# Market Operator - Application for a Market Licence

**(Please read this information prior to completing the form below)**

Ashfield District Council (the Council), by virtue of its statutory powers, enjoys market rights throughout the district of Ashfield and is in a position to license market events within the district. The Council has adopted a Markets Policy which sets out the process via which the granting of licences to hold markets within the district will be made and the criteria against which applications will be assessed.

Please make sure that you have read the current Markets Policy and fully understand the Council's requirements in relation to markets before you submit an application.

A market is defined as a concourse of buyers and sellers and shall not be comprised of not less than five stalls, stands, vehicles, whether moveable or not or pitches from which articles are sold and normally there will be a range of different sellers. Car boot sales, antique and craft markets, general markets, food markets, farmers' markets, charitable markets and markets held as part of a bigger event all fall within the remit of the Markets Policy adopted by the Council. If you wish to operate a market within the district of Ashfield it will be necessary to obtain a markets licence from the Council. To enable the Council to assess your application you must fully complete the application form below and provide any supplementary information and documentation that is required.

## Processing fees

* The fixed fee to process the initial application for a commercial market is £204.00
* The fixed fee to process the initial application for a community or charity-based market is £51.00

These fees are payable to Ashfield District Council by credit or debit card either at the Markets Office or by telephone to 01623 551385. The Council is unable to accept cash or cheque payments.

The Council operates a number of markets within the district of Ashfield under the provisions of Part III of the Food Act 1984. Under the terms of the Council's current Markets Policy no new commercial market will be authorised within 62/3 miles of an existing licensed market unless it can be demonstrated that the new market will not undermine the existing market and not prejudice the Council's overall market offer.

You must submit the application form, together with all relevant supporting information and application fee, at least 20 working days in advance of the proposed market. You must not hold a market until you have confirmation that your application has been approved, a markets licence has been drawn-up and signed by both the Council and the operator. Once a markets licence has been drawn up, the statistical returns and the licence fee must be received by the Council within 7 days of an event being held.

It is important that in addition to obtaining a markets licence you also secure any other relevant approvals / consents in respect of the holding of the market. This may include planning approval or other statutory operational requirements such as a licence to sell alcohol. It is also important that you have the approval of the owner of the land on which it is proposed to hold the market.

Traffic management should also be considered, will your event impact on the usual flow of traffic in the vicinity of your event due to numbers attending, please check with Nottinghamshire County Council - <http://www.nottinghamshire.gov.uk/transport/licences-permits/events-on-or-affecting-public-roads> for guidance.

## Further information

If you require any further information relating to Ashfield Council's requirements in respect of its markets policy and markets licences, please contact:

**Ashfield District Council [Markets Section]**

**Indoor Market Hall**

**Idlewells Shopping Centre**

**Sutton in Ashfield**

**Nottinghamshire**

**NG17 1BP**

Telephone: 01623 551385

Email: markets@ashfield.gov.uk

# Market Operator - Application form for a Market Licence

Issued by Ashfield District Council under the provisions of Part III of the Food Act 1984

## Section 1: Your Details

The information provided in this section relates to the person submitting the application (the Markets Operator) the details of which will be used in any subsequent licence agreement.

|  |  |
| --- | --- |
| Your full name: |  |
| Name of your business or organisation:(The Market Operator) |  |
| Type of organisation:e.g., Commercial business / Charity |  |
| Your position within the organisation: |  |
| Address: |  |
| Postcode: |  |
| Email: |  |
| Telephone number: |  |

## Section 2: About the Market

What type of market are you applying for? (Please tick only one box)

|  |
| --- |
| General Market |[ ]
| Car boot sale |[ ]
| Antique fair |[ ]
| Craft fair |[ ]
| Food market |[ ]
| Farmers’ market |[ ]

|  |  |
| --- | --- |
| What will be the name of the Market? |  |

|  |  |
| --- | --- |
| Where is the market to be held? |  |

Please be specific as possible and attach a site plan with the boundary of the proposed market area outlined in red and the proposed stall layout shown. Please also specify the current use of the site e.g., car park, public highway, building etc.

|  |  |
| --- | --- |
| How many stalls, pitches or stands will there be? |  |

|  |  |
| --- | --- |
| Types of goods to be sold? |  |

|  |  |
| --- | --- |
| Will old or new goods be sold? |  |

|  |  |
| --- | --- |
| Food or drink items to be sold? |  |

|  |  |
| --- | --- |
| Any entertainment to accompany the market? |  |

|  |  |
| --- | --- |
| When will the first market/event be held? |  |

How often will the market be held?

|  |  |  |
| --- | --- | --- |
| One-off |[ ]  Please provide date:  |  |

|  |
| --- |
| Daily |[ ]

|  |  |  |
| --- | --- | --- |
| Weekly |[ ]  Which day of the week? |  |

|  |  |  |
| --- | --- | --- |
| Monthly |[ ]  Which dates in the month? |  |

|  |  |  |
| --- | --- | --- |
| Other |[ ]  Please give a list of dates:  |  |

Please give the trading times of the market:

|  |
| --- |
|  |

Will alcohol be on sale at the market?

|  |  |
| --- | --- |
| Yes |[ ]  No |[ ]

## Section 3: Operational Issues

### Waste

Please provide details of the arrangements you will make to deal with the waste that will be generated by the market:

|  |
| --- |
|  |

### Power Supply

Please provide details of the arrangements that you will make to supply power (if required) to the market.

Any electricity generators used should be fit for purpose and comply with current best-practice guidelines in terms of noise and emission levels.

|  |
| --- |
|  |

### Traffic management, car parking and road closures

Please provide details of any traffic management arrangements associated with the market. Include information on nearby car parking provision and any road closures required:

|  |
| --- |
|  |

## Section 4: Community based markets

Please complete this section only if the market will be held with the intention of raising funds or celebrating a special event.

The market must be operated on a non-profit making basis and the operator shall, if requested, supply relevant information as proof of this to the Council. While it is recognised and acknowledged that some traders may be selling goods for their own purposes, the Council shall expect there to be a strong community element in the way the event is organised.

Details of the charity / good cause / or special event being celebrated:

|  |
| --- |
|  |

## Section 5: Applicant Checklist

Before submitting your application, please confirm that you have completed the following:

|  |
| --- |
| Obtained written approval from the land / building owner (if market is to be held on private land) |[ ]
| Obtained planning consent (if required) for the market |[ ]
| Completed a risk assessment in connection with the proposed operation of the market(You should include arrangements for vehicle movement, pedestrian safety, loading and unloading, traffic management, allocation of trading positions, use of cooking equipment, first aid and emergencies, food safety, provision of welfare facilities and erecting and dismantling of any equipment used in conjunction with the holding of the market). |[ ]

## Section 6: Commercial Market Licence Fees

A licence fee is payable once an application for a commercial market licence has been granted by the Council. A licence agreement for the identified events will be drawn-up by the Council and will require a statistical return and appropriate fee to be received within 7 days of an event being held.

The licence fee for commercial markets will be based on the size of the market. Please see Appendix 2 for the current list of fees

All fees are payable to Ashfield District Council.

## Section 7: Data Protection and Freedom of Information

## General Data Protection Regulation 2016 (GDPR) / Data Protection Act 2018 (DPA) - Privacy Notice.

Under the GDPR and DPA, Ashfield District Council, Urban Road, Kirkby in Ashfield, Nottingham. NG17 8DA is a Data Controller for the information it holds about you. The Council will hold your name, address, contact and business details provided by you for the operation and administration of the Markets Service. The lawful basis under which the Council uses personal data for this purpose is Contract and Legitimate Interest.

Your data will be held for seven years after you finish trading with us. Subject to some legal exceptions, you have the right to request a copy of the personal information the Council holds about you; to have any inaccuracies corrected; to have your personal data erased; to place a restriction on our processing of your data; to object to processing; and to request your data to be ported (data portability). The information provided by you may also be used for other functions carried out by the Council in accordance with GDPR and DPA. For more information about how the Council may use your data and to learn more about your rights please see the Council’s Privacy Statement [www.ashfield.gov.uk/privacy](http://www.ashfield.gov.uk/privacy)

If you have any concerns or questions about how your personal data is processed, please contact the Council’s Data Protection Officer at the above address or by email to dpo@ashfield.gov.uk . If you are dissatisfied with the Council’s response you can complain to the Information Commissioner's Office in writing to:

* Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
* Telephone: 0303 123 1113 (local rate)
* Telephone:01625 545 745.

## Freedom of Information

The Council is required to comply with the Freedom of Information Act 2000, the Environmental Information Regulations 2004, any subordinate legislation made under the FOI Act/EIR and any guidance issued by the Information Commissioner.

The Council is required, upon request, to provide information it holds unless an exemption applies.

## Section 8: Declaration and Additional Information

In addition to obtaining a markets licence the Markets Operator is responsible for obtaining all other relevant permissions / consents to enable the market to operate legally and safely. If you are unsure about any aspect of this application or related consents then please contact the Council for guidance before signing below.

In signing and submitting this application, you confirm that all the details you have provided are correct and you undertake to notify the Council of any changes to this information within five working days of such changes arising. The Council reserves the right to request additional information before a decision is taken on your application for a markets licence.

Please tick the following boxes to confirm that you have included the following documents with this application:

|  |
| --- |
| Site location plan showing the boundary of the market area and the proposed layout of the stalls / pitches |[ ]
| A copy of your public liability insurance certificate (£5 million minimum cover required) |[ ]
| Application fee, (Payable by Debit/Credit Card Only) |[ ]

Market licence applications will not be determined unless these documents have been supplied.

By signing this form you agree to operate the market in accordance with Ashfield District Council’s Markets Policy and agree to indemnify the Council against any loss or liability which may be incurred as a result of a market licence being granted.

Please sign to accept the above terms and conditions:

|  |  |
| --- | --- |
| Signed: |  |
| Please print name: |  |
| Name of business or organisation: |  |
| Position within organisation: |  |
| Date: |  |

Completed applications, including all supporting documents, should be submitted to:

Post: Ashfield District Council [Markets Section], Indoor Market Hall, Idlewells Shopping Centre, Sutton in Ashfield, Nottinghamshire, NG17 1BP

Telephone: 01623 551385

E-mail: markets@ashfield.gov.uk