



Subject:	Markets Issues
Date:	14 October 2015
Reporting Officer:	Donal Durkan, Director of Development
Contact Officer:	Clodagh Cassin, Markets Development Manager

Is this report restricted?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

1.0	Purpose of Report
1.1	The purpose of this report is to seek Members' approval to grant a licence for a monthly market in Ballyhackamore and to update Members on the request by Folktown CIC to waive stallage fees for Folktown market.
2.0	Recommendations
2.1	Members are asked to: <ul style="list-style-type: none">– Agree to grant the licence for the monthly market in Ballyhackamore– Note the recent engagement with Folktown CIC with a view to supporting the promotion of the market, as part of a wider commitment to promote all city markets– Adhere to the original decision of the Development Committee from February 2015 which concluded that stallage fees should be payable at Folktown market.

3.0	Key Issues
3.1	<p><u>Request to grant markets' licence to monthly market in Ballyhackamore</u></p>
	<p>Members will be aware that anyone wishing to operate a market or car boot sale within Belfast must apply to Belfast City Council for permission to do so. An application has recently been received from Ballyhackamore Business Association (BBA) to operate a monthly market in the grounds of St Colmcille's Church off the Upper Newtownards Road.</p>
3.2	<p>The Association held their first market on Saturday 22 August 2015. Given that the market had less than 20 traders, the licence application was approved by the Director of Development, in line with the Markets Rights Policy which gives him delegated authority to approve all markets with less than 20 stalls. Following the success of the inaugural event and the follow-up market in September, BBA have advised that they wish to seek a licence for the market which will allow them to attract a greater number of traders – possibly up to 35. This will require approval by the City Growth and Regeneration Committee.</p>
3.3	<p>BBA has already paid the £50 application fee as well as the stallage fees due for each stall at the two previous markets (stallage fees are £6). The Association has already supplied the relevant documentation for this event including public liability insurance, method statement and risk assessments and has engaged with the relevant officers across the Council, including food safety.</p>
3.4	<p><u>Request by Folktown CIC to waive stallage fees at Folktown Market</u></p> <p>At the 17 February 2015 meeting of the Development Committee, a report was presented to provide some clarification around the Markets Rights Policy. The policy, which has been in force since June 2012, sets in place a framework which allows the Council to utilise its historic rights to hold markets and to extend these rights to third party organisations to allow them to operate independent markets.</p>
3.5	<p>The policy sets out the various types of markets, the relevant conditions and the fees applicable to each. Currently, there are two elements to the market licence fee, namely a one-off licence fee and a fee per stall for each market day. The policy had indicated that, in some instances, both the licence fee and the stallage fee would be waived for any market which was run "for solely charitable purposes".</p>

3.6	<p>With the policy in operation for over two years at that point, it had become clear that there was a level of ambiguity around the fees payable and instances in which fees might be waived. Working in conjunction with the Legal Services team, a number of clarifications were provided, and these were endorsed by the Development Committee and ratified at the Council meeting in March 2015.</p>
3.7	<p>The upshot of this was a decision that “registered charities, non-commercial organisations including community-interested companies, social enterprises and organisations where the primary purpose is not for commercial return” should benefit from a discounted licence fee (50% of fee payable) but that full stallage fees should be paid. For information, the stallage fees are £5 or £6 per stall, depending on the number of stalls in the market. This is similar to the approach applied to Ballyhackamore Market.</p>
3.8	<p>The organisers of Folktown Market – Folktown CIC – made a presentation to the March 2015 Development Committee at which they set out their plans for the market. In the course of the presentation, they also asked that the Council would give consideration to waiving the licence fee and stallage fees for Folktown Market for a three year period, in order to help the market establish itself. After some consideration, the Members agreed to refer the request to the City Growth and Regeneration Committee for its consideration.</p>
3.9	<p>A report on this issue was presented to the August 2015 meeting of the City Growth and Regeneration Committee. It proposed that the original Committee decision from February 2015 should be upheld and that the <i>fees should not be waived</i>. In considering the report, Members noted that they were keen to see Folktown Market succeeding as part of the city centre regeneration investment. They asked that officers meet with the organisers of the market to see if there were ways in which the Council could support the market, outside of waiving fees due.</p>
3.10	<p>Folktown Market has been operating since mid-April 2015. The market runs each Thursday and generally attracts between 20 and 30 traders. The organisers were successful in attracting some funding from DSD to purchase equipment and to carry out some marketing and promotional activities. Based on the original Cmmittee approval, the organisers would be liable to pay the Council in the region of £100-£180 per week, depending on the number of stalls in place.</p>

3.11	<p>Following the August meeting of the City Growth and Regeneration Committee, officers from the Markets Unit met with the organisers of Folktown Market. They indicated that they could benefit from additional promotional support. As a result of that meeting, officers have promoted the market through the Council website and social media and have committed to continuing to do so. At present, a standalone web page is being developed to promote all markets across the city and details of Folktown Market will be included as part of that. Officers will also consider how the market can be promoted through all new materials that are being developed to promote the city centre investment activity of the Council.</p>
3.12	<p>Officers have committed to meeting with the organisers of Folktown on a regular basis and the engagement has already helped Folktown identify new potential traders for their market.</p>
3.13	<p>Given the previous confusion around the Markets Rights Policy and the clarification agreed by the Development Committee in February 2015, as well as the growing numbers of markets across the city that are paying fees in line with the policy (including Ballyhackamore), it is recommended that Members adhere to this policy clarification and that, therefore, the request from Folktown CIC to waive the fees for a three year period is not endorsed.</p>
3.14	<p><u>Financial & Resource Implications</u></p> <p>Ballyhackamore: Minimum income of £2000 per annum in application and stall fees. Folktown: Minimum income of £6,000 per annum for stall fees (based on 20 stalls every Thursday)</p>
3.15	<p><u>Equality or Good Relations Implications</u></p> <p>There is no specific equality or good relations implications.</p>
4.0	Appendices – Documents Attached
4.1	None