this purpose (accessed via the documents library in the members section of the NABMA website), which has been used as basis for drawing up the draft declaration of market powers by the market development working group.

4) Terms of Reference of the Events and Markets committee state that the Committee has the power *“to develop a policy for the operations of the local market(s) (for example: time, frequency and location of market) and review as needed to accommodate changing needs. The Committee is also to agree fees relating to events and markets, including, but not limited to pitch/stall fees”*.

5) Terms of Reference for Finance and Governance Committee state that the Committee is *“responsible for council’s market rights and investment properties and other premises owned or leased to the council (save for council properties reserved to other committees according to their responsibilities).”*

6) The Events and Markets Committee, on its meeting of 29<sup>th</sup> November approved unanimously to recommend the Finance & Governance Committee to approve the proposed declaration of market powers (see minutes – not yet available at the time of writing)

### **Issue for consideration**

To approve the proposed declaration of market powers (see below) drafted in line with NABMA and legal notes, in order to formally establish a market in Northstowe.

# DECLARATION OF MARKET POWERS – Food Act 1984 part III NORTHSTOWE TOWN COUNCIL

ADOPTED DECEMBER 2022

## Introduction

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Food Act 1984 Part III enables the Town Council to determine what market days it wants to use. There is no procedure required to make use of Part III, it is simply a case of declaring this is the legal power that you are using. This will cover any day of the week for the Charter Market.

Part III is the modern statutory framework for markets and can be used by a Parish Council. The Charter can be used as an historical background, but using Part III allows specific powers to deal with the management of the market.

## The history of markets in Northstowe and current offer

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Northstowe is an NHS Healthy New Town in the making. Sustainable new development, where modern amenities are planned for future development to bring around a strong sense of community and have health and wellbeing at the centre of its planning and design. Situated five miles (8 km) northwest of the city of Cambridge, between the villages of Oakington and Longstanton, Northstowe has been planned to have up to 10,000 homes, with an anticipated population of more than 24,000. The development of the site has been divided into phases: phase 1, with 1,500 houses, reaching completion, phase 2 of 3,500 houses, and phase 3 of 5,000.

The first families moved into Northstowe in May 2017 and the community continues to develop and grow, with Northstowe now being the home to over 1,200 households being occupied and estimated 3,000 residents.

With a significant delay of local town centre for phase 1, there is currently no retail provision for Northstowe residents within the development, and residents make the journey to nearby villages of Longstanton, Willingham or Bar Hill to purchase daily essentials.

A Market Survey was carried out in February- March 2022. The survey was well publicised in Northstowe and received 555 responses. 96% of the responses were in favour a regular market. Preference was shown for at least a weekly market on a weekend day providing daily basics, local

and sustainable product. There was no strong preference on type of venue (indoors vs outdoors). Full results are published in the Northstowe Town Council website.<sup>1</sup>

Northstowe also operates a weekly 'Northstowe Foodies' which is an organised weekly event that brings together local Cambridgeshire small food truck and pop-up businesses on a regular basis to provide alternative food provision for the residents of Northstowe. This has been running successfully since early 2020 and is a well-supported by residents not only in Northstowe, but also in surrounding villages, including Longstanton, Willingham, Over and Swavesey.

Since December 2020, there is also a monthly event run by community group "Sustainable Northstowe" at the Green, which includes two pop-up stalls of eco-friendly businesses, and a stall with the Community Pantry (surplus food from local supermarket which is distributed to the community for free). The events are also well attended and supported by the local community.

In the neighbouring village of Longstanton, there is a quarterly outdoor village craft and miscellaneous market. This is run by community group and it is not established by the Parish Town Council.

The close by villages of Histon and St Ives have monthly farmers markets with about 20-30 stalls which are very successful. St Ives has also a bi-weekly general retail and food street market (Mondays and Fridays). Whilst some residents in Northstowe may visit those markets on a one-off basis, in general, population in Northstowe do not rely on these markets for their daily goods.

## The approach to markets

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Whilst waiting for development of these essential facilities, Northstowe Town Council is commencing with 'meanwhile' enterprise activity during this transition phase in the form of a weekly local market which will provide daily essentials such as bread, dairy, fruit and vegetables, meat, and fish. Products will be sourced locally, with a strong emphasis on supporting local businesses and serving the whole community.

Northstowe Town Council aims to establish a regular retail outdoor Community Market within Northstowe, situated on where is commonly referred to as 'The Green'.

This will initially be a marketplace which will host around between 9 and 12 market stalls, and provision of at least 1 food truck or stall providing refreshments. It is the intention of the Town Council to ensure that the market offers a variety of essential goods that are sustainable, produce is sourced locally as possible to ensure the market is supporting local business. It is also important for the market to offer affordable products for their residents.

The Council will start such market on a pilot basis from April 2023 and review the need for its continuation or even expansion after a period of 6 months. After this trail it is the hope that the market will then continue to run, and even expand, as be a key feature of the Northstowe Community.

Northstowe Town Council will be responsible for designating 'The Green' as a marketplace, will declare market powers under Food Act 1984, and will adopt a market's policy and will in turn have the powers of licensing the individual traders.

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<sup>1</sup> [https://www.northstowetowncouncil.gov.uk/\\_VirDir/CoreContents/News/Display.aspx?id=51197](https://www.northstowetowncouncil.gov.uk/_VirDir/CoreContents/News/Display.aspx?id=51197)

The Town Council will operate the market.

The role of the market will be to provide a community retail and food offer. The aspirations for the future are to ensure the continued successful operation of the market and expand the range of traders, creating a vibrant market. This includes:

1. Continually seeking to draw in new stall holders.
2. Bring fresh and innovative ideas that will raise the aspirations of the market, delivering increased and sustained footfall.
3. To promote the market within Northstowe and draw new people into the town, especially people from neighbouring villages.
4. Manage the market area set within the square and the designated parking areas ; and to keep the area clean and tidy at all times.
5. To ensure all stall holders are well presented, keep a smart pitch area and hold the appropriate public liability traders insurance and other as required.
6. Ensure health and safety and other statutory standards are met.
7. No trader shall sell any counterfeit goods, illegally copied goods, inferior goods, or unsafe goods.

The Market will start operating on Sundays, opening at 10:30 am until 3.00 pm. Dates, frequency and times may be reviewed where found appropriate after a pilot phase.

Full details of how the market should operate are laid down in the Northstowe Town Council's Market pilot phase Business Plan.

## Declaration of market powers

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Northstowe Town Council hereby declare that, as per Part III of the Food Act 1984, the Town Council has the following powers:

### **i. Section 50 - Establishment and acquisition of markets**

Northstowe Town Council establishes a market at "the Green", with consent of the landowners L&Q Gallagher, and thus is the market authority.

### **ii. Section 52 - Market days and hours**

Northstowe Town Council market will operate on Sundays, 10:30 am until 3:00 pm.

### **iii. Section 53 - Market charges**

Northstowe Town Council will charge pitch fees. Payable charges and terms and conditions will be displayed at the Town Council notice boards and website.

### **iv. Section 60 - Market byelaws**

Northstowe Town Council, will not make bylaws. Terms and Conditions and market regulations will be drawn up instead.