



Belfast City Council

Report to:	Development Committee
Subject:	Requests from Third Parties to Hold Markets in Belfast
Date:	9 June 2010
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Relevant Background Information

Belfast City Council holds the right to hold and operate markets under legislation dating back to 1845. The Council exercises those rights principally through the markets operated at St George's, but also hosts externally contracted market style events, such as the Continental Market which is held a number of times throughout the year in the grounds of City Hall, and also events involved in the Maritime Festival.

The Council has received two requests by third parties to hold markets in Belfast. The first is an application for a market in the Boucher Road area of which the Committee has been informed and updated on over the past year; the second has recently been received from a Community Interest Company seeking to operate a market in Bank Square.

Key Issues

Belfast City Council presently holds the sole rights to operate markets in Belfast. The consequence of this is that no 'rival market' can be lawfully operated in the city without the Council's consent.

Two applications are currently live to which the Council must respond and there are others likely to come forward in the near future, as we are aware of different neighbourhood and community organisations' interest in running regular markets of various types and scale. Similarly over the past year, there has been increasing interest from the private sector seeking to establish market type activity to stimulate new footfall and increase revenue. Markets can range from car boot sales to food and craft markets, and interrelate with street trading legislation also.

Committee have been made aware of an application received from Mr Bob Kearney

over the last year to run a market in the Boucher Road area of Belfast. Officers have been working with Mr Kearney to extract the relevant information and whilst some details have been submitted, a full business case is still awaited.

A second application has recently been submitted to Council by Joby Fox on behalf of a newly established Community Interest Company called Belfast Attractions and Events. The company has been established to stimulate activity around the Castle Street / King Street and Bank Square area under the brand of 'Folk Town'. Officers were made aware of their interest in running a market in Bank Square recently and advised the company that Council approval would be required. Some information has now been submitted to Council, but several gaps in the business case remain outstanding.

Both applicants are anxious for early processing of their applications with Belfast Attractions and Events desiring the operation of their market in August 2010.

Officers have been working closely with Legal Services over the past months to review the applications in the context of existing legislation and to consider the issues arising.

The Town Solicitor advises that the market rights held by Council are a valuable corporate asset and that careful consideration should be given on the way to proceed. Fundamentally, in the first instance, Council will have to consider whether it wishes to grant market rights, followed by decisions on which locations and for which types of market if appropriate. In order to advance such an area of work, it is recommended that the Council establish a Markets Policy which would take due account of all issues as above and form a clear platform from which Council could take decisions on individual applications in future.

Legal advice is that it would be preferable to ensure that a properly developed policy be agreed before taking forward any applications to operate market activities, in order to ensure that the Council is being seen to be entirely prudent in relation to any arrangements that it might enter into.

Recommendations

It is recommended that the Committee agrees to the formulation of a Markets Policy for Belfast City Council as outlined above and that the current applicants are advised that decision cannot be made until such a policy is in place.

Decision Tracking

A draft Markets policy will be presented to Committee in conjunction with the timelines of Legal Services.